

**ORDINANCE  
2009-01**

**AN ORDINANCE REPLACING WALTON COUNTY ORDINANCE 93-12 KNOWN AS THE WALTON COUNTY CONTRACTOR COMPETENCY ORDINANCE; REPLACING SECTIONS 6-66 THROUGH 6-72 OF THE WALTON COUNTY CODE OF ORDINANCES; MODIFYING WALTON COUNTY ORDINANCE 2003-16 AND SECTION 6-111 OF THE WALTON COUNTY CODE OF ORDINANCES; REPEALING ALL ORDINANCES, OR PORTIONS THEREOF, IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, The Board of County Commissioners finds that the safety, health and welfare of the citizens of Walton County would be best protected by the regulation of construction contracting;

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

**SECTION 1. GENERAL**

1-1. **SHORT TITLE.** This ordinance shall be known as “The Walton County Construction Contractor Licensing Ordinance.”

1.2. **AUTHORITY AND PURPOSE.** This ordinance is adopted pursuant to the general laws of the State of Florida to protect the health, safety, and welfare of persons and property by requiring the certification or registration of persons engaged in or desiring to engage in the business of construction contracting.

1.3 Sections 6-57 and 6-58 of the Walton County Code of Ordinances are hereby deleted in their entirety.

1.4. **DEFINITIONS.**

(a) **Board** means the Walton County Contractor Competency Board.

(b) **Department** means the Walton County Building Department.

(c) **Contracting** means, except as exempted in this part, engaging in business as a contractor and includes, but is not limited to, performance of any of the acts as set forth in this code which defines types of contractors. The attempted sale of contracting services and the negotiation or bid for a contract on these services also constitutes contracting. If the services offered require licensure or agent qualification, the offering, negotiation for bid, or attempted sale of these services requires the corresponding licensure. However, the term “contracting” shall not extend to an individual, partnership, corporation, trust, or other legal entity that offers to sell or sells completed residences on property on which the individual or business entity has any legal or equitable interest, if the services of a qualified contractor, certified or registered pursuant

to the requirements of this chapter, have been or will be retained for the purpose of constructing such residences.

(d) **Contractor** means the person who is qualified for, and shall only be responsible for, the project contracted for and means, except as exempted in this part, the person who, for compensation, undertakes to, submits a bid to, or does himself or herself or by others construct, repair, alter, remodel, add to, demolish, subtract from, or improve any building or structure, including related improvements to real estate, for others or for resale to others; and whose job scope is substantially similar to the job scope described in one of the subsequent paragraphs of this subsection. Contractors are subdivided into three divisions, Division I, consisting of those contractors defined in paragraphs listed under 6-67, I; Division II, consisting of those contractors defined in paragraphs listed under 6-67, II; and Division III, consisting of those contractors defined in paragraphs listed under 6-67, III:

(e) **Specialty contractor** means a contractor whose scope of work and responsibility is limited to a particular phase of construction and whose scope is limited to a subset of the activities described in the categories established in one of the paragraphs of this subsection.

(f) **State Certified Contractor** means any contractor who possesses a certificate of competency issued by DBPR and who shall be allowed to contract in any jurisdiction in the state without being required to fulfill the competency requirements of that jurisdiction.

(g) **State Registered Contractor** means any contractor who has registered with DBPR pursuant to fulfilling the competency requirements in the jurisdiction for which the registrations is issued. Registered contractors may contract only in such jurisdictions.

(h) **Local Specialty License** means any contractor who has been approved by the Walton County Contractor Competency Board to perform a specific type of construction in Walton County, and does not hold a State Certified or State Registered license.

## **SECTION 2. LICENSE**

Sections 6-66 and 6-67 of the Walton County Code of Ordinances are hereby replaced by the following:

Sec. 6-66 Required.

No person shall engage in business as a contractor in any of the categories specified in section 6-67 without a county license for engaging in such business. State Certified Contractors shall only need to “register” their State License with the Walton County Building Department.

Section 6-67. Categories

### **I. Division One Contractor:**

(a) “**General contractor**” means a contractor whose services are unlimited as to the type of work which he or she may do, who may contract for any activity requiring licensure under this

part, and who may perform any work requiring licensure under this part, except as otherwise expressly provided in Florida Statute 489.113.

(b) “**Building contractor**” means a contractor whose services are limited to construction of commercial buildings and single-dwelling or multiple-dwelling residential buildings, which commercial or residential buildings do not exceed three 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.

(c) “**Residential contractor**” means a contractor whose services are limited to construction, remodeling, repair, or improvement of one-family, two-family, or three-family residences not exceeding two habitable stories above no more than one uninhabitable story and accessory use structures in connection therewith.

## II. Division Two Contractor:

(a) “**Sheet metal contractor**” means a contractor whose services are unlimited in the sheet metal trade and who has the experience, knowledge, and skill necessary for the manufacture, fabrication, assembling, handling, erection, installation, dismantling, conditioning, adjustment, insulation, alteration, repair, servicing, or design, when not prohibited by law, of ferrous or nonferrous metal work of U.S. No. 10 gauge or its equivalent or lighter gauge and of other materials, including, but not limited to, fiberglass, used in lieu thereof and of air-handling systems, including the setting of air-handling equipment and reinforcement of same, the balancing of air-handling systems, and any duct cleaning and equipment sanitizing which requires at least a partial disassembling of the system.

(b) “**Roofing contractor**” means a contractor 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 used in the installation, maintenance, extension, and alteration of all kinds of roofing, waterproofing, and coating, except when coating is not represented to protect, repair, waterproof, stop leaks, or extend the life of the roof. The scope of work of a roofing contractor also includes required roof-deck attachments and any repair or replacement of wood roof sheathing or fascia as needed during roof repair or replacement.

(c) “**Class A air-conditioning contractor**” means a contractor whose services are unlimited in the execution of contracts requiring the experience, knowledge, and skill to install, maintain, repair, fabricate, alter, extend, or design, when not prohibited by law, central air-conditioning, refrigeration, heating, and ventilating systems, including duct work in connection with a complete system only to the extent such duct work is performed by the contractor as is necessary to make complete an air-distribution system, boiler and unfired pressure vessel systems, and all appurtenances, apparatus, or equipment used in connection therewith, and any duct cleaning and equipment sanitizing which requires at least a partial disassembling of the system; to install, maintain, repair, fabricate, alter, extend, or design, when not prohibited by law, piping, insulation of pipes, vessels and ducts, pressure and process piping, and 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 for such contractor 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, except for disconnecting or reconnecting changeouts of liquefied petroleum or natural gas appliances within buildings; potable water lines or connections thereto; sanitary sewer lines; swimming pool piping and filters; or electrical power wiring.

(d) “**Class B air-conditioning contractor**” means a contractor whose services are limited to 25 tons of cooling and 500,000 Btu of heating in any one system in the execution of contracts requiring the experience, knowledge, and skill to install, maintain, repair, fabricate, alter, extend, or design, when not prohibited by law, central air-conditioning, refrigeration, heating, and ventilating systems, including duct work in connection with a complete system only to the extent such duct work is performed by the contractor as is necessary to make complete an air-distribution system being installed under this classification, and any duct cleaning and equipment sanitizing which requires at least a partial disassembling of the system; to install, maintain, repair, fabricate, alter, extend, or design, when not prohibited by law, piping and insulation of pipes, vessels, and ducts; 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 for such contractor 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, except for disconnecting or reconnecting changeouts of liquefied petroleum or natural gas appliances within buildings; potable water lines or connections thereto; sanitary sewer lines; swimming pool piping and filters; or electrical power wiring.

(e) “**Class C air-conditioning contractor**” means a contractor whose business is limited to the servicing of air-conditioning, heating, or refrigeration systems, including any duct cleaning and equipment sanitizing which requires at least a partial disassembling of the system, and whose certification or registration, issued pursuant to this part, was valid on October 1, 1988. No person not previously registered or certified as a Class C air-conditioning contractor as of October 1, 1988, shall be so registered or certified after October 1, 1988. However, the board shall continue to license and regulate those Class C air-conditioning contractors who held Class C licenses prior to October 1, 1988.

(f) “**Mechanical contractor**” means a contractor whose services are unlimited in the execution of contracts requiring the experience, knowledge, and skill to install, maintain, repair, fabricate, alter, extend, or design, when not prohibited by law, central air-conditioning, refrigeration, heating, and ventilating systems, including duct work in connection with a complete system only to the extent such duct work is performed by the contractor as is necessary to make complete an air-distribution system, boiler and unfired pressure vessel systems, lift station equipment and piping, and all appurtenances, apparatus, or equipment used in connection therewith, and any duct cleaning and equipment sanitizing which requires at least a partial disassembling of the system; to install, maintain, repair, fabricate, alter, extend, or design, when not prohibited by law, piping, insulation of pipes, vessels and ducts, pressure and process piping, pneumatic control piping, gasoline tanks and pump installations and piping for same, standpipes,

air piping, vacuum line piping, oxygen lines, nitrous oxide piping, ink and chemical lines, fuel transmission lines, liquefied petroleum gas lines within buildings, and natural gas fuel lines within buildings; 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 for such contractor shall also include any excavation work incidental thereto, but shall not include any work such as potable water lines or connections thereto, sanitary sewer lines, swimming pool piping and filters, or electrical power wiring.

(g) “**Commercial pool/spa contractor**” means a contractor whose scope of work involves, but is not limited to, the construction, repair, and servicing of any swimming pool, or hot tub or spa, whether public, private, or otherwise, regardless of use. The scope of work includes the installation, 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 finishes, the installation of package pool heaters, the installation of all perimeter piping and filter piping, and the construction of equipment rooms or housing for pool/spa equipment, and also includes the scope of work of a swimming pool/spa servicing contractor. The scope of such work does not include direct connections to a sanitary sewer system or to potable water lines. The installation, construction, modification, 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, 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.

(h) “**Residential pool/spa contractor**” means a contractor whose scope of work involves, but is not limited to, the construction, repair, and servicing of any residential swimming pool, or hot tub or spa, regardless of use. The scope of work includes the installation, 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 finishes, the installation of package pool heaters, the installation of all perimeter piping and filter piping, and the construction of equipment rooms or housing for pool/spa equipment, and also includes the scope of work of a swimming pool/spa servicing contractor. The scope of such work does not include direct connections to a sanitary sewer system or to potable water lines. The installation, construction, modification, 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, 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.

(i) **“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.

(j) **“Plumbing contractor”** means a contractor whose contracting business consists of the execution of contracts requiring the experience, financial means, knowledge, and skill to install, maintain, repair, alter, extend, or, when not prohibited by law, design plumbing. A plumbing contractor may install, maintain, repair, alter, extend, or, when not prohibited by law, design the following without obtaining any additional local regulatory license, certificate, or registration: sanitary drainage or storm drainage facilities; venting systems; public or 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, natural gas, liquefied petroleum gas and related venting, and storm and sanitary sewer lines; and water and sewer plants and substations. The scope of work of the plumbing contractor also includes the design, when not prohibited by law, and installation, maintenance, repair, alteration, or extension of air-piping, vacuum line piping, oxygen line piping, nitrous oxide piping, and all related medical gas systems; fire line standpipes and fire sprinklers to the extent authorized by law; ink and chemical lines; fuel oil and gasoline piping and tank and pump installation, except bulk storage plants; and pneumatic control piping systems, all in such a manner as to comply with all plans, specifications, codes, laws, and regulations applicable. The scope of work of the plumbing contractor shall apply to private property and public property, shall include any excavation work incidental thereto, and shall include the work of the specialty plumbing contractor. Such contractor shall subcontract, with a qualified contractor in the field concerned, all other work incidental to the work but which is specified herein as being the work of a trade other than that of a plumbing contractor. Nothing in this definition shall be construed to limit the scope of work of any specialty contractor certified pursuant to Florida Statute 489.113(6). Nothing in this definition shall be construed to require certification or registration under this part of any authorized employee of a public natural gas utility or of a private natural gas utility regulated by the Public Service Commission when disconnecting and reconnecting water lines in the servicing or replacement of an existing water heater.

(k) **“Underground utility and excavation contractor”** means a contractor whose

services are limited to the construction, installation, and repair, on public or private property, whether accomplished through open excavations or through other means, including, but not limited to, directional drilling, auger boring, jacking and boring, trenchless technologies, wet and dry taps, grouting, and slip lining, 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 multioccupancy 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. However, an underground utility and excavation contractor may install empty underground conduits in rights-of-way, easements, platted rights-of-way in new site development, and sleeves for parking lot crossings no smaller than 2 inches in diameter, provided that each conduit system installed is designed by a licensed professional engineer or an authorized employee of a municipality, county, or public utility and that the installation of any such conduit does not include installation of any conductor wiring or connection to an energized electrical system. An underground utility and excavation contractor shall not install any piping that is an integral part of a fire protection system as defined in Florida Statute 633.021 beginning at the point where the piping is used exclusively for such system.

(I) “**Septic tank contractor**” means a contractor who has the experience, knowledge, and skill to install, maintain, repair, alter, perform site evaluations for repairs, when determined to meet site-evaluation expertise established by rule, and use material and items used in the installation and maintenance of all kinds of onsite sewage treatment and disposal systems.

(m) “**Solar contractor**” means a contractor whose 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. A contractor, certified or registered pursuant to the provisions of this chapter, is not required to become a certified or registered solar contractor or to contract with a solar contractor in order to provide any services enumerated in this paragraph that are within the scope of the services such contractors may render under this part. (See Rule 61G4-15.021 in the Florida Administrative Code for scope of work).

(n) “**Specialty Structure Contractor**” means a contractor whose services are limited to the execution of contracts requiring the experience, knowledge and skill necessary for the fabrication, assembling, handling, erection, installation, replacement, dismantling, adjustment, alteration, repair, servicing and design work when not prohibited by law, in accordance with accepted engineering data and/or according to manufacturers specifications in the aluminum, metal, canvas, vinyl and fiberglass screening, doors and windows, hurricane protection devices and allied construction materials. The scope of such work shall include and be limited to fabric coverings on metal substructures, screened porches, screened enclosures, pool enclosures, preformed panel-post and beam roofs, manufactured housing roof-overs, vinyl or acrylic panel window enclosures, guardrails, handrails, aluminum and vinyl fences, the installation or replacement of windstorm protective devices, single story self-contained aluminum utility storage structures (not to exceed 720 sq. ft.), residential glass window and door enclosures, sunrooms, siding, soffit, fascia and gutters. The installation or replacement of window and door

assemblies certified in accordance with AAMA 101/ I.S.2 or Miami Dade TAS 201. 202. 203 as specified by the Florida Building Code in Group R occupancy buildings, as defined by the Florida Building Code, up to three stories or thirty feet in height. The installation or replacement of windstorm protective devices, except for impact resistant glazing, shall be unlimited. Division I Contractors shall be permitted to subcontract with Specialty Structure Contractors for the installation or replacement of window and door assemblies certified in accordance with AAMA 101/ I.S.2 or Miami Dade TAS 201. 202. 203 as specified by the Florida Building Code in buildings of Group R occupancy, as defined by the Florida Building Code, of any height. The scope of such work shall include wood work incidental to the aluminum and allied materials construction work. It shall be 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 shall comply with all plans, specifications, codes, laws and regulations applicable. The scope of such work shall include masonry concrete work and be limited to foundations, slabs and block kneewalls incidental to the aluminum and allied construction materials construction work. The specialty structure contractor, whose services are limited, shall not perform any work that alters the structural integrity of the building including but not limited to roof trusses, lintels, load bearing walls and foundations.

(o) ***“Electrical Contractor”*** or ***“Unlimited Electrical Contractor”*** means a person who conducts business in the electrical trade field and who has the experience, knowledge, and skill to install, repair, alter, add to, or design, in compliance with law, electrical wiring, fixtures, appliances, apparatus, raceways, conduit, or any part thereof, which generates, transmits, transforms, or utilizes electrical energy in any form, including the electrical installations and systems within plants and substations, all in compliance with applicable plans, specifications, codes, laws, and regulations. The term means any person, firm, or corporation that engages in the business of electrical contracting under an express or implied contract; or that undertakes, offers to undertake, purports to have the capacity to undertake, or submits a bid to engage in the business of electrical contracting; or that does itself or by or through others engage in the business of electrical contracting.

(p) ***Residential Electrical Contractor***. The scope of certification includes installation, repair, alteration, addition to, replacement of or design of electrical wiring, fixtures, appliances, apparatus, raceways, conduit, or any part thereof, in a 1, 2, 3, or 4 family residence not exceeding 2 stories in height, and accessory use structures in connection with the residence. The electrical service installed or worked upon is limited to single phase, 400 ampere single service.

(q) ***“Alarm system contractor I”*** means an alarm system contractor whose business includes all types of alarm systems for all purposes.

(r) ***“Alarm system contractor II”*** means an alarm system contractor whose business includes all types of alarm systems other than fire, for all purposes, except as herein provided.

(s) ***“Residential alarm system contractor”*** means an alarm system contractor whose business is limited to burglar alarm systems in single-family residential, quadruplex housing, and mobile homes of a residential occupancy class.



(t) ***“Sign Specialty Electrical Contractor”*** means contracting that includes the structural fabrication including concrete foundation, erection, installation, alteration, repair, service and wiring of electrical signs and outline lighting. The scope of certification shall not include the provision of, or any electrical work beyond, the last disconnect mean or terminal points. However, a contractor certified under this section may provide the electrical entrance requirements for metering and main disconnect of remote billboards or signs which are independent of any structure or building and which require no more than twenty-five (25) kilowatts at two hundred fifty (250) volts maximum.

(u) ***“Fire Prevention and Control Contractor I”*** means a contractor whose business includes the execution of contracts requiring the ability to lay out, fabricate, install, inspect, alter, repair, and service all types of fire protection systems, excluding pre-engineered systems.

(v) ***“Fire Prevention and Control Contractor II”*** means a contractor whose business is limited to the execution of contracts requiring the ability to lay out, fabricate, install, inspect, alter, repair, and service water sprinkler systems, water spray systems, foam-water sprinkler systems, foam-water spray systems, standpipes, combination standpipes and sprinkler risers, all piping that is an integral part of the system beginning at the point of service as defined in this section, sprinkler tank heaters, air lines, thermal systems used in connection with sprinklers, and tanks and pumps connected thereto, excluding pre-engineered systems.

(w) ***“Fire Prevention and Control Contractor III”*** means a contractor whose business is limited to the execution of contracts requiring the ability to fabricate, install, inspect, alter, repair, and service CO<sub>2</sub> systems, foam extinguishing systems, dry chemical systems, and Halon and other chemical systems, excluding pre-engineered systems.

(x) ***“Fire Prevention and Control Contractor IV”*** means a contractor whose business is limited to the execution of contracts requiring the ability to lay out, fabricate, install, inspect, alter, repair, and service automatic fire sprinkler systems for detached one-family dwellings, detached two-family dwellings, and mobile homes, excluding pre-engineered systems and excluding single-family homes in cluster units, such as apartments, condominiums, and assisted living facilities or any building that is connected to other dwellings.

(y) ***“Fire Prevention and Control Contractor V”*** means a contractor whose business is limited to the execution of contracts requiring the ability to fabricate, install, inspect, alter, repair, and service the underground piping for a fire protection system using water as the extinguishing agent beginning at the point of service as defined in this act and ending no more than 1 foot above the finished floor.

(z) ***“LP Gas Specialty Installer”*** means a contractor whose business is limited to the installation, service, repair and sales of LP or natural gas appliances, equipment and piping. Does not include work performed on RV LP gas systems; LP gas containers or LP gas motor fuel systems.

### **Division III Contractor: Local Specialty License**

(a) ***“Demolition and Site Removal Contractor”*** means a person who is qualified and demonstrates the experience, skill and expertise to demolish, remove and appropriately dispose

of portions of, or complete structures, such as commercial and residential buildings, site improvements, paving and foundations.

(b) **“Exterior Applications Contractor”** means a person who is qualified and whose services are limited to the installation, replacement, and minor repairs on components of existing buildings in connection with the maintenance and replacement of windows and doors, siding, coatings, sealants, caulking, hurricane shutters, exterior insulating finishing systems (EIFS), stucco and other non-structural components of a buildings exterior envelope. This encompasses buildings in heights of three (3) stories of less only. (The applicant must provide the Department proof of a proctored test with a minimum score of 75% on the Trade portion and 75% on the Business and Law portion.)

(c) **“House Moving Contractor”** means those contractors who are qualified to move structures, such as dwellings, or commercial buildings.

(d) **“Marine Contractor”** means a contractor qualified and certified by the board to perform any work involving the construction, repair, alteration, extension and excavation for fixed docks, floating docks, boathouses, mooring devices, mooring fields, seawalls, bulkheads, piers, wharfs, boatlifis, boat ramps, revetments, cofferdams, wave attenuators, dune crossovers and other marine structures and activities, including pile driving, framing, concrete, masonry, dredge and fill, and wood shingle, wood shakes, or asphalt or fiberglass shingle roofing on a new structure of his or her own construction. Nothing in this rule shall be deemed to restrict or limit in any manner the scope of work authorized by law of other contractor classification. Certified Marine Contractors must maintain applicable workers’ compensation and general liability insurance as required by state and federal law, including but not limited to the provisions of the Longshoremen’s and Harbor Worker’s Compensation Act, 33 U.S.C.A. § 901 et seq. and Title 46 U.S.C.A.

(e) **“Residential Solar Water Heater Contractor”** means a contractor whose contracting business consists of the execution of contracts requiring the skill, knowledge, ability and experience to size, install, alter, repair, maintain, relocate, replace, or use residential domestic potable solar water heating systems to include solar heating panels and all appurtenances, apparatus or equipment used in connection therewith. The scope of work of such contractor is limited to solar domestic hot water systems for one-family, two-family, or three-family residences, not exceeding two stories in height and solar swimming pool heaters for residential swimming pools. The residential solar water heating contractor must subcontract any work for which a local certificate of competency is required unless such contractor is state certified in the respective trade category or is licensed in such category by the appropriate local authority.

(f) **“Sign Contractor”** (non-electrical) means contractors who are qualified to install, erect, repair, alter, add to, or change any non-electrical signs or parts thereof. Such contractors may take out building permits for erection of sign but must sub-contract out any electrical work.

(g) **“Natural Gas Contractor”** means those contractors who are qualified to install, maintain, repair, fabricate, alter and extend natural gas piping. (LP gas licenses require State license.)

### SECTION 3. LICENSE FEES

Section 6-68 of the Walton County Code of Ordinances is hereby replaced by the following:

6-68 License Fees for contractors licensed in Walton County are as follows:

Contractor Categories	Resident	Nonresident	Out of State
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#### Division I

General Contractor	\$50.00	\$150.00	\$300.00
Building Contractor	\$50.00	\$150.00	\$300.00
Residential Contractor	\$50.00	\$150.00	\$300.00

#### Division II

Sheet Metal Contractor	\$50.00	\$150.00	\$300.00
Roofing Contractor	\$50.00	\$150.00	\$300.00
Class A air conditioning	\$50.00	\$150.00	\$300.00
Class B air conditioning	\$50.00	\$150.00	\$300.00
Class C air conditioning	\$50.00	\$150.00	\$300.00
Mechanical contractor	\$50.00	\$150.00	\$300.00
Commercial pool/spa	\$50.00	\$150.00	\$300.00
Residential pool/spa	\$50.00	\$150.00	\$300.00
Swimming pool/spa servicing	\$50.00	\$150.00	\$300.00
Plumbing contractor	\$50.00	\$150.00	\$300.00
Underground Utility & Excavation	\$50.00	\$150.00	\$300.00
Septic Tank contractor	\$50.00	\$150.00	\$300.00
Solar Contactor	\$50.00	\$150.00	\$300.00
Specialty Structure Contactor	\$50.00	\$150.00	\$300.00
Electrical Contractor	\$50.00	\$150.00	\$300.00
Residential Electrical Contractor	\$50.00	\$150.00	\$300.00
Alarm System Contractor I	\$50.00	\$150.00	\$300.00
Alarm System Contractor II	\$50.00	\$150.00	\$300.00
Residential Alarm System Contractor	\$50.00	\$150.00	\$300.00
Sign Specialty Electrical Contractor	\$50.00	\$150.00	\$300.00
Fire Prevention & Control Cont. I	\$50.00	\$150.00	\$300.00
Fire Prevention & Control Cont. II	\$50.00	\$150.00	\$300.00
Fire Prevention & Control Cont. III	\$50.00	\$150.00	\$300.00
Fire Prevention & Control Cont. IV	\$50.00	\$150.00	\$300.00
Fire Prevention & Control Cont. V	\$50.00	\$150.00	\$300.00
LP Gas Specialty Installer	\$50.00	\$150.00	\$300.00

#### Division III

Demolition & Site Removal Contractor	\$50.00	\$125.00	\$200.00
Exterior Application Contractor	\$50.00	\$125.00	\$200.00
House Moving Contractor	\$50.00	\$125.00	\$200.00
Marine Contractor	\$50.00	\$125.00	\$200.00
Residential Solar Water Heater Cont.	\$50.00	\$125.00	\$200.00
Sign Contractor	\$50.00	\$125.00	\$200.00
Natural Gas Contractor	\$50.00	\$125.00	\$200.00

(a) State Certified Contractor “Administrative Fee”: All State Certified Contractors will pay a \$35.00 administrative fee to Walton County to administer and track their license and insurance documents.

(b) Fee for Inactive License: A contractor may obtain an inactive license for one-half the usual fee.

#### **SECTION 4. PROCEDURES AND PENALTIES.**

Sections 6-69 through 6-72 of the Walton County Code of Ordinances are hereby replaced by the following:

6-69 Examination: No person shall be issued a license under this article until he passes an examination designated by the Board. This section does not apply to:

(a) License renewals.

(b) Licenses for persons who are certified by the State to work in the category for which the license is requested.

6-70 Renewal.

(a) Licenses will be renewed once each year in the month of August.

(b) A late charge of \$25.00 will be added if the license is renewed on or after September 1<sup>st</sup>.

(c) Contractors who do not renew their license on an active or in-active status by December 1st of each year will be required to pay the license inactive fee in addition to the renewal fee, either active or inactive, for the year(s) in which the license is delinquent. This fee will be collected in addition to the late charge of \$25.00 for each year the license is delinquent.

(d) Contractors failing to renew a license for two consecutive years shall be required to reapply for registration in the same manner as a new applicant, shall pay any and all fees for the years in which the certificate was not renewed, and shall pay all late fees.

(e) The Contractor Competency Board may, on a case-by-case basis, by majority vote, waive the requirement that a particular contractor who fails to renew a license or licenses for two consecutive years must reapply through examination, but only if:

(1) The contractor shows, by clear and convincing evidence, that good cause existed for the failure to renew a license, with consideration that:

- (i) “Good cause” may include: an illness or injury that prevented the contractor from working under the license; or absence from Walton County during the time renewal was required due to the contractor legally working elsewhere or serving with the armed forces of the United States or the State of Florida;
  - (ii) Negligence or mis-management of one’s personal or business affairs does not amount to “good cause;” and
- (2) The contractor’s license or licenses, that were subject to renewal, were not revoked by any state or county; and
  - (3) The contractor was otherwise duly qualified for license renewal during the period of failure to renew; and
  - (4) The contractor was licensed or registered by the County or the State for at least ten (10) years by the time renewal was due.

(I) State certified contractors shall register with Walton County each licensing year (September through August) in which they perform contract work in the county.

6-71 Proof of insurance; evidence of state registration or certification.

(a) No contractor shall be licensed until he or she produces evidence of insurance as required by Florida Statutes.

(b) No contractor shall be licensed until he or she produces evidence of registration or certification by the state licensing board, or approval from the Walton County Contractor Competency Board for local specialty licenses.

## **SECTION 5. CONTRACTOR COMPETENCY BOARD**

5.1 Walton County Ordinance 2003-16 and Section 6-1 11(A) is changed to read:

(Deletions are in ~~strikethrough~~, additions are underlined.)

(A) *Composition:* The Board shall consist of nine (9) members who shall be appointed by the County Commissioners. ~~and, w~~ Whenever possible, the make-up of 6 of the members shall include a general contractor, a building contractor, a residential contractor, an electrical contractor, a mechanical contractor, and a plumbing contractor. In addition there shall be three consumer representatives as required by Florida Statute 489.131.

## **SECTION 6. SEVERABILITY**

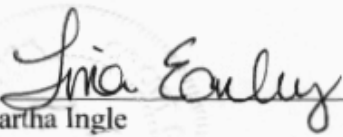
Should any word, phrase, sentence, or section of this ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then such shall be severed from this ordinance and the remainder of the ordinance shall remain in full force and effect.

**SECTION 7. EFFECTIVE DATE**


This ordinance shall take effect as provided by law.

Duly enacted, by the Board of County Commissioners of Walton County, Florida, at a regular meeting on the 13<sup>th</sup> day of January, 2009.

Attest:

*for*   
Martha Ingle  
Clerk of Court

BOARD OF COUNTY COMMISSIONERS  
WALTON COUNTY, FLORIDA

BY:   
Sara Comander, Chair