

ORDINANCE NO. 013 - 2010

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA AMENDING SECTION 6-198 OF THE MONROE COUNTY CODE; AMENDING SECTION 6-198 DEFINITIONS; ALPHABETIZING THE DEFINITIONS; PROVIDING FOR REQUIRED EXAMINATIONS AND EXPERIENCE IN VARIOUS CONTRACTOR CATEGORIES AND SPECIALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

DANNY L. KOURTAGE
CLERK OF
MONROE COUNTY
JUL 1 2010

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WHEREAS, Section 6-198, contains the definitions for the various contracting trades;
and

WHEREAS, over the years the various definitions of trades, testing requirements and certification requirements have changed or been added to reflect the changing construction industry; and

WHEREAS, the sections need to be revised and to be alphabetized to facilitate understanding of the section; and

WHEREAS, the Contractor's Examining Board requested that the revisions be made and be placed before the Board of County Commissioners for approval;

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

Section 1. The introductory language in Section 6-198 of the Monroe County Code is hereby amended to read as follows:

All of the contractor categories shall require experience in the field and shall be tested in the business & law exam and in the trade category in which they seek licensure as determined by state statute or by this chapter, or unless otherwise exempted by this chapter. The contractor's examining board shall make interpretations, as needed, of the scope of services permissible under this section by any contractor or specialty contractor. 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:

Section 2. The definitions in Section 6-198 of the Monroe County Code is hereby amended to read in alphabetical order, with new subheadings, and with the body of the definitions to be amended as follows:

Air Conditioning contractor is divided into the following classes:

(1) *Class A air conditioning contractor* means any person whose services are unlimited in the execution of contracts requiring the experience, knowledge and skill to install, maintain, repair, fabricate, alter, extend or design, when not prohibited by law, central air conditioning, refrigeration, heating, and ventilating systems, including duct work in connection with a complete system only to the extent such duct work is performed by the contractor as is necessary to make complete an air-distribution system, boiler and unfired pressure vessel systems, and all appurtenances, apparatus or equipment used in connection therewith, and to install, maintain, repair, fabricate, alter, extend or design, when not prohibited by law, piping, installation of pipes, vessels and ducts, pressure and process piping, pneumatic control piping, and installation of a condensate drain from an air conditioning unit to an existing safe waste or other approved disposal other than a direct connection to a sanitary system. The scope of work for such contractor shall also include any excavation work incidental thereto, but shall not include any work such as liquefied petroleum or natural gas fuel lines within buildings, potable water lines or connections thereto, sanitary sewer lines, swimming pool piping and filters, or electrical power wiring. All applicants for *Class A air conditioning contractor* shall be required to pass the business & law exam and the appropriate trade exam and to have a minimum of six (6) years experience in the field, as demonstrated to the satisfaction of the licensing board.

(2) *Class B air conditioning contractor* means any person whose services are limited to twenty-five (25) tons cooling and five hundred thousand (500,000) BTU heating (in any one (1) system) in the execution of contracts requiring the experience, knowledge and skill to perform the following: install, maintain, repair, fabricate, alter, extend or design, when not prohibited by law, central air conditioning, refrigeration, heating and ventilating systems, including duct work in connection with a complete system only to the extent such duct work is performed by the contractor as is necessary to make complete an air distribution system being installed under this classification; and to install, maintain, repair, fabricate, alter, extend or design, when not prohibited by law, piping, installation of pipes, vessels and ducts, and installation of a condensate drain from an air conditioning unit to an existing safe waste or other approved disposal other than a direct connection to a sanitary system, all in such a manner as to comply with all plans, specifications, codes, laws and regulations applicable thereto. All applicants for *Class B air conditioning contractor* shall be required to pass the business & law exam and the appropriate trade exam and to have had a minimum of six (6) years experience in the field, as demonstrated to the satisfaction of the licensing board.

(3) *Class C air conditioning contractor* means any person whose business is limited to the servicing of air conditioning, heating or refrigeration systems, including duct alterations in connection with those systems said contractor is servicing, and whose certificate of competency issued pursuant to this article was valid on February 9, 1993. No person not previously certified as a Class C air conditioning contractor as of February 9, 1993, shall be certified as a Class C air conditioning contractor after February 9, 1993. However, the contractor's examining board shall continue to certify and regulate those Class C air conditioning contractors who held Class C certificates of competency prior to February 9, 1993, those persons holding such license on the effective date of this subsection shall be entitled to renew such license but at such time that the license is allowed to expire, it shall not be reinstated through the reinstatement provisions of the licensure chapter.

Apprentice means a person learning a craft under a skilled worker; hence, a beginner, and as such must have a minimum of three (3) years experience before taking a journeyman exam.

Building contractors means those whose services are limited to construction of commercial buildings and single- or multiple-dwelling or residential buildings, neither to exceed three stories in height, and accessory use structures in connection therewith, or those whose services are limited to remodeling, repair or improving any size of building. If the services affect the structural members of the building, drawings sealed by an engineer or architect are required. However, they must comply with the same regulations in regards to subcontractors as a general contractor. All applicants for *building contractor* shall be required to pass the business & law exam and the appropriate trade exam and to have had a minimum of four (4) years experience in the field, as demonstrated to the satisfaction of the licensing board.

Contractor means a person who possesses the requisite skill, knowledge, financial responsibility and experience to supervise, direct, manage and control the contracting activities of the business entity with which he is connected and whose technical and personal qualifications have been determined by investigation and examination as provided in this chapter, and any person who meets the state statutory definition of contractor in the chapter on construction contracting.

Demolition means the dismantlement, disassembly, demolishing, wrecking, or removal of structures or parts thereof and removing the debris therefrom in such a manner that adjoining structures and properties and parts thereof and workmen and other persons may be kept safe. A contractor holding a certificate of competency under this chapter § 489, pt. I (F.S. § 489.101 et seq.) may perform demolition of those elements of a structure or components thereof which said contractor is licensed to construct, assemble or install. General contractors, building contractors, and residential contractors may totally demolish such structures, including the roofs, as they are licensed to construct after they have received from the properly licensed contractor a certificate that electricity, water, and any gaseous substances have been disconnected by said contractors from the source or supply at a point outside the structure to be demolished. Any demolition of a structure which is suspected to contain asbestos requires review by, and if necessary, coordination of activity through the Florida Dept. of Environmental Protection (DEP) prior to the start of work. After May 1, 1997, Monroe County shall no longer certify demolition specialty contractors. However, the board shall continue to license and regulate those demolition specialty contractors who held certificates of competency prior to May 1, 1997. Those persons holding such license on the effective date of this subsection shall be entitled to renew such license but at such time that the license is allowed to expire, it shall not be reinstated through the reinstatement provisions of the licensure chapter.

Electrical contractor means a contractor doing work on any premises or in any building or structure requiring the installation, repair, alteration, addition or changes to any system of electrical wiring, apparatus or equipment for light, heat or power. This work may include all electrical installations for which he holds a certificate of competency on private and public property and within substations and plants, and an electrical contractor may contract therefore and will be issued permits for such work by the administrative agency concerned. All applicants for electrical contractor shall be required to pass the

business & law exam and the appropriate trade exam and to have had a minimum of six (6) years experience in the field, as demonstrated to the satisfaction of the licensing board.

Engage in business means doing a trade for any owner or any tenant of land or of a building or of any part thereof, or for any person, firm or corporation in possession or in charge of the same or any part thereof, or entering into a contract with any such owner, tenant, person, firm or corporation for the doing of a trade.

Engineering contractor is divided into Class I general engineering contractor, Class II specialty engineering contractor, and Class III sub-engineering contractor.

(1) *Class I general engineering contractor* may perform the following work:

- a. Construct foundations including the excavating, forming and placing of reinforcing steel and concrete and perform other incidental work thereto; and
- b. Other concrete and engineering work, including but not limited to, harbors, docks excavating, filling and grading, drainage, pile driving, levees, pumping stations, and similar types of work in conjunction with water power, water control, waterworks and water supply, paving and sidewalks, curbs and gutters, streets and roads, bridges and overpasses and underpasses in streets, roads and public thoroughfares, underground sewage collection and disposal systems, bulk heading and underground utility line construction, both sanitary and storm sewer systems and similar work. No person not previously certified as a Class I general engineering as of February 18, 2004, shall be certified as a Class I general engineering after February 18, 2004. However, the Contractors Examining Board shall continue to certify and regulate those Class I engineering contractors who were certified on February 18, 2004, those persons holding such license on the effective date of this subsection shall be entitled to renew such license but at such time that the license is allowed to expire, it shall not be reinstated through the reinstatement provisions of the licensure chapter.

(2) *Class II, specialty engineering contractor*, is an engineering contractor, under the jurisdiction of the county examining board, who specializes in one (1) or more of the following engineering crafts and whose scope of work is so limited under his certificate of competency. His principal contracting business is the execution of contracts, in some instances sub-contracts, and possibly involving two (2) or more trades requiring the experience, financial means, knowledge and skill, as here set forth, to engage in the business of the particular engineering specialty concerned in such a manner as to comply with all plans, specifications, codes, laws, and regulations applicable. A specialty engineering contractor (Class II) may contract for and take out permits for any and all work or trades connected with his present project or with the construction industry, except that in those trades for which a "master" is specifically required, he shall subcontract with a qualified contractor holding a current certificate of competency in that field. All permits for soakage pits, dry wells, catch basins and connection pipes or filled property shall be secured from the proper authority and installations made in accordance with the Standard Building Code

- a. An *"excavating and grading engineering contractor"* is an engineering contractor, qualified by the experience and skill gained by not less than three (3) years as a general superintendent for an engineering contractor, as demonstrated to the satisfaction of the licensing board, and qualified and certified to make excavations, obtain or remove materials such as rock, gravel or sand, to construct or excavate canals, lakes, levees, roadways, including land clearing, filling and excavating and grading engineering contractor may do the work of a land clearing and grubbing contractor. Auguring is allowed under excavating and grading engineering contractor except in cases where the auguring is controlled by FDEP for well drilling. In addition, to the experience listed herein, all applicants for *"excavating and grading engineering contractor"* shall be required to pass the business & law examination and the appropriate trade exam.
- b. A *"hydraulic dredging engineering contractor"* is an engineering contractor having the experience in this field qualified and certified to make submarine excavations, to remove from underwater locations, materials such as rock, gravel, silt, mud, marl or clay, to excavate canals, channels, lakes, borrow areas, to construct fills, embankments or stockpiles, using floating hydraulic dredging equipment All applicants for *"hydraulic dredging engineering contractor"* shall be required to pass the business & law exam and the appropriate trade exam and to have had a minimum three (3) years experience in the field, as demonstrated to the satisfaction of the licensing board.
- c. A *"marine construction engineering contractor"* is an engineering contractor, having the experience and skill gained by not less than three (3) years as a general superintendent for an engineering contractor, as demonstrated to the satisfaction of the licensing board and qualified and certified to construct seawalls and small docks. A seawall and small dock engineering contractor may drive piling for one-story building construction, seawalls and small docks. In addition, to the experience listed herein, all applicants for *"marine construction engineering contractor"* shall be required to pass the business & law exam and the appropriate trade exam.
- d. A *"paving engineering contractor"* is an engineering contractor having the experience and skill gained by a minimum of three (3) years as a general superintendent for an engineering contractor, as demonstrated to the satisfaction of the licensing board and qualified and certified to construct roads, airport runways and aprons, parking lots, sidewalks, curbs and gutters, property line walls, asphalt paving, concrete paving, and to perform the excavating, clearing and grading incidental thereto. A paving engineer contractor may not excavate for canals and lakes, or construct storm drainage facilities. In addition, to the experience listed herein, all applicants for *"paving engineering contractor"* shall be required to pass the business & law exam and the appropriate trade exam.

- e. A *"pile driving and foundation engineering contractor"* is an engineering contractor having the experience and skill gained by not less than three (3) years as a general superintendent for a general building or general engineering, as demonstrated to the satisfaction of the licensing board and qualified and certified to drive piling including sheet piling and construct foundations including the excavating, forming and placing of reinforcing steel and concrete and perform other work incidental thereto. In addition, to the experience listed herein, all applicants for *"pile driving and foundation engineering contractor"* shall be required to pass the business & law exam and the appropriate trade exam.

(3) *Class III, sub-engineering contractor or land clearing and grubbing engineering contractor* is any person who held a certificate of competency for this category on August 16, 1994, and is an engineering contractor having the experience and skill gained by not less than one (1) year as a general superintendent for an engineering contractor and qualified and certified to clear land of surface debris and vegetation growth, including the grubbing of roots, the removal of the debris therefrom and the general leveling of the surface thereafter and work incidental thereto. A Class III engineering contractor may take out permits for work falling within his particular specialty or specialties except in those trades for which a master is specifically required; he shall subcontract with a qualified contractor holding a current certificate of competency in that field. All permits for soaking pits, dry wells, catch basins, and connection pipes or filled property shall be secured from the proper authority and installation made in accordance with the Standard Building Code. No person not previously classified as a Class III, sub-engineering contractor or land clearing and grubbing engineering contractor as of August 16, 1994, shall be certified as a Class III, sub-engineering contractor or land clearing and grubbing engineering contractor after August 16, 1994. However, the contractor's examining board shall continue to certify and regulate those persons holding a Class III sub-engineering contractor or land clearing and grubbing engineering contractor certificate of competency prior to August 16, 1994, provided that the certificates of competency are maintained in good standing pursuant to all other provisions of this chapter, and rules and regulations promulgated hereunder. Those persons holding such license on the effective date of this subsection shall be entitled to renew such license but at such time that the license is allowed to expire, it shall not be reinstated through the reinstatement provisions of the licensure chapter.

Firm shall include a sole proprietorship, partnership, corporation, association or any other type of business organization.

General contractor means those whose services are unlimited as to the type of work they may do as follows: any person who, for compensation, undertakes to or submits a bid to or does himself or by others, construct, repair, alter, remodel, add to, subtract from, improve any building or structure, including related improvements to real estate for others, or for resale to others. If the services affect the structural members of the building, drawings sealed by an engineer or architect are required. However, a contractor shall subcontract the electrical, plumbing, mechanical, roofing, sheet metal, and air conditioning work, unless he holds a certificate of competency for the respective trade. However, he shall not be required to subcontract for shingle roofing. All applicants for *general contractor* shall be required to pass the business & law exam and the appropriate trade exam and to have had a minimum of six (6) years experience in the field, as demonstrated to the satisfaction of the licensing board.

Journeyman. The term "journeyman" shall mean any person who possesses the required skills, knowledge and experience, as evidenced by three (3) years' proven experience in the trade or craft, as demonstrated to the satisfaction of the licensing board, and who has passed the business and law examination and an examination in his particular trade or craft and possesses a valid certificate of competency as a journeyman in such trade or craft. All work shall be done under the direct supervision of a master or journeyman on all job sites.

Maintenance personnel includes all maintenance personnel who are regularly employed to maintain and make minor repairs to systems, apparatus and equipment, such as plumbing, electrical, refrigeration, air conditioning, boiler, heating and ventilating, which is installed, contained in and used upon premises or in buildings owned, occupied or controlled by the person or firm by whom such personnel is employed. Such maintenance personnel must hold a current certificate of competency for maintenance work or as master or journeyman in the trade or trades in which they are to engage. A master or a journeyman will automatically qualify, without further examination as maintenance personnel in their particular trade. The term "maintenance" as used in this paragraph is not intended to include operators of appliances or equipment. Those persons holding such license on the effective date of this subsection shall be entitled to renew such license but at such time that the license is allowed to expire, it shall not be reinstated through the reinstatement provisions of the licensure chapter.

Master means any person who possesses the necessary qualifications, training and technical knowledge to do, plan, lay out and supervise the work connected in his particular trade. He must be a qualified contractor or work for a qualified contractor, and hold a current certificate of competency indicating his qualification, in order to work in his trade. All applicants for *master* shall be required to pass the business & law exam and the appropriate trade exam and to have had a minimum of six (6) years experience in the field, as demonstrated to the satisfaction of the licensing board.

Master sign contractors means those who may erect, fabricate, repair or maintain for themselves or others any sign as defined in the part II of this Code. They may construct meter centers or services for individual or a series of signs, and install transformers and any device for and pertaining to illumination of signs. They may not connect a circuit to a panel, except for a sign. All applicants for *master sign contractor* shall be required to pass the business & law exam and the appropriate trade exam and to have had a minimum of six (6) years experience in the field, as demonstrated to the satisfaction of the licensing board.

Mechanical contractors means those whose services are unlimited in the execution of contracts requiring the experience, knowledge and skill to perform the following: install, maintain, repair, fabricate, alter, extend or design, when not prohibited by law, central air conditioning, refrigeration, heating and ventilation systems, including duct work in connection with a complete system only to the extent such duct work is performed by the contractor as is necessary to make complete an air distribution system, boiler and unfired pressure vessel systems, lift station equipment and piping, and all appurtenances, apparatus or equipment used in connection therewith; and to install, maintain, repair, fabricate, alter, extend or design, when not prohibited by law, piping, insulation of pipes, vessels and ducts, pressure and process piping, pneumatic control piping, gasoline tanks and pump installation and piping for same, fire sprinkling systems and stand pipes, air

piping, vacuum line piping, oxygen lines, nitrous oxide piping, ink and chemical lines, fuel transmission lines and installation of a condensate drain from an air conditioning to an existing safe waste or other approved disposal other than a direct connection to a sanitary system, all in such a manner as to comply with all plans, specifications, codes, laws and regulations applicable thereto. The scope of his work shall also include an excavation incidental thereto, but shall not include any work such as liquefied petroleum or natural gas fuel lines within buildings, potable waterlines, or connections thereto, sanitary sewer lines, swimming pools piping and filters, and electrical power wiring. All applicants for *mechanical contractor* shall be required to pass the business & law exam and the appropriate trade exam and to have had a minimum of six (6) years experience in the field, as demonstrated to the satisfaction of the licensing board.

Plumbing contractor means a contractor who installs, maintains, repairs, alters, extends or designs, when not prohibited by law, plumbing. A plumbing contractor may install, maintain, repair, alter, extend or design, when not prohibited by law, the following without obtaining any additional local regulatory license, certificate or registration: sanitary drainage or storm drainage facilities; venting systems; public or private water supply systems; septic tanks; drainage and supply wells; swimming pool piping; irrigation systems; or solar water heating systems and all appurtenances, apparatus or equipment used in connection therewith, including boilers and pressure process piping and including the installation of water, natural gas (excluding liquid petroleum gases), and storm and sanitary sewer lines; and water and sewer plants and substations. The scope of work of the plumbing contractor also includes, when not prohibited by law, the design, installation, maintenance, repair, alteration or extension of air piping, vacuum line piping, oxygen line piping, nitrous oxide piping and all related medical gas systems; fire line standpipes and fire sprinklers to the extent authorized by law; ink and chemical lines; fuel oil and gasoline piping and tank and pump installation, except bulk storage plants; and pneumatic control piping systems, all in such a manner as to comply with all plans, specifications, codes, laws and regulations applicable. The scope of work of the plumbing contractor shall apply to private property and public property, shall include any excavation work incidental thereto, and shall include the work well drilling, swimming pool maintenance, lawn sprinkler systems. Such contractor shall subcontract, with a qualified contractor in the field concerned, all other work incidental to the work, but which is specified herein as being the work of a trade other than that of plumbing contractor. All applicants for *plumbing contractor* shall be required to pass the business & law exam and the master plumber examination and to have had a minimum of six (6) years experience in the field, as demonstrated to the satisfaction of the licensing board.

Pool contractors are those whose scope of work involves the construction and repair of any pools, public or private, used for therapy, swimming or other use. This work shall include, but not be limited to, layout, excavation operation of pumps for dewatering purpose, steel work, installation of light niches, pouring of floors, guniting, installing of tile and coping, installation of perimeter and filter piping, installation of all filter equipment, and chemical feeder of any type, plastering of the interior, pouring of decks, construction of equipment rooms or housing for pool equipment, and the installation of package pool heaters. However, the scope of work of such contractor shall not include direct connection to a sanitary sewer system, or to potable water lines. All applicants for pool contractor shall be required to pass the business & law exam and the appropriate trade exam and to have had a minimum of two (2) years experience in the field, as demonstrated to the satisfaction of the licensing board.

Residential contractors are those whose services are limited to construction, remodeling, repair, improvement of one-, two- or three-family unit residences not exceeding two (2) stories in height and accessory use structures in connection therewith. If the services affect the structural members of the building, drawings sealed by an engineer or architect are required. However, they must comply with the same regulations in regards to subcontractors as a general contractor. All applicants for residential contractor shall be required to pass the business & law exam and the appropriate trade exam and to have had a minimum of four (4) years experience in the field, as demonstrated to the satisfaction of the licensing board.

Roofing contractor is a contractor whose services are unlimited in the roofing trade and who installs, maintains, repairs, alters, extends or designs, when not prohibited by law, and uses materials and items used in the installation, maintenance, extension and alteration of all kinds of roofing and waterproofing, all in such manner as to comply with all plans, specifications, codes, laws and regulations applicable thereto. All applicants for roofing contractor shall be required to pass the business & law exam and the appropriate trade exam and to have had a minimum of four (4) years experience in the field, as demonstrated to the satisfaction of the licensing board.

Septic tank contractor is licensed by the State of Florida Department of Health.

Specialty contractors are those whose work consists of the performance of construction work and skills that are usually a minor but important part of the complete structure, or whose trades are unrelated to the integrity of the building structure. Unless specifically specified below, all specialty contractors shall be required for licensing to pass the business and law examination and shall have a minimum two (2) years experience in the field, as demonstrated to the satisfaction of the licensing board. The following is a list of specialty skills with the scope of work that may be performed under the certificate for each specialty: a certificate of competency shall be required for each specialty contractor:

- (1) *Acoustical ceiling specialty contractor* is qualified to fabricate, install, maintain, alter or extend any acoustical ceiling material.
- (2) *Aluminum, vinyl and plastic specialty contractor* is qualified to fabricate, install, maintain, alter or extend aluminum, vinyl and plastic products such as metal, vinyl, or plastic sidings, awnings, window frames, railings, screen and screen enclosures, and canopies, including canopy frames for canopies fabricated from materials other than aluminum, vinyl or plastic.
- (3) *Asphalt seal and coating specialty contractor* is qualified to coat an existing asphaltic paving material with a sealer, which may be applied by squeegee, broom or mechanical applicator; and to repair deteriorated asphalt pavement through infrared technology or, up to a maximum of one hundred (100) square feet of patch work on a site, by cold patch technology, with no increase in the foot print of the paved area.
- (4) *Burglar alarm specialty electrical contractor* is qualified to install, repair, alter, add to or change any system electrically energized in whole or in part, for the detection, prevention or control of

burglary. The scope of these systems shall include conductors and raceways, radio frequency carriers, laser beams, light beams, sonic beams, any other means of signal transmissions, as well as all apparatus pertaining to burglar alarm systems. A burglar alarm specialty electrical contractor may connect to an existing separate circuit of approved capacity, which is terminated in an approved outlet, junction box, or fused disconnect switch within six (6) feet of the equipment to be energized.

- (5) *Cabinet and millwork specialty contractor* is qualified to fabricate and install cabinets of all kinds, prefabricated or on-site fabricated of a non-structural nature; to apply paneling to the interior of the structure, which paneling shall be of wood or synthetic products or a combination of both; and to set door jams, hang doors, and apply trim molding to the interior of a structure.
- (6) *Demolition specialty contractor* is qualified to demolish buildings. No person not previously certified as a demolition specialty contractor as of May 1, 1997, shall be so certified after May 1, 1997. However, the board shall continue to license and regulate those demolition specialty contractors who held certificates of competency prior to May 1, 1997, those persons holding such license on the effective date of this subsection shall be entitled to renew such license but at such time that the license is allowed to expire, it shall not be reinstated through the reinstatement provisions of the licensure chapter.
- (7) *Drilling auger specialty contractor* is qualified to drill auger holes for persons who have obtained permits.
- (8) *Drywall specialty contractor* is qualified to fabricate, install, maintain, alter or extend any gypsum drywall products to wood or metal studs, wood or steel joints and metal runners in the buildings. The scope of the work shall include the preparation of the surface over which the drywall product is to be applied, including the placing of metal studs and runners and all necessary trim.
- (9) *Fence erector specialty contractor* is qualified to erect fences of wood, chain link or prefabricated materials. He may auger and pour concrete for fence post anchorages.
- (10) *Fire alarm specialty contractor* is qualified to install, repair, alter, add to or change any system, electrically energized in whole or in part, for the detection and prevention of fire, noxious gases, liquids or atomic radiation. The scope of these systems shall include conductors and raceways, radio frequency carriers, laser beams, light beams, sonic beams, and any other means of signal transmissions as well as all apparatus pertaining to fire alarm systems. A fire alarm specialty contractor may connect to an existing separate circuit, of approved capacity, which is terminated in an approved outlet, junction box, or fuse disconnect switch within six (6) feet of the equipment to be energized. Such contractors must have a fire alarm journeyman or master

or licensed fire alarm specialty contractor supervising the installation, repair and alteration of any system at all times. A fire alarm specialty contractor may not install, repair, or alter any fire suppression or extinguishing system even if such system is interconnected with a fire alarm system.

- (11) *Flooring specialty contractor* is qualified to install all types of flooring except cementitious products, marble or terrazzo.
- (12) *Garage door opener/installation specialty contractor* is qualified to install automatic garage door openers in residential and commercial buildings.
- (13) *Gasoline tank and pump specialty contractor* is a specialty mechanical contractor qualified and certified to install, maintain, repair, alter or extend any system used for storing and dispensing of gasoline, kerosene, diesel oils and similar liquid hydrocarbon fuels or mixtures to be used solely in connection with gasoline filling stations dispensing fuel to mobile vehicles or marine equipment; provided, however, that bulk plants shall not be a part of the scope of such work. No person not previously certified as a *gasoline tank and pump specialty contractor* as of February 18, 2004, shall be so certified after February 18, 2004. However, the board shall continue to license and regulate those *gasoline tank and pump specialty contractors* who held certificates of competency prior to February 18, 2004, but at such time that the license is allowed to expire, it shall not be reinstated through the reinstatement provisions of the licensure chapter.
- (14) *Glazing specialty contractor* is qualified to install glass of all kinds, and metal and wood window frames. All applicants for a *glazing specialty contractor* shall be required to pass the business & law exam and the appropriate trade exam and to have had a minimum of two (2) years experience in the field, as demonstrated to the satisfaction of the licensing board. Those persons holding such license on the effective date of this subsection shall be entitled to renew such license but at such time that the license is allowed to expire, it shall not be reinstated until they have fulfilled the licensure requirements of this chapter.
- (15) *Guniting and sandblasting specialty contractor* is qualified to guniting, sandblast, place reinforcing steel for guniting work, place backing for guniting work, and do forming. No person not previously certified as a *guniting and sandblasting specialty contractor* as of February 18, 2004, shall be so certified after February 18, 2004. However, the board shall continue to license and regulate those who held certificates of competency prior to February 18, 2004, but at such time that the a *guniting and sandblasting specialty contractor* license is allowed to expire, it shall not be reinstated through the reinstatement provisions of the licensure chapter.
- (16) *Heating, ventilation and air conditioning duct installation specialty contractor* is a specialty mechanical contractor who is qualified and

certified to fabricate, adjust and install fiberboard or flex duct designed by others and to install sheet metal duct fabricated by others. This specialty contractor shall work under the supervision of a mechanical contractor or other licensed air conditioning contractor.

- (17) *House moving specialty contractor* is qualified to move buildings. He is allowed to block up a building prior to moving, but foundations at the new site must be placed or installed by others. No person not previously certified as a *house moving specialty contractor* as of February 18, 2004, shall be so certified after February 18, 2004. However, the board shall continue to license and regulate those who held certificates of competency prior to February 18, 2004, but at such time that the *house moving specialty contractor* license is allowed to expire, it shall not be reinstated through the reinstatement provisions of the licensure chapter.
- (18) *Insulating specialty contractor* is qualified to place approved insulation in any type structure.
- (19) *Landscaping specialty contractor* is qualified to perform all services that may be performed by someone holding a mowing and yard service occupational license, as well as to install, alter, maintain and trim trees, grass, shrubbery and plants, as well as clearing, grubbing and pruning of trees, and the spreading of pea rock less than one (1) inch in diameter and top soil, but not including the alteration of the grade by the placement of fill. Auguring for any purpose other than to install, alter, maintain and trim trees, grass, shrubbery and plants is not allowed under this specialty.
 - a. *Landscaping curb contractor* is qualified to form, mold, and lay non-structural decorative curbing to be used for landscaping purposes only.
- (20) *Lawn sprinkler specialty contractor* is qualified to install, maintain, repair, alter, extend or design lawn sprinkling systems and appliances and devices used in connection with such systems; except that such systems shall not include the drilling of wells or the connection of such systems to potable water.
- (21) *Low voltage specialty contractor* is qualified to install, maintain, repair, alter or extend any low voltage electrical construction less than fifty (50) volts or equivalent root mean squared. All applicants for *low voltage specialty contractor* shall be required to pass the business & law exam and the appropriate trade exam and to have had a minimum of three (3) years experience in the field, as demonstrated to the satisfaction of the licensing board.
- (22) *Masonry specialty contractor* is qualified to place and finish concrete, and to fabricate or install block, pavers and bricks in a building. He cannot build or place forms or place steel in anything other than non-structural concrete components, except that he can place forms for the purpose of repairing spalling concrete only.

- (23) *Mobile home maintenance and repair specialty contractor* is qualified to install, alter or maintain a mobile home, confined to painting, siding, replacement of windows, doors, tie-downs, roof waterproofing and flooring, excluding electrical, plumbing and air conditioning work. Those persons holding such license on the effective date of this subsection shall be entitled to renew such license but at such time that the license is allowed to expire, it shall not be reinstated through the reinstatement provisions of the licensure chapter.
- (24) *Mobile home set-up and tie-down specialty contractor* is qualified to place a mobile home on a lot with required blocking and tie-down straps, excluding electrical, plumbing and air conditioning work. Those persons holding such license on the effective date of this subsection shall be entitled to renew such license but at such time that the license is allowed to expire, it shall not be reinstated through the reinstatement provisions of the licensure chapter.
- (25) *Painting and decorating specialty contractor* is qualified to paint buildings, interior and exterior, and signs, with brushes, rollers or spray. He can apply with brush, roller or spray, textured finishes to interior ceilings. This provision does not require a certificate of competency for the painting of signs only at the painter's shop.
- (26) *Pavement painting specialty contractor* is limited to painting pavement, including parking lot and street striping with brushes, rollers or spray.
- (27) *Plastering specialty contractor* is qualified to plaster interior or exterior of any structure, and in addition, may finish concrete.
- (28) *Satellite, T.V. antenna, telephone and other communications equipment installation specialty contractor* is qualified to fabricate, install, maintain, alter or extend any satellite or T.V. antenna installations, or any telephone or other communications equipment installation, excluding any electrical connections other than plug-in.
- (29) *Septic tank cleaning specialty contractor* is qualified to pump and clean septic tanks or grease interceptors.
- (30) *Sign electrician (electrical wiring only) specialty contractor* is qualified to do all neon installation on preinstalled signs, structures and appurtenances; to manufacture neon lights and mount neon lights on signs erected and placed by others; to do all other electrical wiring for electrical signs; and to install transformers and any other device pertaining to illumination of signs. They shall not connect a circuit to a panel except for a sign. All applicants for sign electrician shall be required to pass the business & law exam and the appropriate trade exam and to have had a minimum of six (6) years experience in the field, as demonstrated to the satisfaction of the licensing board.

- (31) *Sign erection specialty contractor* is qualified to erect signs of all classes and do repairs of such signs; however, if electrical signs are installed or repaired, a master electrician, a sign electrician specialty contractor, or master sign contractor shall be required.
- (32) *Sign Painting specialty contractor* is limited to painting of interior and exterior signs, with brushes, rollers or spray. This provision does not require a certificate of competency for the painting of signs only at the sign painter's shop.
- (33) *Solar products specialty* A solar contractor is a contractor whose contracting business consists of the execution of contracts requiring the experience, financial means, knowledge and skill to install, alter, repair, maintain, relocate, or replace solar panels for potable solar water heating systems, and swimming pool solar heating systems and any appurtenances, apparatus, or equipment used in connection therewith. Such contractor shall subcontract with a qualified contractor in the field concerned all other work which is specified herein as being the work of a trade other than that of a solar contractor. The scope of work of the solar contractor shall apply to private and public property, and shall include all minor work incidental thereto as specified herein. For purposes of this section the term residential refers to systems installed in connection with one family, two family, or three family residences not exceeding two stories in height. The following minor work incidental to the installation of residential solar equipment shall be considered to be within the scope of work of a solar contractor. Unless otherwise indicated, the solar contractor shall be permitted to perform such work without subcontracting to a trade other than that of a solar contractor.
- a. Electrical work. The branch circuit supplying the electric water heater, the receptacle outlet for a cord-and-plug-connected solar controller, the swimming pool pump motor, and the premises wiring on the load side of the premises service disconnecting means shall be in accordance with the National Electric Code. If installation, alteration, removal, replacement, or upgrading of this circuit is necessary, the work shall be performed by licensed electrical contractors only.
 - b. Solar Water Heating Systems. Solar contractors may disconnect and reconnect the existing branch circuit wiring at the water heater. Solar contractors may install new or replace existing control attached to a cord-and-plug-connected solar controller. All work shall be done in accordance with the National Electric Code.
 - c. Solar Pool Heating Systems. Solar contractors may install new or replace existing power wiring on the load side of an existing pump motor disconnect. Solar contractors may also install new or replace existing control wiring connected to a solar pool controller. All work shall be done in accordance with the National Electric Code.

- d. Plumbing. The solar contractor shall perform all work required for the installation of a domestic solar water heating system and solar pool heating system, including connecting the solar hot water system to the existing cold water supply and hot water lines at the existing domestic water heater location. Such work shall be performed in accordance with applicable codes and standards.
 - e. Roofing. Solar contractors may perform roofing work directly related to the installation of a domestic solar water heating system, or solar pool heating system, including cutting roof openings and penetrations, installing flashings, attaching equipment mounting brackets and solar panels. Such work shall be limited to an area within 18 inches of each roof penetration or attachment and shall be performed in accordance with National Roofing Contractors Association roofing practices.
- (34) *Solar window tinting specialty contractor* is qualified to install solar window tinting products.
 - (35) *Steel reinforcing and iron specialty contractor* is qualified to place and tie reinforcing steel in forms built by others and forms built by said contractor to repair spalling concrete only.
 - (36) *Structural steel erection specialty contractor* is qualified to erect and fasten structural steel in place, by riveting, bolting or welding, including metal towers and rigging.
 - (37) *Swimming pool servicing specialty contractor* is qualified to service, repair, and maintain any swimming pool, whether public or private, and treat swimming pool water. The scope of such work may include any necessary piping and repairs, replacement and repair of existing equipment, or installation of new additional equipment as necessary. The scope of such work includes the reinstallation of tile and coping, repair and replacement of all piping, filter equipment, and chemical feeders of any type, replastering, re-pouring of decks, and reinstallation or addition of pool heaters. No person not previously certified as a *swimming pool servicing specialty contractor* as of February 18, 2004, shall be so certified after February 18, 2004. However, the board shall continue to license and regulate those who held certificates of competency prior to February 18, 2004, but at such time that the *swimming pool servicing specialty contractor* license is allowed to expire, it shall not be reinstated through the reinstatement provisions of the licensure chapter.
 - (38) *Thatched structure specialty contractor* is qualified to install by placing or erecting support poles and beams, chickees and tiki huts and placing thatched roofing thereon. No person not previously certified as a *thatched structure specialty contractor* as of February 18, 2004, shall be so certified after February 18, 2004. However, the board shall continue to license and regulate those who held certificates of competency prior to

February 18, 2004, but at such time that the *thatched structure specialty contractor* license is allowed to expire, it shall not be reinstated through the reinstatement provisions of the licensure chapter.

- (39) *Thatched roofing specialty contractor* is qualified to install thatched roofing on "chickee" and "tiki" huts. A thatched roofing specialty contractor cannot place or erect the support poles and beams for "chickee" and "tiki" huts.
- (40) *Tile, marble and terrazzo specialty contractor* is qualified to install, repair and maintain pavers, tile, marble and terrazzo.
- (41) *Waterproofing and roof painting specialty contractor* is qualified to apply waterproof sealants and to paint roofs.
- (42) *Welding specialty contractor* is qualified to fabricate and install assembled accessories and sections of structural and ornamental metals. No person not previously certified as a *welding specialty contractor* as of February 18, 2004, shall be so certified after February 18, 2004. However, the board shall continue to license and regulate those who held certificates of competency prior to February 18, 2004, but at such time that the *welding specialty contractor* license is allowed to expire, it shall not be reinstated through the reinstatement provisions of the licensure chapter.

Supervision means control over and direction of the construction work. It requires the supervisor to give direction and inspect the work being performed by others and to be on the site during construction activity as is necessary for said direction and inspections, to ensure that work complies with plans, specifications, regulations and the building codes.

Testing means the examination(s) which shall be taken and passed by the applicant in order to complete a portion of the specific requirements for a certificate of competency in any particular field. A minimum grade of seventy (70) percent is required in order to achieve a passing grade on any examination for all trades defined in this section. The particular examination requirements may vary depending on the specific certificate of competency sought by the applicant.

Trade shall include but shall not be limited to plumbing, electrical work, plastering, construction, repair or removal of buildings, and any other similar occupation connected with the construction industry or defined in this section.

Underground utility and excavation contractor means a contractor whose services are limited to the construction, installation, and repair, on public or private property, whether accomplished through open excavations or through other means, including, but not limited to, directional drilling, auger boring, jacking and boring, trenchless technologies, wet and dry taps, grouting, and slip lining, of main sanitary sewer collection systems, main water distribution systems, storm sewer collection systems, and the continuation of utility lines from the main systems to a point of termination up to and including the meter location for the individual occupancy, sewer collection systems at property line on residential or single-occupancy commercial properties, or on multioccupancy properties

at manhole or wye lateral extended to an invert elevation as engineered to accommodate future building sewers, water distribution systems, or storm sewer collection systems at storm sewer structures. However, an underground utility and excavation contractor may install empty underground conduits in rights-of-way, easements, platted rights-of-way in new site development, and sleeves for parking lot crossings no smaller than 2 inches in diameter, provided that each conduit system installed is designed by a licensed professional engineer or an authorized employee of a municipality, county, or public utility and that the installation of any such conduit does not include installation of any conductor wiring or connection to an energized electrical system. An underground utility and excavation contractor shall not install any piping that is an integral part of a fire protection system as defined in Florida Statute Section 633.021 beginning at the point where the piping is used exclusively for such system. All applicants for *underground utility and excavation contractor* shall be required to pass the business & law exam and the appropriate trade exam and to have had a minimum of three (3) years experience in the field, as demonstrated to the satisfaction of the licensing board.

Section 3. SEVERABILITY. Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Ordinance as whole, or any part thereof, other than the part declared to be invalid. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstances, such holding shall not affect its applicability to any other person, property or circumstances.

Section 4. CONFLICTING PROVISIONS. In case of direct conflict between any provision of any appropriate federal, state or County law, rule code of regulation, the more restrictive shall apply.

Section 5. INCLUSION IN THE CODE OF ORDINANCES. The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the code.

Section 6. EFFECTIVE DATE. This Ordinance shall take effect upon filing with the Department of State as provided in Section 125.66(2), Florida Statutes.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 21st day of April, 2010.

Mayor Sylvia Murphy
Mayor Pro Tem Heather Carruthers
Commissioner Mario Di Gennaro
Commissioner George Neugent
Commissioner Kim Wigington

Yes
Yes
Yes
Yes
Yes

(SEAL)

Attest: DANNY L. KOLHAGE, Clerk

By: Isabel C. DeSantis
Deputy Clerk

**BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA**

By: Sylvia J. Murphy
Mayor/Chairperson

MONROE COUNTY ATTORNEY
APPROVED AS TO
Jacqueline V. Cassel
JACQUELINE V.
ASSISTANT COUNTY ATTORNEY
5-6-10