

REQUESTED COMMISSION ACTION:

Consent

X

Ordinance

Resolution

Consideration/
Discussion

Presentation

SHORT TITLE

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH FLORIDA, AMENDING CHAPTER 111, "CONTRACTORS, MASTERS, JOURNEYMAN," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 111.03, "CONTRACTORS' REQUIREMENTS AND RECORDS MAINTENANCE," TO MODIFY REQUIREMENTS AND RECORDS MAINTENANCE FEES FOR ISSUANCE OF BUILDING PERMITS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Summary of Purpose and Why:

Pursuant to House Bill 535 (2016), the Florida Legislature recently amended Section 553.80, Florida Statutes to modify contractor requirements and records maintenance fees for issuance of building permits and it is necessary to revise Section 111.03 of the City's Code of Ordinances to comport with the foregoing statutory revisions. Section 111.03, "Contractors' Requirements and Records Maintenance," of the City of Pompano Beach Code of Ordinances. While the City is prohibited from charging the fee for this service, Contractor Registration will still be provided as a courtesy to contractors. The loss in revenues will be offset by contributions from the building fund.

- (1) Origin of request for this action: Development Services Dept.
- (2) Primary staff contact: Robin Bird / Miguel Nunez Ext. 4632
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: (\$59,130.33) Loss of fee collections

Will be transferred annually from:
110-1550-515-39-14 to 001-0000-316-60-00
\$14,784 will be transferred for the remaining Fiscal Year.
See attached budget adjustment

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
Building Div.	6/4/16	Approval	<i>[Signature]</i> - MN
Dev. Services	6/4/16	Approval	<i>[Signature]</i> - RBS
City Attorney	<i>[Signature]</i>		
Budget	6/6/16		
Finance	6/3/16	Approval	<i>[Signature]</i> - Fiddle
X City Manager	<i>[Signature]</i>		<i>[Signature]</i> - Stewart

Ordinance Workshop	Resolution	Consideration
1 st Reading	1 st Reading	Results:
2 nd Reading		



City Attorney's Communication #2016-827
May 18, 2016

TO: Miguel Nunez, Building Official
FROM: Fawn Powers, Assistant City Attorney
RE: Ordinance Amending Chapter 111, "Contractors, Masters, Journeyman"

Pursuant to your request, I have prepared and attached the following form of Ordinance:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 111, "CONTRACTORS, MASTERS, JOURNEYMAN," BY AMENDING SECTION 111.03, "CONTRACTORS' REQUIREMENTS AND RECORDS MAINTENANCE," TO MODIFY REQUIREMENTS AND RECORDS MAINTENANCE FEES FOR ISSUANCE OF BUILDING PERMITS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Please feel free to call me if I may be of further assistance.

FAWN POWERS

/jrm
L:cor/bldg/2016-827f

Attachment

**CITY OF POMPANO BEACH
Broward County, Florida**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 111, "CONTRACTORS, MASTERS, JOURNEYMEN," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 111.03, "CONTRACTORS' REQUIREMENTS AND RECORDS MAINTENANCE," TO MODIFY REQUIREMENTS AND RECORDS MAINTENANCE FEES FOR ISSUANCE OF BUILDING PERMITS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to House Bill 535 (2016), the Florida Legislature recently amended Section 553.80, Florida Statutes, to modify contractor requirements and records maintenance fees for issuance of building permits; and

WHEREAS, it is necessary to revise Section 111.03 of the City's Code of Ordinances to comport with the foregoing statutory revisions; and

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Section 111.03, "Contractors' Requirements and Records Maintenance," of the City of Pompano Beach Code of Ordinances is hereby amended to read as follows:

§ 111.03 CONTRACTORS' REQUIREMENTS AND RECORDS MAINTENANCE.

No building permit shall be issued for the erection, alteration or use of any building or structure or part thereof or for the use of any land or water unless the qualifier of record either:

(A) Presents the following original documents at the time of each permit application:

(1) Certificate of competency with state registration (when required) or state license; and

(2) General liability insurance, ~~Workman's~~ Workers' Compensation insurance or ~~Workman's~~ Workers' Compensation exempt card; ~~and or~~

(3) ~~Appropriate business tax receipt; or~~

(B) In lieu of presentation of the documents required in subsection (A) above at the time of each permit application, ~~has~~ for convenience a contractor can instead elected to complete and file a city contractor's form providing the information required in subsection (A) above, within one year of the filing any building permit application, ~~and has paid an annual contractors' records maintenance fee of \$20.00 to~~ The city shall store all such information in the city's records for a year.

SECTION 2. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 3. This Ordinance shall become effective upon passage.

PASSED FIRST READING this _____ day of _____, 2016.

PASSED SECOND READING this _____ day of _____, 2016.

LAMAR FISHER, MAYOR

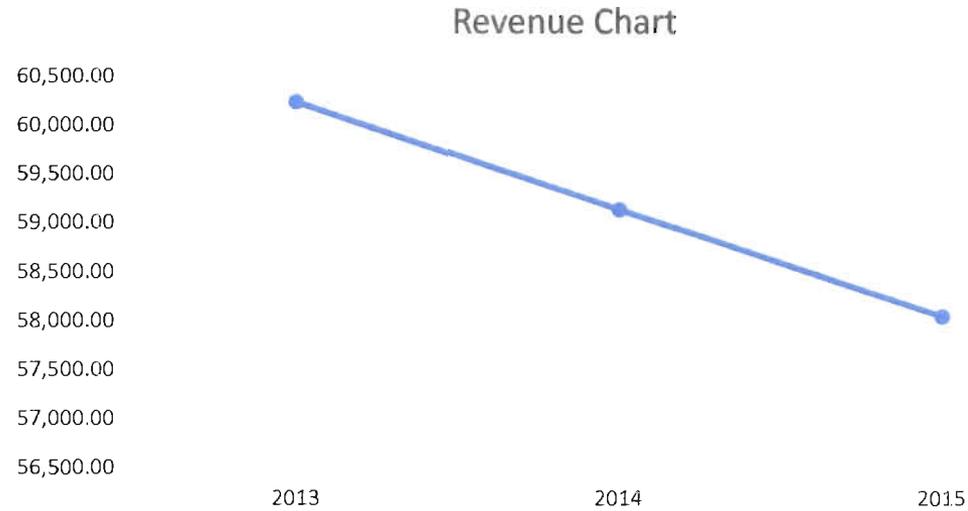
ATTEST:

ASCELETA HAMMOND, CITY CLERK

/jrm
5/18/16
L:ord\ch111/2016-204

Building Contractors' Registration Revenue

FY	Revenue
2013	60,225.00
2014	59,121.00
2015	58,045.00
Average	59,130.33



The revenue associated with this account will be lost; in addition, the service will still be provided, in order to maintain compliance with the Florida Statutes requirements; therefore, the real impact will be as follows:

Average Lost Revenue	59,130.33	
Service Provided	59,130.33	
	118,260.67	Complete Fiscal Impact

May 24, 2016 3:09:39 PM EDT

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Account information

Q BUSINESS TAX RECEIPTS / BUILDING CONTRACTOR REG

Fiscal year: 2015 Cr

Estimated revenue: 60,000.00

Total receipts: 58,045.00

Q Unrealized revenue: 1,955.00

Account Balance by Period

Q	07 April	5,390.00	33,090.00
Q	08 May	4,280.00	37,360.00
Q	09 June	5,980.00	43,340.00
Q	10 July	5,445.00	48,785.00
Q	11 August	4,480.00	53,265.00
Q	12 September	5,120.00	58,385.00
Q	13 October	340.00	58,045.00

Project Data

Project Entry Optional

Payment information

Vendor	(* indicates pending)	Total

Segment/Balance Details

Fund	001	GENERAL FUND
Department	00	
Division	00	
Activity basic	31	TAXES
Sub activity	6	BUSINESS TAX RECEIPTS
Element	60	BUILDING CONTRACTOR REG
Object	00	

Estimated revenue - original 60,000.00

Estimated revenue - revised .00

Actual receipts - current .00

Actual receipts - ytd 58,045.00

Unposted receipts .00

Total receipts 58,045.00

Unrealized revenue 1,955.00

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 Pending by code
 Pending by year
 Procurement car

Account information
 Q BUSINESS TAX RECEIPTS / BUILDING CONTRACTOR REG
 Fiscal year: 2014 Cr
 Estimated revenue: 52,000.00
 Total receipts: 59,121.00
 Q Unrealized revenue: 7,121.00-

Project Data
 Project Entry Optional

Account Balance by Period

Period/Month	Actuals	Cumulative Totals
Q 01 October	6,400.00	6,400.00
Q 02 November	3,960.00	10,360.00
Q 03 December	3,740.00	14,120.00
Q 04 January	5,300.00	19,420.00
Q 05 February	3,920.00	23,340.00

Payment information

Vendor	(* indicates pending)	Total

Segment/Balance Details

Fund	001	GENERAL FUND
Department	00	
Division	00	
Activity basic	31	TAXES
Sub activity	5	BUSINESS TAX RECEIPTS
Element	60	BUILDING CONTRACTOR REG
Object	00	

Estimated revenue - original 52,000.00
 Estimated revenue - revised .00
 Actual receipts - current .00
 Actual receipts - ytd 59,121.00
 Unposted receipts .00
 Total receipts 59,121.00
 Unrealized revenue 7,121.00-

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 - Pending by date
 - Pending by code
 - Pending by year
 - Procurement car...

Account information

Q BUSINESS TAX RECEIPTS / BUILDING CONTRACTOR REG

Fiscal year: 2013 Cr

Estimated revenue: 52,000.00

Total receipts: 60,225.00

Unrealized revenue: 8,225.00-

Project Data

Project Entry Optional

Account Balance by Period

Period/Month	Actuals	Cumulative Totals
Q 01 October	6,205.00	6,205.00
Q 02 November	4,300.00	10,505.00
Q 03 December	3,180.00	13,685.00
Q 04 January	5,160.00	18,845.00
Q 05 February	5,240.00	24,085.00

Payment information

Vendor	(* indicates pending)	Total

Segment/Balance Details

Fund	001	GENERAL FUND	Estimated revenue - original	92,000.00
Department	00		Estimated revenue - revised	.00
Division	00		Actual receipts - current	.00
Activity basic	31	TAXES	Actual receipts - ytd	60,225.00
Sub activity	5	BUSINESS TAX RECEIPTS	Unposted receipts	.00
Element	60	BUILDING CONTRACTOR REG	Total receipts	60,225.00
Object	00		Unrealized revenue	8,225.00-

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2012

2014

Account activi...

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