

7. First Reading of an ordinance and scheduling of public hearing.
(Note: The First Reading is not a public hearing and no discussion or testimony will be taken unless the ordinance changes permitted conditional or prohibited uses as required by State Statute)

- b. **ORDINANCE NO. 08-005 AMENDING CHAPTER 14 OF THE SANIBEL CODE, "BUILDINGS AND BUILDING REGULATIONS", ARTICLE III, LICENSES, REGISTRATIONS AND CERTIFICATIONS, DIVISION 2, CONSTRUCTION CONTRACTORS, SECTION 14-127, PREREQUISITE TO ISSUANCE OF AUTHORIZED CONTRACTORS LICENSE, AND SECTION 14-138, TYPES OF AUTHORIZED CONTRACTOR LICENSES; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE**



MEMORANDUM

DATE: March 12, 2008

TO: Judie Zimomra

FROM: Harold Law

SUBJECT: Changes to Contractor Licensing Ordinance 04-005

These Ordinance changes clarify some questioned definitions along with the following Licensing changes that are concurrent with the new Florida Licensing Statutes and an additional Structural category is being added as follows:

Class II –

- Hurricane Shutter Contractor

Class III –

- Swimming Pool Layout Specialty Contractor
- Swimming Pool Structural Specialty Contractor
- Swimming Pool Piping Specialty Contractor
- Swimming Pool Excavation Specialty Contractor
- Swimming Pool Trim Specialty Contractor
- Swimming Pool Decking Specialty Contractor
- Swimming Pool Finishes Specialty Contractor

CITY OF SANIBEL

ORDINANCE NO. 08-007

AN ORDINANCE AMENDING CHAPTER 14 OF THE SANIBEL CODE, "BUILDINGS AND BUILDING REGULATIONS", ARTICLE III, LICENSES, REGISTRATIONS AND CERTIFICATIONS, DIVISION 2, CONSTRUCTION CONTRACTORS, SECTION 14-127, PREREQUISITE TO ISSUANCE OF AUTHORIZED CONTRACTORS LICENSE, AND SECTION 14-138, TYPES OF AUTHORIZED CONTRACTOR LICENSES; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 14 of the Sanibel Code of Ordinances sets forth the rules and regulations for Buildings and Building Regulations; and

WHEREAS, City Staff has requested that revisions to Chapter 14 of the Sanibel Code be considered by City Council; and

WHEREAS, the Council deems it necessary to make such revisions to the Land Development Code, as contained in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sanibel, Florida, that:

SECTION 1. The Code of Ordinances of the City of Sanibel, Chapter 14, Article III, Division 2, Section 14-127, entitled "Prerequisite to issuance of authorized contractors license", Subsection (e) is hereby amended, with underlining indicating additions and ~~strikethrough~~ indicating deletions, as follows:

Sec. 14-127. Prerequisite to Issuance of Authorized Contractors License.

- (e) ~~A temporary license will be issued to new license applicants for a period of 60 days in order for applicant to provide proof of liability insurance and workman's compensation.~~

SECTION 2. The Code of Ordinances of the City of Sanibel, Chapter 14, Article III, Division 2, Section 14-138, entitled "Types of authorized contractor licenses", is hereby amended, with underlining indicating additions and ~~strikethrough~~ indicating deletions, as follows:

Sec. 14-138. Types of Authorized Contractor Licenses.

- (2) Class II contractors: The following are class II contractors and licenses:

- (f) Aluminum contractor. Shall mean those who are qualified to fabricate, install, maintain, repair, alter or extend accessories such as metal siding, soffits, gutters, awnings and prefabricated rooms, excluding screening enclosures.
- (g) Aluminum/concrete contractor. Shall mean those who are qualified to fabricate, install, maintain, repair, alter or extend accessories such as metal siding, soffits, gutters, awnings and prefabricated rooms. These contractors may form, place reinforcing steel and miscellaneous steel, and pour, place and finish concrete incidental to an aluminum accessory structure only, on grade only, ~~excluding screening~~.
- (h) Aluminum erection 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 non-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 shall 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.
- (j) Carpentry Contractor - shall mean those who have the knowledge and skill to install any wood products in a building including, but not limited to, any framing, trusses, windows, sheathing and finish trim materials.
- (o) Hurricane shutter contractor. Shall mean those who fabricate and install opening protection for structures.
- (~~e~~) (p) Glass and 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 window holding metal frames, ornamental decoration, mirrors, tub and shower enclosures.
- (~~p~~) (q) Irrigation sprinkler contractor. Shall mean those who have the knowledge and skill to install, repair, maintain, and replace, lawn sprinkler irrigation systems.

3. Class III contractors: The following are class III contractors and licenses:

(a) Authorized for general public practice: (after subsection 14-135(d) requirements are met)

Asphalt Sealing/Coating	Awning
Cabinet Installer	Cabinet & Millwork
Ceramic Tile and Marble	Decorative Stone
Drywall, Hang and Finish-Residential	Elevator Installation Residential
Excavating	Fence
Fire Stopping	Fireplace Installer-Residential
Floor Covering	Garage Door
Gunite	Gutters & Downspouts
Insulation	LP Tank
Lath and Plaster	Lath Only
Limited Low Voltage Energy Systems Specialty	Mangrove Trimming
Marciting	Marine
Painting and Wall Treatment	Paving
Paving Interlock Blocks	Pile Driving
Plaster & Stucco	Plastering
Pollutant Storage	Prefab Building Installation
River Rock	Roof Spraying
Sandblasting	Screen Repair
Siding	Specialty Structure
Stucco	Tennis Court
Tile & Marble	Trim Carpentry
Welding	Wood Flooring

(b) Authorized subcontractors only to pool builders:
Pool/spa, designated subtrade (steel/pipe, shell, tile, deck, marcite)

(1) Swimming Pool Excavation Specialty Contractor: means a swimming pool specialty contractor whose scope of work is limited to the excavation and earthmoving required for the installation of pools, spas, and hot tub shells.

(2) Swimming Pool Trim Specialty Contractor: means a swimming pool specialty contractor whose scope of work is limited to the installation of tile and coping for pools, spas, and hot tub shells. Decorative or interactive water displays or areas that use recirculated water, including waterfalls and spray nozzles, are also included in this rule within this scope of work.

- (3) Swimming Pool Decking Specialty Contractor: means a swimming pool specialty contractor whose scope of work is limited to the construction and installation of concrete flatwork, pavers and bricks, retaining walls, and footings associated with the construction of pools, spas, and hot tub shells.
- (4) Swimming Pool Finishes Specialty Contractor: means a swimming pool specialty contractor whose scope of work is limited to the coating or plastering of the interior surfaces of pools, spas, or hot tub shells.
- (5) Swimming Pool Layout Specialty Contractor: means a swimming pool specialty contractor whose scope of work is limited to the layout, shaping, steel installation, and rough piping of pools, spas, and hot tub shells.
- (6) Swimming Pool Structural Specialty Contractor: means a swimming pool specialty contractor whose scope of work is limited to the shaping and shooting of gunite, shot crete, concrete, or similar product mix used in the construction of swimming pools and spas. This scope pf work includes the installation of fiberglass shells and vinyl liners.
- (7) Swimming Pool Piping Specialty Contractor: means a swimming pool specialty contractor whose scope of work is limited to the installation of piping or the installation of circulating, filtering, disinfecting, controlling or monitoring equipment and devices used in the construction of pools, spas, hot tubs, and decorative or interactive water displays or areas.

SECTION 2. Codification.

This ordinance shall be deemed an amendment to City of Sanibel Ordinance No. 04-005, and shall be codified in the Code of Ordinances as such an amendment.

SECTION 3. Conflict.

All ordinances and parts of ordinances in conflict herewith shall be and the same are hereby repealed. If any part of this ordinance conflicts with any other part, it shall be severed and the remainder shall have full force and effect and be liberally construed.

SECTION 4. Severance.

If any section, subsection, sentence, clause, phrase or portion of this ordinance, or application hereof, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of application hereof.

SECTION 5. Effective date.

This ordinance shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Florida, this 18th, day of March, 2008.

AUTHENTICATION:

Mick Denham, Mayor

Pamela Smith, City Clerk

APPROVED AS TO FORM:

Kenneth B. Cuyler
Kenneth B. Cuyler, City Attorney

3/12/08
Date

Publication and Hearing Dates:

Date of First Public Hearing: _____

Ordinance Publication Date: _____

Date of Second Public Hearing: _____

Vote of Council Members:

Denham _____
Johnston _____
Jennings _____
Pappas _____
Ruane _____

Date filed with the City Clerk: _____