

ORDINANCE NO. 295

AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 285, PERTAINING TO, REGULATING AND LICENSING CONTRACTORS OF CONSTRUCTION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. That Sections Numbered 1, 4, 5, 6, 9, 11 and 13 of Ordinance No. 285, as passed and adopted by the City Council of the City of Miami Beach, Florida, on October 15th, 1930, be and they are hereby amended to read as follows:

"Section 1. Any person, firm or corporation, who is engaged in the business of accepting orders or contracts on cost plus, fixed fee, stated sum, percentage or any combination thereof, or other compensation other than wages, or doing work on or in any building or structure requiring the use of paint, stone, brick, mortar, cement, wood, structural steel or iron, sheet iron, metallic piping, tin, lead or any other building material; or who shall accept orders or contracts on cost plus, fixed fee, or fixed sum, percentage or any combination thereof, or other compensation other than wages, to do any paving or curbing on sidewalks or streets, on public or private property, using asphalt, brick, stone, cement or wood or any combination; or who shall accept orders or contracts on cost plus, fixed fee, stated amount, percentage, or any combination thereof, or other compensation other than wages, to excavate for foundations or any other purpose, or to construct sewers, septic tanks, docks, drive piling, construct bridges, construct seawalls and bulkheads of any and all description; or who is engaged in the business of building, remodeling, repairing, razing or moving, whether it be by contract, fixed fee or sublet, percentage, or any combination thereof, or other compensation other than wages; shall be deemed to be a contractor within the meaning of this Ordinance."

"Section 4. The Board shall meet twice each year, once during the period from May 15th to 31st and once during the period from November 15th to 30th, for the purpose of making examinations and transacting such other business as may properly come before it. At the November meeting in each year, they shall elect officers to serve for a term of one year. These officers shall be a Chairman and a Vice-Chairman; the Building Inspector shall act as the Secretary-Treasurer. The Board shall have the power to make such By-Laws, rules and regulations governing its body, as it may deem necessary, providing the same do not conflict with the laws of the City of Miami Beach, and the State of Florida. Three Members shall constitute a quorum. Provided further that special meetings shall be called by the Building Inspector, if approved by the City Manager, on the first Tuesday of any month for the purpose of transacting any business which may not properly be held over to a regular meeting; and

provided further that the Chairman or the Secretary-Treasurer are hereby empowered to call meetings to consider violations of this Ordinance as provided in Section 7, or otherwise."

"Section 5. The Secretary-Treasurer shall keep a record of all the proceedings of the Board together with the necessary Registers showing all applications for examination and license; showing thereon for each the date of application, name, qualifications, place of business, place of residence and whether the application was granted or refused. He shall receive all moneys derived from the operation of this Ordinance and shall deposit same with the City Clerk for the City of Miami Beach. The Books and Registers of this Board shall be prima-facie evidence of all matters recorded therein. The Secretary-Treasurer shall prepare a roster of all licensed contractors after the May and November meetings and file same with the City Clerk and License Bureau of the City of Miami Beach. It shall be his duty to promptly notify these officers in case of revocation or re-issuing of a License."

"Section 6. Hereafter, any one desiring to be licensed as a Contractor in the City of Miami Beach shall make application to the Board of Examiners by filling in the printed forms which may be obtained from the Building Inspector's office, and depositing with such application the sum of Five Dollars (\$5.00) for examination fee.

A written, or oral examination, within the discretion of the Board of Examiners shall be given each applicant; the examination shall consist of questions and problems as to the requirements of the building code and the zoning ordinance of the City of Miami Beach which are in effect on the date of the examination, together with an examination of the applicant's practical and technical training and knowledge of that particular classification of the building industry for which license is applied for. Said examination shall include hypothetical questions and problems applicable to building construction within the applicant's classification.

Any person taking the examination for a firm or a corporation must be an active member of or a legally authorized agent of such firm or corporation and he or she cannot qualify to take an examination for himself, herself or for any other firm or corporation while this license remains unexpired or uncanceled; provided, however, that if the person passing examination for a firm or corporation shall at any time sever his or her connection, for any reason, with the firm or corporation to whom license was issued on his or her examination, it shall be the duty of both he or she and the firm or corporation to give written notice immediately to the Board of Examiners and at the same time surrender the license for cancellation. The firm or corporation may, at the time of surrendering license, delegate some other member of the firm or legally authorized agent to qualify for examination for them without the payment of an additional examination fee or occupational license fee for the remainder of the fiscal year.

After qualifying the applicant shall then be entitled to an examination to determine his or her qualifications.

If the result of the examination is satisfactory, the Board shall issue a certificate to the City Clerk of the City of Miami Beach who shall then issue a license to the applicant upon the payment of such occupational license fee as is hereinafter stipulated in Section 11.

Any person failing to pass the examination may be re-examined at the next regular meeting of the Board without additional examination fee.

Licenses shall expire on the 31st day of October following their issuance or renewal and shall become invalid after that date, and unless renewed within thirty (30) days thereafter the holder of such license may, in the discretion of the Board, be required to be re-examined. At the expiration of thirty (30) days no license shall be issued without the approval of the Board of Examiners.

The filing of a petition in Bankruptcy, whether it be voluntary or involuntary, against any person, firm or corporation holding license under the terms of this Ordinance shall automatically revoke such license pending a decision of the Board as provided under Section 7 of this Ordinance."

"Section 9. This Ordinance shall not apply to:

(a) An authorized representative or representatives of the United States of America; the State of Florida; the County of Dade; or the City of Miami Beach, Florida.

(b) Sections or Sub-sections of Ordinances 233 and 247 of the City of Miami Beach creating an Examining Board for Plumbing Contractors and Electrical Contractors; and providing for Examinations of these contractors; and stipulating the Examination Fees of these contractors.

(c) Sole owners of property, building structures or making repairs thereon for their own use shall not be subject to the contractor's license fee, but shall otherwise comply with all of the provisions of this Ordinance."

"Section 11. The occupational license fee for contractors within the meaning of this Ordinance shall be as follows, to-wit:

	Without an established place of business in Miami Beach	With an established place of business in Miami Beach
	Per Annum	Per Annum
General Contractors	\$ 100.00	\$ 50.00

	Without an established place of business in Miami Beach	With an established place of business in Miami Beach
	Per Annum	Per Annum
Awnings, Canopies, Awning Shut- ters, Roller Curtains, Wood, Metal or Canvas, Installa- tion, Renewal, Repair or Al- teration	\$ 100.00	\$ 50.00
Brick, Stone, Cement-Block, Tile and Concrete Contractors	50.00	25.00
Carpentry and Millwork Contrac- tors	50.00	25.00
Cement, Lime, Plastering, Stucco, Lathing and Cast Stone Con- tractors	50.00	25.00
Decorators, Interior and Exterior, including Painting, Waterproof- ing, Damp-proofing and Paper Hanging Contractors; excluding, however, Interior Decorators furnishing and installing drap- eries, shades, rugs, etc. (Whose Occupational License Fee is provided for in other City Ordinances).	50.00	25.00
Electrical Contractors	100.00	50.00
Elevator Contractors	50.00	25.00
Engineering Contractors (Includes Bridge, Bulkheading, Drainage & Sewer excavating and Sewer con- struction, dredging, irrigation systems, pile driving, bulk- heading and sea walls, side- walks and street grading and pav- ing, sidewalk and similar con- tract work)	100.00	50.00
Flooring, Sanding Contractors (Including Wood, Rubber, Com- position, Linoleum and any other flooring not otherwise specified)	50.00	25.00
Glass and Glazing Contractors . . .	50.00	25.00
Gas Fitting, Pipe Fitting, Plumb- ing & Heating Contractors	75.00	37.50
Moving and Wrecking Contractors (Houses, Buildings)	50.00	25.00
Ornamental Iron, Bronze & Steel Contractors	50.00	25.00
Roofing & Sheet Metal Contractors	50.00	25.00
Sprinkler Systems of any and all kinds, including those for buildings, lawns, etc.	50.00	25.00
Structural & Reinforcing Iron and Steel Contractors	50.00	25.00
Tile, Terrazzo, Marble & Granite Contractors	50.00	25.00
Solar Water Heating Contractors . .	50.00	25.00
Other Contractors not specifical- ly classified above	50.00	25.00"

"Section 13. Every Contractor granted a license under the terms of this Ordinance, shall be required to maintain at all times, in a Stock Casualty Insurance Company authorized to do business in the State of Florida, Public Liability Insurance with minimum limits on each of not less than Ten Thousand Dollars (\$10,000.00) for one person and Twenty Thousand Dollars (\$20,000.00) for more than one person, in any one accident, and Public Property Damage Insurance with a minimum limit of not less than One Thousand Dollars (\$1,000.00) for any one accident. Said policies are to be subject to the approval of the City Manager.

At the time application is made for examination and before a license can be issued, the Contractor shall file with the City Clerk, a certificate signed by a qualified agent of the Stock Casualty Insurance Company stating that a policy or policies has been issued to the Licensee for Public Liability Insurance and Public Property Damage Insurance; the minimum limits of each; the policy number or numbers; the name of the company; the effective date of such policies; the expiration date of such policies; together with a statement and a copy of an endorsement placed on such policy or policies requiring five (5) days written notice by registered mail to the City Clerk if it becomes necessary to cancel the policy or policies, for any reason.

In the event of a cancellation of a policy or policies, the City Clerk shall immediately notify the Licensee and Secretary-Treasurer of the Board, and the Licensee shall be required to furnish a new certificate in full compliance with the terms of this Section, within ten (10) days. Failure to do so shall constitute a violation of this Section and license shall automatically be revoked. License may be reinstated by the City Clerk, or the Board, when the Licensee has furnished certificate of insurance in compliance with this Section."

SECTION 2. All ordinances and parts of ordinances in conflict herewith be and they are hereby repealed.

SECTION 3. This ordinance shall take effect immediately after its passage, approval and posting.

PASSED AND ADOPTED this 7th day of October, A. D. 1931.

Richard Mead
President of City Council

ATTEST:

Q.W. Toulmin
City Clerk

APPROVED BY ME this 8th day of October, A. D. 1931.

Val. C. Cleary
Mayor

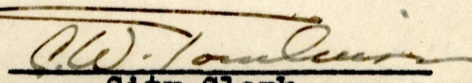
First Reading, October 2nd, 1931.
Second Reading, October 2nd, 1931.
Third Reading, October 7th, 1931.
Posted, October 8th, 1931.

STATE OF FLORIDA)
COUNTY OF DADE)

I, G. W. TOMLINSON, City Clerk in and for the City of Miami Beach, Florida, do hereby certify that Ordinance No. 295, entitled, "AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 285, PERTAINING TO, REGULATING AND LICENSING CONTRACTORS OF CONSTRUCTION", having been duly passed and adopted by the City Council of the City of Miami Beach, Florida, has been posted by me in three conspicuous places in the City of Miami Beach, one of which was at the door of the City Hall in said City on the 8th day of October, A. D. 1931, and that said Ordinance remained posted for a period of at least thirty days in accordance with the requirements of the City Charter of the said City of Miami Beach.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Miami Beach, Florida, on this the 18th day of November, A. D. 1931.




City Clerk

ORIGINAL
ORDINANCE NO. 295

Amending Contractors'
Ordinance No. 285.