

ORDINANCE NO. 2004 -13

AN ORDINANCE OF PUTNAM COUNTY, FLORIDA THAT DEFINES, CLARIFIES AND REGULATES CONTRACTORS AND THE BUSINESS OF CONTRACTING; PROVIDES FOR A SHORT TITLE; ESTABLISHES A CONTRACTORS REVIEW BOARD AND DESIGNATES ITS MEMBERS AND PRESCRIBES ITS POWERS, JURISDICTION, DUTIES AND RESPONSIBILITIES; PRESCRIBES CONTRACTORS QUALIFICATIONS AND LICENSING REQUIREMENTS; PROVIDES FOR THE EXAMINATION, REGISTRATION AND LICENSING OF CONTRACTORS AND THE RENEWAL THEREOF; MAKES CERTAIN EXCEPTIONS AND EXEMPTIONS; PROVIDES FOR PAYMENT AND COLLECTION OF FEES IN CONNECTION HEREWITH; MAKES CERTAIN ACTS UNLAWFUL AND PROVIDES PENALTIES; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR REPEAL OF ORDINANCES: 92-06, 94-23A, 95-55, AND 98-14 .

**WHEREAS**, the necessity of licensing Contractors was first recognized in Putnam County Ordinance 72-5 as a means to insure public safety by setting experience and knowledge standards for the various Contractor categories; and

**WHEREAS**, trade changes in many Contractor categories and in related state contractor licensing statutes result in a need to update Putnam County's regulation of contracting and of contractor licensing, to insure continuing public safety in the built environment.

**WHEREAS**, the Putnam County Board of County Commissioners is required, authorized and empowered under Chapters 125 and 163, Florida Statutes to control the growth and regulate the development of the unincorporated areas of the County of Putnam, and

**WHEREAS**, the Putnam County Board of County Commissioners, in order to protect and promote the public health, safety, and general welfare of the residents of Putnam County, has established procedures to ensure that building trades contractors are licensed, and that the construction industry activities are conducted according to code, law and ordinance; and

**WHEREAS**, a method of local disciplinary action and oversight of contractors is required pursuant to F.S. 489, and

**WHEREAS**, the Contractors and Building Trades Examiners Board held public meetings on: October 23, 2003, November 3, 2003, November 17, 2003, December 1, 2003, January 22, 2004, February 19, 2004, February 24, 2004, March 1, 2004, March 18, 2004 and April 5, 2004 and recommended approval of this ordinance; and

**WHEREAS**, the Putnam County Board of County Commissioners held a public hearing on June 8, 2004 to consider this ordinance.

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

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**Section 1. Short Title.**

This ordinance may be known and cited as the “Contractors Licensing Ordinance of Putnam County, Florida”.

**Section 2. Applicability.**

This ordinance shall apply to and be enforced in all unincorporated areas of Putnam County; and in certain incorporated areas of Putnam County where the Building Official and his inspectors are authorized to provide regulation and control pursuant to an appropriate interlocal agreement.

**Section 3. Definitions.** As used in this Ordinance:

- A. **Authorized Contractor** shall mean any Contractor who owns and possesses a current valid Authorized Contractors License.
- B. **Authorized Contractors License** shall mean a license issued by Putnam County, whereby the Putnam County Contractors Review Board has approved a person's right to do the indicated scope of work after satisfying the requirements of this ordinance as a Contractor.
- C. **Board**, or Contractors and Building Trades Examiners Board shall be the Contractors Review Board.
- D. **Building Official** means the officer or other designated authority charged with the administration and enforcement of codes and ordinances adopted by Putnam County which relate to construction, permitting, inspection, and contractor licensing.
- E. **Business Organization** shall mean a business entity engaging in contracting as an individual sole proprietorship, partnership, company, corporation, Limited Liability Company, business trust or other legal entity.

- F. **Certified Contractor** shall mean any Contractor who owns and possesses a current valid license issued by the Florida Department of Business and Professional Regulation and who may contract in any jurisdiction in the State of Florida without being required to fulfill licensing qualification requirements of that jurisdiction, except to provide proof of Workers Compensation insurance or legal exemption thereto, liability insurance and a copy of the current state license to create a permitting qualification file and pay a file management fee for such.
- G. **Class I Contractor** shall mean a State Certified or Registered Contractor that is a County Authorized Contractor listed in Section 17, paragraph A of this Ordinance.
- H. **Class II Contractor** shall mean an Authorized Contractor listed in Section 17, paragraph B of this Ordinance.
- I. **Commencement of Construction** shall mean within the meaning of the mechanic's lien statute, is the visible commencement of actual operations on the ground for the erection of the building, which everyone can readily recognize as commencement of a building, and which is done with the intention to continue the work until building is completed.
- J. **Contracting** shall mean, except as exempted herein, engaging in any business as a Contractor and includes, but is not limited to, performance of any of the acts as set forth in this ordinance. The attempted sale of contracting services including the use of advertising and the negotiation or bid for a contract for these services shall also constitute contracting and acting for another for compensation as a construction coordinator, negotiator, manager, inspector, or on-site supervisor shall also constitute contracting.
- K. **Contractor** shall mean any person not fitting the definition of "employee" who, except as exempted in this ordinance, for compensation, undertakes to, submits a bid to, does himself or by subcontracting or employment or supervision of others does construct, erect, install, maintain, repair, alter, remodel, add to, subtract from, demolish or improve any building or structure, including related improvements to real estate, for others or for resale to others.
- L. **Employee** shall mean an individual who receives compensation from and is under the supervision and control of an Authorized Contractor or Certified Contractor or owner/builder who should regularly deduct federal withholding tax and F.I.C.A. from the individual's gross wages and provide worker's compensation coverage, all as provided by law; wages to also include piecework compensation when employee production is measured in lieu of the time worked. **Exception:** An individual whom receives compensation that is required to be reported as income on a 1099 form is a Contractor.
- M. **Grandfathered** refers to the license issued by the Board to a Contractor who has provided proof of experience, which qualified him for a license without examination.
- N. **Journeyman Class** shall mean those who are authorized to perform in the electrical, plumbing, heating, air conditioning / mechanical trades while employed by a Master of that trade. The Journeyman Classes recognized by the County are listed in Section 17, paragraph D, of this Ordinance.

- O. **Licensee** shall mean a holder of a current valid Authorized Contractor License issued as herein provided.
- P. **Licensing Administrator** shall mean the Putnam County Building Official or his/her designee.
- Q. **Master License** is a term used in this Ordinance to describe certain Class I Contractors that are authorized to employ and train the Journeyman Classes described in Section 17, paragraph C, and shall mean a Certified or Authorized Contractor License held in the electrical, plumbing, heating, air conditioning or mechanical trades as described under Section 17, paragraphs A (1), (2), (5), (8) and (9).
- R. **Party** shall mean any individual, sole proprietorship, person, partnership, corporation, association or any other type of business organization.
- S. **Qualifying Agent** shall mean a person who possesses the requisite Certified Contractor or Authorized Contractor License and the skill, knowledge, experience, and responsibility to direct, manage and control the contracting activities of the business entity with which he is connected, and whose technical and personal qualifications have been assured by investigation and pre-qualification as provided for in this ordinance. The qualifying agent shall have the responsibility to, direct, manage, and control construction activities on each job built under his license; and shall be financially responsible unless relieved in writing by an employer with majority interest.
- T. **Registered Contractor** means any contractor who is required by Florida Statute, and has in fact, registered his Authorized Contractors License with the Florida Department of Business and Professional Regulation.
- U. **Supervision** shall mean direct on-site observation and direction.
- V. **Supervisor** shall mean a person who provides supervision.
- W. **Unlicensed** shall mean a person performing work who is not certified by the Florida Department of Business and Professional Regulation or authorized by Putnam County as a licensed Contractor, and may include property owners, employees of or a supervisor.
- X. **Repeat Violation** shall mean a violation of a provision of this Ordinance, codes, Contractors Review Board, Florida Department of Business and Professional Regulations or County Court Judge by a person who has previously been found to have violated the same provision within 5 years prior to the current violation.

#### **Section 4. Contractors Review Board.**

A. The Board of County Commissioners of Putnam County hereby establishes a Contractors Review Board (the "Board") to assist in the proper administration of this ordinance. The Contractors Review Board shall consist of seven (7) members who have been residents Putnam County for at least two (2) years before the date of their appointment by the County Commission. The members shall serve without compensation. The members of the Contractors Review Board shall include:

- (1) A licensed general, building, or residential Contractor.
- (2) A licensed roofing Contractor.
- (3) A licensed electrical Contractor.
- (4) A licensed plumbing Contractor.
- (5) A licensed mechanical or air conditioning Contractor.
- (6; 7) Two (2) consumer representatives.

In the event it is not possible to obtain a member in one of the licensed categories listed in paragraph (1) through (6) above, any other Class I license holder may serve as a substitute, provided there are no duplicated license holders on the board. The term of office of each member shall be for four (4) years but the Board of County Commissioners may remove any member at any time. Contractor members must remain Authorized or Certified Contractors (active or inactive) throughout their term. Members appointed to fill vacancies caused by death, resignation, or removal shall serve the remainder of the unexpired term of their predecessors.

Notwithstanding the above requirements, all the members of the Contractors and Building Trades Examiners Board serving at the time of adoption of this Ordinance shall remain members of the Contractors Review Board created hereby and may serve until the end of their term as established under the prior Ordinance 94-23A. In the event of a vacancy, removal or resignation of a member, The Building Official shall make a recommendation to the Board of County Commissioners for replacement within fifteen days of the vacancy. The Board of County Commissioners shall appoint a replacement within (30) thirty days of the Building Officials recommendation.

- B. Four (4) members of the Board shall constitute a quorum at any meeting and a majority vote of those present shall be required to make any decision, except where a two thirds majority is specified herein.
- C. The Contractors Review Board shall elect a chairman and a vice-chairman as necessary from among its members. Election of the officers shall be conducted annually in September, with new officers taking charge in October.
- D. The Contractors Review Board shall hold monthly meetings. Each meeting shall be called to order by the chairman or, in his absence, by the vice-chairman or senior service member.
- E. The Contractors Review Board shall have the authority to make such bylaws, rules and regulations governing its body, as it may deem necessary, provided, that the same do not conflict with other regulations, of Putnam County or the constitution and laws of the United States or the State of Florida.

- F. The Contractors Review Board shall review and approve or deny applications and licenses for persons desiring to obtain an Authorized Contractor's License within Putnam County; and address all other meeting agenda items as prepared by the Licensing Administrator.
- G. The Contractors Review Board shall have the power and authority to discipline Authorized or Certified Contractors as provided in Section 15 of this Ordinance.
- H. When an Authorized Contractors License has been suspended or revoked by the Contractors Review Board, the Licensing Administrator shall notify the Tax Collector's Office of Putnam County in writing, and the Tax Collector shall likewise take similar action to revoke or suspend any occupational or business license dependent upon valid Contractor's license.
- I. Causes for Board disciplinary action shall include, but not be limited to:
- a) Failure to correct any violation of Florida Building, Health, Land Development, Fire or Life Safety Codes as adopted by the Putnam County Ordinances upon notification of such violation in writing via certified letter by the County Building Official or his/her designee;
  - b) Failure to timely comply with any order of the Putnam County Contractors Review Board;
  - c) Failure to comply with, or any violation of, the provisions of this Ordinance or prohibited activities contained in Section 14 of this Ordinance;
  - d) Aiding and abetting unlicensed contracting activities;
  - e) Aiding and abetting or participating in a permitable scope of work without a permit;
  - f) Exceeding the scope of licensure; or
  - g) Knowingly occupying or permitting occupancy of any structure, or part thereof, prior to receiving a Certificate of Occupancy / Completion. A contractor shall not be deemed to have violated this section if the contractor notifies the department of an act outside of the contractors control, e.g. a customer occupies the premises against the advice / approval of the contractor.
  - h) Failure to comply with applicable rules and regulations or laws pertaining to workers compensation insurance requirements.
- J. For Certified Contractors, the Contractors Review Board shall serve as the public hearing board required in Florida Statute 489 to deny or limit future permitting privileges or to impose other disciplinary actions authorized by State law. Notification of and information concerning such permit denial shall be submitted to the Department of Business and Professional Regulations within fifteen (15) days of the local Construction Industry Licensing Boards action, in accordance with Florida Statute § 489.
- K. Under interlocal agreements between Putnam County and one or more municipalities in Putnam County, the Contractors Review Board may also examine and allow testing of applicants for an Authorized Contractors Licenses, and issue such a license for Contracting in the cooperating jurisdiction and take disciplinary action against the license as provided for in this Ordinance for actions that take place within the cooperating jurisdiction. .
- L. The Board may assess an administrative fee in an amount determined by the Board of County Commissioners for all disciplinary hearings, regardless of the outcome of such

hearings.

**Section 5. License Requirements; Advertising; and Proof of Insurance.**

- A. **Certified or Authorized Contractors License Required.** Except as provided under Section 6 of this Ordinance, it shall be unlawful for any person to engage in the occupation of a Contractor or the business of Contracting until such person has first obtained and maintained a Certified or Authorized Contractors License and, where required by State law, registered in the proper classification with the State of Florida Department of Business and Professional Regulation.
- B. **Display of Contractor's license number.** Any Contractor regulated pursuant to this ordinance shall display his State of Florida license or registration number, if applicable, or his Authorized Contractors License number, if he is not a State licensed or registered Contractor in any advertisement aired, circulated, displayed, distributed or marketed within Putnam County that offers the services of the Contractor regulated by this ordinance. For the purpose of this paragraph, the term "advertisement" shall include, but not be limited to newspaper advertisements, the yellow pages of the phone directory, business cards, business stationery, business proposals, contracts, construction site signs, on-premise building or ground signs, handbills, billboards, flyers, trade association publications, classified advertisements, manufacturer's authorized dealer listings, and any signs on the Contractor's business vehicles; but shall not include balloons, pencils, pens, hats, articles of clothing or other promotional novelties, or free phone directory listings of one (1) to (3) lines which display only the Contractor's name and telephone number in whole or in part unbolded or unhighlighted prior or without further textual or pictorial elaboration in the overall display. When advertising on a vehicle, the minimum height of each number or letter of the license numbers shall be one-half inch (1/2") high.
- C. **Proof of Insurance Required – Authorized Contractors.** Each Authorized Contractor shall furnish the County Licensing Administrator evidence that such person is carrying a policy of Workers Compensation Insurance as required by law or proof of a legal exemption thereto, as well as proof of Contractors Liability Insurance provided by an insurance company authorized to do business in the State of Florida. The minimum coverage for the liability insurance shall be as follows: for General and Building Contractors -- \$300,000.00 bodily injury per accident and not less than \$50,000.00 for one person and \$50,000.00 for property damage; for all other license categories -- \$100,000.00 bodily injury per accident and not less than \$50,000 for one person and \$25,000 for property damage. If such insurance expires or is at any time cancelled, then the Authorized Contractors License issued, and permitting rights given to the insured, shall be immediately and automatically suspended and it shall be unlawful thereafter for the Contractor to engage in any business until such insurance and license is reinstated.
- D. **Proof of License and Insurance Required – Certified Contractors.** In order to provide or advertise Contracting services in Putnam County, Certified Contractors shall furnish the County Licensing Administrator with a current copy of their license, proof of Workers Compensation Insurance, or any legal exemption thereto, and proof of liability insurance as required by State law prior to Contracting in Putnam County, and shall thereafter maintain

current information on file in order to continue Contracting in Putnam County. Certified Contractors shall also pay a biennial file maintenance fee in accordance with the Putnam County adopted fee schedule, which shall be due and payable from each Certified Contractor at the time first filing with the County and upon the biennial date of renewal of the State license, if the Certified Contractor desires to have his/her license and insurance information added to or maintained in the Contractor files.

## **Section 6. Exemptions to Licensing Requirements.**

The licensing requirements of this ordinance shall not apply to the situations described in paragraphs A through Q of this Section. These are exceptions to the licensing requirements only, and do not serve as exceptions to permitting requirements, the Florida Building Code, the Land Development Code or any other construction or development regulations.

- A. Owners of property when acting as their own Contractor and providing direct, onsite supervision themselves of all work not performed by licensed contractors, when building or improving recognized farm outbuildings or one-family or two-family residences on such property for the sole occupancy or use of such owners and not offered for sale or lease; or building or improving commercial buildings at a cost not to exceed twenty-five thousand dollars (\$25,000.00), *inclusive of materials and labor*, on such property for the sole occupancy or use of such owners and not offered for sale or lease. For the purposes of this subsection, this shall be referred to as the owner/builder exception and the term "owners of property" includes the owner of a mobile home situated on a leased lot.
1. This subsection does not exempt any person who is employed by or has a contract with such owner and who acts in the capacity of a Contractor.
  2. The owner may not delegate the owner's responsibility to directly supervise all work to any other person unless that person is an Authorized or Certified Contractor under this Ordinance and the work being performed is within the scope of that person's license.
  3. To qualify for exemption under this subsection, an owner must personally appear and sign the building permit application, and complete the state mandated Disclosure Statement is substantially the following form:

### *DISCLOSURE STATEMENT*

*"State law requires construction to be done by licensed Contractors and licensed subcontractors. You, the owner-builder, have applied for a permit under an exemption to that law. The exemption allows you, as the owner of the property, to act as your own Contractor with certain restrictions even though you do not have a Contractor's license. You, the owner-builder, must provide direct, onsite supervision of the construction yourself. You may build or improve a one-family or two-family residence or a farm outbuilding. You may also build or improve a commercial building providing your costs do not exceed twenty-five thousand dollars (\$25,000.00). The building or residence must be for your own use and occupancy. It may not be built or substantially improved for sale or lease. If you, the owner builder, sell or lease a building you have built or substantially improved yourself within one (1) year after the construction is complete, the law will presume that you built or substantially improved it for sale or lease, which is a violation of this exemption. You may not hire an unlicensed person to act as your*

*Contractor or to supervise people working on your building. It is your responsibility to make sure that people employed by you have licenses required by state and by county or municipal licensing ordinances. You may not delegate the responsibility for supervising work to a licensed contractor who is not licensed to perform the work being done. Any person working on your building who is not licensed must work under your direct supervision and must be employed by you, which means that you must deduct F.I.C.A. and withholding tax and provide workers' compensation for that employee, all as prescribed by law. Your construction must comply with all applicable laws, ordinances, building codes, and zoning regulations." (End of disclosure statement)*

4. It shall be considered unlawful and a violation of this ordinance to obtain a permit as an owner/builder through fraud, misrepresentation or false statement, or to take action under the owner/builder exemption that is contrary to the requirements of this subsection. Proof of sale or lease, or offering for sale or lease, of any such structure by the owner-builder within one (1) year after completion of same, as determined by the date of the "Certificate of Occupancy / Completion" by the Putnam County Building Department shall constitute prima facie evidence that the construction was undertaken for purposes of sale or lease, in violation of this sub-section and Section 14A of this ordinance.
- B. Any construction, alteration, improvement, or repair carried on within the limits of any site the title to which is in the United States or with respect to which federal or state law supersedes this ordinance.
  - C. Any building work or construction of a casual, minor, or inconsequential nature in which the aggregate contract price for labor, materials (at fair market value), and all other items is less than \$1,000.00. However, this exemption does not apply:
    - (1) To any person who advertises that he or she is a Contractor or otherwise represents that he or she is qualified to engage in contracting.
    - (2) If the construction, repair, remodeling, or improvement is a part of a larger or major operation, whether undertaken by the same or a different Contractor, or in which a division of the operation is made in multiple contracts of amounts less than \$1,000.00 for the purpose of evading this subsection or otherwise.
  - D. The sale or installation of any finished products, materials, or articles or merchandise which are not fabricated into and do not become a permanent fixed part of the structure; except for spas, hot tubs and swimming pools with water capacity depth over 24".
  - E. Any employee or sub-contractor of an Authorized or Certified Contractor who is acting within the scope of the license held by that Contractor and with the knowledge and permission of the license holder. If the employer is not an Authorized or Certified Contractor in that type of contracting, and the employee performs any of the following, the employee is not exempt:
    - (1) Falsely holds himself or his employer out to be either an Authorized or Certified Contractor or qualified by an Authorized or Certified Contractor;

- (2) Leads anyone to believe that the employee has an ownership or management interest in the contracting entity; or
  - (3) Performs any acts, which constitute contracting.
- F. Contractors building and/or maintaining bridges, roads, streets, and sewage or water utilities incidental thereto, if such Contractors possess a current and valid certificate of qualification issued by the Florida Department of Transportation.
- G. An authorized employee of the United States, the State of Florida, or any municipality, county, or other political subdivision if acting in his official capacity not holding himself out for hire or otherwise engages in contracting except in accordance with such employment.
- H. An officer appointed by a court when he is acting within the scope of his office as defined by law or court order. When construction projects that were not already underway at the time of appointment of the officer are undertaken, the officer shall employ or contract with a licensee to accomplish any such new work.
- I. Public utilities, including telecommunications companies as defined in Florida Statute 364.02(12) on construction, maintenance, and development work performed by their employees, which work, including, but not limited to work on bridges, roads, streets, highways, or railroads, is incidental to the primary business of the utility company.
- J. Any construction or operation incidental to the construction or repair of irrigation and drainage ditches performed by regularly constituted irrigation districts or reclamation districts, or other work on the land in rural districts for fire prevention purposes.
- K. A registered architect or professional engineer acting within the scope of his practice or any person exempted by the laws regulating architects and engineers, including persons doing design work as specified in section 481.229(1) (b), Florida Statutes, provided, however, an architect or engineer shall not act as a Contractor or as a construction manager, unless properly and currently licensed as an Authorized or Certified Contractor.
- L. Any person who only furnishes materials or supplies without any labor services on-site.
- M. Any person who sells, services, or installs heating or air conditioning units which have a capacity not greater than 3 tons or 36,000 Btu, with no ducts, and with a factory-installed electrical cord and plug.
- N. Any person who is licensed pursuant to Chapter 527, Florida Statutes, (Sale of Liquefied Petroleum Gas) when such person is performing the work authorized by such license.
- O. The installation and maintenance of water conditioning units for domestic, commercial, or industrial purposes by operators of water conditioning services companies.
- P. An architect or landscape architect licensed pursuant to Chapter 481, Florida Statutes, or a professional engineer licensed pursuant to Chapter 471, Florida Statutes, who offers or renders design-build services which may require the services of a Contractor, as long as the Contractor services to be performed under the terms of the design-build contract are offered

and rendered by an Authorized or Certified Contractor.

- Q. Any Certified Contractor, as defined in this ordinance, when such person is performing work authorized pursuant to his state Contractor certification in complete accordance with all Florida Statute chapter 489 requirements; provided the Certified Contractor submits a copy of the State certification along with the required evidence of valid insurance, to the County Licensing Administrator, and required file management fees are paid. Except that a Certified Contractor may be subject to disciplinary action under sections 16 through 19 of this Ordinance.

## **Section 7. Procedure for Obtaining Authorized Contractors License**

- A. **Generally.** Unless an individual is Grandfathered as provided in Section 10, in order to obtain an Authorized Contractors License from or through Putnam County, a person or potential qualifying agent must (1) submit an application with all required supporting documentation, (2) be approved by the Contractors Review Board to sit for the required test, (3) provide proof of a passing score of 75 or better on the required test and (4) appear before the Contractors Review Board to receive the license. Each of these four steps is described in more detail in this Section.
- B. **Application Submittal Requirements.** Any person or potential qualifying agent for a firm desiring to obtain an Authorized Contractor License shall submit a *completed application* on a form prescribed by the Contractors Review Board and the required application fee to the Licensing Administrator. A *completed application* shall include all the following information:
- (1) The name, address and telephone number of the applicant.
  - (2) The nature of the applicant's proposed contracting business.
  - (3) The type of license for which the applicant is applying.
  - (4) Detailed work history of the applicant and business in which the applicant has worked during the past five years including the address of those businesses.
  - (5) At least three (3) acceptable letters of reference from past employers, customers or knowledgeable observers, not more than one letter as described in the previous sentence shall be from a member of the applicants' immediate family, having first hand knowledge of the applicant's trade abilities. These letters of reference shall address and positively endorse the applicant's knowledge, experience, and ability as a Contractor in his trade. Such letters of reference shall be notarized and verifiable to include the address, and contact phone number of the reference for authentication, before Board consideration of them.
  - (6) Except in the electrical trade, applicants for Journeyman class license shall submit notarized and verifiable written evidence that they have had a minimum of two years experience or education in their field. Two years experience shall be experience

gained through working as an apprentice or helper in the appropriate trade for two years; or one year specialized education in the trade at a recognized accredited college or acceptable trade skills development program plus one year of work experience in trade: with four years in lieu of two for applicants in the electrical trade.

- (7) Pre-qualification requirements for examinations for all Master applicants shall also include two years work experience as a licensed Journeyman; or at least four (4) years of verifiable evidence of Journeyman level experience, in the field in which they are applying, if licensed as a Journeyman less than two years; with successful completion of the Journeyman examination required before the Master license application is acceptable.
- (8) Completion of a pre-described statement that the applicant has not been, or has been, convicted of any felony, declared or found bankrupt, adjudged incompetent within the past five years, been refused a fidelity bond or been refused a Contractor's license or had one suspended or revoked within five years in any jurisdiction prior to their application for a Putnam County Authorized License.  
**WHILE THE BOARD MAY CONSIDER ANY OF THE FACTORS PREDESCRIBED IN THE ABOVE PARAGRAPH, NO SINGLE FACTOR SHALL AUTOMATICALLY DISQUALIFY AN APPLICANT FOR LICENSURE.**
- (9) Completion of a pre-described statement that the applicant has not or has been convicted of a violation of Chapter 489, Florida Statutes (the State Construction Licensing Law).
- (10) The applicant must attach (2) passport photographs
- (11) Sign an Affirmation that all application information is true and correct.
- (12) Provide a copy of a current Florida driver's license or Florida Identification

C. **Pre-Qualification Required to "Sit" for Test.** An applicant must be pre-qualified by the Contractors Review Board prior to sitting for the examination for the requested license. The Contractors Review Board, by its own action, may delegate the authority to perform the pre-qualification to the Licensing Administrator. The pre-qualification process shall occur as follows:

- (1) The Licensing Administrator shall confirm the he is in receipt of a completed application.
- (2) The Licensing Administrator shall verify the application submittals described under items (4) through (9) of paragraph "B" above.
- (3) Within fifteen (15) working days, the Licensing Administrator shall present the completed application to the Contractors Review Board with written confirmation that the application is complete and that items B (4) through (9) have been verified.

(4) The determination to pre-qualify an applicant to sit for an examination shall be made within thirty (30) calendar days. The pre-qualification to sit for the examination may be denied for any one of the following reasons:

- An incomplete application.
- False statements on the application or supporting documentation.
- Inability to verify the submittals provided under B (4) through (12) or a finding that such submittals are incomplete, inaccurate or false.
- For cause demonstrated by factual evidence obtained outside the four corners of the completed application that the applicant does not possess the necessary experience, knowledge and ability required for the type of license for which the application is made, which shall be stated in writing to the applicant, who shall have the opportunity to rebut such evidence. A denial of pre-qualification based on this criterion must be decided by the Contractors Review Board.

- D. **Written Examination Required.** Once an applicant is pre-qualified to sit for a required written examination, the applicant must take the examination and obtain a passing score of seventy five (75) per cent or higher on the examination in order to qualify for the Authorized Contractors License. Verification of the examination score must come from the testing agency. Any person failing to pass an examination or who takes the examination more than one year from the date of approval to take the examination shall be required to update and resubmit an application for license and reappear before the Contractors Review Board and be reexamined as to good moral character, experience and financial responsibility.
- E. **License Issued.** Upon receipt of a passing examination score from the testing agency, the applicant's request for a license shall be scheduled for the next regularly scheduled meeting of the Contractors Review Board that is no less than two weeks away from the date of receipt. The applicant shall appear in person, and upon a determination by majority vote that all the requirements of this section have been met; the applicant shall be approved for an Authorized Contractors License.
- F. **Registration and Insurance Required Validating License.** An Authorized Contractors License approved under this section shall not be valid and the applicant shall not perform any Contracting in Putnam County until the applicant provides evidence of Workers Compensation and Contractor's Liability coverage as required pursuant to Section 5 of this ordinance; and, when required by the licensing category under State law, the applicant obtains a registration issued by the Florida Department of Business and Professional Regulation, the Florida Construction Industry Licensing Board or the Florida Electrical Contractors Review Board.
- G. **Restrictions on Authorized Contractors License Holders.** An Authorized Contractors License is not transferable. An Authorized Contractors License holder may only engage in the scope of work covered by the license issued and only while all required insurances and bonds are in force. An Authorized Contractor shall comply with all applicable state and local laws regulating the construction industry and the licensing and practice for construction Contractors, including those in this Ordinance.

## **Section 8. Renewal, Continuing Education and Expiration.**

- A. An Authorized Contractors License must be renewed every two years as follows:
- (1) Authorized Contractors with surnames beginning in the letters A through K must be renewed by midnight on September 30 of the even calendar years (i.e. 2004, 2006, 2008, etc.)
  - (2) Authorized Contractors with surnames beginning in the letters L through Z must be renewed by midnight on September 30 of the odd calendar years (i.e. 2005, 2007, 2009, etc.)
  - (3) Newly issued licenses shall be required to be renewed by the next applicable renewal date, regardless of date of issuance.
- B. As a condition precedent to receiving a license renewal, each Class II Authorized Contractors License holder, that is not required to register with the State and prove continuing education to the State for renewal of the registration, shall provide proof, in a form established by rule of the Contractors Review Board, that the he or she has completed at least 4 classroom hours of continuing education, each class being at least 50 minutes in length, during each biennium since the issuance or renewal of the license. The Contractor's Review Board shall establish by rule that portion of the 4 hours that shall deal with business and law, workers compensation and safety. The Contractors Review Board shall establish by rule the number of education hours required for a Contractor who has not been licensed for the entire biennium. A person who is licensed for less than the entire biennium must not be required to complete the full 4 hours of education. Certified Contractor's or Authorized Contractors registered with the State shall adhere to the State's continuing education requirements.
- C. A Contractor's failure to renew an Authorized Contractor's License prior to midnight on September 30 of each odd/even calendar year shall cause the license to become invalid and automatically suspended beginning October 1 of that same year, and it shall be unlawful for any person to advertise, engage in or hold himself out as still qualified to engage in contracting under such an invalid license.
- D. If a holder of an Authorized Contractors License fails to renew such license, the Licensing Administrator shall endeavor to notify the Contractor of the failure to renew by mailing the notice to the most recent address in the Contractor's license file. Failure of the County to accomplish delivery of such mailing shall not extend the grace period. The notice shall include the duration and expiration date of the grace period provided for under paragraph E below,
- E. An Authorized Contractors License that is invalid as the result of failure to renew may be restored upon payment of a late fee of (2) two times the renewal amount within ninety (90) days, or a penalty fee in addition to the renewal fee of \$500.00 within (365) days from the date of expiration. In lieu thereof a Registered Contractor may become current again through

reciprocation. If the applicable license is not renewed with (365) days any subsequent licensure shall be subject to all procedures and requirements imposed on an applicant for initial licensure.

### **Section 9. Voluntary Inactive Status.**

- A. Inactive status may be taken by written action of an Authorized Contractor. The request for inactive status shall be signed and dated by the license holder.
- B. Upon receipt of a written request and payment of the inactive status fee from the holder of an active Authorized Contractors License, the License Administrator shall place the license on inactive status. The holder of an inactive Contractors license shall not be permitted to engage in the business of Contracting. No advertising use shall be made of any inactive Contractor license for any other purpose.
- C. A license holder seeking to reactivate an inactive license shall submit the following to the Licensing Administrator:
  - (1) Payment of the current active status fee.
  - (2) An original and valid certificate of insurance in the amounts and coverage as required in this ordinance.
  - (3) The holder of a reactivated Authorized Contractors License shall not engage in the business of contracting until he has provided a copy of any required state registered license to the License Administrator.
- D. All holders of an inactive license shall pay the biennial inactive fee no later than September 30 of each renewal period or shall be subject to late fees and loss of license as provided in Section 15 of this Ordinance.
- E. The Building Official may require an employee of the Board of County Commissioners to make his license inactive if the Building Official determines there is a conflict of interest in maintaining an active license. A contractor who maintains his or her license as inactive while serving as an employee of the Board of County Commissioners shall not be required to pay the required renewal fees to maintain his or her license as inactive.
- F. As a condition precedent to renewing an inactive license, the inactive license holder shall complete 4 hours of continuing education for each biennial period, as provided in Section 8 of this Ordinance.

### **Section 10. Grandfathered Licenses**

- A. The Class II Contractor category described under section 17, paragraph B of this Ordinance consists of contracting trades that have never before been licensed in Putnam County, even though such trade services were commonly provided directly to the public or through licensed contractors, or it consists of trades that, at one point in time, were locally licensed by Putnam County until local licensing was discontinued by the Board of County Commissioners in June of 1998. The Board of County Commissioners has determined that

it is in the best interest of the health, safety and general welfare of the residents and property owners in Putnam County to require that persons performing services similar to the Class II Contractor category be adequately tested, trained, licensed and insured. The Board of County Commissioners also recognizes that certain persons, who have been performing these same Contracting services prior to the date of this Ordinance, have sufficient knowledge and experience in their trades, and over time, have developed positive reputations for the quality of work they have been providing. In order to protect the interests of the general public and the existing contracting tradesmen, the Board of County Commissioners has determined to provide a limited time frame to allow certain experienced tradesmen the opportunity to receive an Authorized Contractors License without need of testing.

B. Anyone who has been a resident of Putnam County, working in a contracting trade that falls within the Class II Contractor category may apply for a Grandfathered license provided the applicant shall submit the following proof of experience, good moral character and financial responsibility, which at minimum shall include the following submittals:

- (1) A completed application on a form prescribed by the Contractors Review Board and the required application fee, which shall be the same as the fee for a standard application.
- (2) Provide proof of possessing an active Specialty license listed in section 10 (C) below, at the time of deletion of the trade under ordinance 98-14.

**-OR-**

- (3) A minimum of three (3) acceptable and verifiable letters of reference that shall attest to the years of experience in the pertinent trade and the good character of the applicant in carrying out the trade services; and
- (4) Documented proof of providing the services in the pertinent category in Putnam County for a minimum of two consecutive years immediately prior to the date of adoption of this Ordinance. Such proof shall include, at a minimum, copies of the applicant's Occupational License, Letters of credit, bank statements or business accounts for each of the two prior years of operation in the applicable Contracting category; and

**-AND-**

- (5) Proof of Workers Compensation Insurance, or a valid State exemption to the requirement for Workers Compensation coverage, and proof of General Liability Insurance as required by Section 4 of this Ordinance.
- (6) Proof of attending at least 4 hours of education in a Business and Law Course approved by the Contactors Licensing Board.

C. A Grandfathered license under this section shall only be available in the following Class II Categories:

Above Ground Pool Installer  
Aluminum Specialty Contractor  
Building Maintenance Contractor  
Carpentry Contractor  
Carpentry, Finish Contractor

Glass & Glazing Contractor  
Irrigation / Sprinkler Contractor  
Insulation Contractor  
Masonry / Concrete Contractor  
Masonry Contractor

Concrete Forming & Placing Contractor  
Demolition Contractor  
Drywall Contractor  
Drywall, Plaster & Lathing Contractor  
Garage Door Installation Contractor

Marine Construction Contractor  
Plaster / Lath & Stucco Contractor  
Prefab Building Installation  
Residential Fireplace Installer  
Structural Steel/Structural Framing

- D. The time period to apply for a Grandfathered license shall be limited to a period of one hundred and eighty (180) days that shall commence on the effective date of this Ordinance and end on midnight of 180<sup>th</sup> day. Applications received after midnight on the 180<sup>th</sup> day shall be returned and the applicant shall be advised in writing that he or she must submit a standard application and approval process to be considered eligible for an Authorized Contractors License.
- E. Applications for a Grandfathered license shall be reviewed and decided by formal action of the Contractors Review Board within sixty (60) days from the date of receipt of the application.
- F. A Grandfathered License must be renewed each biennial as provided in Section 8 of this Ordinance, and as a condition precedent to renewal, Grandfathered License holders shall complete 4 hours of continuing education for each biennial as provided in Section 8 of this Ordinance

## **Section 11. Reciprocity.**

- A. An applicant for a Authorized Contractor License who has passed an approved written trade license examination in another jurisdiction and obtained a grade of seventy five (75) per cent or higher may be exempt from additional written examination requirements on trade or technical subjects. The applicant shall provide the Contractors Review Board with an original letter of reciprocity (sent directly from the sponsoring jurisdiction to Putnam County), from the licensing official in the jurisdiction where the examination was administered including details on the examination type, grade, and class of contracting in which applicant was licensed. It is hereby further conditioned that the reciprocating license holder's original licensing jurisdiction accords Putnam County's license holders this same opportunity for license reciprocity.
- B. Before issuance of a Putnam County Authorized Contractor License, the reciprocity license holder shall appear before the Contractors Review Board. Upon review and approval of documents provided by the original licensing jurisdiction and submittal of the completed Putnam County application, the Contractors Review Board may grant said license holder a Putnam County Authorized Contractor License. For a maximum thirty (30) day period, preceding their appearance before the Board, the Licensing Administrator may issue such Contractors a permitting and work authority letter.
- C. The Licensing Administrator shall provide Putnam County Authorized license holders with a letter of reciprocity to licensing jurisdictions other than Putnam County for a fee as adopted by the Putnam County Board of County Commissioners.

- D. No reciprocity shall be accorded to Contractors' licenses from other jurisdictions that were obtained without a written examination.

## **Section 12. Death / Incapacity or of Authorized Contractor.**

- A. If permitted work remains to be completed at the time of the death, incapacity or incarceration of a license holder or qualifier, the permitted work may be completed by any Certified or Authorized Contractor complying with this section that is acceptable to the property owner. The current property owner must submit in writing to the Building Official a request stating no objection to him being replaced on that permit or the new contractor must obtain a new permit under his/her name. The new Contractor seeking to complete the work under the contract shall provide written notice to the Licensing Administrator within thirty (30) days after the death, incapacity or incarceration of the Authorized Contractor on the transfer of responsibility. Such notice shall include the name and address of the person seeking to complete the contract, his knowledge of the contract, and his ability to complete the work remaining under the contract and his license status testifying to compliance with this ordinance. The new contractor and subsequent sub-contractors must sign on to the permit.
- B. If the deceased, incapacitated or incarcerated Authorized Contractor was the only qualifying agent for the business organization, the business organization shall have sixty (60) days from the date of the qualifying license holder's death to employ another licensed qualifying agent. During this period, the business organization shall not commence any new construction until a new qualified licensed Contractor is retained, but may continue old work and to provide warranty. The business organization also shall notify the License Administrator of the name and hire date of the new qualifying agent within five (5) days of the hire date. The new qualifying agent shall obtain an Authorized Contractors license for the business as replacement for his prior license designation as provided in this ordinance before any new construction starts.

## **Section 13. Qualifying Agents.**

- A. All applicants for an Authorized Contractor License who intend to qualify a business shall name said business on their application. Applicants who are not sole owners must submit notarized authorization from the business to act in all matters connected with contracting and that they are responsible to supervise any construction undertaken by the business, to include supervision of subcontractors and employees on construction jobsites. In addition, the qualifying Contractor who is not sole owner shall submit a notarized statement revealing the extent of the license holders' financial responsibility, if any, from the majority Owner or President of the business.
- B. The qualifying agent must register his Authorized Contractor license to include the business name with the Department of Business and Professional Regulation, if in a license category requiring Registration. When a qualifying agent desires to qualify a second business, the Department of Business and Professional Regulation Board may issue such second

registration at their discretion. No Authorized Contractor may contract with any second name under a County Authorized License without such state registration.

- C. Applicants for qualifying agents with less than majority ownership in the business shall also provide a notarized statement revealing the remaining ownership of the business entity, and full details on any previous contracting operations by the other owners to include: type and name of their previous Contracting business, jurisdiction where that business was located, dates the business operated, and statement of any Contractor regulation violations within the past five years of all owners. All owners contracting backgrounds must be acceptable to the Contractors Review Board for approval of the application.
- D. A qualifying agent for a business organization may terminate status at will and shall notify the County Licensing Administrator within 30 days thereafter and provide the Licensing Administrator with a copy of any new state registration required showing termination of the prior status, plus any new the registration status.
- E. Upon the loss its qualifying agent, the business shall also notify the Licensing Administrator within thirty (30) days and shall have sixty (60) days from the date of the termination to hire another qualifying agent. At any time during which the business entity does not have an active qualifying agent in its employ, it shall (a) start no new work, (b) provide only warranty service as required under existing warranty obligations, and (c) act to only complete any work in progress for only 60 days after loss of the previous qualifier.

#### **Section 14. Prohibited Activities.**

It shall be considered unlawful and a violation of this Ordinance for any person to commit any of the following activities:

- A. Impersonate or hold himself out as a licensed Contractor of any type; without holding an Authorized or Certified Contractors license of that type. In addition, no person shall provide any inactive or fraudulent license number to another person for any purpose, without disclosing in writing that the number is inactive or fraudulent;
- B. Present the Contractors license of another as his own;
- C. Submit any false information or other evidence in obtaining an Authorized Contractor license, or in qualifying a business;
- D. Use or attempt to use an Authorized Contractor license which has been revoked, suspended or placed on inactive status;
- E. Engage in the business or act in the capacity of a Contractor or advertise himself as available to engage in the business or act in the capacity of a Contractor or construction supervisor/coordinator or inspector without being presently licensed or having a qualifying agent, except as otherwise herein provided;

- F. Operate a business organization engaged in contracting without a licensed qualifying agent, except as otherwise herein provided;
- G. Knowingly depart from, or disregard, plans, specifications or permits regarding structural elements, fire / life Safety, egress or health codes, without consent of the owner and prior County approved revision of all permit documents;
- H. Commit any willful, careless, reckless or fraudulent act as a Contractor or subcontractor causing financial injury, or safety or health threat to another;
- I. Failure to have the Contractor license number appear in any newspaper, airwave transmission, telephone directory or other advertising medium aired, circulated, displayed, distributed or marketed within Putnam County which offers services of the Contractor that are regulated by this ordinance. No person, firm, corporation or other legal entity may air advertising broadcasts or publish advertisements circulated, displayed, distributed or marketed within Putnam County, which identifies a Contractor offering services regulated by Chapter 489, Florida Statutes or this Putnam Contractors Ordinance, unless the advertisements include the Contractor's license number. No publisher or broadcaster shall be charged with violation unless a pattern of noncompliance occurs that includes at least four different noncompliant ads within a sixty-day period. Any publisher or broadcaster that presents in an advertisement a Contractor license number claimed in writing by the advertising person as being valid shall be deemed to have complied with this requirement, even if such claimed license number is found to be invalid or fraudulent.

Alternately, the broadcaster of a Contractor ad and the publisher of a Contractor ad shall be deemed to have complied with this subsection (I) if it includes one of the following two statements, as applicable, in the advertisement:

- a. (Name of Contractor) advises that (its) (his) (her) Contractor license number pertaining to the work and services described in this advertisement is (insert number), or
- b. (Name of Contractor) advises that a Contractor's license is not required for the type of work and services described in this advertisement.

Except as exempted above, any person or entity that violates this subsection (I) shall be guilty of a separate violation for each day of advertisement without such Contractor license information being placed in the public ad. It shall not be a violation of this subsection (I) if the advertisement could not reasonably result in the Contractor performing the advertised service within the County.

- J. Fail to prominently display the County Authorized Contractors License number or state-registered Contractor license number on any business signs displayed on motor vehicles used by the license holder or the qualified business in the business of contracting, transporting employees, equipment and/or materials to a construction site in letters at least one-half inch (1/2") high.

- K. Commence or perform work for which a County building permit is required without obtaining the appropriate permits in advance or registering work as an emergency and thereafter requesting all required inspections and proceeding only after approvals;
- L. Willfully or deliberately disregard or violate any County regulation relating to Contractors or Contracting, including any Contractor or Owner/Builder using any unlicensed person as a subcontractor without providing full time on-site supervision.
- M. Operate a business organization engaged in contracting sixty (60) days following the loss of its designated qualifying agent without formally replacing the qualifying agent in county licensing records.
- N. Provide false information to an advertising medium concerning the Contractor license information or the alleged lack of a requirement for license number in the Contractor ad that subsection (I) above requires to be placed in a published advertisement or advertising broadcast. Any person or entity that violates this subsection (O) shall be guilty of a separate violation for each day an advertisement containing the false information is published or broadcast.
- O. Violate section 489.127(1) or section 489.132(1), Florida Statutes.
- P. Utilities. It shall be unlawful for any utility company, employee thereof or any other person to supply, water, electric or gas utilities to any building or structure under construction, or determined to be unsafe for which a certificate of occupancy has not been issued by Putnam County's Building Department; however, nothing in this section shall prohibit the Building Official from issuing a temporary waiver (early power) to allow the testing of appliances, electrical and air conditioning equipment, prior to the issuance of a permanent certificate of occupancy.

## **Section 15. Discipline of Authorized Contractors.**

- A. It shall be unlawful for any person, licensed or unlicensed, to violate or fail to comply with any provision of this Ordinance. Any violation or failure to comply with any provision of this Ordinance by a Certified or Authorized Contractor shall be referred to the Contractors Review Board in accordance with this Section and sections 489.127 and 489.129, Florida Statutes. A violation by an Owner Builder for failure to obtain a required permit may be referred, by the Director of Planning & Development Services or his designee, to the Code Enforcement Board or Special Master pursuant to Sections 11.06.02 and 12.18.01 Putnam County Land Development Code.
- B. The Contractors Review Board shall have the power to revoke approval of a candidate for examination prior to licensing, deny issuance of a new Authorized Contractors License after examination, or to revoke or suspend an issued Authorized Contractors License, if it determines through public hearing that the candidate for or holder of an Authorized Contractors License, or the business for which the holder of the Authorized Contractors License is a qualifying agent, has committed any of the acts described in paragraphs (1) through (19) below. Additionally, in the event any of the above actions cause damage or

injury to another person or entity, the Contractors Review Board may order such Contractor and/or business that committed such an act to pay the damaged or injured party restitution up to \$5,000.00. A fine or restitution order imposed hereby shall not prohibit the imposition of any other remedy or penalty provided at law or equity. The provisions of this section are deemed to be remedial in nature for licensed contractors, and shall apply to any action or inaction taken after the effective date of this Ordinance even though the work or permits commenced prior to the effective date of this Ordinance.

- (1) Obtained a County Authorized Contractors License or business qualification or an exception to the licensing requirements of this Ordinance by fraud, deceit, or misrepresentation.
- (2) Is convicted of, or pleads guilty to, any serious offense, which relates to the practice of Contracting or the ability to practice Contracting.
- (3) Willfully disregards and violates any applicable state or local building code, regulation or law.
- (4) Performs any act that assists a person or business in engaging in the unlicensed business of Contracting, if the license holder knows or has reason to know the person or business is unlicensed or fails to ascertain their license status.
- (5) Conspires with a person by allowing a license to be used by an unlicensed person to evade the provisions of this ordinance. When an Authorized Contractor allows his license to be used by a person or business organization for permitting without the license holder having controlling active participation in the operation, management and control of the construction undertaken, such act shall constitute prima facie evidence of violation of the provisions of this ordinance.
- (6) Acts in the name of a license holder or in the capacity of a Contractor other than in accordance with the detailed status contained in the application for a county Authorized Contractor License as approved by the Contractors Review Board.
- (7) Fails to maintain current mailing address information in his license file by written notice to the License Administrator within thirty (30) days after any such change.
- (8) Abandons a construction project in which the Contractor is engaged or under contract. A project shall be considered abandoned ninety (90) days after the Contractor terminates the project without just cause or without proper notification to the owner, including the reason for termination; or fails to perform work onsite under the contract for ninety (90) consecutive days.
- (9) Signs a statement with respect to a project or contract which falsely indicates that payment has been made for subcontracted work, labor, and/or materials which results in a financial loss to the owner, purchaser, supplier, or another Contractor; or falsely indicates that worker's compensation and/or public liability insurance are maintained.
- (10) Commits fraud or deceit or other misconduct in the practice of contracting; including

refusal to make warranty repairs or to correct serious construction defects after written notice of the County Building Official via certified letter to the Contractors address as contained in his license file within the reasonable time given.

- (11) Proceeds on any construction job without satisfying state statutory requirements on the required owners Notice of Commencement, or before obtaining the County building permits and thereafter obtaining all code required inspection approvals before proceeding or covering unapproved work; occupies or allows occupancy prior to a Certificate of Occupancy.
  - (12) Exceeds the scope of work which the Contractor has been licensed to perform; or exceeds or changes the work permitted without first obtaining written County Building Department correction of all permit documents, including plans, and paying any additional fees due.
  - (13) Fails to have his Authorized Contractors License or state-registered Contractor's license number appear in any newspaper, airwave transmission, phone directory, or other advertising medium, which offers services of the Contractor which are regulated by Chapter 489, Florida Statutes, or this ordinance.
  - (14) Fails to prominently display the Contractor's name or name of the business organization for which he is qualifying agent and the Authorized Contractors license or state-registered license number on any signs displayed on motor vehicles used in the business of contracting and/or transporting employees, equipment and material to a construction site, in letters at least one-half inch (1/2") tall.
  - (15) Aids or abets any person or business organization to evade any provision of this Ordinance, or any other contracting or building code regulation.
  - (16) Uses or attempts to use an Authorized Contractors License which has been revoked, suspended or placed on inactive status in any manner including advertising use, which is prohibited for any inactive Contractor license.
  - (17) Intimidates, threatens, coerces, or otherwise discourages the services of a Notice to Owner or a Notice to Contractor required under Florida Statutes; or prevents an Affidavit of Filing on a Notice of Commencement that has not actually been received for recording in the Clerks office.
  - (18) Fails to satisfy a judgment as court ordered when such judgment is entered because of engaging in the business of contracting.
  - (19) Engages in any of the prohibited activities described under Section 14 of this Ordinance.
- C. The Building Official may suspend, for fraud or other willful code violation, the permitting privileges of a registered Class I or Class II Contractor until such date as a hearing is held before the Contractors Review Board. The board may deny, suspend, or revoke the authority

of a certified contractor to obtain a building permit or limit such authority to obtaining a permit or permits with specific conditions, if the local construction regulation board has found such contractor, through the public hearing process, to be guilty of fraud or a willful building code violation within the county or municipality that the local construction regulation board represents or if the local construction regulation board has proof that such contractor, through the public hearing process, has been found guilty in another county or municipality within the past 12 months, of fraud or a willful building code violation and finds, after providing notice of an opportunity to be heard to the contractor, that such fraud or violation would have been fraud or a violation if committed in the county or municipality that the local construction board represents. Notification of and information concerning such permit denial shall be submitted to the Florida Department of Business and Professional Regulation within 15 days after the board decides to deny the permit.

- D. The Building Official or his designee may issue a citation to Certified or Authorized Contractors for the violation or failure to comply with any provision of this Ordinance, as provided under section 489.127(5), Florida Statutes and Part II of Chapter 162 of the Florida Statutes and this Ordinance. Fines for such citations shall be paid to the Putnam County Building Department within (10) ten days of the issuance of such citation, or in lieu thereof, the cited party may request an administrative hearing for such citations before the Contractors Review Board. If the cited party fails to pay the fine or request a hearing within the required 10 days, the citation will be scheduled for a hearing by the Licensing Authority. The cited party shall, in addition to any fines or other punishment or remedial action that may be assessed by the Contractors Review Board, pay an administrative hearing fee.
- E. For violations of Section 14 of this ordinance the following schedule of fines shall be applied:
- a) Falsely holds one's self or business organization out as an authorized contractor - \$500.00
  - b) Falsely impersonate a certificate holder or registrant - \$500.00
  - c) Present as one's own license, certificate or registration of another - \$500.00
  - d) Give false or forged evidence to the board or a member thereof for the purpose of obtaining authorization as a contractor in Putnam County- \$500.00.
  - e) Use or attempt to use a certificate or registration which has been suspended or revoked - \$500.00
  - f) Engage in business or act in the capacity of a contractor, without Authorization as a contractor in Putnam County - \$500.00
  - g) Advertising only - \$100.00, first offence; \$250.00, second offence and \$500.00 for subsequent offences.
  - h) Other acts specified in Section 14 of this ordinance - \$250.00.
  - i) Aiding & abetting an applicant in fraudulently obtaining an Authorized Contractors License- \$500.00.

Each day a willful, knowing violation continues shall constitute a separate offense. In accordance with section 489.127(5), upon request of an administrative hearing, the Contractors Review Board shall hear such citations and may order the violator to pay a civil penalty of not less than the amount set forth on the citation but not more than \$1,000 per day for each violation if a public hearing occurs. All provisions of s. 489.127, including but not limited the form and issuance of citations, conduct of hearings, determination of penalties,

the recording of certified copies of orders imposing civil penalties as liens against the real and personal property owned by violators, foreclosure of liens, and appeals, are incorporated herein by reference as fully as if set forth verbatim.

- F. Any person so charged with a violation of this Ordinance, who fails to appear in person or by counsel before said Board for a properly noticed hearing thereon, shall thereby forfeit the right to be heard by said Board on such charge or charges and the said Board may then proceed with public hearing and any resulting punitive or remedial action against the licensee as decided by said Board. A hearing is properly noticed if, within the three weeks before hearing date, the person charged is notified in writing by certified mail or hand delivery from the enforcement officer, or by public notice published twice, a week apart, in a newspaper of general circulation in Putnam County, or by a properly issued citation indicating the time and place set forth for such hearing
- G. Monies collected for violations of this Ordinance shall be set-aside in a specific fund to support the County's Contractors licensing programs and enforcement activities against unlicensed contractors in accordance with section 489.127, Florida Statutes. The Putnam County Building Department shall collect outstanding fines against registered or certified contractors issued by the State of Florida Department of Business and Professional Regulations, Construction Industry Licensing Board and may retain 25 percent of the fines they are able to collect, provided that they transmit 75 percent of the fines they are able to collect to the department according to a procedure to be determined by the department.
- H. The compliance methods and remedies provided under this Section are supplemental to any other penalties and remedies elsewhere provided in the Putnam County Land Development Code or State law, including criminal penalties provided in Chapter 489.
- I. If any building or structure is constructed, altered or repaired, without application for the issuance of a permit as provided for in this section, and the owner of such building or structure does not secure a permit after ten days' notice in writing from the Board of County Commissioners or the County Building Division and pay the prescribed fee therefore, the Board of County Commissioners is authorized and empowered to record, in the official records of the County and the office of the Clerk of the Court, a lien on such building or structure for the amount of the prescribed permit fee and, in addition thereto, the cost of recording such lien. The lien shall state the name of the owner, the amount of the lien and the purpose of the lien, and shall be signed by the Chairman of the Board of County Commissioners. Such lien shall be a lien for a period of 20 years after the filing thereof on such building, and may be enforced by any procedure now authorized for the enforcement of liens. All costs of enforcement shall be taxed against the owner of the building or structure, including reasonable attorney's fees and costs incurred by the Board of County Commissioners.

## **Section 16. Appeals.**

An aggrieved party, including the local governing body, may appeal a final administrative order of the Contractors Review Board to the State Circuit Court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the Contractors Review Board. An appeal shall be filed within 30 days of the date of the order to be appealed.

## **Section 17. Types of Authorized Contractor Licenses.**

**A. Class I Contractors:** The Class I Contractors are listed in this subsection and include persons that are Certified Contractors or Authorized Contractors that are required to register with the Florida Department of Business and Professional Regulation. Applications for an Authorized Contractors Licenses in the Class I category shall require successful completion of approved written examinations, and all shall be registered with the Florida Department of Business and Professional Regulation.

- (1) **Air Conditioning and Refrigeration Contractor, Class A and/or Class A Air Conditioning Contractor, Master Heating** - shall mean any person 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 ventilating, including duct work in connection with a complete system (only to the extent such duct work is performed by the Contractor necessary to make complete an air distribution system), boiler and unfired pressure vessel systems, and all appurtenances, apparatus or equipment used in connection therewith; also piping, insulation of pipes, vessels and ducts, pressure and process piping, pneumatic control piping; to replace, disconnect, or reconnect power wiring on the load side of the dedicated existing electrical disconnect switch; to install, disconnect, and reconnect low voltage heating, ventilating, and air conditioning control wiring; and to install 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 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 waterlines or new connections thereto, sanitary sewer lines, swimming pool piping and filters, or electrical power wiring.
- (2) **Air Conditioning and Refrigeration Contractor, Class B, and/or Class B Air Conditioning Contractor, Master Heating** - shall mean any person whose services are limited to twenty-five tons cooling and five hundred thousand B.T.U. heating (in any one 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, including duct work in connection with a complete system (only to the extent such duct work is performed by the Contractor necessary to make complete an air distribution system) being installed under this classification; also, piping, insulation 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.

- (3) **Aluminum Contractor** - shall mean those whose scope of work shall include and be limited to screened porches, screened enclosures, pool enclosures, preformed panel-post and beam roofs, mobile home panel roof-overs, residential glass window and door enclosures, vinyl panel window enclosures, single story self-contained aluminum utility storage structures (not to exceed 500 sq. ft.), siding, soffit, fascia and gutters. The scope of such work may include wood work incidental to the aluminum construction work, limited to the construction of wood framing for the walls of uninhabitable utility storage structures, raised wood decks for enclosures and the repair and/or replacement of wood incidental to the installation of glass windows and doors; installation of siding, soffit, fascia, gutters, and preformed panel-post and beam roofs. The scope of such work may also include masonry concrete work but be limited to foundations, slabs and block kneewalls incidental to the aluminum construction work. The Aluminum Erection Contractor shall not perform any work that alters the structural integrity of the primary building including, but not limited to, roof trusses, lintels, load bearing walls, and foundations.
- (4) **Building Contractor** - limited to construction of commercial buildings and single-family dwelling or multiple-family dwelling residential buildings, which do not exceed three (3) stories in height, and accessory use structures in connection therewith or a Contractor whose services are limited to remodeling, repair, or improvement of any size building if the services do not affect the structural members of the building.
- (5) **Electrical Contractor** - shall mean those who have the knowledge and skill, to install, repair, alter, add to or change any electrical wires, fixtures, appliances, apparatus, raceways, conduit or any part thereof; which generates, transmits, transforms or utilizes electrical energy in any form for light, heat, power or communications, all in compliance with applicable plans, specifications, codes, laws and regulations.
- (6) **Gas Contractor**- shall mean those who are qualified to install, service, modify, alter or repair apparatus, piping, tubing, appliances, equipment & L.P. and/or Natural gas systems, for residential or commercial systems
- (7) **General Contractor** - unlimited to the type of building that may be constructed.
- (8) **Master Mechanical (HARV) Contractor** - shall mean any person 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 (including duct work in connection with a complete system only to the extent such duct work is performed by the Contractor necessary to make complete an air distribution system) boiler and unfired pressure vessel systems, lift stations, equipment and piping and all appurtenances, apparatus, or equipment used in connection therewith; also 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 standpipes, 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 unit to an

existing safe waste or other approved disposal other than a direct connection to a sanitary system, all in such a manner to comply with all plans, specifications, codes, laws and regulations applicable thereto. The scope of work for such Contractor 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 pool piping and filters and electrical power wiring.

- (9) **Plumber, Master** - shall mean those who have the knowledge and skill to install, maintain, repair, alter or extend plumbing, sanitary drainage or storm drainage facilities, venting systems, public and private water supply systems, septic tanks, drainage and supply wells, swimming pool piping; irrigation systems; or solar heating water systems and all appurtenances, apparatus, or equipment used in connection therewith, including boilers and pressure process piping and including the installation of water and storm and sewer lines, water and sewer plants and substations.
- (10) **Mechanical Contractor, Master Heating, Air Conditioning and Refrigeration Contractor, Class C and/or Class C Air Conditioning Contractor** - shall mean any person whose business is limited to the servicing of air conditioning, heating or refrigeration systems, including duct alteration in connection with those systems they are servicing. No examinations, registration or certification is required under this part for the sales and installation of package heating or air conditioning units with no ducts or remote controls (maximum of three tons, thirty-six thousand B.T.U. in capacity). No person not previously licensed as a Class C Air Conditioning Contractor as of October 1, 1988 shall be after October 1, 1988, however the board shall continue to license and regulate those Class C licenses issued before October 1, 1988.
- (11) **Residential Contractor** - limited to construction, remodeling, repair, or improvement of one-family, two family, or three family residences not exceeding two (2) habitable stories above no more than one uninhabitable story and accessory use structures in connection therewith.
- (12) **Residential Electrical Contractor** - shall mean those who have the skills to install repair, alter, add to or design electrical wiring, fixtures, appliances, apparatus, raceways, conduit, or any part thereof, in a one, two, three or four family residence, not exceeding two stories in height and accessory use structures in connection with the residence. The electrical service installed or worked upon is limited to single phase, four hundred amperes single service.
- (13) **Residential Swimming Pool/Spa Contractor** - shall include, but is not limited to, the construction, repair, water treatment, and servicing of any residential swimming pool or hot tub or spa, regardless of use. Such work includes layout, excavation, operation of construction pumps for dewatering purposes, steelwork, installation of light niches, construction of floors, guniting, fiber glassing, installation of tile and coping, installation of all perimeter and filter piping, installation of all filter equipment and chemical feeders of any type, plastering of the interior construction of decks, (slabs incidental to the pool), installation of housing for pool equipment, installation of package pool heaters. (However, the scope does not include direct connections to a sanitary sewer system or to potable water lines, bonding of steel, wet niches or electrical connections, conduits or wiring of fixtures, equipment or devices.) Such Contractors may contract for screen enclosures if a licensed

specialist performs work, and contracted with pool work.

- (14) **Roofing Contractor, Unlimited** - shall mean any persons whose services are unlimited in the roofing trade and who has the experience, knowledge and skill to install, maintain, repair, alter, extend, or design, (when not prohibited by law) and use materials and items 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.
- (15) **Sheet Metal Contractor** - shall mean any person whose services are unlimited in the sheet metal trade and who has the experience, knowledge and skill necessary for the:
- a) Manufacture, fabrication, assembling, handling, erection, installation, dismantling, conditioning, adjustment, insulation, alteration, repair, servicing and design, (when not prohibited by law) of ferrous or non-ferrous metal work of U.S. No. 10 gauge (F.S. 489.105(d)) or its equivalent or lighter gauge and other materials;
  - b) Including, but not limited to, fiberglass, used in lieu thereof and of air-handling equipment and reinforcement of same and including the balancing of air-handling systems.
- (16) **Sheet Metal Contractor, Limited** – shall mean any person whose services are limited and who has the experience, knowledge and skill necessary for the:
- a) Fabrication, installation, repair, alteration or extension, dismantling, conditioning, adjustment, insulation, alteration, repair, servicing and design, (when not prohibited by law) of fibrous glass material or duct board; and
  - b) Incidental devices (collars, veins, dampers, 16 gauge U.S. and above, etc.) and reinforcement of the same inclusive of the balancing of air-handling systems.
- (17) **Sign Contractor, Electrical** - shall mean those who are qualified to:
- a) Fabricate, install, repair, alter, add to, or change concrete foundation, service and wiring of electrical signs and outline wiring; and
  - b) Shall not include the provision of, any electrical work beyond, the last disconnect mean or terminal point;
  - c) However a contractor licensed under this section may provide the electrical entrance requirements for metering for main disconnect of remote billboards or signs which are independent of any structure or building and which require no more than 25 kilowatts at 250 volts (100 amps) maximum. Nothing herein shall invalidate requirements for independent lab inspection/ label on closed electric signs, or invalidate use of Electrical Contractors for electric power supply installation.
- (18) **Sign Contractor, Non-Electrical** – shall mean those who are qualified to:
- a) Install signs in accord with sign ordinance and regulations, including closed electrical signs which are manufactured by a qualified manufacturer in accord with applicable codes and regulations; and
  - b) Repair, alter, or add to non-electrical components of signs; and
  - c) A non-electrical sign contractor shall not be qualified to make, fashion, or assemble electrical connections within the sign, or, from the sign to any source of electrical power; and

- d) Nothing herein shall invalidate any existing requirements for independent lab inspection label on closed electric signs, or invalidate any existing requirement that Electrical Contractors accomplish electric power supply installations.
- (19) **Swimming Pool/Spa Contractor, Commercial** - shall include the construction, repair, water treatment, and servicing of any swimming pool or hot tub or spa, whether public or private or otherwise, regardless of use. The scope of such work includes layout, excavation, operation of construction pumps for dewatering purposes, steelwork, installation of light niches, construction of floors, guniting, fiber glassing, installation of tile and coping, installation of all perimeter and filter piping, installation of all filter equipment and chemical feeders of any type, plastering of the interior, construction of decks (slabs incidental to the pool), construction of equipment rooms or housing for pool equipment, and installation of package pool heaters. (However, the scope of work of such Contractor shall not include direct connections to a sanitary sewer or to potable water lines.) Such Contractors may contract for screen enclosures if a sublicensed specialist performs such work, and contracted with pool work.
- (20) **Alarm System Contractor I (Burglar and Fire Alarm)** - shall mean those whose services include the skill to layout, fabricate, install, maintain, repair, alter, or extend burglar and fire alarm systems. A licensed Electrical Contractor will perform any electrical installation.
- (21) **Alarm System Contractor II (Burglar Alarm)** - shall mean those whose services include the skill to layout, fabricate, install, maintain, repair, alter or extend burglar alarm systems only (*May not install, alter, or repair any portion of a Fire Alarm System*). A licensed Electrical Contractor will perform any electrical installation.
- (22) **Electrical, Lighting Maintenance Contractor**- shall mean those who services consist of the maintenance of electrical installations, limited to the repair of existing branch circuits, fixtures, apparatus or equipment connected thereto, and the relocation of existing branch circuits and the switching and de-energizing of existing facilities for safety purpose. Does not include the installation, alteration, or replacement of service equipment or any feeder to any center or centers of service equipment or panels.
- (23) **Limited Energy Systems Specialty Contractor**— shall mean those who have the knowledge and skill to install, repair, fabricate, erect, alter, make addition to, or design of electrical wiring, fixtures, appliances, thermostats, apparatus, raceways, conduit, and fiber optics (transmission of light over stranded glass) or any part thereof not to exceed 77 volts, when those items are for the purpose of transmitting data, proprietary video (satellite systems which are not part of a community antenna television or radio distribution system ), central vacuum, or electric locks.
- (a) The scope of certification is limited to electrical circuits and equipment governed by the applicable provisions of Articles 725 (Class 2 and 3 circuits only), 770, 800, and 820 of the National Electric Code, 1984 Edition, or 47 C. F. R. Part 68.
- (b) The scope of certification shall not include work performed by public utilities exempt under the terms of Section 489.503 (5), F.S., or exempt due to the regulatory jurisdiction of the Florida Public Service Commission. (This specialty

was formerly known as Low Voltage Systems Specialty) **Refer to Chapter 489.511, F.S., and Rule 61G6-7.001 (4), F.A.C.**

- (24) **Elevator Contractor-** shall mean those authorized by the division (under FS 399) to construct, install, maintain, or repair any vertical conveyance, after having been issued an elevator certificate of competency by the division of Hotels and restaurants of the Department of Business and Professional Regulations.
- (25) **Plumbing Contractor w/ gas-** shall mean those who have the knowledge and skill to install, maintain, repair, alter or extend plumbing, sanitary drainage or storm drainage facilities, venting systems, public and private water supply systems, septic tanks, drainage and supply wells, swimming pool piping; irrigation systems; or solar heating water systems and all appurtenances, apparatus, or equipment used in connection therewith, including boilers and pressure process piping and including the installation of water and storm and sewer lines, water and sewer plants and substations; And who are qualified to install, service, modify, alter or repair apparatus, piping, vents, flues, tanks, tubing, appliances, equipment & L.P. and/or Natural gas systems, unlimited with regards to residential or commercial systems.
- (26) **Plumbing Maintenance Contractor-** shall mean those who have the knowledge and skill to maintain, repair, or alter plumbing, sanitary drainage or storm drainage facilities, venting systems, fixtures, devices, drainage and swimming pool piping; irrigation systems; or solar heating water systems and all appurtenances, apparatus, or equipment used in connection therewith; including the maintenance of water and storm and sewer lines, water and sewer plants and substations; Does not include the installation or maintenance of L.P. or natural gas systems, devices, appliances or apparatus or the installation of new or extended plumbing systems.
- (27) **Residential Plumbing Contractor-** shall mean those who have the knowledge and skill to install, repair, maintain or extend any plumbing system, including waste, drains, vents, water supply and fixtures as it may apply to installations in one- and two- family residences, limited to three stories in height.
- (28) **Residential Plumbing Contractor w/ gas-** shall mean those who have the knowledge and skill to install, repair, maintain or extend any plumbing system, including waste, drains, vents, water supply and fixtures as it may apply to installations in one- and two- family residences, limited to three stories in height and to install, service, modify, alter or repair apparatus, piping, vents, flues, tanks, tubing, appliances, equipment & L.P. and/or Natural gas systems, limited to one- and two- family residences.
- (29) **Solar Contractor** - shall mean those who services consist of the installation, alteration, repair, maintenance, relocation or replacement of solar panels for potable solar water heating systems, swimming pool solar heating systems, and photovoltaic systems and any appurtenances, apparatus, or equipment used in connection therewith, whether public, private, or otherwise, regardless of use.
- (30) **Underground Utility Contractor** - shall mean those whose services are limited to the

construction, installation, and repair, on public or private property, 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 multi-occupancy commercial 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.

- (31) **Mobile Home Dealer Installer** - shall mean any licensed mobile home dealer who is authorized under section 320, Florida Statutes, by the Department of Highway Safety and Motor Vehicles to install mobile/manufactured homes.
- (32) **Mobile Home Installer** - shall mean any person, other than direct employees of licensed dealers or manufacturers, who engages in mobile home installation and has obtained a license, and is authorized under section 320, Florida Statutes, by the Department of Highway Safety and Motor Vehicles to install mobile/manufactured homes.
- (33) **"Swimming pool/spa servicing contractor"** -means a contractor whose scope of work involves, but is not limited to, the repair and servicing of any swimming pool, or hot tub or spa, whether public or private, or otherwise, regardless of use. The scope of work includes the repair or replacement of existing equipment, any cleaning or equipment sanitizing which requires at least a partial disassembling, excluding filter changes, and the installation of new pool/spa equipment, interior refinishing, the reinstallation or addition of pool heaters, the repair or replacement of all perimeter piping and filter piping, the repair of equipment rooms or housing for pool/spa equipment, and the substantial or complete draining of a swimming pool, or hot tub or spa, for the purpose of any repair or renovation. The scope of such work does not include direct connections to a sanitary sewer system or to potable water lines. The installation, construction, modification, substantial or complete disassembly, or replacement of equipment permanently attached to and associated with the pool or spa for the purpose of water treatment or cleaning of the pool or spa requires licensure; however, the usage of such equipment for the purposes of water treatment or cleaning shall not require licensure unless the usage involves construction, modification, substantial or complete disassembly, or replacement of such equipment. Water treatment that does not require such equipment does not require a license. In addition, a license shall not be required for the cleaning of the pool or spa in any way that does not affect the structural integrity of the pool or spa or its associated equipment.
- (34) **Glass & Glazing Specialty Contractor** - shall mean those who are qualified to select, cut, assemble, and install all makes and kinds of glass and glasswork (Inclusive of Glass & Acrylic block) and execute the glazing of frames, panels, sash and door and holding metal frames, ornamental decoration, mirrors, tub and shower enclosures.

**B. Class II Contractors (“Specialty Contractors”):** The Class II Contractors are listed in this subsection and include those Contractors that obtain an Authorized Contractors License in a specialized category that is not certified by the State or required to be registered with the State.

Applications for an Authorized Contractors Licenses in Class II shall require successful completion of an approved written examination.

- (1) **Aluminum Specialty Contractor** - shall mean those who are qualified to fabricate, install, maintain, repair, alter or extend accessories such as metal or vinyl siding, soffits, gutters, awnings and prefabricated rooms.
- (2) **Building Maintenance Contractor**- shall mean those who are qualified to perform maintenance and repair of existing buildings and structures, including the application of drywall, plaster, wood and paint. Does not include mechanical, plumbing, electrical, gas or roofing, structural components.
- (3) **Carpentry Contractor** - shall mean those who have the knowledge and skill to install any wood products or metal studs, 16 ga. US or above in a building including, but not limited to, any framing, trusses, sheathing, doors, stair treads and handrails and all hardware incidental thereto, windows and finish trim materials inclusive.
- (4) **Carpentry, Finish Contractor** – shall mean those who are qualified to install finish wood products including paneling, trim, cabinetry, handrails and all hardware incidental thereto.
- (5) **Concrete Forming & Placing Contractor** - shall mean those who are qualified to pour, place, and finish concrete foundations and flatwork (footers, floors, sidewalks, etc.) including placement of mesh reinforcement, vapor barriers and edge forms, batch and mix aggregates, cement and water to agreed specifications, to construct forms and formwork for the casting and shaping of concrete, to place miscellaneous embedded steel and to pour, place and finish concrete
- (6) **Demolition Contractor**- shall mean those who are qualified to demolish, disassemble and /or remove structures such as dwellings, commercial buildings, and foundations.
- (7) **Drywall Contractor** - shall mean those who are qualified to install gypsum drywall products to wood and metal studs, wood and steel framing and metal runners in buildings of unlimited area and height. 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, 16 gauge maximum, blocking and necessary trim.
- (8) **Drywall, Plaster & Lathing Contractor**- shall mean those who are qualified to install drywall and plaster products to wood and metal studs, wood and steel joists, and metal runners in buildings of unlimited height including the preparation of the surface over which the drywall product is to be applied, including the placement of metal studs and runners, 16 gauge maximum, and all necessary trim.
- (9) **Garage Door Installation Contractor**- shall mean those who are qualified to install, service, modify, alter or repair garage doors, tracks, bucks, safety devices, motors

and associated hardware and factory approved / provided devices. The scope of the work shall include the preparation of existing structural elements, including the placing of metal/wood studs and runners, blocking and necessary trim components. The scope of work shall be limited to exposed low voltage wiring for safety features and shall not include electrical connections or wiring other than cord and cap connected devices, motors and equipment.

- (10) **Glass & Glazing Contractor**- shall mean those who are qualified to select, cut, assemble, and install all makes and kinds of glass and glasswork and execute the glazing of frames, panels, sash and door and holding metal frames, ornamental decoration, mirrors, tub and shower enclosures.
- (11) **Irrigation / Sprinkler Contractor** - shall mean those who have the knowledge and skill to install, repair, maintain, and replace, lawn sprinkler irrigation systems. Includes excavation, trenching, boring, backfilling, grading and those electrical control panels and apparatus that are an integral part of the irrigation system.
- (12) **Masonry / Concrete Contractor** - shall mean those who are qualified to select, cut and lay brick and concrete block or any other unit masonry products; rough cut and dress stone, artificial stone and pre-cast blocks, structural glass brick or block, pour, place and finish concrete, foundations and flatwork (footers, floors, slab on grade, sidewalks, etc) including placement of mesh reinforcement, plastic vapor barriers and edge forms incidental thereto.
- (13) **Masonry Contractor** - shall mean those who are qualified to select, cut and lay brick and concrete block or any other unit masonry products; rough cut and dress stone, artificial stone and pre-cast blocks, structural glass brick or block; but shall not pour or finish concrete.
- (14) **Marine Construction Contractor** - shall mean those who are qualified to construct seawalls, bulkheads, docks, piers, wharfs and other marine structures inclusive of pile driving / jetting, framing, concrete finishing, columns, beams, heavy timber posts & beams, site work, decking and lifts or davits associated therewith.
- (15) **Plaster / Lath & Stucco Contractor**- shall mean those who are qualified to batch a mixture of sand or other aggregate gypsum plaster, portland cement or quick-lime and water, or any combination of such material as to create a permanent surface coating; Including the application and affixing of gypsum or metal lath or any other product prepared or manufactured, including the placing of metal studs and runners to which lath is to be applied, to provide key or suction bases for the support of the plaster / stucco coating.
- (16) **Structural Steel/Structural Framing** – shall mean those who are qualified to erect structural steel shapes and plates, (maximum 16 gauge), including such minor field fabrication as may be necessary, of any profile, perimeter, or cross-section, that are or may be used as structural members for buildings and structures, including related metal decking, siding, joists, riveting, welding, and rigging, only in connection

therewith.

- (17) **Above Ground Pool Installer**— shall mean those who are qualified to: including, but is not limited to, the construction, repair, water treatment, and servicing of residential above ground swimming pools. Such work includes layout, excavation, installation of light niches, construction of Sheet metal, plastic or factory designed and fabricated walls, filter piping, factory provided heaters, installation of all filter equipment and chemical feeders of any factory provided and approved types, installation of housing for pool equipment, installation of package pool heaters. (However, the scope does not include direct connections to a sanitary sewer system or to potable water lines, non-cord and cap connected pumps, time clocks, receptacles, plumbing or electrical, or pool guards (fencing or enclosures).
- (18) **Insulation Contractor**- shall mean those who are qualified to: install fire wool, loose-fill cellulose, bat, blown-in, foam plastic, and other thermal insulation products inclusive of facings, vapor retarders, ventilation baffles, breather paper, single and multi layer reflective foil insulations installations, which possess a flame spread rating of not more than 75 and a smoke developed rating of not more than 450 for concealed products (excluding facings, coverings, layers of reflective foils,) and have a flame spread rating of not more than 25 and a developed of not more than 450 for exposed insulations (inclusive of facings, coverings, layers of reflective foils,).
- (19) **Prefab Building Installation**- shall mean those who are qualified to: Such work including layout, excavation, placement, blocking and tie down of pre-manufactured buildings and components such as stairs and ramps included with the structure. Not included in their scope is: electrical installations, connections of pre-wired structures, fabrication of site built stairs, ramps or railing and plumbing installations or connections.
- (20) **Residential Fireplace Installer**- shall mean those who are qualified to: Install factory fireplaces, wood heaters / stoves, including non-structural framing & trim associated with the installation roof penetrations and flashings, chimneys & vents which are factory approved and provided. Not inclusive of electrical connections for fans, motors or devices, fuel gas connections or piping, stone, brick or tile installations and modifications of any structural elements.

**C. Journeyman Class:** The Journeyman Class license categories available in Putnam County are listed in this subsection. A Journeyman may only perform in the specified Contractors trades while employed and supervised by a Master License holder of the trade. An active Journeyman shall be authorized to represent his employer's Master Licensee as an on-site job supervisor, in the absence of the Master License holder, and at least one such Journeyman shall always be on-site in absence of the Master License holder, including on service calls.

- (1) **Journeyman Electrician** - shall mean those qualified and tested to perform work in the electrical trades while employed by a Master Electrician.

- (2) **Journeyman Plumber** - shall mean those qualified and tested to perform work in the plumbing trades while employed by a Master Plumber.
- (3) **Journeyman Heating, Air Conditioning, Refrigeration** - shall mean those who are qualified and tested to install, maintain, repair, fabricate, alter, extend or design (when not prohibited by law) central air conditioning, refrigeration, heating and ventilating, including duct work, pneumatic control piping, and installation of a condensate drain from an approved disposal other than a direct connection to a sanitary system. Fabricate and install HVAC system including ducts and to set pre-assembled equipment when employed by a Master Heating, Air Conditioning, Refrigeration, Sheet metal or Mechanical Contractor. However, the scope of such work does not include starting and testing the operation of such equipment, when employed and supervised by a Master Heating, Air Conditioning, Refrigeration Contractor

**Section 18. Emergency Special License Provisions.**

- A. In event of official state declared disaster in Putnam County, Emergency Special Licenses may be issued to Contractors whose trade abilities are desired to assist recovery efforts provided all following conditions are met by the Contractor:
  - (1) Completes the heretofore described Application for license, and
  - (2) Provides for review an original valid verifiable Contractor license in the Contractors home jurisdiction obtained by written exam, and
  - (3) Provides certification of required insurance to be effective in Putnam County, and
  - (4) Pays all required license fees, and
  - (5) Obtains a county occupational license, as required, and
  - (6) The holder of an Emergency Special License shall be subject to the jurisdiction of the Putnam County Contractors Review Board and the requirements of this Ordinance, including the disciplinary provisions for any action or inaction in violation of this Ordinance or any other State or local laws, during the life of the Emergency Special License.
- B. Where time is of the essence, the completed application for an Emergency Special License, which shall include the submittals outlined in paragraphs A(1) through (6) above, may be temporarily approved by the Licensing Administrator or his/her designee, with the concurrence of the most senior available member of the Contractors Review Board. A record of all applications for an Emergency Special License shall be submitted for public hearing and confirmation at the next occurring full Contractors Review Board meeting. Any Contractor not confirmed at the full Board meeting, including any Contractor approved administratively on a temporary basis, shall be prohibited from Contracting in Putnam County.
- C. All Board confirmed emergency licenses shall expire six (6) months after the date of official Disaster declaration. The Contractors Review Board may extend the Emergency Special License for up to one hundred eighty (180) days in those license categories deemed necessary by Contractors Review Board formal action. The Board may extend an individual

Emergency Special License by formal action, for up to one hundred eighty (180) days, when deemed necessary to complete a job that commenced under a permit issued as part of the recovery efforts, if the Contractor can demonstrate due diligence in attempting to complete the permitted scope of work.

- D. All building permits issued to emergency licensed Contractors shall require an original and notarized property Owners signature on permit applications, such Contractors not granted agency signature authority on permit applications for rebuilding Disaster damage.

## **Section 19. Compliance with State Law on Disciplinary Action.**

The provisions of this Ordinance, including but not limited to the creation of the Contractors Review Board, the provision of administrative formats for complaints against Contractors, and the disciplinary review and hearing procedures for Contractor and any resulting orders from those proceedings, do and shall comply with State of Florida, Department of Business & Professional Regulation, CONSTRUCTION INDUSTRY LICENSING BOARD, Rule 61G4-20.001 entitled "Local Disciplinary Actions".

State law references - Construction industry generally, F.S. ch. 489; Local authority over Construction industry, F.S. § 489.127(4), (5), 489.131(3), 489.516(4), 489-531(3) - (6), 489.537(3).

## **Section 20. Changes by Ordinance.**

Following initial enactment of this Ordinance, future revisions to this Ordinance, including the Contractor license categories, may be changed by an ordinance adopted by of the Board of County Commissioners after recommendation of the Contractors Review Board.

## **Section 21. Effective Date.**

The Clerk of the Court shall file a copy of this Ordinance with the Office of the Department of State within ten days after enactment, and this Ordinance shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

## **Section 22. Severability.**

If any section, sub-section, sentence, clause, word or provision of this Ordinance or the Code hereby adopted is held invalid, the remainder of the Ordinance or code shall not be affected.

## **Section 23. Ordinance as Amended Is Repealed.**

Putnam County, Florida Ordinances 92-06, 94-23A, 95-55 and 98-14 and any amendments thereto are hereby repealed, and in their place, this ordinance is being substituted and incorporated herein.

**Section 24. Inclusion in the Code of Laws and Ordinances.**

The provisions of this Ordinance shall become and be made a part of the code of laws and ordinances of Putnam County, Florida. The sections of the ordinance may be renumbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section”, “article”, or any other appropriate word.

PASSED AND ENACTED by the Board of County commissioners of Putnam County, State of Florida, this (8<sup>th</sup>) Eighth day of June, 2004.

BOARD OF COUNTY COMMISSIONERS  
OF PUTNAM COUNTY, FLORIDA

BY: \_\_\_\_\_  
Hermon Somers, Jr., Chairman

ATTEST: Tim Smith, Clerk of Courts,

By: \_\_\_\_\_