

CITY OF BONITA SPRINGS, FLORIDA
ORDINANCE NO. 16-07

AN ORDINANCE OF THE CITY OF BONITA SPRINGS; AMENDING THE CONSTRUCTION CONTRACTOR ORDINANCE; §12-33 TO DELETE FEE REQUIREMENTS PER FLORIDA STATUTES §553.80; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE.

WHEREAS, Bonita Springs City Council adopted Bonita Springs Ordinance No. 10-04 to protect the public by making sure that there is a process to ensure that general contractors and specialty contractors are state certified, and those that are registered contractors, pursuant to Florida Statutes §489.117, requiring contractors to work only in the areas where they have complied with local registration requirements; and

WHEREAS, Effective July 1, 2016, Session Law 2016-129 (H.B. 535) goes into effect, making certain changes that affect the City's Building Department, including amending Florida Statutes §553.80 to prohibit the City from requiring building permit fees to include payment for certain contractor licensing elements, i.e., for expenses associated with proof of licensure; recording or filing a license, or evidence of workers' compensation insurance coverage; and

WHEREAS, this amendment is to delete the fee requirement.

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

SECTION ONE: AMENDMENT TO CONSTRUCTION CONTRACTOR REGISTRATION

City of Bonita Springs Code §12-33 is hereby amended with the addition of new language underlined and deleted text identified with strike through, as follows:

Sec. 12-33. - Registration nontransferable; renewal.

- (a) The county contractor certificates and craftsman registration are nontransferable and expire on September 30 of either even or odd numbered years depending on last name. Those registering with their state license are nontransferable and expire on August 31 of even numbered years. The building official shall renew certificates upon request and payment of the applicable renewal fee in accordance with the schedule which is on file in the city clerk's office.
- (b) ~~The payment of a certificate renewal fee is required in addition to and is wholly unrelated to any business tax receipt fee required by the county or, in the future, the city.~~

SECTION TWO: CONFLICTS OF LAW

Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted City of Bonita Springs Ordinance or Florida Statutes, the more restrictive shall apply.

SECTION THREE: SEVERABILITY

If any part, section, subsection, or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional or invalid for any reasons, such part, section, subsection, or other portion or the prescribed application thereof, shall be severable, and the remaining provisions of this ordinance, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The City declares that no invalid or prescribed provision or application was an inducement to the enactment of this ordinance, and that it would have enacted this ordinance regardless of the invalid or prescribed provision or application.

SECTION FOUR: CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS

It is the intention of the City Council for the City of Bonita Springs that the provisions of this Ordinance shall become and be made a part of the Bonita Springs Code; and that sections of this Ordinance may be renumbered or re-lettered and that the word "Ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this Ordinance may be renumbered or re-lettered and typographical errors which do not affect the intent may be authorized by the City Manager, or the City Manager's designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION FIVE: EFFECTIVE DATE

The effective date of this Ordinance shall be thirty (30) days from its adoption date, but in no event will the applicable certificate fee be collected after July 1, 2016.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 1st day of June, 2016.

AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM:



City Attorney

Vote:

DeWitt	Aye	Quaremba	Aye
Forbes	Aye	Simmons	Aye
Gibson	Aye	Slachta	Absent
O'Flinn	Aye		

Date filed with City Clerk: 6/3/16