

21-01

LEON COUNTY ORDINANCE NO.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING CHAPTER FIVE OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA; REPEALING CHAPTER 5 IN ITS ENTIRETY; ADOPTING A NEW CHAPTER 5 ENTITLED LEON COUNTY BUILDING CODE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, Chapter 553, Florida Statutes, was adopted by the Florida Legislature to provide a mechanism for the uniform adoption, updating, amendment, interpretation and enforcement of a state building code, called the *Florida Building Code*; and

WHEREAS, Chapter 553, Florida Statutes, allows for local amendments to the *Florida Building Code* that provide for more stringent requirements than those specified in the Code and allows adoption of local administrative and local technical amendments to the *Florida Building Code* to implement the National Flood Insurance Program and incentives; and

WHEREAS, the Board of County Commissioners adopted prior to July 1, 2010, requirements to (1) require the applicants and permittees to use specific FEMA certification forms to document lowest floor elevations and dry floodproofing; and (2) increase the minimum elevation requirements for buildings and structures in flood hazard areas, and pursuant to section 553.73(5), F.S., is formatting those requirements to coordinate with the *Florida Building Code*; and

WHEREAS, the Board of County Commissioners is adopting (1) a requirement to require accumulation of costs of improvements and repairs of buildings based on issued building permits over a 10-year period; (2) require buildings that sustain repetitive flood damage over a 10-year period to be included in the definition of “substantial damage,” (3) require declarations of land restriction (non-conversion agreements) for certain enclosures in specific situations; and for the purpose of participating in the National Flood Insurance Program’s Community Rating System and, pursuant to section 553.73(5), F.S., is formatting those requirements to coordinate with the *Florida Building Code*; and

WHEREAS, the majority of the current Leon County Building Code, Chapter 5 of the Leon County Code of Laws was last amended in 1992; and

WHEREAS, in the past 28 years, the Florida Building Commission has revised and updated the Florida Building Code resulting in portions of Leon County’s code being unenforceable, inaccurate or obsolete; and

WHEREAS, the Board of County Commissioners desires to enact an ordinance repealing Chapter 5 of the Leon County Code of Laws, relating to the Leon County Building Code, in its entirety and replacing with the provisions as set forth herein.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, that:

1 **Section 1. Repealing Chapter Five.**

2
3 The Leon County, Florida, Code of Laws is hereby amended by repealing the Chapter Five,
4 Building and Construction Regulations, in its entirety. Additionally, all Ordinances enacting Chapter
5 Five to date shall be superseded by this Ordinance.

6
7 **Section 2. Replacing Chapter Five.**

8
9 The Code of Laws of Leon County, Florida, is hereby amended by adding a new Chapter Five to
10 be entitled “Building Code,” which chapter shall read as follows:
11

12 **CHAPTER FIVE: BUILDING CODE.**

13
14 **ARTICLE I. In General.**

15
16 **Division I. Florida Building Code.**

17
18 **Sec. 5-1.01 - Florida Building Code.**

19
20 The provisions of the Florida Building Code, as adopted by the state building commission, and
21 as amended, shall apply to:

- 22 (a) **Building.** The provisions of the Florida Building Code shall apply to the construction, erection,
23 alteration, modification, repair, equipment, use and occupancy, location, maintenance, removal
24 and demolition of every public and private building, structure or facility or floating residential
25 structure, or any appurtenances connected or attached to such buildings, structures or facilities.
26 Additions, alterations, repairs and changes of use or occupancy group in all buildings and
27 structures shall comply with the provisions provided in the Florida Building Code, Existing
28 Building. See section 5-1.05(a) of this Chapter that indicate the exemptions from the Florida
29 Building Code.
- 30 (b) **Electrical.** The provisions of Chapter 27 of the Florida Building Code - Building, and the
31 provisions of the Florida Residential Code, shall utilize NFPA 70, National Electrical Code for
32 the installation of electrical systems, including alterations, repairs, replacement, equipment,
33 appliances, fixtures, fittings, and appurtenances thereto.
- 34 (c) **Gas.** The provisions of the Florida Building Code, Fuel Gas, including Appendices and the
35 provisions of the Florida Residential Code, shall apply to the installation of consumers' gas piping,
36 gas appliances and related accessories as covered in this code. These requirements apply to gas
37 piping systems extending from the point of delivery to the inlet connections of appliances, and
38 the installation and operation of residential and commercial gas appliances and related
39 accessories.
- 40 (d) **Mechanical.** The provisions of the Florida Building Code, Mechanical, and the provisions of the
41 Florida Residential Code, shall apply to the installation of mechanical systems, including
42 alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances,
43 including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators
44 and other energy-related devices.

- 1 (e) **Plumbing.** The provisions of the Florida Building Code, Plumbing, including Appendices and
2 the provisions of the Florida Residential Code, shall apply to every plumbing installation,
3 including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and
4 appurtenances and when connected to a water or sewerage system and all aspects of a medical
5 gas system.
- 6 (f) **Property Maintenance.** The provisions of this code shall apply to all existing residential and
7 non-residential structures and all existing premises and constitute minimum requirements and
8 standards for premises, structures, equipment, light, ventilation, heating, sanitation, protection
9 from the elements, a reasonable level of safety from fire and other hazards, and for a reasonable
10 level of sanitary maintenance; the responsibility of owners, and owner's authorized agent,
11 operators and occupants; the occupancy of existing structures and premises, and for
12 administration, enforcement, and penalties in the interest of the social and economic welfare of
13 the community.
- 14 (g) **Fire Prevention.** For provisions related to fire prevention, refer to the Florida Fire Prevention
15 Code. The Florida Fire Prevention Code shall apply to matters affecting or relating to structures,
16 processes and premises from the hazard of fire and explosion arising from the storage, handling,
17 or use of structures, materials or devices; from conditions hazardous to life, property, or public
18 welfare in the occupancy of structures or premises; and from the construction, extension, repair,
19 alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on
20 the premises from occupancy or operation.
- 21 (h) **Energy.** For provisions related to energy, refer to the Florida Building Code, Energy
22 Conservation, which shall apply to all matters governing the design and construction of buildings
23 for energy.
- 24 (i) **Accessibility.** For provisions related to accessibility, refer the provisions of the Florida Building
25 Code, Accessibility.
- 26 (j) **Manufactured buildings.** For additional administrative and special code requirements, see
27 section 428, Florida Building Code, Building, and Rule 9B-1 F.A.C.
- 28 (k) **Residential.** The provisions of the Florida Building Code, Residential shall apply to the
29 construction, installation, alteration, repair, removal, enlargement, replacement or connection to
30 any system and the equipment usage, occupancy, locating, maintenance of detached one-and-
31 two-family dwellings and multiple single family dwellings (townhouses) not more than three
32 stories above grade plane in height with a separate means of egress and their accessory structures.
- 33 (l) **Existing Building.** Existing buildings undergoing repair, alterations, or additions, relocation of
34 existing buildings, and change of occupancy shall comply with the Florida Building Code,
35 Building. The installation of electrical systems and components are regulated by NFPA 70,
36 National Electrical Code.

37
38 **Sec.5-1.02 - Technical amendment to the Florida Building Code, Residential.**
39

- 40 (a) Modify the Florida Building Code, Residential, Sec. R309.3 as follows:

41 **R309.3 Flood hazard areas.** For buildings located in, or in close proximity to, flood
42 hazard areas as established by Table R301.2(1), garage floors shall be:

1. Elevated to or above the flood protection elevation determined in accordance with the Leon County Land Development Code ~~design flood elevation as determined in Section R322~~; or

2. Located below the flood protection elevation determined in accordance with the Leon County Land Development Code ~~design flood elevation as determined in Section R322~~ provided that the floors are at or above grade on not less than one side, are used solely for parking, building access or storage, meet the requirements of Section R322 and are otherwise constructed in accordance with this code.

(b) Modify the Florida Building Code, Residential Sec. R322.2.1 as follows:

R322.2.1 Elevation requirements.

1. Buildings and structures in flood hazard areas, or in close proximity to flood hazard areas ~~including flood hazard areas designated as Coastal A Zones~~, shall have the lowest floors elevated to or above the flood protection elevation determined in accordance with the Leon County Land Development Code ~~base flood elevation plus 1 foot (305 mm)~~, or the design flood elevation, whichever is higher.

2. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated to a height above the highest adjacent grade of not less than the depth number specified in feet (mm) on the FIRM plus 3 feet 1 foot (305 mm), or not less than 5 feet 3 feet (915 mm) if a depth number is not specified, or 3 feet above the base flood elevation calculated by the applicant, whichever is higher.

3. Basement floors that are below grade on all sides shall be elevated to or above the flood protection elevation ~~base flood elevation plus 1 foot (305 mm)~~, or the design flood elevation, whichever is higher.

Exception: Enclosed areas below the flood protection elevation ~~design flood elevation~~, including basements with floors that are not below grade on all sides, shall meet the requirements of Section 322.2.2.

Sec. 5-1.03 - Administrative and technical amendments to the Florida Building Code, Building.

(a) Modify the Florida Building Code, Building Sec. 107.3.5 as follows:

107.3.5 Minimum plan review criteria for buildings.

Commercial Buildings:

8. Structural requirements shall include:

Flood requirements in accordance with Section 1612, including lowest floor elevations, enclosures, FEMA Elevation Certificate (FEMA Form 086-0-33), FEMA Floodproofing Certificate (FEMA Form 086-0-34), Declaration of Land Restriction

1 (Non-conversion Agreement), flood damage-resistant materials, operations and
2 maintenance plan for buildings to be dry floodproofed.

3 **Residential (one- and two-family)**

4 6. Structural requirements shall include:

5 Flood hazard areas, flood zones, design flood elevations, lowest floor elevations,
6 enclosures, FEMA Elevation Certificate (FEMA Form 086-0-33), Declaration of Land
7 Restriction (Non-conversion Agreement), equipment, and flood damage-resistant
8 materials.

9 (b) Modify the Florida Building Code, Building Section 1612.4 as follows:

10 **1612.4 Design and construction.**

11 The design and construction of buildings and structures located in flood hazard areas,
12 or in close proximity to flood hazard areas, including coastal high hazard areas and
13 Coastal A Zones, shall be in accordance with Chapter 5 of ASCE 7 and with ASCE 24.

14 (c) Modify the Florida Building Code, Building Section 1612 by adding a new subsection as follows:

15 **1612.4.3 Elevation requirements.**

16 1. The minimum elevation requirements shall be as specified in ASCE 24 or the flood
17 protection elevation determined in accordance with the Leon County Land
18 Development Code, whichever is higher.

19 2. Essential facilities indicated as Risk Category III and IV pursuant to FBC Chapter
20 16 Table 1604.5 Risk Category of Buildings and Other Structures and Critical
21 Facilities as defined in the Leon County Land Development Code shall:

22 (a) Have the lowest floor elevated or protected to the minimum elevation
23 requirements specified in ASCE 24, the flood protection elevation as
24 determined in accordance with the Leon County Land Development Code, or
25 the 500-year flood elevation plus one (1) foot, whichever is higher; and,

26 (b) Have floodproofing and sealing measures taken to ensure that toxic substances
27 will not be displaced or released into floodwaters.

28
29 **Sec. 5-1.04. Technical amendments to the Florida Building Code – Building and Existing**
30 **Building.**

31
32 (1) Modify the Florida Building Code Section 202 by amending two definitions as follows:

33 **IN CLOSE PROXIMITY TO.** Areas, for the purposes of this Chapter and as it relates
34 to flood hazard areas, that are below the flood protection elevation of a flood hazard
35 area.

36 **SUBSTANTIAL DAMAGE.** Damage of any origin sustained by a structure whereby
37 the cost of restoring the structure to its before-damaged condition would equal or

1 exceed 50 percent of the market value of the structure before the damage occurred. The
2 term also includes flood-related damage sustained by a structure on two separate
3 occasions during a 10-year period for which the cost of repairs at the time of each such
4 flood event, on average, equals or exceeds 25 percent of the market value of the
5 structure before the damage occurred.

6
7 **SUBSTANTIAL IMPROVEMENT.** Any combination of repair, reconstruction,
8 rehabilitation, alteration, addition or other improvement of a building or structure
9 taking place during a ten (10) year period, the cumulative cost of which equals or
10 exceeds 50 percent of the market value of the structure before the improvement or
11 repair is started. The period of accumulation begins when the first improvement or
12 repair of each building or structure is permitted subsequent to January 1, 2021. If the
13 structure has sustained substantial damage, any repairs are considered substantial
14 improvement regardless of the actual repair work performed. The term does not,
15 however, include either:

- 16 1. Any project for improvement of a building required to correct existing health,
17 sanitary or safety code violations identified by the building official and that is the
18 minimum necessary to assure safe living conditions.
19 2. Any alteration of a historic structure provided that the alteration will not preclude
20 the structure's continued designation as a historic structure.

21 **Division II. Permits and Inspections.**

22 **Sec. 5-1.05 - Permit required.**

23
24 Any *owner* or owner's authorized agent who intends to construct, enlarge, alter, *repair*, move,
25 demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, *repair*,
26 remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing
27 system, the installation of which is regulated by this code, or to cause any such work to be performed,
28 shall first make application to the *building official* and obtain the required *permit*.
29

30 (a) **Construction work exempt from permit.** Exemptions from *permit* requirements of this code
31 shall not be deemed to grant authorization for any work to be done in any manner in violation of
32 the provisions of this code. *Permits* shall not be required for the following:

33 (1) **Gas:**

- 34 (i) Portable heating appliance.
35 (ii) Replacement of any minor part that does not alter approval of equipment or make such
36 equipment unsafe.
37

38 (2) **Mechanical:**

- 39 (i) Portable heating appliance.
40 (ii) Portable ventilation equipment.
41 (iii) Portable cooling unit.
42 (iv) Steam, hot or chilled water piping within any heating or cooling equipment regulated
43 by this code.
44

- 1 (v) Replacement of any part that does not alter its approval or make it unsafe.
- 2 (vi) Portable evaporative cooler.
- 3 (vii) Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant
- 4 and actuated by motors of 1 horsepower (0.75 kW) or less.
- 5 (viii) The installation, replacement, removal or metering of any load management control
- 6 device.

7 **(3) Plumbing:**

- 8 (i) The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that
- 9 if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and
- 10 it becomes necessary to remove and replace the same with new material, such work shall
- 11 be considered as new work and a permit shall be obtained and inspection made as
- 12 provided in this code.
- 13 (ii) The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the
- 14 removal and reinstallation of water closets, provided such repairs do not involve or
- 15 require the replacement or rearrangement of valves, pipes or fixtures.
- 16

17 **Sec. 5-1.06 - Approval of plans prerequisite to permit issuance.**

- 18
- 19 (a) Any person desiring a building permit shall submit plans for approval to the building plan review
- 20 and inspection division before any work is started on the building, structure, or facility. Such
- 21 plans on all residential and commercial buildings shall provide adequate construction plans
- 22 designed to illustrate construction of the project and compliance with the Florida Building Code.
- 23 (b) It shall be unlawful for any person to do any construction work in violation of the plans submitted
- 24 to and approved by the building plan review and inspection division pursuant to this section.
- 25

26 **Sec. 5-1.07 - Inspections.**

27

28 All construction work shall receive approval for each phase by an inspector before the work is

29 concealed or covered. Any additions, changes and/or repairs in and to existing construction shall also

30 receive approval by an inspector upon the completion of such work.

31

32 **Sec. 5-1.08 – Affordable Housing expedited.**

33

34 Permits for affordable housing, as defined in section 10-1.101, shall be reviewed on an expedited

35 basis. The county encourages the use of a master building permit program, as outlined in F.S. §

36 553.794, to obtain affordable housing permits on an expedited basis.

37

38

39 **Division III. Fees.**

40

41 **Sec. 5-1.09. - Permit fees.**

42

- 43 (a) All permit fees for the Building Plans Review and Inspection Division, hereinafter referred to as
- 44 the “Building Department,” will be in the Development Support and Environmental Management

1 Fee Schedule manual as adopted by resolution of the Board of County Commissioners which may
2 be amended from time to time.

3 (b) The plan review portion of the permit fee will be paid at the time of the plan application. The plan
4 review fee is based on the adopted Fee Schedule pursuant to Sec. 5-1.06(a).

5 (c) No permits for construction work shall be issued until all fees have been paid and the construction
6 project has been approved for issuance.

7 (d) The following fees shall also be adopted by resolution of the Board:

8 (1) Construction work that would require a permit and started before a permit has been obtained,
9 will be charged two times the established permit fees for said work.

10 (2) Solar permit fees apply to residential or commercial solar projects and no additional fees
11 shall be charged.

12 (3) Additional Plan Review fees shall be charged each time after the third such review the plans
13 are rejected for that code violation, a fee of four times the amount of the proportion of the
14 permit fee attributed to plans review pursuant to ss. 553.80(2)(b).

15 a. The intent of this is to ensure compliance with the Florida Building Code and when
16 design documents are rejected three or more times for failure to correct a code violation
17 specifically and continuously noted in each rejection, including, but not limited to,
18 egress, fire protection, structural stability, energy, accessibility, lighting, ventilation,
19 electrical, mechanical, plumbing, and gas systems, or other requirements identified by
20 rule of the Florida Building Commission adopted pursuant to chapter 120, the local
21 government shall impose the additional fees.

22 (4) Additional Inspection fees shall be charged if the same inspection has been rejected three or
23 more times for failure to correct a code violation at a fee of four times the amount of
24 inspection fee portion for that inspection pursuant to ss. 553.80(2)(c).

25 a. Violation specifically and continuously noted in each rejection include, but not limited
26 to, egress, fire protection, structural stability, energy, accessibility, lighting, ventilation,
27 electrical, mechanical, plumbing, and gas systems, or other requirements identified by
28 rule of the Florida Building Commission adopted pursuant to chapter 120.

29 (5) In order to comply with ss. 553.791(2)(b), regarding private providers for plans review and
30 inspection services, if elected by the contractor, the fees associated with a plan review and/or
31 inspection shall be charged for the following tasks performed by County staff:

32 a. Reviewing the application documentation submittal

33 b. Ensuring all applicable documentation has been submitted

34 c. Entering the application and documentation into the permitting system

35 d. Processing the application data into the permitting system

36 e. Verifying the contractor's license, insurance, and other applicable documents

37 f. Processing all affidavits

38 g. Verifying the address

39 h. Verifying the Land Use District

40 i. Reviewing the site plan for setbacks, lot coverage, special zoning overlays, and other
41 zoning requirements

42 j. Verifying the Environmental conditions of the property for floodplain and stormwater
43 requirements

44 k. Ensuring the Florida Health Department approval for septic, if applicable

45 l. Processing water and sewer invoices paid to the City of Tallahassee have been received
46 with the address, property tax code, and lot number, if applicable

- 1 m. Collecting fees for Development Services, Environmental Services, Leon County, and
- 2 Florida State Department of Business and Professional Regulation fees.
- 3 n. Collecting the affidavit from the private provider required by ss. 553.791(6)
- 4 o. All applicable documents the fee owner must secure by other government approvals by
- 5 law
- 6 p. Copy of the private provider written contract with the fee owner that provides the scope
- 7 of work to be provided. Any financial arrangements can be redacted.
- 8 q. Provide the private provider with a list of required inspections that will be required to be
- 9 performed.
- 10 r. Copy of the private providers Department of Business and Professional Regulation
- 11 inspectors' certifications.
- 12 s. Notification from the fee owner or fee owner's contractor of services to be performed by
- 13 the private provider
- 14 t. Name, firm, address, telephone number of each private provider who will be performing
- 15 such services along with their professional license or certification number, qualification
- 16 or resume and professional liability insurance coverage in the amount pursuant to ss.
- 17 553.791.
- 18 u. Fee owner must provide an acknowledgement statement pursuant to ss. 553.791(4)(c).
- 19 v. Processing the inspection notification by the private provider, which shall be no later
- 20 than the prior business day by 2 p.m. along with the type of inspection(s).
- 21 w. Processing the inspection results, which could be a failure with corrections. This would
- 22 result in an additional inspection notification and inspections result.
- 23 x. Provide a copy of each inspection to the building official, which must be processed into
- 24 the permitting system.
- 25 y. Receive from the private provider after all required inspections have been completed and
- 26 approved, an acknowledgement from the private provider pursuant to ss. 553.791(11).
- 27 z. Receive from the private provider a request for a certificate of occupancy.
- 28 aa. Process the certificate of occupancy after reviewing all required documentation,
- 29 inspections, and other departments have completed their inspections processes.
- 30 bb. Leon County inspection staff must also perform the temporary power installation
- 31 inspection, electrical release inspection, setback, driveway, floodplain documentation,
- 32 and enter these into the permitting systems
- 33 cc. Issue the Certificate of Occupancy to the fee owner.
- 34 (6) Pursuant to ss. 553.791(2)(b) the County has determined the cost savings when using a
- 35 private provider is 60 percent.
- 36 (f) The cost per square foot may be adjusted by the Board of County Commissioners.

37
38 **Division IV. Interpretation of Building Code and Appeals.**

39
40 **Sec. 5-1.10 - Conflicting provisions.**

- 41
- 42 (a) In the event of a conflict between the applicable minimum building code and the applicable
- 43 minimum fire safety code, it shall be resolved by the local building official which offers the
- 44 greatest degree of life safety and an equivalent method of construction. The local building official
- 45 is the final Florida Building Code authority for Leon County.

- 1 (b). When there is a conflict with this code or any other code, reference, ordinance, or statute, the
2 most restrictive regulation or requirement shall apply. The Leon County Building Official shall
3 be the final authority for the interpretation and decision.
- 4 (c) Any decision made by the local fire official and/or the local building official may be appealed to
5 the board of adjustment and appeals. The decision of the local fire official will be reviewed by
6 the local building official and section 5-1.10(a) shall apply to the decision. The board may not
7 alter the decision unless the board determines that the application of such a code does not follow
8 the Florida Building Code by using code references to support its findings. If the decision of the
9 local building official is to adopt an alternative to the codes, the board of adjustment and appeals
10 shall give due regard to the decision rendered by the local official. The modification of the
11 decision by the board of adjustment and appeals adopts an alternative and the alternative must
12 take into considerations all relevant code requirements. In a case in which the board of adjustment
13 and appeals adopts alternatives to the decision rendered by the local building official, such
14 alternatives shall provide an equivalent or more restrictive finding for life safety and an equivalent
15 or more restrictive finding method of construction as the decision rendered by the local official.
- 16 (d) The board of adjustment and appeals shall resolve the conflict in favor of the code which offers
17 the greatest degree of life safety or alternative which would provide an equivalent degree of life
18 safety and an equivalent method of construction.
- 19 (e) All decisions of the local building official and all decisions of the board of adjustment and appeals
20 shall be, in writing, and shall be binding upon all persons, but shall not limit the authority of the
21 state fire marshal pursuant to F.S. § 633.104 and F.S. § 633.202 as it relates to the Florida Fire
22 Prevention Code. Decisions of general application shall be indexed by building sections and shall
23 be available for inspection during normal business hours. The appeals of the board of adjustment
24 and appeal's findings are appealable to a court of competent jurisdiction.

25
26 **ARTICLE II. Technical Standards.**

27
28 **Division I. Compliance Standards.**

29
30 **Sec. 5-2.01. - Compliance required.**

31
32 All building, mechanical, electrical, plumbing, gas, energy, and accessibility installations
33 practices and methods shall conform to the provisions of the Florida Building Code.

34
35 **Sec. 5-2.02. - Requirements for protection from local drainage.**

- 36
37 (a) In all areas of the County regardless of their location relative to flood hazard areas, the following
38 flood protection measures are required:
- 39 1. All building permits shall be accompanied by a site plan that accounts for street flooding and
40 runoff from and onto adjacent properties and protects the structures from these flows and
41 overland sheetflows.
 - 42 2. To minimize flood damage due to overland sheetflow, the top surface of floor systems and
43 concrete floors (lowest finished floors) shall be elevated to a minimum of eight (8) inches
44 (203 mm) higher than the highest finished grade elevation next to the foundation of the
45 structure and a minimum of twelve (12) inches (304 mm) higher than the finished grade

1 elevation at a distance of five (5) feet from the foundation of the structure. Structures located
2 six (6) feet or less from the property line shall have their lowest finished floor elevation a
3 minimum of twelve (12) inches higher than the highest finished grade elevation next to the
4 foundation of the structure. An exception to this requirement may be granted if it is
5 demonstrated to the satisfaction of the County Administrator or designee that no adverse
6 flooding impacts will occur.

- 7 3. All sites shall be graded to provide adequate drainage paths around structures to divert
8 overland sheetflow around and away from the structures.
9 4. Sites shall be graded to prevent overland sheetflow from entering garages, basements, screen
10 rooms, and other enclosed areas.

11
12 (b) Modify the Florida Building Code, Residential Sec. R317.1(5) as follows:

13 **R317.1 Location required.**

- 14 5. Wood siding, sheathing and wall framing on the exterior of a building having a
15 clearance of less than ~~6~~ 8 inches (~~152~~ 203 mm) from the ground or less than 2
16 inches (51 mm) measured vertically from concrete steps, porch slabs, patio slabs
17 and similar horizontal surfaces exposed to the weather.

18 (c) Modify the Florida Building Code, Residential Chapter 5 Section. R501.3 by adding a new
19 subsection as follows:

20 **R501.3 Protection from local drainage.** The lowest framed floor systems and/or
21 concrete floors shall be elevated to a minimum of 8 inches (203 mm) higher than the
22 highest finished grade elevation next to the foundation of the structure and a minimum
23 of 12 inches (305 mm) higher than the finished grade elevation at a distance of 5 feet
24 (1524 mm) from the foundation of the structure. Structures located six (6) feet (1829
25 mm) or less from the property line shall have their lowest finished floor elevation a
26 minimum of (12) inches (305 mm) higher than the highest finished grade elevation next
27 to the foundation of the structure.

28 **Exception:**

- 29 1. Minimum floor elevations may be lower if it is demonstrated to the satisfaction of
30 the County Administrator or designee that no adverse flooding impacts will occur,
31 but in no case shall the floor elevation be lower than the minimum requirements of
32 the Florida Building Code.
33 2. Garage and screen room floors may be constructed below this elevation if it is
34 demonstrated to the satisfaction of the County Administrator or designee that the
35 site is graded to provide adequate drainage paths around the structure and to prevent
36 overland sheetflow from entering garages, basements, screen rooms, and other
37 enclosed areas, but in no case shall the floor elevation be lower than the minimum
38 requirements of the Florida Building Code.
39

40 **Sec. 5-2.03 - Underground utility services.**

41
42 All underground utilities service to all buildings and any underground work on public rights-of-
43 way shall be installed to the utility provider's requirements.

1 **Division II. Exemption for Non-Residential Farm Buildings.**

2
3 **Sec. 5-2.04 - Definitions for Agricultural Buildings.**

4
5 The following definitions are derived from Florida Statutes and as such may be amended from
6 time to time:

- 7
- 8 (a) **Agricultural pole barn** means a non-residential farm building in which 70 percent or more of
9 the perimeter walls are permanently open and allow free ingress and egress.
 - 10 (b) **Non-residential farm building** means any temporary or permanent building or support structure
11 that is classified as a non-residential farm building on a farm under F.S. § 553.73(10)(c) or that
12 is used primarily for agricultural purposes, is located on land that is an integral part of a farm
13 operation or is classified as agricultural land under F.S. § 193.461, and is not intended to be used
14 as a residential dwelling. The term may include, but is not limited to, a barn, greenhouse, shade
15 house, farm office, storage building, or poultry house and as provided in F.S. § 604.50.
 - 16 (c) **Bona fide agricultural purposes** mean good faith commercial agricultural use of the land
17 pursuant to F. S. § 193.461 and is based on the following:
 - 18 1. The length of time the land has been so used.
 - 19 2. Whether the use has been continuous.
 - 20 3. The purchase price paid.
 - 21 4. Size as it relates to specific agricultural use.
 - 22 5. An effort has been made to care sufficiently and adequately for the land in accordance with
23 acceptable commercial agricultural practices, including fertilizing, liming, tilling, mowing,
24 reforestation, and other acceptable agricultural practices.
 - 25 6. If the land is under lease, and for how long including the terms and conditions of the lease.
 - 26 7. The Leon County Assessor’s office has determined the land for agricultural purposes is bona
27 fide agricultural use of property along with the land’s annual re-evaluation to remain
28 agricultural.
 - 29 (d) **Farm operation**, as defined in F.S. § 823.14(3)(b), means all conditions or activities by the
30 owner, lessee, agent, independent contractor, and supplier which occur on a farm in connection
31 with the production of farm, honeybee, or apiculture products and includes, but is not limited to,
32 the marketing of produce at roadside stands or farm markets; the operation of machinery and
33 irrigation pumps; the generation of noise, odors, dust, and fumes; ground or aerial seeding and
34 spraying; the placement and operation of an apiary; the application of chemical fertilizers,
35 conditioners, insecticides, pesticides, and herbicides; and the employment and use of labor.
 - 36 (e) **Farm product** means any plant, as defined in F.S. § 581.011, or animal or insect useful to humans
37 and includes, but is not limited to, any product derived therefrom.
- 38

39 **Sec. 5-2.05 – Exemption for non-residential farm buildings.**

- 40
- 41 (a) Notwithstanding this sec. 5-2.05 and any other provision of law, any non-residential farm building
42 that is located on lands used for bona fide agricultural purposes is exempt from the Florida
43 Building Code and any county or municipal code or fee, except for code provisions implementing
44 local, state, or federal floodplain management regulations.

- 1 1. A non-residential farm building, in which the occupancy is limited by the property owner to
2 no more than 35 persons, is exempt from the Florida Fire Prevention Code and Life Safety
3 Code incorporated by reference.
- 4 2. An agricultural pole barn is exempt from the Florida Fire Prevention Code and the Life Safety
5 Code incorporated by reference.
- 6 3. Any non-residential farm building is not exempt if there is any electrical power provided to
7 said building and shall obtain an electrical permit from the building plan review and
8 inspection division for the entire electrical construction related to said project.
- 9 4. Except for an agricultural pole barn, a structure on a farm, as defined in F.S. § 823.14(3)(a),
10 which is used by an owner for agritourism activity, as defined in F.S. § 570.86, for which the
11 owner receives consideration must be classified in one of the following classes:
 - 12 a. Class 1: A non-residential farm building that is used by the owner 12 or fewer times per
13 calendar year for agritourism activity with up to 100 persons occupying the structure at
14 one time. A structure in this class is subject to annual inspection for classification by the
15 Leon County Building Department. This class is not subject to the Florida Fire Prevention
16 Code but is subject to rules adopted by the State Fire Marshal pursuant to this section.
 - 17 b. Class 2: A non-residential farm building that is used by the owner for agritourism activity
18 with up to 300 persons occupying the structure at one time. A structure in this class is
19 subject to annual inspection for classification by the Leon County Building Department.
20 This class is not subject to the Florida Fire Prevention Code but is subject to rules adopted
21 by the State Fire Marshal pursuant to this section.
 - 22 c. Class 3: A structure or facility that is used primarily for housing, sheltering, or otherwise
23 accommodating members of the general public is not exempt under F.S. § 570.85. Class 3
24 structures and facilities shall comply with at least the county zoning, building regulations,
25 concurrency and environmental management ordinances, and such other applicable land
26 development regulations, ordinances, and policies, for the area in which the proposed
27 development shall be located. Annual inspections for classification shall be approved by
28 the Building Department. This class is subject to the Florida Fire Prevention Code.
 - 29 (i) The Leon County fire official shall administer this section, including, but not limited
30 to:
 - 31 1. The use of alternative life, safety and fire prevention standards for structures in
32 Classes 1 and 2;
 - 33 2. Notification and inspection requirements for structures in Classes 1 and 2;
 - 34 3. Apply the Florida Fire Prevention Code for structures in Class 3; and
 - 35 4. In cooperation with Leon County building plan review and inspection division, the
36 fire official shall use any other standards or rules deemed necessary in order to
37 facilitate the use of structures for agritourism activities.
- 38
39 (b) Property owners with existing farm building(s) that will be used to serve and support agritourism,
40 activities as defined in Section 570.86 (1), Florida Statutes, are encouraged to provide, in writing,
41 the intent and scope of the agritourism activities conducted in any non-residential farm buildings
42 on the property. An agritourism activity does not include the construction of new or additional
43 structures or facilities intended primarily to house, shelter, transport, or otherwise accommodate
44 members of the general public. Prior to establishing agritourism activities, the property owner is

1 strongly encouraged to meet with the Department of Development Support and Environmental
2 Management (DSEM) to discuss the agritourism activity.

3 (c) Should the ancillary use of any farm building fall outside of the scope of the agritourism laws
4 provided under F.S. § 570.85 – 570.89, or that which is determined that have substantial offsite
5 impacts, the proposed use shall be regulated by Chapter 10 of the Leon County Code of Laws
6 (Land Development Code), including the list of allowable uses and development standards for
7 the zoning district in which the property is located.

- 8 i. A building permit application that includes construction plans and other supporting
9 documentation would be required to be provided to the Leon County Building Department
10 for review and approval. These plans and supporting documents shall provide a clear and
11 concise description of uses and activities conducted within the farm building(s).
- 12 ii. At a minimum, the construction plans shall contain electrical plans for the project. Depending
13 on the activity, use(s), occupancy type(s), and occupant capacity, additional plans and
14 supporting documentation may be required to be reviewed and approved, as determined by
15 the Building Official.

16
17 **Division III. Fire Code.**

18
19 **Sec. 5-2.06. - Short title.**

20
21 The provisions of this division shall constitute and be known as the "Florida Building Code - Fire
22 Prevention Code of Leon County, Florida."
23

24 **Sec. 5-2.07. - Adoption.**

25
26 Except as otherwise provided in this division, all buildings and structures shall be erected to
27 conform to the requirements of the Florida Building Code, as adopted by the Florida Building
28 Commission and the Fire Prevention Code as amended and adopted by the State Fire Marshal as
29 pursuant to F.S. § 633.202.
30

31 **Sec. 5-2.08. - Local fire official.**

- 32
33 (a) The chief of the Tallahassee Fire Department is hereby designated the local fire official for the
34 county.
- 35 i. The local fire official or designee shall review all applications that relate to the Florida
36 Building Code – Fire Prevention Code for permits and commercial construction plans
37 submitted to the county pursuant to this division and shall inspect each structure for
38 conformity with the approved application and plans.
- 39 ii. The fee for such review shall be established by the resolution of the Board of County
40 Commissioners. The first inspection shall be at no cost, and the cost for each reinspection
41 shall be as established, from time to time, by the Board of County Commissioners.
- 42 iii. No permits required by this division nor any certificates of occupancy or temporary
43 certificates of occupancy shall be issued without approval or certification by the building
44 official.

- 1 iv. Payment of all required fees shall be completed before the certificate of occupancy or
2 certificate of compliance is issued.
- 3 v. Single- and two-family detached residential dwelling units and townhomes shall not be
4 subject to plans, review, or require submittals to the City of Tallahassee Fire Department.
- 5 (b) All single- and two family detached residential dwelling units and townhomes shall be provided
6 a permit application to Leon County Building Plans Review and Inspection Division containing
7 construction plans for permit submittal, plans review and inspections for any fire sprinkler and/or
8 suppression system when these devices have been elected to be installed. The design and
9 installation of the fire sprinkler and/or suppression system will be pursuant to Florida Building
10 Code – Residential Section P2904 in accordance with NFPA 13D and Section P2904.
- 11 i. When a domestic cooking hood with a fire suppression system is installed, the domestic
12 cooking hood shall be constructed in accordance with Section 505 of the Florida Building
13 Code, Mechanical is provided over the cooktop or range.
- 14 ii. The domestic cooking hood provided over the cooktop or range when equipped with an
15 automatic fire-extinguishing system shall be a type recognized for protection of domestic
16 cooking equipment. Pre-engineered automatic extinguishing systems shall be tested in
17 accordance with UL 300A and *listed* and *labeled* for the intended application. The system
18 shall be installed in accordance with the Florida Building Code, its listing and the
19 manufacturer’s instructions.
- 20 a. A manual actuation device for the hood suppression system shall be installed in
21 accordance with the Florida Building Code – Building per Sections 904.12.1 and
22 904.12.2.
- 23 b. An interlock device shall be provided such that upon activation of the hood suppression
24 system, the power or fuel supply to the cooktop or range will be turned off.
- 25 c. A portable fire extinguisher shall be installed with the appropriate fire extinguishing
26 designation.
- 27 iii. Where domestic range hoods and domestic appliances equipped with a fire suppression
28 system are provided, such hoods and appliances shall discharge to the outdoors through sheet
29 metal ducts constructed of galvanized steel, stainless steel, aluminum or copper. Such ducts
30 shall have smooth inner walls, shall be airtight, shall be equipped with a backdraft damper,
31 and shall be independent of all other exhaust systems. The ductwork shall be constructed
32 having a minimum thickness of 0.0187 inch (0.4712 mm) (No. 26 gage) and in accordance
33 with SMACNA *Duct Construction Standards* or designed by a Florida registered professional
34 mechanical engineer.
- 35 a. Flex duct is not allowed for a domestic kitchen hood, if a fire suppression system was
36 installed.

37
38 **Sec. 5-2.09. - Conflicts with building codes.**

39
40 Section 5-1.10 governs conflicts between this article and the applicable minimum building code.

41 **Division IV. Tiny Homes.**

42
43
44 **Sec. 5-2.10. - Tiny houses.**

1 (a) *Scope.* This section applies to tiny houses used as single-family-dwelling units located within the
2 jurisdictional limits of the county lying outside the municipal limits of the city. Tiny houses must
3 comply with the Florida Building Code except as otherwise stated in this section. All references
4 mention in Sec. 5-10 are related to the Florida Building Code – Residential.

5 (b) *Definitions.* The following words and terms, for the purposes of this section, have the meanings
6 shown herein. Refer to the Florida Building Code for general definitions:

7 *Egress roof access window* means a skylight or roof window designed and installed to satisfy the
8 emergency and rescue opening requirements of section R310.2.

9 *Landing platform* means a landing provided at the top step of a stairway accessing a loft.

10 *Loft* mean a floor level located more than 40 inches (1016 mm) above the main floor, open to the
11 main floor on one or more sides with generally a ceiling height of less than 6 feet 8 inches (2032
12 mm) and used as a living or sleeping space.

13 *Tiny house* means a dwelling that is 400 square feet (37 square meters) or less in gross floor area,
14 excluding lofts.

15 (c) *Minimum ceiling height.* Habitable space and hallways in tiny houses must have a ceiling height
16 of not less than 6 feet 8 inches (2032 mm). Bathrooms, toilet rooms, lofts, and kitchens must have
17 a ceiling height of not less than 6 feet 4 inches (1915 mm). Obstructions including, but not limited
18 to beams, girders, ducts, and lighting, must not extend below these minimum ceiling heights.

19 (d) *Lofts.*

20 (1) *Minimum loft area and dimensions.* Lofts used as a sleeping or living space must meet the
21 following minimum area and dimension requirements:

22 a. *Minimum area.* Lofts must have a floor area of not less than 35 square feet (3.25 square
23 meters) or a minimum dimension of 5 feet (1524 mm) by 7 feet (2134 mm).

24 b. *Minimum dimensions.* Lofts must be not less than 5 feet (1524 mm) in any horizontal
25 dimension.

26 c. *Minimum Height in loft area.* Portions of a loft with a sloped ceiling measuring less than
27 three feet (914 mm) from the finished floor to the finished ceiling may not be considered
28 as contributing to the minimum required area for the loft.
29

30 **Exception.** Under gable roofs with a minimum slope of six units vertical in 12 units horizontal
31 (50 percent slope), portions of a loft with a sloped ceiling measuring less than 30
32 inches (7623 mm) from the finished floor to the finished ceiling may not be
33 considered as contributing to the minimum required area for the loft.
34

35 (2) *Loft access.* The access to and primary egress from lofts may be any of the following types:

36 a. *Stairways.* Stairways accessing lofts must comply with the Florida Building Code or
37 with the following:

38 (i) *Width.* Stairways accessing a loft may not be less than 17 inches (432 mm) in clear
39 width at or above the handrail. The width below the handrail may not be less than
40 20 inches (508 mm).

41 (ii) *Headroom.* The headroom in stairways accessing a loft may not be less than 6 feet
42 6 inches (1880 mm), as measured vertically, from a sloped line connecting the tread
43 or landing platform nosings in the middle of their width.

44 (iii) *Treads and risers.* Risers for stairs accessing a loft may not be less than 7 inches (178
45 mm) and not more than 12 inches (305 mm) in height.

46 (1) The tread depth shall be 20 inches (508 mm) minus four-thirds of the riser height.

- 1 (2) The riser height shall be 15 inches (381 mm) minus three-fourths of the tread depth.
- 2 (iv) *Landing platforms.* The top tread and riser of stairways accessing lofts must be
- 3 constructed as a landing platform where the loft ceiling height is less than 6 feet 2
- 4 inches (1880 mm) where the stairway meets the loft. The landing platform must be
- 5 24 inches to 36 inches (610 to 914 mm) in depth measured from the nosing of the
- 6 landing platform to the edge of the loft, and 24 to 26 inches (610 to 660 mm) in
- 7 height measured from the landing platform to the loft floor.
- 8 (v) *Handrails.* Handrails must comply with section R311.7.11.2.
- 9 (vi) *Stairway guards.* Guards at open sides of stairways must comply with section
- 10 R312.1.
- 11 b. *Ladders.* Ladders accessing lofts must comply with the above regulations for stairways
- 12 and with the following:
- 13 (i) *Size and capacity.* Ladders accessing lofts must have a rung width of not less than
- 14 12 inches (305 mm), and ten-inch (254 mm) to 12-inch (305 mm) spacing between
- 15 rungs. Ladders must be capable of supporting a 250-pound (94 kg) load on any rung.
- 16 Rung spacing must be uniform within three-eighths inch (9.5 mm).
- 17 (ii) *Incline.* Ladders shall result in an angle of ascent from the horizontal of between 50
- 18 to 70 degrees (0.87 and 1.22 rad). The initial tread of the device shall begin at the
- 19 same elevation as the platform, landing or floor surface.
- 20 c. *Alternating tread devices.* Alternating tread devices accessing lofts must comply with
- 21 sections R311.7.11.1 and R311.7.11.2. The clear width at and below the handrails must
- 22 be not less than 20 inches (508 mm).
- 23 d. *Ships ladders.* Ships ladders accessing lofts must comply with sections R311.7.12,
- 24 R311.7.12.1 and R311.7.12.2. The clear width at and below handrails must be not less
- 25 than 20 inches (508 mm).
- 26 (i) Ship ladders shall result in an angle of ascent from the horizontal of between 50 to
- 27 70 degrees (0.87 and 1.22 rad)
- 28 (ii) Ship ladders must be capable of supporting a 250-pound (94 kg) load on any rung.
- 29 e. *Loft guards.* Loft guards must be located along the open side of lofts. Loft guards must
- 30 be not less than 36 inches (914 mm) in height or one-half of the clear height to the ceiling,
- 31 whichever is less.
- 32 (i) Ladder guards at open sides of ladder opening must comply with section R312.1.
- 33 f. *Guard rails.* *Guard rails* shall not have openings from the walking surface to the
- 34 required *guard* height that allow passage of a sphere 4 inches (102 mm) in diameter.
- 35 (e) *Emergency escape and rescue openings.* Tiny houses must meet the requirements of Florida
- 36 Building Code – Residential Chapter 3 Section R310 for emergency escape and rescue openings.
- 37
- 38 **Exception:** Egress roof access windows in lofts used as sleeping rooms are deemed to meet the
- 39 requirements of section R310 where installed such that the bottom of the opening is
- 40 not more than 44 inches (1118 mm) above the loft floor, provided the egress roof
- 41 access window complies with the minimum opening area requirements of section
- 42 R310.2.1.
- 43 (f) Add to the Florida Building Code, Residential for Tiny House Sec. R314.3.2 as follows:
- 44
- 45

1 **R314.3.2 Location in Tiny Houses.**

2 Smoke alarms shall be installed in the following locations:

- 3 1. In the Medium & Large units:
4 (a) The additional detector located outside of the bedroom would not be
5 required in the kitchen / living area.
6 2. In the Small units:
7 (a) The detector may be located within 3 feet of the bathroom door.
8 3. All units with separate bedrooms & habitable lofts would have smoke detectors
9 as required by Section 314.

10
11 **Division V. Mobile and Manufactured Homes.**

12
13 **Sec. 5-2.11. - Title and scope.**

14
15 This division shall be known as the "Manufactured Housing Regulation " and shall apply to all
16 manufactured homes, as defined in F.S. ch. 553.73, used for single-family dwellings which are located
17 or placed in use on any site within the unincorporated limits of the county.

18 The mitigation of property damage constitutes a valid and recognized objective of the Florida
19 Building Code and requirements found in the Department of Highway Safety and Motor Vehicles
20 *Manufactured Housing Section – Installer Licensing Program* manual (FHSMV Manual). Flooding
21 represents a continuing threat to the health, safety, and welfare of the residents of Leon County due to
22 the direct destructive effects of flooding as well as the possible effects on flood insurance rates. The
23 implementation of the Florida Building Code and requirements found in the FHSMV Manual have
24 been effective in reducing property damage. When these regulations were not implemented, single-
25 family homes were vulnerable to the hazards.

26 This section incorporates recognized techniques and regulations from the Federal, State, and Leon
27 County for site-built and manufactured single-family residential structures using the Floodplain
28 regulations in Chapter 10 of the Land Development Code, Florida Building Code, and the FHSMV
29 Manual to regulate the location, siting, and elevation of these structures.

30 The provisions of this division shall be administered by the Leon County Building Department.
31

32 **Sec. 5-2.12. - Application.**

33
34 The standards and requirements of this division shall apply to all mobile and manufactured home
35 single-family dwellings whether on occupant-owned lots or on rental lots, including spaces in rental
36 parks.

37 The installation of a mobile home meeting the definition in sec. 5-2.13 that is not located in Leon
38 County cannot be relocated into Leon County. A mobile home that is currently located in Leon County
39 which is proposed to be relocated must be verified of its location before a permit can be issued.
40

41 **Sec. 5-2.13. - Definitions.**

- 42
43 (a) **“Manufactured home”** means a mobile home fabricated on or after June 15, 1976, in an offsite
44 manufacturing facility for installation or assembly at the building site, with each section bearing
45 a seal certifying that it is built in compliance with the federal Manufactured Home Construction

1 and Safety Standard Act promulgated by the U.S. Department of Housing and Urban
2 Development (24 CFR §3280), or as such standards may be amended; and which are transportable
3 in one or more sections, which is eight (8) feet or more in width and greater than four hundred
4 (400) square feet, and which is built on a permanent, integral chassis and is designed for use with
5 or without a permanent foundation when attached to the required utilities. The term
6 "manufactured home" does not include a "mobile home" or "park model."

7 (b) **"Mobile home"** means a structure, transportable in one or more sections, which is 8 body feet or
8 more in width and which is built on an integral chassis and designed to be used as a dwelling
9 when connected to the required utilities and includes the plumbing, heating, air-conditioning, and
10 electrical systems contained therein. For tax purposes, the length of a mobile home is the distance
11 from the exterior of the wall nearest to the drawbar and coupling mechanism to the exterior of the
12 wall at the opposite end of the home where such walls enclose living or other interior space. Such
13 distance includes expandable rooms, but excludes bay windows, porches, drawbars, couplings,
14 hitches, wall and roof extensions, or other attachments that do not enclose interior space. In the
15 event that the mobile home owner has no proof of the length of the drawbar, coupling, or hitch,
16 then the tax collector may in his or her discretion either inspect the home to determine the actual
17 length or may assume 4 feet to be the length of the drawbar, coupling, or hitch.

18 (i). Mobile Home means the structure was fabricated before June 15, 1976 and not built in
19 compliance with federal Manufactured Home Construction and Safety Standards Act.

20 (c) **"Park Trailer"** shall mean a transportable unit which has a body width not exceeding fourteen
21 (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary
22 living quarters when connected to utilities necessary for operation of installed fixtures and
23 appliances. The Park Model unit is defined to be mean the same as a Park Trailer.

24 (d) **"Setup"** or **"Installation"** means the operations performed at the occupancy site which render a
25 mobile home or park trailer fit for habitation. Such operations include, but are not limited to,
26 transporting; positioning; blocking; leveling, supporting, installing foundation products,
27 components, and systems; connecting utility systems; making minor adjustments; or assembling
28 multiple or expandable units.

29 (e) **Flood-Prone Area Zone** shall, for the purposes of this article, mean any component of a natural
30 or restored stormwater conveyance system that is outside the main channel and any land area
31 susceptible to being inundated by water from any source. Flood prone areas may include, but are
32 not limited to, the floodplain, the floodway, the flood fringe, wetlands, riparian buffers, areas of
33 shallow nuisance flooding, other areas adjacent to the main channel and the areas adjacent to
34 floodplain susceptible to exceed the absorptive capacity of soil and flow away from the property.
35 This could also be associated with sheet flow flooding conditions from higher elevation to a lower
36 elevation. This term describes Federal, State, and local regulations, in any combination thereof,
37 which provide standards for preventing and reducing flood loss and damage.

38
39 **Sec. 5-2.14. - Compliance with standards required.**
40

41 Any person locating or placing in use a mobile or manufactured home on any site within the
42 unincorporated limits of the county shall comply with the standards herewith established and all other
43 applicable statutes, ordinances and rules of the state, the county or the United States.
44

- 1 (a) Any new single-family or duplex manufactured home which is manufactured in this state, or
2 manufactured outside this state but sold or offered for sale in this state, must be constructed to
3 meet the Manufactured Home Construction and Safety Standards, promulgated by the
4 Department of Housing and Urban Development, pursuant to the Manufactured Housing
5 Improvement Act. Such standards must include, but need not be limited to, standards for body
6 and frame construction and the installation of plumbing, HVAC, and electrical systems.
- 7 (b) Only mobile homes as defined in sec. 5-2.13(b)(i) originating within Leon County can be
8 relocated within Leon County and must receive an inspection per International Property
9 Maintenance Code Section 108 requirements before a permit can be requested. Any mobile home
10 meeting the definition in sec. 5-2.13(b)(i) shall not be relocated from another county in Florida
11 or another State.

12
13 **Sec. 5-2.15. - Permits.**
14

- 15 (a) Any mobile or manufactured home shall obtain a building permit prior to moving the structure
16 for the installation of said structure. Fees for such permits shall be as established by resolution of
17 the Board of County Commissioners, which may be amended from time to time.
- 18 (b) Any person locating or placing in use a mobile or manufactured home on any site within the
19 unincorporated limits of the county shall obtain a building permit from the Building Department.
 - 20 1. The Florida State approved, and certified manufactured home installer must provide the
21 “Manufacture’s Modular Data Plate information at the time of application, which contains
22 the following design information:
 - 23 (i) Name and address of Manufacturer;
 - 24 (ii) Name of Third-Party Agency;
 - 25 (iii) Manufacturer Certification Number;
 - 26 (iv) Date of Manufacturer;
 - 27 (v) Date of Alteration;
 - 28 (vi) Number of Modules;
 - 29 (vii) Construction Type as defined in Chapter 6 of the Code;
 - 30 (viii) Classification in accordance with Chapter 3 of the Code;
 - 31 (ix) Design Occupant Load;
 - 32 (x) Serial Number;
 - 33 (xi) Agency Plan Number;
 - 34 (xii) Standard Plan Approval Number;
 - 35 (xiii) Maximum Floor Load (pounds per square foot), Live Load and Dead Load;
 - 36 (xiv) Roof Load; Live Load and Dead Load;
 - 37 (xv) Wind Velocity Rating;
 - 38 (xvi) “U” rating of Floor, Wall, and Roof;
 - 39 (xvii) Limitations of the plan approval by the Agency;
 - 40 (xviii) If an automatic sprinkler system is provided, whether the sprinkler system is required;
41 and
 - 42 (xix) Any special stipulations and conditions of the building permit.

- 1 (c) When a mobile or manufactured home is to be set up, installed or erected by a contractor licensed
2 pursuant to F.S. § 320.8249 hereunder rather than the owner/resident, the name of the installation
3 contractor shall be listed on the building permit along with the owner's name.
- 4 (d) The installation of a manufactured home or mobile home must ensure the installation is on a
5 permanent foundation that resists wind, flood, flotation, overturning, sliding, and lateral
6 movement of the structure.
- 7 1. The original engineered permanent foundation, piers, anchors, tie-downs and other
8 components per F.A.C. 15C-1 that would be used to resist hydrodynamic and hydrostatic
9 forces when the home is installed in a flood prone zone or in areas below the Flood Protection
10 Elevation shall be evaluated by a Florida licensed engineer to verify the original design will
11 not fail during a flooding event.
- 12 2. Should the original engineered permanent foundation and other components not comply with
13 the flood event forces then the engineer shall provide additional engineering to address these
14 forces per Manufactured Home Installation in Flood Hazard Areas, FEMA P-85/September
15 1985 and most current version, and the Leon County Land Development Code. The engineered
16 plan must be submitted to the building plan review and inspection along with the other
17 documents for review and approval.

18
19 **Sec. 5-2.16. - Permit revocation.**
20

21 Any permit issued under this division may be revoked by the building official at any stage of
22 completion upon a finding of any of the following circumstances:
23

- 24 (a) A misrepresentation or omission of facts required for the permit.
25 (b) The work being performed by persons not authorized by this division or not properly supervised
26 by authorized persons.
27 (c) The permit was or is issued in error where no authority for such issuance should have been
28 completed.
29 (d) The work being performed is in violation of the provisions of this division.
30 (e) A mobile home, as defined by Department of Transportation, moved from another county or State
31 pursuant to sec. 5-2.13.
32

33 **Sec. 5-2.17. - Approval for occupancy required.**
34

35 Any person locating or placing in use a mobile or manufactured home on any site within the
36 unincorporated limits of the county shall obtain approval for occupancy along with the issuance of a
37 certificate of occupancy from the Building Department after compliance has been completed pursuant
38 to Sec. 5-2.12, 5-2.14, and 5-2.15.
39

40 **Sec. 5-2.18. - Allowing occupancy or placement of nonconforming structures.**
41

42 No property owner shall permit any other person to locate or place in use as a dwelling a mobile
43 or manufactured home on the owner's property in the unincorporated limits of the county unless and
44 until the mobile or manufactured home is so located or placed in use in accordance with the provisions
45 of this division and all other applicable standards.
46

1 **Division VI. Swimming Pool and Spa Code.**

2
3 **Sec. 5-2.19. - Standards.**

4
5 The design and construction of swimming pools, spas and their appurtenant equipment and
6 materials shall be done in strict accordance with the Florida Building Code as adopted by the state
7 building commission and Article III of Chapter 5 herein.

8
9 (a) Swimming pools shall be permitted only in a side- and rear-yards. Swimming pools that are
10 accessory to an existing permitted principal residential structure shall not be limited in size of the
11 floor area of the principal structure as noted in the definition of accessory use or structure pursuant
12 to section 10-1.101, or in the minimum development standards for the applicable zoning district.

13 (b) Enclosures for swimming pools.

14 1. Enclosures for swimming pools which have an impervious roof structure attached to the
15 principal building, shall comply with standards for yard requirements and other accessory
16 building location requirements of the Land Development Code.

17 2. Pool enclosures having pervious roofing, regardless of attachment to the principal building,
18 shall not be required to comply with any setback or yard requirement. Minimum setback
19 distances for swimming pools shall be measured from the edge of the water in the pool.

20 (c) Swimming and Spa Barriers.

21 1. In addition to F.S. § 515.27, Florida Statutes, – Residential Swimming Pool Safety Act, the
22 following is required:

23 i. Any and all pools in Leon County shall be completely enclosed within a solid barrier
24 approved wall, fence, or other substantial structure not less than 48 inches above grade
25 in height measured on the side of the barrier which faces away from the pool.

26 1. The barrier shall incorporate the use of self-closing and self-latching doors and/or
27 gate(s) with a release mechanism located on the door and/or gate no less than 54
28 inches from the bottom of the door and/or gate. When gates provide access to a
29 swimming pool and/or spa, gates shall open outward away from the pool.

30 ii. The enclosure shall surround the pool and shall be of sufficient material to prohibit
31 unrestrained admittance to the enclosed area.

32 iii. If the home is part of the barrier the Florida Building Code requirements will apply in
33 addition to the requirement indicated in subsection (c)(1)(i).

34
35 **Division VII. Accessory structure flood protection.**

36
37 **Sec. 5-2.20. - Standards.**

38
39 Accessory structures that are wholly within, in close proximity to, or partially within any flood
40 hazard area and that are one-story, unfinished, and used only for parking or storage are permitted below
41 the flood protection elevation as follows:

42 (1) Accessory structures that are greater than 600 square feet in area are permitted below the
43 flood protection elevation provided the floor of the structure is at or above the base flood
44 elevation or the surface water elevation associated with a flood hazard area, whichever is
45 higher, and comply with the wet floodproofing construction requirements in paragraph (3).

- 1 (2) Accessory structures that are less than or equal to 600 square feet in area are permitted at
2 grade, provided the accessory structures comply with the wet floodproofing construction
3 requirements in paragraph (3).
- 4 (3) Wet floodproofing construction requirements:
5 a. Have flood openings in accordance with Section R322.2 of the *Florida Building Code,*
6 *Residential.*
7 b. Are anchored to resist flotation, collapse or lateral movement resulting from flood loads.
8 c. Have flood damage-resistant materials used below the flood protection elevation.
9 d. Have mechanical, plumbing and electrical systems, including plumbing fixtures,
10 elevated to at or above the flood protection elevation.
11

12 **ARTICLE III. Contractors' Licensing.**

13
14 **Division I. In General.**

15
16 **Sec. 5-3.01. - Definitions.**
17

18 For the purpose of this division, the term "contractor" shall be defined as set forth in F.S. §
19 489.105(3), and includes only the following:

- 20 (a) General
21 (b) Building
22 (c) Residential
23 (d) Sheet metal
24 (e) Roofing
25 (f) Class A air-conditioning
26 (g) Class B air-conditioning
27 (h) Class C air-conditioning
28 (i) Mechanical
29 (j) Commercial pool/spa
30 (k) Residential pool/spa
31 (l) Swimming pool/spa servicing
32 (m) Plumbing
33 (n) Underground utility and excavation
34 (o) Solar
35 (p) Pollutant storage system
36 (q) Specialty
37

38 **Division II. Leon County Contractors' Licensing Board**

39
40 **Sec. 5-3.02. - Established.**
41

42 There is hereby established a county contractors licensing board.
43
44

1 **Sec. 5-3.03. - Composition and appointment.**
2

3 The contractors licensing board shall consist of seven members to be appointed by the Board of
4 County Commissioners. Such board shall include whenever possible:

- 5
6 (a) one (1) engineer,
7 (b) one (1) architect,
8 (c) one (1) businessperson,
9 (d) one (1) general contractor or another contractor who is registered or certified under F.S. §
10 489.105(3)(a)(b)(c),
11 (e) one (1) pool contractor or another contractor who is registered or certified under F.S. §
12 489.105(3)(d)(o),
13 (f) two (2) consumer representatives who may be any resident of the county that is not, and has
14 never been, a member or practitioner of a profession regulated by the contractors licensing
15 board or a member of any closely related profession, and;
16

17 All members of the board, except for the consumer representatives, shall be licensed in the state
18 and actively engaged in the profession they represent on such board. All members shall be voters
19 registered in the county.
20

21 **Sec. 5-3.04. - Terms of members.**
22

23 The members of the contractors' licensing board shall be appointed for terms of three years.
24

25 **Sec. 5-3.05. - Removal of members.**
26

27 The Board of County Commissioners may, for good cause, remove any member of the contractors
28 licensing board from office.
29

30 **Sec. 5-3.06. - Quorum; majority voting; exception.**
31

32 Four members of the contractors licensing board shall constitute a quorum. A majority vote of
33 those members present shall be required to take any official action except that a vote to suspend or
34 revoke a certificate required by the article shall require a vote of four-fifths of the quorum present.
35

36 **Sec. 5-3.07 - Recommendations.**
37

38 The contractor's licensing board shall make recommendations regarding contractors to the Board
39 of County Commissioners that are not in conflict with F.S. ch. 489.
40

41 **Sec. 5-3.08. - Procedure and meetings.**
42

43 The contractors licensing board shall establish rules and regulations in writing for its own
44 procedures that are not conflicting with the provisions of this division or other Leon County Code of
45 Laws and Florida law. The board shall meet on a regular monthly basis, as needed, and the meetings

1 shall be open to the public. The contractors licensing board shall publish meeting notice 30 days before
2 each meeting.

3
4 **Sec. 5-3.09. - Duties.**
5

6 (a) The definitions contained in F.S. § 489.105 and listed in Section 5-3.01 herein shall be used in this
7 section, except that the term "contractor" will not include those contractors licensed by the City of
8 Tallahassee.

9 (b) The contractors licensing board shall have the following general duties:

- 10 (1) To accept and approve or disapprove applications;
11 (2) To issue authorized specialty contractor certificates.

12 (c) The contractors licensing board shall have the authority to:

- 13 (1) Issue a cease and desist order to prohibit a contractor from engaging in the business of
14 contracting pursuant to ss. Chapter 489.113(2)(b);
15 (2) Revoke, suspend, or deny the certified contractor ability to obtain a building permit or limit
16 such authority with specific conditions pursuant to ss. Chapter 489.113(4)(b) and ss. Chapter
17 889.113(4)(c) based on a public hearing;
18 (3) Require financial restitution to a consumer;
19 (4) Impose an administrative fine not to exceed \$1,500.00 per violation;
20 (5) Require additional hours of continuing education over and above the state requirements for
21 license renewal; and/or
22 (6) Assess costs associated with investigation and prosecution, locally licensed or registered
23 contractors.

24 (d) The contractors licensing board has the authority to issue penalties as set forth in 5-3.09(c), above
25 if the contractor has been found guilty by the contractor's licensing board, the state construction
26 industry licensing board, or a court of competent jurisdiction, of any of the following actions:

- 27 (1) Violating this division;
28 (2) Violating the applicable Florida Building Code or zoning codes;
29 (3) Obtaining a certificate or registration by fraud or misrepresentation;
30 (4) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of
31 adjudication, a crime in any jurisdiction which directly relates to the practice of contracting
32 or the ability to practice contracting;
33 (5) Violating any provision of F.S. ch. 455;
34 (6) Knowingly violating the applicable building codes or laws of the state or of any
35 municipalities or counties thereof;
36 (7) Performing any act which assists a person or entity in engaging in the prohibited uncertified
37 or unregistered practice of contracting, if the certificate holder or registrant knows or has
38 reasonable grounds to know that the person or entity was uncertified and unregistered;
39 (8) Knowingly combining or conspiring with an uncertified or unregistered person by allowing
40 his certificate or registration to be used by the uncertified or unregistered person with intent
41 to evade the provisions of this part. When a certificate holder or registrant allows his
42 certificate or registration to be used by one or more business organizations without having
43 any active participation in the operation, management, or control of such business
44 organization, such act constitutes prima facie evidence of an intent to evade the provisions of
45 this part;

- 1 (9) Acting in the capacity of a contractor under any certificate or registration issued hereunder
2 except in the name of the certificate holder or registrant as set forth on the issued certificate
3 or registration, or in accordance with the personnel of the certificate holder or registrant as
4 set forth in the application for the certificate or registration, or as later changed as provided
5 in F.S. ch. 489;
- 6 (10) Committing mismanagement or misconduct in the practice of contracting that causes
7 financial harm to a customer. Financial mismanagement or misconduct occurs when:
8 a. Valid liens have been recorded against the property of a contractor's customer for
9 supplies or services ordered by the contractor for the customer's job; the contractor has
10 received funds from the customer to pay for the supplies or services; and the contractor
11 has not had the liens removed from the property, by payment or by bond, within 75 days
12 after the date of such liens;
13 b. The contractor has abandoned a customer's job and the percentage of completion is less
14 than the percentage of the total contract price paid to the contractor as of the time of
15 abandonment, unless the contractor is entitled to retain such funds under the terms of the
16 contract or refunds the excess funds within 30 days after the date the job is abandoned;
17 or
18 c. The contractor's job has been completed, and it is shown that the customer has had to
19 pay more for the contracted job than the original contract price, as adjusted for
20 subsequent change orders, unless such increase in cost was the result of circumstances
21 beyond the control of the contractor, was the result of circumstances caused by the
22 customer, or was otherwise permitted by the terms of the contract between the contractor
23 and the customer;
- 24 (11) Being disciplined by any municipality or county for an act or violation of F.S. ch. 489;
- 25 (12) Failing in any material respect to comply with the provisions of F.S. ch. 489 or violating a
26 rule or lawful order of the state construction industry licensing board;
- 27 (13) Abandoning a construction project in which the contractor is engaged or under contract as a
28 contractor. A project may be presumed abandoned after 90 days if the contractor terminates
29 the project without just cause or without proper notification to the owner, including the reason
30 for termination, or fails to perform work without just cause for 90 consecutive days;
- 31 (14) Signing a statement with respect to a project or contract falsely indicating that the work is
32 bonded; falsely indicating that payment has been made for all subcontracted work, labor, and
33 materials which results in a financial loss to the owner, purchaser, or contractor; or falsely
34 indicating that workers' compensation and public liability insurance are provided;
- 35 (15) Committing fraud or deceit in the practice of contracting;
- 36 (16) Committing incompetency or misconduct in the practice of contracting;
- 37 (17) Committing gross negligence, repeated negligence, or negligence resulting in a significant
38 danger to life or property;
- 39 (18) Proceeding on any job without obtaining applicable local building department permits and
40 inspections;
- 41 (19) Intimidating, threatening, coercing, or otherwise discouraging the service of a notice to owner
42 under part I of F.S. ch. 713 or a notice to contractor under F.S. ch. 255 or part I of F.S. ch.
43 713;
- 44 (20) Failing to satisfy within a reasonable time, the terms of a civil judgment obtained against the
45 licensee, or the business organization qualified by the licensee, relating to the practice of the
46 licensee's profession;

- 1 (21) In the case of a contractor who receives money totaling more than ten (10) percent of the
2 contract price for repair, restoration, improvement, or construction to residential real
3 property, failing to:
- 4 a. Apply for permits necessary to do work within 30 days after the date payment is made;
 - 5 and
 - 6 b. Start the work within 90 days after the date all necessary permits for work are issued,
7 unless the person who made the payment agreed, in writing, to a longer period;
- 8 (22) In the case of a contractor who receives money for repair, restoration, addition, improvement
9 or construction of residential property in excess of the value of the work performed, with
10 intent to defraud the owner, failing to or refusing to perform any work for any 90-day period.
11 Proof that a contractor received the money for the repair, restoration, addition, improvement,
12 or construction of residential real property and that:
- 13 a. The amount received exceeds the value of the work performed by the contractor and that
14 the contractor failed to perform any of the work for which he contracted during any 60-
15 day period;
 - 16 b. The failure to perform any such work during the 60-day period was not related to the
17 owner's termination of the contract or a material breach of the contract by the owner; and
 - 18 c. The contractor failed, for an additional 30-day period after the date of mailing of
19 notification as specified in F.S. § 489.126(3)(c), to perform any work for which he
20 contracted, gives rise to an inference that the money in excess of the value of the work
21 performed was taken with the intent to defraud;
- 22 (23) Entering into an agreement, oral or written, whereby that contractor's certification or
23 registration number is used, or to be used, by a person who is not certified or registered as
24 provided for by law, or used or to be used, by a business organization that is not duly qualified
25 as provided by law to engage in the business, or act in the capacity, of a contractor;
- 26 (24) Knowingly allowing that contractor's certification or registration number to be used by a
27 person who is not certified or registered as provided by law, or used by a business
28 organization that is not qualified as provided by law to engage in the business, or act in the
29 capacity, of a contractor; or;
- 30 (25) Applying for or obtaining a building permit for construction work unless that contractor or
31 business organization duly qualified by that contractor, has entered into a contract to make
32 improvement to, or perform the contracting at, the real property specified in the application
33 or permit. This subsection does not prohibit a contractor from applying for or obtaining a
34 building permit to allow the contractor to perform work for another person without
35 compensation or to perform work on property that is owned by the contractor.

36
37 Nothing in this subsection shall be construed to authorize the exercise of disciplinary authority
38 against an individual holding a proper valid certificate issued pursuant F.S. ch. 489.

39 (e) The contractors licensing board may deny the issuance of a building permit to a certified
40 contractor, or issue a permit with specific conditions, if the board has found such contractor,
41 through the public hearing process, to be guilty of fraud or a willful building code violation within
42 the county or if the board has proof that such contractor, through the public hearing process, has
43 been found guilty in another county or municipality within the last 12 months, of fraud or a willful
44 building code violation and finds, after providing notice of an opportunity to be heard to the
45 contractor, that such fraud or violation would have been fraud or a violation if committed in the
46 county.

1 (f) Decisions of the contractors licensing board shall be supported by written findings of fact. The
2 contractors licensing board shall also provide its findings to the Florida State Construction Industry
3 Licensing Board for further action based on the severity of the action by the licensed or unlicensed
4 contractor.

5
6 **Sec. 5-3.10 Administrative duties of the board.**
7

8 The County Administrator or designee shall provide clerical and administrative personnel as may
9 be required to provide administrative support to the board to assist in the performance of its duties.

10
11 **Division III. – Certification.**

12 **Sec. 5-3.11. - Construction.**
13

14 Nothing in this subdivision shall be construed to require general, building, residential building or
15 pool contractors to obtain additional occupational licenses for specialty work, except electrical,
16 plumbing, mechanical, and roofing work, when such specialty work is performed by employees of
17 such contractors on projects which the contractor supervises and for which they have substantially full
18 responsibility and provided that such contractors do not hold themselves out to the public as being
19 specialty contractors pursuant to F.S. § 489.107 and 489.117.

20
21 **Sec. 5-3.12. - Certificate required.**
22

23 All persons desiring to engage in business as a contractor for the construction of buildings or
24 structures under the terms of the Florida Building Code and zoning codes, shall, before engaging in
25 such business, provide their Florida Department of Business and Professional Regulation contractor's
26 license and number;; such certificate shall identify and indicate the contractor's certificate, as defined
27 in section 5-494 of this subdivision.

28
29 **Sec. 5-3.13. - Certificate as permit prerequisite; exception.**
30

31 (a) The Building Department shall issue building permits only to persons possessing a contractor's
32 Department of Business and Professional Regulations certificate, unless otherwise exempted under
33 this subdivision or other applicable laws. The list of contractors pursuant to F.S. sec. 489.105 is as
34 follows:

- 35 1. General contractor
- 36 2. Building contractor
- 37 3. Residential contractor
- 38 4. Sheet metal contractor
- 39 5. Roofing contractor
- 40 6. Class A air-conditioning contractor
- 41 7. Class B air-conditioning contractor
- 42 8. Class C air-conditioning contractor
- 43 9. Mechanical contractor
- 44 10. Commercial pool/spa contractor
- 45 11. Residential pool/spa contractor

- 1 12. Swimming pool/spa service contractor
- 2 13. Plumbing contractor
- 3 14. Underground utility and excavation contractor
- 4 15. Solar contractor
- 5 16. Pollutant storage systems contractor
- 6 17. Specialty contractor – this contractor scope of work and responsibility is limited to a subset of
- 7 one of the contractors list in 1 – 16 above.

8 (b) Nothing in this section shall prohibit a bona fide homeowner from constructing, adding to or
9 making changes to their single-family or two-family dwelling, providing they comply with all
10 other rules, regulations, ordinances and laws pertaining to the scope of work in which they wish
11 to engage regarding construction.

12 (i) For the purposes of this provision, “bona fide homeowner” means a homeowner that intends
13 to actually live in the dwelling for at least 12 months after occupancy.

14 (c) No bona fide homeowner shall be issued more than one permit for the construction of his single-
15 family or two-family dwelling within any 24-month period, and the owner must reside in the unit
16 for at least 12 months after the Certificate of Occupancy has been issued.

17 (d) The building official may authorize more than one permit during such period upon a written
18 statement that provides evidence of good cause shown.

19 (e) No person shall utilize the provisions hereof as a method to construct single-family or two-family
20 dwellings by having the owners of such dwellings obtain the building permits. Such a person shall
21 be deemed to be engaging in the business of a residential contractor without being licensed
22 pursuant to the provisions hereof and shall be punished in accordance herewith or by other
23 applicable laws and statutes.

24 (f) Any specialty contractors licensed, otherwise known as an occupational license, through Leon
25 County is not allowed to obtain any type of permit.

26
27 **Sec. 5-3.14. - Classes of certificates.**

28
29 The classes of authorized contractor certificates which shall authorize the holder thereof to engage
30 in the indicated activities pursuant to F.S. § 489.105(3)(a-q) shall be as follows:

- 31
- 32 (a) *General contractor certificate.* The holder may render construction services unlimited in scope.
- 33 (b) *Building contractor certificate.* The holder's services shall be limited to construction of
34 commercial buildings and single- or multiple-dwelling residential buildings, not exceeding three
35 stories in height, and accessory use structures in connection therewith, or those whose services are
36 limited to remodeling, repair or improvement of any size building if the services do not affect the
37 structural members of the building.
- 38 (c) *Residential building contractor certificate.* The holder's services shall be limited to construction,
39 remodeling, repair or improvement of single-, two- or three-family unit residences, not exceeding
40 two stories in height, and accessory use structures in connection therewith.
- 41 (d) *Pool contractor certificate.* The holder's services shall be limited to construction or repair of public
42 or private swimming pools used for therapy, recreation or other related excavation, operation of
43 construction pumps for dewatering purposes, steel work, pouring of floors, guniting installation of
44 tile and coping, installation of all perimeter and filter piping, installation of all filter equipment
45 and chemical feeders of any type, plastering of the interior, pouring of decks, construction of

1 equipment rooms or housing for pool equipment, and the installation of package pool heaters, all
2 such work to be done in conjunction with, or accessory to, the construction of swimming pools;
3 provided, however, the scope of work of such contractors shall not include direct connections to a
4 sanitary sewer system or to potable water lines and shall not include the installation of any
5 permanent electrical wiring.

6 (e) *Roofing contractor, Class A certificate.* A contractor whose services are unlimited in the roofing
7 trade and who has the experience, knowledge and skill to install, maintain, repair, alter, extend, or
8 design, if not prohibited by law, and use materials and items used in the installation, maintenance,
9 extension and alteration of all kinds of roofing, waterproofing, and coating, except when coating
10 is not represented to protect, repair, waterproof, stop leaks, or extend the life of the roof. The scope
11 of work of a roofing contractor also includes skylights and any related work, required roof-deck
12 attachments, and any repair or replacement of wood roof sheathing or fascia as needed during roof
13 repair or replacement and any related work.

14 (f) *Specialty contractor.* Any person whose scope of work, experience or knowledge and skill is
15 limited to a particular craft or trade associated with and included within an occupation or trade
16 regulated by this division. Specialty contractors may render construction services limited in scope.
17 The following is a list of, but not necessarily limited to, those specialties covered by this definition:
18 painting; flooring; plastering, latching and drywall; terrazzo, tile and marble; carpentry, cabinet
19 and millwork; acoustical installations; gunite and sandblasting; awning and aluminum erection;
20 glass and glazing; septic tanks; and excavation, grading and site work.

21
22 **Sec. 5-3.15. - Application; information required; filing deadline; notice of examination.**
23

24 All those desiring a certificate required by this subdivision who must take an examination for the
25 same shall file an application by 5:00 p.m. on the 15th of the month prior to the next board meeting.
26 Each applicant should obtain from the contractors' licensing office the date of the next contractor
27 exam, a list of reference materials, and a brochure on where reference books can be obtained.
28

29 **Sec. 5-3.16. - Disciplinary action on certificates.**
30

31 (a) No disciplinary action, by placing on probation, or reprimanding the contractor, revoking,
32 suspending, or denying the issuance or renewal of the contractor's license or registration, requiring
33 financial restitution to a consumer, imposing an administrative fine not to exceed \$1,500.00 per
34 violation, requiring continuing education, or assessing costs associated with investigation and
35 prosecution, shall be taken against a locally-licensed or specialty/registered contractor except
36 upon a complaint filed, in writing, with the Leon County's contractors licensing board.

37 (b) After the filing of such a complaint, the contractors licensing board shall serve the certificate
38 holder with a written notice of the complaint against them and of its intention to consider taking
39 action against them. The notice shall also contain written notice of the time and place of the
40 hearing which shall be held upon the matter. Such notice shall also inform the certificate holder
41 of their right to appear at the hearing, be represented by counsel and to provide evidence and cross
42 examine witnesses. Such notice shall be served by certified mail and by personal service to the
43 last-known address of the certificate holder. If service by certified mail or personal service is not
44 successful, notice shall be published once in the legal notices section of a newspaper of general
45 circulation in the county.

- 1 (c) The contractors licensing board shall hold a hearing, no sooner than ten (10) days after the service
2 of the notice required by this section and at the time and place specified therein, to determine
3 whether disciplinary action should be taken, by placing on probation, or reprimanding the
4 contractor, revoking, suspending, or denying the issuance or renewal of the contractor's license
5 or registration, requiring financial restitution to a consumer, imposing an administrative fine not
6 to exceed \$1,500.00 per violation, requiring additional hours of continuing education over and
7 above the state requirements for license renewal, or assessing costs associated with investigation
8 and prosecution. At such hearing, the contractor shall have the right to appear, be represented by
9 counsel, produce evidence and cross examine witnesses.
- 10 (d) After such hearing, and after due consideration of the evidence presented at the same, the
11 contractors licensing board shall enter a written opinion and order placing on probation, or
12 reprimanding the contractor, revoking, suspending, or denying the issuance or renewal of the
13 contractor's license or registration, requiring financial restitution to a consumer, imposing an
14 administrative fine not to exceed \$1,500.00 per violation, requiring additional hours of continuing
15 education over and above the state requirements for license renewal, or assessing costs associated
16 with investigation and prosecution if it should find from the weight of the evidence that the
17 contractor has violated any of the provisions of this division or of any law governing construction
18 or any other building or zoning law. Such a finding shall be by no less than a majority plus one
19 vote of the members present. In the alternative, the contractors licensing board shall enter a written
20 opinion and order finding them free from any wrongdoing. In either case, such an order and
21 opinion shall make specific findings of fact and state the reasons for the action.
- 22 (e) The board shall thereafter mail to the contractor and the person who made the complaint a copy
23 of its opinion and shall advise such contractor of their right to appeal to the circuit court.
- 24 (f) Should the contractors licensing board determine in the findings of fact disciplinary action
25 contractor was warranted, the contractors licensing board shall also send a copy of the opinion to
26 the Florida State Department of Business and Professional Regulation Construction Industry
27 Licensing Board for it to review and take action as seen fit pursuant to F.S. § 489.129.

28
29 **Sec. 5-3.17. - Finality of board's decision.**
30

31 All decisions of the Leon County's contractors licensing board to approve or disapprove the
32 issuance of certificates required by this division or the decision to place on probation, or reprimand
33 the contractor, revoke, suspend, or deny the issuance or renewal of the contractor's license or
34 registration, require financial restitution to a consumer, impose an administrative fine not to exceed
35 \$1,500.00 per violation, require additional hours of continuing education over and above the state
36 requirements for license renewal, or assess costs associated with investigation and prosecution shall
37 be final.

38
39 **Sec. 5-3.18. - Certificate decisions to be in writing.**
40

41 All decisions made by the contractors licensing board concerning the issuance or rejection of
42 applications for certificates required by this division or placement on probation, or reprimand of the
43 contractor, revocation, suspension, or denial of the issuance or renewal of the contractor's license or
44 registration, requirement of financial restitution to a consumer, imposition of an administrative fine
45 not to exceed \$1,500.00 per violation, requirement of additional hours of continuing education over

1 and above the state requirements for license renewal, or assessment of costs associated with
2 investigation and prosecution shall be in writing.

3
4 **Sec. 5-3.19. - Designation of administrative fines.**
5

6 All administrative fines ordered and collected pursuant to this article shall be deposited in the
7 building department's fine and forfeiture fund, to be used for those purposes designated by that fund.
8

9
10 **Division IV. – Examination.**
11

12 **Sec. 5-3.20. - Required; temporary certificates.**
13

- 14 (a) Except as otherwise provided, a person desiring a certificate required by this division shall take
15 an examination by an independent third-party testing agency as established in this subdivision.
16 (b) All persons not holding a current certificate issued by the board, and who are not certified under
17 the provisions of F.S. ch. 489, pt. I, § 489.101 et seq., shall, before engaging in the contracting
18 business, pass an examination administered by an independent third-party testing agency, except
19 as provided in subsection (c) of this section.
20 (c) Excavating, grading and site work contractors and Public Works employees, in order to continue
21 performing such services, must have passed an examination administered by an independent third-
22 party testing agency in order to obtain a current certificate issued by the board pursuant to
23 subsection (b) of this section.
24

25 **Sec. 5-3.21. - Specialty examinations authorized.**
26

- 27 (a) Specialty examinations may be authorized at any time by the contractor licensing board, provided
28 application therefor is made and the applicant deposits with the application the regular application
29 fee, together with all costs to be incurred by the county in the giving and grading of such
30 examination according to F.S. § 489.117.
31 (b) Any person who applies for a specialty contractor authorization may be required to take an exam
32 as described in subsection (a) of this section and shall meet and be subject to the following
33 requirements:
34 (1) Any person who engages in or performs, or who desires or intends to engage in or perform,
35 a particular type of work or activity included within the building construction trades may
36 make application to the board as a specialty contractor.
37 (2) In order for an applicant to be eligible to receive certification from the board as a specialty
38 contractor, they must demonstrate that they possesses the skill, knowledge, ability and
39 experience to perform, plan, lay out and supervise all work associated with, performed or
40 done in connection with the specialty contractor class or category for which they is seeking
41 certification, all in compliance with Florida Building Code and all other applicable codes and
42 regulations.
43 (3) A person certified as a specialty contractor by the board may act as specialty contractor for a
44 business organization that engages in or performs, or that intends or desires to engage in or
45 perform, work in the specialty contractor class or category for which he is certified.

- 1 (4) A person or business organization that is issued a current active specialty contractor's
2 authorization by the board shall **not** have the right to apply for and obtain building permits
3 unless that specialty license is authorized by the Department of Business and Professional
4 Regulation.
5 (5) In all instances where practical experience in a specialty contractor class or category is
6 required in order for an applicant to be eligible to be a specialty class or category, the
7 contractors licensing board may, in its sole discretion, consider an applicant's formal or
8 vocational education as practical experience.

9 **Sec. 5-3.22. – Reciprocity.**

10
11 The contractors licensing board may, by majority vote, authorize or recognize persons who have
12 passed an examination given in any other city or county in the state, prepared, administered, proctored
13 and scored by an independent testing organization. Such applicant shall have made a score equal to or
14 exceeding that score required and have paid a fee, as established from time to time by the Board of
15 County Commissioners, in order to engage in the contracting business to obtain a permit allowed by
16 Leon County.

17
18 **Sec. 5-3.23. - Administration.**

19
20 The examination required by this subdivision shall be prepared, administered, proctored and
21 scored by a certified independent testing organization.

22
23 **Sec. 5-3.24. - Passing grade.**

24
25 The minimum passing grade on an examination required by this division shall be 70 percent, or
26 as otherwise set by the Department of Business and Professional Regulation.

27
28 **Division V. Electrical Contractors.**

29
30 **Sec. 5-3.25. - Definitions.**

31
32 Electrical contractors are defined as set forth in F.S. § 489.505, including:

- 33 (a) Alarm system;
34 (b) Alarm system I;
35 (c) Alarm system II;
36 (d) Electrical or Unlimited electrical; and
37 (e) Registered electrical.
38

39 **Sec. 5-3.26. - Licensing of electricians required.**

40
41 Any person desiring to engage in business as an electrical contractor or work as an electrical
42 contractor shall be licensed as provided herein.
43
44
45

1 **Sec. 5-3.27. - Registration required.**
2

3 Each journeyman electrician engaging in electrical work in the county shall be registered with the
4 Building Department and shall, always when engaging in such work, have in his possession a
5 registration card issued by the county.
6

7 “Registered” means any contractor who has registered with the department pursuant to fulfilling
8 the competency requirements in the jurisdiction for which the registration is issued. Registered
9 contractors may contract only in such jurisdictions.

10 **Sec. 5-3.28. - Bond prerequisite to occupational license when working for a local government.**
11

12 Each applicant for an electrical contractor's license shall file a bond if required by F.S. § 489.537.
13 Otherwise, no bonding is required to be filed unless the contractor must be bonded according to F.S.
14 § 489.521(3)(a).
15

16 **Sec. 5-3.29. - Requirements for performance of electrical work.**
17

- 18 (a) All electrical work or wiring in the county shall be performed by or under the direction of an
19 electrical contractor, except as otherwise provided.
20 (b) The electrical contractor may be the owner, proprietor or employee of a corporation, but in all
21 cases shall be the person directly responsible for the proper installation of the electrical work.
22 (c) Except as otherwise provided, where any electrical work is being done, an electrical contractor or
23 journeyman shall always be present on the jobsite and in actual control and in charge of the work
24 being done.
25 (d) Nothing in this section shall prevent a duly licensed contractor who has met the qualifications of
26 the Department of Business and Professional Regulation license from performing electrical work
27 in the county.
28 (e) Nothing in this section shall prohibit a bona fide homeowner from personally installing electrical
29 wiring in their own home providing they shall live in such residence, which is a single-dwelling
30 unit, used exclusively by their immediate family, but such privilege shall not exempt the
31 homeowner from taking out an electrical permit for such work, and having it approved by an
32 inspector.
33

34 **Sec. 5-3.30. - Identification of trucks.**
35

36 Each person engaging in the business of electrical contracting shall have attached or imprinted to
37 each truck or vehicle used in that business a sign pursuant to F.S. § 489.119(5)(c).
38

39 **Sec. 5-3.31. - Countersigning of permits.**
40

41 It shall be unlawful for any electrician to countersign permits for more than one person unless
42 such person has been authorized by State Statute.
43
44

1 **ARTICLE IV. Property Maintenance Code.**

2
3 **Division I. – Generally.**

4
5 **Sec. 5-4.01. – Title.**

- 6
7 (a) The regulations listed and stated shall be known as the Property Maintenance Code of Leon
8 County, hereinafter referred to as “this code” as propagated by the International Code Council
9 Property Maintenance Code.
10 (b) The International Code Council Property Maintenance Code is herein referred by reference as the
11 Leon County Property Maintenance Code. All terms as utilized herein shall be defined as set forth
12 in the International Code Council Property Maintenance Code.
13

14 **Sec. 5-4.02. - Violations.**

15
16 Any person violating the provisions of this article shall be punished as provided in section 1-9 of
17 the Leon County Code of Laws. Any person may seek an injunction against any violation of the
18 provisions of this article and recover such damages as they may suffer.
19

20 **Sec. 5-4.03. - Scope.**

- 21
22 (a) The provisions of this code shall apply to all existing residential and non-residential structures and
23 all existing premises and constitute minimum requirements and standards for premises, structures,
24 equipment, light, ventilation, heating, sanitation, protection from the elements, a reasonable level
25 of safety from fire and other hazards, and for a reasonable level of sanitary maintenance; the
26 responsibility of owners, and owner’s authorized agent, operators and occupants; the occupancy
27 of existing structures and premises, and for administration, enforcement, and penalties in the
28 interest of the social and economic welfare of the community.
29 (b) The Property Maintenance Code shall be construed to secure its expressed intent, which is to
30 ensure public health, safety, and welfare insofar as they are affected by the continued occupancy
31 and maintenance of structures and premises. Existing structures and premises that do not comply
32 with these provisions shall be altered or repaired to provide a minimum level of health and safety
33 as required herein.
34

35 **Sec. 5-4.04. - Application to existing buildings.**

- 36
37 (a) The provisions of this article shall apply to any structure irrespective of when such building was
38 constructed, altered or repaired.
39 (b) If, within any period of 12 months, alterations or repairs costing in excess of 50 percent of the
40 assessed value of the building by the Leon County Property Appraiser’s Office are made to an
41 existing building, such building shall be made to conform to the requirements of the county’s
42 building code for new buildings.
43 (c) If an existing building is damaged by fire or otherwise in excess of 50 percent of its the assessed
44 value by the Leon County Property Appraiser’s Office before such damage is repaired, it shall be
45 made to conform to the requirements of the county's building code for new buildings.

- 1 (d) If the cost of such alterations or repairs within any 12-month period or the amount of such damage
2 as referred to in subsection (c) of this section is more than 25 but not more than 50 percent of the
3 assessed value of the building by the Leon County Property Appraiser’s Office, the portions to be
4 altered or repaired shall be made to conform to the requirements of the building code for new
5 buildings to such extent as the building official may determine.
- 6 (e) Repairs and alterations not covered by the preceding subsections of this section, restoring a
7 building to its condition previous to damage or deterioration, or altering it in conformity with the
8 provisions of the building code or in such a manner as will not extend or increase an existing
9 nonconformity or hazard, may be made with the same kind of materials as those of which the
10 building is constructed.

11
12 **Sec. 5-4.05. - Article declared remedial.**
13

14 This article is hereby declared to be remedial, and shall be construed to secure the beneficial
15 interests and purposes thereof, which are public safety, health and general welfare, through structural
16 strength, stability, sanitation, adequate light and ventilation, and safety to life and property from fire
17 and other hazards incident to the construction, alteration, repair, removal, demolition, use and
18 occupancy of any structure or premise.

19
20 **Sec. 5-4.06. - Maintenance.**
21

22 All buildings or structures, both existing and new, and all parts thereof, shall be maintained in a
23 safe and sanitary condition. All devices are safeguards which are required by this article in a building
24 when erected, altered or repaired, and shall be maintained in good working order. The owner, or his
25 designated agent, shall be responsible for the maintenance of buildings, structures and premises to the
26 extent set out in this code.

27
28 **Division 2. – Administration and Enforcement.**
29

30 **Sec. 5-4.07. - Generally.**
31

- 32 (a) The Division of Code Compliance is hereby meant to oversee the enforcement of this code and
33 the director is known as the Property Maintenance Official or “Official” for the enforcement of
34 this code.
- 35 (b) Notwithstanding the authority of the Official to enforce this code, the Leon County Building
36 Official shall have sole authority for interpretations, modifications, alternative materials, design,
37 and methods of construction and equipment along with testing to verify compliance of this code
38 or materials and reviewing and research reports, structural calculations, and new construction
39 processes. The Leon County Building Official also has the sole authority to issue declarations of
40 unsafe buildings, equipment, dangerous structures or premises; disconnection of service utilities;
41 condemnation, abatement methods for compliance with the Florida Building Code, demolition,
42 stop work orders, and determine imminent dangerous conditions.
- 43 (c) When there is a conflict with this code or any other code, reference, ordinance, or statute, the most
44 restrictive regulation or requirement shall apply. The Leon County Building Official shall be the

1 final authority for the interpretation and decision. The final decision would be appealable to the
2 board of adjustment and appeals. Appeals of the board of adjustment and appeal's findings are
3 appealable to a court of competent jurisdiction.
4

5 **Sec. 5-4.08. - Conflicts of interest.**
6

7 No officer or employee connected with the office of the official, except one whose only
8 connection is as a member of the board of adjustment and appeals, shall be financially interested in
9 the furnishing of labor, material or appliances for the construction, alteration or maintenance of a
10 building, or in the making of plans or of specifications therefor, unless he is the owner of such building.
11 No such officer or employee shall engage in any work which is inconsistent with his duties or with
12 the interests of the county.
13

14 **Sec. 5-4.09. - Entry powers.**
15

16 The official shall enforce the provisions of this code, and their authorized representative upon
17 presentation of proper identification to the owner, agent or tenant in charge of such property, may
18 enter any building, structure, dwelling, apartment, apartment house or premises, during all reasonable
19 hours. If entry is refused, the official shall have recourse to the remedies provided by law to secure
20 entry pursuant to s.s. 933.20 to 933.30.
21

22 **Sec. 5-4.10. - Inspections.**
23

- 24 (a) The official shall request to be made inspections by a Leon County building inspector to
25 determine the condition of existing residential and nonresidential structures in the interest of
26 safeguarding the health and safety of the occupants of said structures and of the general public.
27 (b) For the purpose of making sure such inspections, the Leon County inspector, upon presentation
28 of proper identification to the owner, agent or tenant in charge of such property, is hereby
29 authorized to enter, examine and survey at all reasonable times all residential, nonresidential
30 structures and premises as related to the Property Maintenance Code.
31 (c) The owner or occupant of every residential, nonresidential structures and premises, or the person
32 in charge thereof, shall give the Leon County inspector free access to such residential,
33 nonresidential structures and premises at all reasonable times for the purpose of such inspection,
34 examination and survey.
35

36 **Sec. 5-4.11. – Site debris and cleaning requirements.**
37

- 38 (a) Site debris.
39 i. The contractor and/or owner of any active or inactive construction project shall be responsible
40 for the clean-up and removal of all construction debris or any other miscellaneous discarded
41 articles prior to receiving final inspection approval.
42 ii. The owner(s), contractor(s), workmen, and/or subcontractor(s) of all trades and disciplines
43 performing works of improvement under permit or requiring a permit to be issued by the Leon
44 County are required to keep on the property or job site a container of adequate size and
45 construction to hold all wrappers, papers, insulation, roofing material, conduit, metal, straps,

1 wires, bags, bottles, cans, cups, containers, plastics, Styrofoam, food containers and debris of
2 all kinds. Only one container is necessary per construction site and managed by the
3 applicant/contactor.

4 Exemption: Interior renovation and/or alteration.

5 iii. All debris shall be kept in such a manner as to acceptably prevent the debris from being spread
6 by any means. The container shall be designed in such a fashion as to be able to hold and
7 contain such items under all circumstances, but not limited to hurricanes or tornadoes.

8 a. Such substances shall be deposited within the container daily.

9 (b) Cleaning requirements.

10 i. Excessive dust created during site construction or demolition must be reasonably contained
11 on the site or within proximity to the building or structure through wetting down the dust or
12 materials or any alternate means that prevents excessive dust from leaving the construction
13 or demolition site property.

14 ii. The contractor, owner or owner's agent, upon completion of the permitted construction
15 project prior to final inspection, shall remove all debris and all other construction waste
16 material and leave the construction site in good condition and shall replace all broken curbs,
17 sidewalks prior to obtaining a certificate of occupancy/compliance. The building inspection
18 notice will prohibit the certificate of occupancy/completion to be issued until the correction
19 has been made and a reinspection has been approved.

20 iii. Post-completion storage of unpackaged, leftover, or unbound, excess building material not in
21 use in the construction project is limited to a storage period of 90 days that is in sight from
22 the road.

23 (c) Corrective actions.

24 i. When (3) similar corrective notice(s) regarding the removal of debris have been issued for a
25 construction site, but the subject conditions have yet to be remedied, a stop work order may be issued
26 by the building official. In addition, the case may be referred to the Code Enforcement Board for
27 corrective action.

28
29 **Sec. 5-4.12. - Liability of county employees.**

30
31 Any officer or employee, or member of the board of adjustment and appeals, charged with the
32 enforcement of this code, in the discharge of his duties, shall not thereby render themselves liable
33 personally, and they are hereby relieved from all personal liability for any damage that may accrue to
34 persons or property as a result of any act required or permitted in the discharge of his duties. Any suit
35 brought against any officer or employee because of this code shall be defended by the county until the
36 final termination of the proceedings.

37
38 **Section 3. Amendments to Section 6-31 of Chapter 6, Article II**

39
40 Section 6-31 of Chapter 6, Article II of the Leon County Code of Laws is hereby amended as follows:

41
42 **Sec. 6-31. - Function.**

43
44 The code enforcement board shall have the purpose of conducting hearings relating to the
45 enforcement of the following provisions as now or hereafter amended:

- 1 (1) Chapter 5, building ~~and construction regulations~~code, article II, technical ~~codes~~ and standards;
- 2 (2) Chapter 5, building ~~and construction regulations~~code, article ~~IVH~~, ~~housing code~~property
- 3 maintenance code;
- 4 (3) Chapter 10, land development code;
- 5 (4) Chapter 11, licenses, taxation and miscellaneous business regulations, article XIX, refueling
- 6 assistance for persons with disabilities;
- 7 (5) Chapter 14, property safety and maintenance; and
- 8 (6) Any provision of the Leon County Code of Laws which the code enforcement board is specifically
- 9 granted enforcement jurisdiction.

10 **Section 4. Fiscal Impact Statement.**

11
12 In terms of design, plan application review, construction and inspection of buildings and
13 structures, the cost impact as an overall average is negligible in regard to the local technical
14 amendments because all development has been subject to the requirements of the local floodplain
15 management ordinance adopted for participation in the National Flood Insurance Program. In terms
16 of lower potential for flood damage, there will be continued savings and benefits to consumers.

17
18 **Section 5. Conflicts.**

19
20 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are
21 hereby repealed to the extent of such conflict, except to the extent of any conflicts with the
22 Tallahassee-Leon County 2030 Comprehensive Plan as amended, which provisions shall prevail over
23 any parts of this ordinance which are inconsistent, either in whole or in part, with the said
24 Comprehensive Plan.

25
26 **Section 6. Severability.**

27
28 If any word, phrase, clause, section, or portion of this Ordinance is declared by any court of
29 competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions
30 and portions of this Ordinance shall remain in full force and effect.

31
32 **Section 7. Effective Date.**


33
34 This ordinance shall become effective as of February 1, 2021.

35
36
37
38
39
40
41
42 [Signature page to follow]

1 DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon County,
2 Florida, this _____ day of _____, 2021.

3
4
5

LEON COUNTY, FLORIDA

By: 
Rick Minor, Chair
Board of County Commissioners

Date: 1/28/21

APPROVED AS TO FORM:
Chasity H. O’Steen, County Attorney
Leon County Attorney’s Office

By: Chasity H. O’Steen

Digitally signed by Chasity H. O’Steen
DN: cn=Chasity H. O’Steen, o=Leon County Board of
County Commissioners, ou=County Attorney’s Office,
email=osteen@leoncountyfl.gov, c=US
Date: 2021.01.27 14:17:37 -0500

ATTEST:
Gwendolyn Marshall, Clerk of the Court &
Comptroller, Leon County, Florida

By: 



6