

ORDINANCE 2023-18

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE COUNTY OF VOLUSIA; AMENDING CHAPTER 22, ARTICLE II, "CONTRACTOR LICENSING AND CONSTRUCTION APPEALS BOARD;" AMENDING SECTION 22-34, AMENDING THE QUALIFICATIONS OF MEMBERS TO PROVIDE FOR ADDITIONAL CONSUMER REPRESENTATIVES; AMENDING CHAPTER 22, ARTICLE III, SECTION 22-171 TO DELETE THOSE SPECIALTY LICENSES PREEMPTED TO THE STATE; DELETING SECTION 22-176, "GRANDFATHERED LICENSE," IN ITS ENTIRETY; PROVIDING FOR RENUMBERING; PROVIDING FOR CONFLICTING ORDINANCES; AUTHORIZING INCLUSION IN CODE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AS FOLLOWS:

(Words in ~~strike-through~~ type are deletions; words in underscore type are additions.)

SECTION I: Section 22-34 of Article II of Chapter 22 of the Code of Ordinances of the County of Volusia is hereby amended as follows:

Sec. 22-34. - Qualifications of members.

~~The CLCA shall be composed of the following:~~

Membership in the CLCA must include three consumer representatives who may be any resident of Volusia County that have never been a member or practitioner of a profession regulated by the CLCA or a member of any closely related profession. The remaining four members may be from any of the following professions:

- (1) A general contractor or other contractor who is registered or certified under F.S. §§ 489.105(3)(a) through (c).

1 (2) An electrical contractor qualified under article III, division 3, [section [22-141](#) et
2 seq.] of this chapter.

3 (3) A plumbing contractor qualified under article III, division 2, [section [22-111](#) et
4 seq.] of this chapter.

5 (4) A mechanical or heating, air conditioning, refrigeration, or ventilation
6 contractor ("HARV") qualified under article III, division 2, [section [22-111](#) et seq.]
7 of this chapter.

8 ~~(5) A registered engineer under the laws of the state.~~

9 ~~(6)~~ (5) A registered architect under the laws of the state.

10 ~~(7) A consumer representative who may be any resident of Volusia County that~~
11 ~~never has been a member or practitioner of a profession regulated by the CLCA~~
12 ~~or a member of any closely related profession.~~

13 No elected official, appointed state, county or municipal office holder, member of two or more
14 other county boards or commissions, or employee of county government, shall be appointed to
15 serve on the CLCA. All members of the CLCA, except for the consumer representatives, shall
16 be licensed in this state and actively engaged in the profession they represent on the CLCA.
17 All members shall be voters registered in the county.

18 **SECTION II:** Sections 22-171 through 22-178 of Article III of Chapter 22 of the
19 Code of Ordinances of the County of Volusia are hereby amended as follows:

20 **DIVISION 4. - LOCAL SPECIALTY LICENSES**

21 **Sec. 22-171. - Applicability.**

1 ...

2 (b) Local specialty licenses are as follows:

3 ...

4 ~~(5) *Masonry contractor*: A person or firm qualified and certified to select, cut install and~~
5 ~~lay brick, stone, and masonry products including structural glass brick or block and~~
6 ~~insulated concrete units, placement of reinforcing steel and any concrete forming and~~
7 ~~placing incorporated into the masonry work.~~

8 ~~(6) *Prefabricated shed installer*: A person or firm qualified and certified to perform~~
9 ~~erection of single story metal buildings up to 500 square feet, including sitework,~~
10 ~~concrete, masonry, siding, roofing, windows and doors but not including any electrical,~~
11 ~~plumbing, gas or HVAC work. Associated electrical, plumbing, gas and HVAC work must~~
12 ~~be contracted for, permitted and performed by a certified or registered contractor.~~

13 ~~(7)~~ (5) *Siding, window and door installer*: A person or firm qualified and certified to
14 perform siding, window and door installation, including vinyl, wood or aluminum siding,
15 soffit, fascia, gutters and all types of windows and doors, as well as any work necessary
16 to prepare or repair substrate to accomplish proper installation, but not including any
17 structural alterations. All associated structural alterations must be contracted for,
18 permitted and performed by certified or registered contractor.

19 ~~(8) *Sign contractor (nonelectrical)*: A person or firm qualified and certified to perform~~
20 ~~installation, repair, maintenance and modification of non-electrical signs in accordance~~
21 ~~with the Florida Building Code. A sign specialty electrical contractor registered or~~
22 ~~certified by the State of Florida under the provisions of F.S. ch. 489 and chapter 61G6-5~~

1 of the Florida Administrative Code, is qualified to receive a certificate of competency
2 and perform the same tasks as those of a sign contractor (non-electrical) set forth
3 herein.

4 ~~(9) Concrete contractor:~~ The scope of work of a concrete contractor shall include and be
5 limited to the execution of contracts requiring skill, knowledge, ability and experience to
6 install, repair, maintain, replace, pour and finish concrete driveways, sidewalks, patios
7 and miscellaneous slabs and concrete foundations designed to accept any structure
8 when in the design of that structure, a footer is required. This scope of work does not
9 include the installation of pool, spa, or hot tub decks; separate licensure is required
10 (Florida Administrative Code 61G4-15.032(b)(e)). A person who has passed a
11 competency examination as a concrete contractor may perform these or related tasks or
12 may supervise persons in his employ in the execution of these tasks.

13 ~~(10) Paver contractor:~~ The scope of work of a paver contractor shall include and be
14 limited to preparing the base, providing for proper drainage, and selecting, cutting and
15 laying pavers. A paver contractor shall not pour or finish concrete, except that which is
16 required for the placing of the paver system. This scope of work does not include the
17 installation of pool, spa, or hot tub decks. Separate licensure is required (Florida
18 Administrative Code 61G4-15.032(b)(e)). A person who has passed a competency
19 examination as a paver contractor may perform these or related tasks or may supervise
20 persons in his employ in the execution of these tasks.

21 ~~(11)~~ (6) *Demolition contractor:* A demolition contractor is a contractor qualified and
22 certified to demolish, wreck or disassemble buildings or other structures or parts thereof

1 and remove the resulting debris in such a manner that adjoining structures, properties
2 and workmen and other persons may be kept safe. Blasting is not included in the scope
3 of work for this specialty license.

4 ~~(12) Stucco contractor: Stucco contractor means any person or firm qualified and~~
5 ~~certified by the board to perform any work to coat surfaces with a mixture of sand or~~
6 ~~other aggregate, gypsum, plaster, Portland cement or quick lime, and water, or any~~
7 ~~combination of such material so as to create a permanent surface coating. Such~~
8 ~~contractors may apply and affix gypsum or metal lath or any other product prepared or~~
9 ~~manufactured, including the placing of metal studs and runners to which lath is to be~~
10 ~~applied, to provide key or suction bases for the support of the stucco coating.~~

11 ...

12 **Sec. 22-176. -- Grandfathered license.**

13 ~~Any person may be eligible for a grandfathered specialty license as a stucco contractor if,~~
14 ~~within four years of the effective date of the ordinance codified herein, as amended, he or she:~~

15 ~~(1) Has been actively engaged in performing the work of a stucco contractor or~~
16 ~~subcontractor as defined in subsection [22-171](#)(12); and~~

17 ~~(2) Can produce either a Volusia County local business tax receipt or a local business~~
18 ~~tax receipt from another jurisdiction in Florida, as a stucco contractor or subcontractor.~~

19 **Sec. ~~22-177~~ 22-176. - Reciprocity.**

20 Applicants must complete the contractor registration/listing application, provide copies of
21 current competency card, proof of general liability insurance, and workers' compensation

1 coverage or exemption. Insurance certificate must name Volusia County as the certificate
2 holder. A letter of reciprocity must be sent to Volusia County from the jurisdiction where the
3 exam was sponsored. The letter must show the examination date and score (minimum of 75
4 percent required), also the date and score of the business and law examination (minimum of
5 75 percent required).

6 **Sec. ~~22-178~~ 22-177. - Unlawful acts.**

7 One hundred twenty days from county council adoption, it shall be unlawful for a person or firm
8 to engage in the business of a local specialty contractor who does not hold a valid contractor
9 certificate of competency in that category or an appropriate state certification or registration.

10 **SECTION III: SEVERABILITY** - Should any word, phrase, sentence, subsection or
11 section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or
12 unconstitutional, then that word, phrase, sentence, subsection or section so held shall be
13 severed from this ordinance and all other words, phrases, sentences, subsections, or sections
14 shall remain in full force and effect.

15 **SECTION IV: CONFLICTING ORDINANCES** - All ordinances, or part thereof, in
16 conflict herewith are, to the extent of such conflict, repealed.

17 **SECTION V: AUTHORIZING INCLUSION IN CODE.** The provisions of this ordinance
18 shall be included and incorporated into the Code of Ordinances of the County of Volusia, as
19 additions or amendments thereto, and shall be appropriately renumbered to conform to the
20 uniform numbering system of the Code.

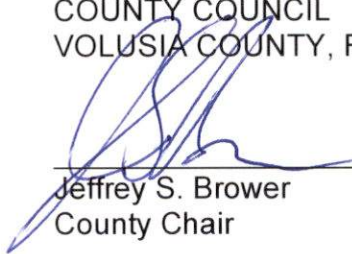
21 **SECTION VI: EFFECTIVE DATE.** This ordinance shall take effect upon electronic
22 filing of a certified copy with the Department of State.

1 ADOPTED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, IN OPEN
2 MEETING DULY ASSEMBLED IN THE COUNTY COUNCIL CHAMBERS AT THE THOMAS
3 C. KELLY ADMINISTRATION CENTER, 123 WEST INDIANA AVENUE, DELAND, FLORIDA,
4 THIS 21ST DAY OF MARCH A.D., 2023.

5
6
7
8 ATTEST:

9
10 
11 _____
12 George Recktenwald
13 County Manager

COUNTY COUNCIL
VOLUSIA COUNTY, FLORIDA



Jeffrey S. Brower
County Chair

