



**MONROE COUNTY, FLORIDA**  
**MONROE COUNTY BOARD OF COUNTY COMMISSIONERS**  
**ORDINANCE NO. 028 -2013**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY AMENDING SECTIONS 6-240(a); 6-240(b); AND 6-242 CONCERNING CERTIFICATES OF COMPETENCY; PROVIDING A GRACE PERIOD FOR THE PAYMENT OF LATE RENEWAL FEES; CLARIFYING THE LATE RENEWAL PENALTY AMOUNT AND PROVIDING FOR RELIEF FROM THIS SECTION BY THE CONTRACTORS' EXAMINING BOARD UPON GOOD CAUSE SHOWN BY THE HOLDER OF THE CERTIFICATE OF COMPETENCY; PROVIDING FOR AN APPLICATION AND FEE FOR RENEWAL OR REINSTATEMENT REQUEST; AMENDING THE TITLE OF SECTION 6-242; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Contractors' Examining Board (CEB) is the local construction regulation board for Monroe County authorized by Florida Statutes Chapter 489 to regulate local contractors; and

**WHEREAS**, at the September 12, 2012 meeting of the CEB, the CEB requested text amendments to Section 6-242 of the Monroe County Code to further clarify the CEB's powers and duties regarding license renewals and reinstatement of lapsed Certificates of Competency issued by the CEB; and

**WHEREAS**, at the March 12, 2013 meeting of the CEB, the CEB requested text amendments to Section 6-240 of the Monroe County Code to clarify the definition of an expired Certificate of Competency; to clarify the status of a Certificate of Competency that is inactive or has lapsed for non-

payment; and to provide a 30-day grace period for the late payment of renewal fees with a penalty; and

**WHEREAS**, at the April 9, 2013 meeting of the CEB, the CEB approved the following text amendments and recommended that the following amendments be forwarded to the Board of County Commissioners for consideration and adoption.

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

**SECTION 1.** Section 6-240(a) and 6-240(b) of the Monroe County Code is amended to read as follows:

**Sec. 6-240. - Fees**

- (a) The Board shall recommend to the Board of County Commissioners reasonable fees to be paid for application, examination, certification and renewal, and record making and recordkeeping. The fees shall be established as follows:

General Contractor .....	\$200.00
Building Contractor .....	\$150.00
Residential Contractor .....	\$150.00
Engineering Contractor I .....	\$200.00
Engineering Contractor II .....	\$150.00
Engineering Contractor III .....	\$150.00
Mechanical, Plumbing and Electrical Contractors .....	\$150.00
All other Contractors, including Specialty Contractors .....	\$150.00
Master (Plumbing, Electrical and Mechanical) .....	\$100.00
Journeyman (Plumbing, Electrical and Mechanical) .....	\$70.00
Apprentice .....	\$30.00
Examination Fees .....	
Business and Law Exam .....	\$100.00
All Hour Technical Exams .....	\$155.00
Renewal Reinstatement Request Application .....	\$200.00

- (b) The renewal fees shall cover two years, and the Certificate of Competency shall be issued for two years. The renewal fees shall be due on October 1 of each odd-numbered year and the Certificate of Competency shall expire on November 1 of that same year for non-payment. The late renewal of an expired Certificate of Competency shall be allowed on or after November 1 of each odd-numbered year, but prior to December 1 of that same year with a penalty. The

penalty shall be equal to the renewal fee. If renewal of the Certificate of Competency has not occurred prior to December 1 of each odd-numbered year, then the Certificate of Competency shall not be renewed or reinstated unless the holder of the Certificate of Competency files an application and pays the fee to the Monroe County Building Department within two (2) years of the November 1 expiration date and shows good cause to the Contractors' Examining Board for justification of renewal at a meeting of the Contractors' Examining Board by vote of its members. The Contractors' Examining Board may take any action authorized in Section 6-242.

(1) A license shall not be renewed if there are any unpaid fines or administrative fees including license fees, permit fees, fines and/or administrative fees issued by the Contractors' Examining Board and/or citation issued by the Department of Code Compliance.

(2) The holder of the Certificate of Competency is responsible to notify the Monroe County Building Department in writing of any and all changes of mailing address. The Monroe County Building Department shall provide the renewal notice to the last known mailing address of the holder of the Certificate of Competency.

(3) For the purposes of this chapter, a person or business organization operating as a business or acting in the capacity of a contractor with an inactive or expired license is unlicensed.

\* \* \* \* \*

**SECTION 2.** Section 6-242 of the Monroe County Code is hereby amended to read as follows:

**Sec. 6-242. - Requests for renewal or reinstatement.**

(a) When the holder of a Certificate of Competency that has been revoked or suspended for any reason, or expired for non-payment after the time prescribed in Section 6-240, wishes to renew or reinstate the Certificate of Competency, the holder of the Certificate of Competency shall file an application and pay the fee to the Building Department within two years of the expiration date or revocation date or suspension date and show good cause to the Contractors' Examining Board for justification of renewal at a meeting of the Contractors Examining Board by vote of its members. The Contractors' Examining Board may:

(1) Require complete reexamination before a Certificate of Competency is renewed or reinstated; and/or

- (2) Require a payment up to all missed renewal and penalty fees; or
  - (3) Deny the request for renewal or reinstatement.
- (b) A Certificate of Competency that has expired and is no longer issued by Monroe County may not be renewed or reinstated unless the holder of the Certificate of Competency files an application and pays the fee with the Building Department within two years of the expiration date and shows good cause to the Contractors' Examining Board for justification of renewal or reinstatement at a meeting of the Contractors' Examining Board by vote of its members. The provisions listed in Section 6-242(a)(1), (2) and (3) shall apply.

### **SECTION 3. Severability**

If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence, or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

### **SECTION 4. Conflicting Provisions**

In the case of direct conflict between any provision of this ordinance, and a portion or provision of any appropriate federal, state, or county law, rule, code or regulation, the more restrictive shall apply.

### **SECTION 5. Filing**

This Ordinance shall be filed with the Department of State and shall be effective as provided in Chapter 125.66(2) Florida Statutes.

### **SECTION 6. Inclusion in the Monroe County Code.**

The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an amendment thereto, and shall be appropriately renumbered to conform to the uniform marking system of the Code.

### **SECTION 7. Effective Date.**

This Ordinance shall become effective as provided by law and stated above.

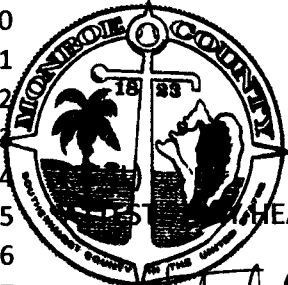
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191 **PASSED and ADOPTED** at a regular meeting of the Board of County Commissioners of Monroe County,  
192 Florida, at a regular meeting held on the 17th day of July, 2013.

193  
194 Mayor George Neugent Yes  
195 Mayor *Pro Tem* Heather Carruthers Yes  
196 Commissioner Danny Kolhage Yes  
197 Commissioner David Rice Yes  
198 Commissioner Sylvia Murphy Yes

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

204  
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207 By: George L. Neugent  
208 Mayor George Neugent



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215 HEAVILIN, CLERK

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217 By: [Signature]  
218 Deputy Clerk

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220 **MONROE COUNTY ATTORNEY**  
221 **APPROVED AS TO FORM:**  
222 [Signature]  
223 **STEVEN T. WILLIAMS**  
224 **ASSISTANT COUNTY ATTORNEY**  
225 Date 6/25/13

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FILED FOR RECORD  
2013 AUG 16 PM 12:06  
CLERK OF COURT  
MONROE COUNTY, FLORIDA