

ORDINANCE NO. 92 - 19

AN ORDINANCE AMENDED ORDINANCE 86-1, AS AMENDED. ORDINANCE 86-1, AS AMENDED REGULATES CONTRACTORS IN THE BUSINESS OF CONTRACTING AND CREATED A CONTRACTOR'S REVIEW BOARD; SPECIFICALLY THIS ORDINANCE WILL AMEND SECTION 7, NASSAU COUNTY CONTRACTOR'S REVIEW BOARD, SUNSETTING SAID BOARD; PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED this 11th day of May, 1992, by the Board of County Commissioners of Nassau County, Florida, that Ordinance 86-1, as amended, shall be further amended as follows:

1. SECTION IV. Certification Required

It shall be unlawful after the effective date of this Ordinance, except as otherwise provided by law, for any person to engage in a trade or craft specified in this ordinance without the craftsman certificate for the particular trade or craft engaged in. But a worker, helper or apprentice who is not so certified may work at such trade or craft if he is employed by a contractor qualified in the trade or craft and he is working under the direct supervision of a certified craftsman on the job site, such as "Journeyman Electrician", "Journeyman Plumber", and "Journeyman Heating, Air Conditioning, Refrigeration Contractor". It is the employing contractor's responsibility to certify craftsmen on each job site, and failure to do so is a violation of this ordinance. It is also unlawful and a violation of this ordinance for any person not possessing a valid craftsman certificate issued by ~~the Board~~ Nassau County to represent himself as holding one, or to do any work requiring one except under the direct supervision of

a certified craftsman, or to do any construction, maintenance, or repair of structures or systems within the unincorporated limits of Nassau County, Florida.

A. Before any Contractor shall engage in the business of construction, maintenance, or repair to the structures or systems within the unincorporated areas of Nassau County, he shall pay to the Tax Collector's Office the necessary occupational license fee according to the license code as set forth by the Nassau County Board of County Commissioners.

B. Bond: A good and sufficient bond in the penal sum of two thousand dollars (\$2,000.00), payable to Nassau County, Florida, with applicants as principal, and with surety companies authorized to do business in this State as surety thereon, shall be filed with the Nassau County Building Department, further conditioned that the principal shall well and surely comply with the provisions of all Nassau County Ordinances. Should any bond so required for any reason become insufficient, the Building Official may require a new bond be filed forthwith: and upon failure to do so the certificate issued to such principal shall be immediately and automatically suspended, and it shall be unlawful thereafter for such principal to engage in such business until such certificate is reinstated as provided below.

As a further requirement, the applicant shall furnish the County Building ~~Inspector's Office~~ Department evidence that such applicant is carrying a policy of Workman's Compensation Insurance as required by law. contractors liability and Completed Operations

Insurance with respect to such business through an insurance company authorized to do business in the State of Florida for an amount not less than \$50,000 for one person, \$100,000 for one accident, and \$25,000 policy of property damage insurance with respect to such business. If such insurance expires, or is at any time canceled, during the term of the certificate, then the certificate issued to the insured shall be immediately and automatically suspended and it shall be unlawful thereafter for the Contractor/special Trades Contractor to engage in such business until such certificate is reinstated. No new bond or new certificate shall be required as long as the original bond and insurance remains sufficient and in full force and effect.

Any certificate of Competency or certificate suspended by the terms thereof may be reinstated by the Building Official upon a new compliance with the requirements of this section.

Any person who holds certificate of competency or certificate from the ~~Contractors Review Board~~ Building Official may go on voluntary inactive status during which time he shall not engage in contracting but may retain his certificate/certificate of competency on an inactive basis upon payment of an annual fee of \$10.00. Persons placed on involuntary inactive status for a period of two (2) consecutive years and fails to reactive said certificate of competency or certificate shall result in the certificate of competency or certificate becoming null and void.

2. SECTION VI. Certification

An appropriate Certificate of Competency for a General

Contractor, Building Contractor, Residential Contractor, Master Electrician, Master Plumber, Journeyman Electrician, Journeyman Plumber, Journeyman Heating, Air, Refrigeration Contractor, Sheet Metal Contractor, Roofing Contractor, Air Conditioning Contractor, Master Heating, Air Conditioning, Refrigeration Contractor, Mechanical Contractor, Masonry Contractor, Swimming Pool Contractor, Specialty Trades Contractor shall be issued without further examination to any person who has taken and passed a written examination for such trade or occupation which was prepared, or comparable and who hold a current Certificate of Competency from a city or county which has a building code or ordinance similar to that of Nassau County and which grants reciprocity to Nassau county holders of certificate of Competency for such trade. To secure such a Certificate of Competency, the applicant shall furnish to the ~~Building Inspector~~ Building Official a photostatic copy of his current Competency Certificate and a letter from the Chief Administrator's Office of the agency issuing such certification certifying that applicant has taken and passed the appropriate exam and grants reciprocity to holders of Certificate of Competency in Nassau County. The fees for a Certificate of Competency or certificate issued under this ordinance shall be \$35.00 for Building Contractors, Class "A", "B", "C"; \$35.00 for Master Electrician, Master Plumber, Master Air Conditioning, and Master Heating, Air Conditioning, Refrigeration, Swimming Pool Contractor, and Master Sheet Metal Mechanic; and \$10.00 for Journeyman Electrician, Journeyman Plumber, Journeyman

Air Conditioning, Journeyman Heating, Air conditioning Refrigeration, and Journeyman Sheet Metal Mechanic. The annual renewal fee for Certificate of Competency shall be \$25.00 for Building Contractors, Class "A", "B", and "C"; \$25.00 for Roofing, Mechanical, Air Conditioning, Heating, Air Conditioning, Refrigeration, Sheet Metal, Masonry Contractors, Swimming Pool Contractors, and Specialty Trade Contractors; \$10.00 for all Journeyman Certificates.

A. Said Certificates of Competency shall be valid throughout the unincorporated areas of Nassau County and shall be renewable annually upon conditions hereinafter described. ~~Said Board~~ The Building Official shall keep a register in the office of the Building Department of Nassau County showing the names and addresses of all persons to whom a Certificate of Competency or certificate is issued hereunder. ~~Said Review Board shall designate or elect one of its members to act as secretary, who shall keep records of meetings, the Secretary being directed to file copies to the Board of County Commissioners. Four members of said Board shall constitute a quorum. Affirmative votes of a majority of said Board present at a meeting shall be necessary to adopt any ruling.~~

B. examinations for certification shall be in accordance with prevailing State Law and/or County Ordinance. Master Plumbers, Journeyman Plumbers, Master Electricians, Journeyman Electricians, Master Heating, Air Conditioning, Refrigeration, Journeyman Heating, Air Conditioning, Refrigeration, Roofing Contractor, General Contractors, Class "A", Building Contractors, Class "B",

Residential Contractors, Class "C" Swimming Pool Contractors, and Master Sheet Metal Mechanics shall be of the same general type as administered and proctored by the agency designated by Nassau County.

~~Where no standard examination exists, the Nassau County Contractors Review Board is authorized to prescribe reasonable qualification for persons engaged in these activities.~~

C. Examination for Master Electrician, Master Plumber, or Master Heating, Air Conditioning, Refrigeration may be taken only by a Journeyman Electrician, Journeyman Plumber, or Journeyman Heating, Air Conditioning, Refrigeration who can provide satisfactory evidence that he has successfully passed an examination for Journeyman Electrician, Journeyman Plumber, or Journeyman Heating, Air Conditioning, Refrigeration and has worked in the trade as a Journeyman for a minimum of two years; or prior to the enactment of this Ordinance. Such examination shall be of the same general type as that administered and proctored by the agency designated by Nassau County.

D. Examinations for Journeyman Electrician, Journeyman Plumber, or Journeyman Heating, Air Conditioning, Refrigeration may be taken only by a person as hereinafter provided. Such examination shall be of the same general type as that administered and proctored by an agency designated by Nassau County.

E. Examinations for Roofing, Mechanical, Sheet Metal, Swimming Pool Contractor, and Masonry Contractors may be taken only by a person as hereinafter provided. Such examination shall be of

the same general type as that administered and proctored by an agency designated by Nassau County.

F. Applications for examinations as herein provided shall be made to the Building Official in writing on forms furnished by the Building Department, shall be accompanied by an application fee of \$100.00 for General Contractors, Class "A", General Contractors, Class "B", Residential Contractors, Class "C"; \$100.00 for Masters Certificate Examinations; and \$50.00 for Journeyman Certificate Examinations; \$50.00 for all other examinations.

Applicants for Journeyman Electrician, Journeyman Plumber, or Journeyman Heating, Air Conditioning, Refrigeration shall submit satisfactory evidence that they have had a minimum of two years experience or education in the field for which certification is being sought. Two years experience shall be experience gained through working as an apprentice or helper in the appropriate trade for two years; or one year of education in a recognized accredited college or vocational school plus one year of manual experience in the application of electrical, plumbing, mechanical, heating, air conditioning, or refrigeration construction trade.

G. Each applicant shall submit to an examination, in writing, which shall be prepared, graded and proctored by an agency designated by Nassau County to test the qualifications of the applicant to perform satisfactory work in the chosen field within the unincorporated limits of Nassau County and the familiarity of the applicant with the appropriate building code of Nassau County.

H. Regular examinations for applicants approved by the

~~Contractors Review Board~~ Building Official shall be held quarterly, dates to be decided by the ~~Board~~ Building Official. No applicant shall be allowed to take an examination more than three times in any two calendar years.

I. Special examinations may be authorized at any time by the ~~Contractors Review Board~~ Building Official, provided application therefore is made and the applicant deposits with said application the regular application fee together with all costs to be incurred by the County in giving and grading of said examination.

J. All applications for any examination must be filed with the Building Official not less than three weeks prior to the date of the examination.

K. Applications shall be required to answer correctly a minimum of 70% of the questions in the examination to pass said examination. When applicants have passed such examination, the ~~Contractors Review Board~~ Building Official shall thereupon issue a Certificate of Competency, without further charge, to such persons who have passed. Said Certificate of Competency shall show that such applicants are qualified to apply for such licenses as may be required and to engage in or work at the business or trade for which certified and within the unincorporated areas of Nassau County.

L. Certificate holders, whose competency has been demonstrated by examinations which are comparable to that required by this Ordinance and whose base for conducting their business is outside the territorial limits of Nassau County, may use said

certificates for work within Nassau County - provided such certificate holder is or is employed by a Master Electrician, Master Plumber, or Master Heating, Air Conditioning, Refrigeration who holds a valid occupational license in Nassau County. it being hereby further provided that above said certificate holder's home county accords Nassau County's certificate holders this same opportunity.

3. SECTION VII. Nassau County Contractors Review Board.

~~A. There is hereby created a Nassau County Contractors Review Board for Nassau County, Florida, which shall be composed of the following who shall be either registered in the State or certified: One (1) Building Contractor, one (1) Architect or Engineer, One (1) Master Electrician, One (1) Master Plumber, One (1) Master Heating, Air conditioning, Refrigeration Contractor, One (1) Roofing Contractor, and three (3) citizens of Nassau County who are not associated with the construction industry, all of whom shall be appointed by the Board of County Commissioners to hold office until his successor is appointed and qualified, unless sooner removed for cause. The County Chief Building Inspector shall serve as non-voting member of the Board. As a matter of policy, the Board of County Commissioners shall give consideration to all contractors and tradesmen in the County. The Board shall be established by the Board of County Commissioners upon the initial appointment. Said term shall be determined by the Board of County Commissioners. All members shall serve at the discretion of the Board of County Commissioners. The Review Board members may recommend any new~~

~~member of the Board to the Board of County Commissioners. Any member may be dismissed from the Review Board for three consecutive unexcused absences. The persons appointed, except the three citizens, to serv on said Board, shall hold a valid Certificate of Competency, as such, and shall have been actively engaged in the business or trade for a period of not less than five (5) years immediately preceding the date of appointment as a member of said Board and each shall be a citizen of Nassau County, Florida.~~

~~B. Said Review Board shall hold regular quarterly meetings as set by the Review Board for the purpose of approving applications of persons desiring to take examinations for certification to install, maintain, or repair structures and systems within the unincorporated areas of Nassau County.~~

~~C. Said Review Board shall establish policies and procedures within 60 days of their being duly constituted. Said policy and procedures shall be approved by the Board of County Commissioners.~~

~~D. Said Board shall have the power and authority to suspend or revoke, for cause, the Certificate of Competency or certificate of any Building Contractor Class "A", "B", or "C", Master Electrician and Master Plumber, and Master Heating, Air Conditioning, Refrigeration, Journeyman Electrician, Journeyman Plumber, Journeyman Heating, Air Conditioning, Refrigeration Contractor, Swimming Pool Contractor, Roofing and Special Trades Contractor. When any such certificate has been suspended or revoked by said Board, the Tax Collector's office of Nassau County shall likewise suspend or revoke any occupational license or business license~~

~~dependent upon such valid certificate therefor. Failure to comply with, or any violation of, the provisions of this Ordinance; undertaking or doing construction maintenance or repair of any structure or system within the unincorporated areas of Nassau County without first having applied for an secured such permit; or other good and sufficient reasons shall be deemed cause for suspension or revocation of any such certificate of competency or certificate held by any such person or persons. A two-thirds affirmative vote of the said Board shall be required for such suspension or revocation.~~

~~E. Any such suspension or suspensions of said Certificate of Competency made by said Board shall be, and remain, in force and effect for the period of time for which any such suspensions may be listed; or annulled by action of an appeal to the violations of the provisions of this ordinance by any such person holding a Certificate of Competency or certificate hereinunder shall be deemed cause for revocation of such certificate.~~

~~F. Any person holding such Certificate of Competency or Certificate who is charged with a violation of the Ordinance and is hereby faced with the possibility of having his certification and/or license suspended or revoked, shall be notified by certified mail of such charge or charges and shall have the right to a hearing in person or by counsel by said Board on such charge or charges at the time and place set by the Board on such hearing, before any action is taken by said Board on suspension or revocation of the certification. Any person so charged with a~~

~~violation of this Ordinance, who fails to appear in person or by counsel before said Board for a hearing thereon, after having been notified by certified mail of the time and place set forth for such hearing by said Board, shall thereby forfeit the right of a hearing by said Board on such charge or charges and the said Board may then proceed with the suspension or revocation of his certificate if deemed warranted by said Board.~~

~~G. If any person feels aggrieved at a decision of the Nassau County Contractors Review Board or the Chief Building Inspector, in refusing to grant such person after he has passed proper examinations, a license, permit, certificate/Certificate of Competency to carry on or engage in the selected trade, business or occupation, or in revoking or suspending a license, permit, certificate or Certificate of Competency, such person may appeal to the Nassau County Board of County Commissioners within sixty (60) days after such decision. Within thirty (30) days from the filing of a notice of appeal with the Clerk of the Board of County Commissioners, the person aggrieved shall be informed of the decision of the Board of County Commissioners.~~

~~H. If the holder of a valid certification fails to renew such certification by October 1st of each year, but files an affidavit with the Review Board on or before April 1 of the next ensuing year, setting forth the reasons for this failure to so renew the certification as required herein, the Board may by unanimous vote, determine that the said affidavit states good and sufficient cause to excuse the failure to so renew the certification, and may~~

~~thereafter by unanimous vote, authorize and direct the re-issuance of the certification upon the condition that the said applicant shall forthwith purchase the necessary occupational license for a full year and upon such other reasonable terms and conditions as the Examiners Board may desire to impose; without requiring the said applicant to pass the examination aforesaid. Any person serving in the Armed Forces shall be exempt from this requirement for the duration of his service plus six months.~~

~~I. Temporary Work Permits: When and if, at the discretion of the Review Board it becomes advisable, temporary work permits may be issued by the said Review Board to persons employed by Contractors, Master Electrician, Master Plumbers, Master Heating, Air Conditioning, Refrigeration, or Master Sheet Metal, a period of time necessary to enable them to take the next schedule examination and for the results of the examination to be received by the Board. The certified person employing said applicant on a temporary work permit shall vouch for same before a temporary work permit is issued. The name of the employing certificate holder shall be entered on the temporary work permit. The fee for a temporary work permit shall be \$10.00. No temporary work permit may be issued to a person for use in self-employment activities.~~

4. SECTION VIII. Appeals

~~Appeals from the actions of the Nassau County Contractors Review Board Building Official may be taken to the Nassau County Commission in any matter affecting examination, certification or suspension. It is explicitly intended that the Board of County~~

~~Commissioners will hear petitions for the granting of Grandfather Certificates to all eligible applicants who fail to have the required occupational license as of effective date of Ordinance and who can document to the Board's satisfaction that they in fact were actively and competently engaged in the designated trade within the preceding twelve months prior to.~~

5. This Ordinance shall become effective upon the written certification to the Board of County Commissioners from the Contractors Review Board that the Grandfather applications submitted between March 2, 1992, and April 1, 1992, have been reviewed and that final action has been taken of each and every application, and upon its being filed in the office of the Secretary of State.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA


THOMAS D. BRANAN, JR.
Its: Chairman

ATTEST:


T. J. GREESON
Its: Ex-Officio Clerk

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