

**CITY OF MARCO ISLAND  
ORDINANCE NO. 00-09**

**AN ORDINANCE AMENDING ORDINANCE 98-17, WHICH IS  
THE CITY'S ADMINISTRATIVE CONSTRUCTION CODE, BY  
ADDING NEW SUBSECTION (d) TO CHAPTER 1, SECTION 112  
"UNLICENSED CONTRACTOR", AND PROVIDING AN  
EFFECTIVE DATE.**

WHEREAS, the City Council adopted Ordinance 98-17, establishing and creating the Administrative Construction Code; and

WHEREAS, the subsection regulating "unlicensed contractors" does not provide direction in the case of a residential property owner desiring to become an "unlicensed contractor" after a project is permitted to a licensed contractor; and

WHEREAS, this amendment is needed to provide a rational process for the transfer of building permits from a licensed contractor to an unlicensed contractor.

NOW THEREFORE, be it ordained by the City Council of the City of Marco Island, Florida:

**SECTION ONE: AMENDMENT**

Chapter 1, Section 112, is hereby amended by adding new subsection (d) to read as follows:

- (d) A building permit issued to a licensed contractor by the Building Services Division may be transferred to the subject property owner as an unlicensed contractor to complete construction of a single-family residence consistent with the terms and conditions specified in Section 112(c). Prior to the actual transfer of the building permit from the licensed contractor to the unlicensed contractor either of the following must occur;
  - i. The licensed contractor shall execute and submit to the Building Services Division a sworn affidavit consenting to the full and complete release and transfer of the building permit from the contractor's control to the unlicensed contractor to complete construction of the single-family residence; or
  - ii. In the event the licensed contractor will not execute the aforementioned affidavit of release and transfer, the unlicensed contractor shall enter into an agreement with the City addressing the following to the satisfaction of the Building Services Division:

- a) That the unlicensed contractor has requested that the licensed contractor provide an affidavit of release and transfer, and that licensed contractor has refused;
- b) That the unlicensed contractor has requested that the City transfer the building permit from the licensed contractor to the unlicensed contractor to complete the construction of a single-family residence;
- c) That the unlicensed contractor will comply fully with the terms and conditions of Section 112(c), and will complete all applicable Building Services Division applications prior to permit release and transfer;
- d) That the unlicensed contractor is responsible for fully complying with all requirements of Chapter 713, Florida Statutes; and
- e) That in consideration for the release and transfer of the building permit by the Building Services Division, the unlicensed contractor agrees to indemnify and hold the City of Marco Island, its employees and agents, successors and/or assigns harmless from any and all liability, losses, penalties, damages, and professional fees, including attorneys' fees and all costs of litigation and judgments associated with the release and transfer of the building permit.

SECTION TWO: EFFECTIVE DATE

This ordinance shall take effect immediately upon adoption by the Marco Island City Council.

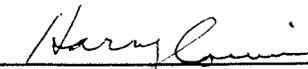
Passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida this 7<sup>th</sup> day of August 2000.

Attest:

CITY OF MARCO ISLAND, FLORIDA

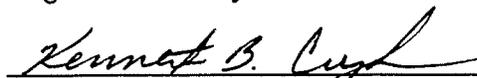


A. William Moss  
City Manager/City Clerk

BY: 

Harry Cowin, Chairman

Approved as to form and  
Legal sufficiency:



Kenneth B. Cuyler  
City Attorney

Naples Daily News  
Naples, FL 34102

Affidavit of Publication  
Naples Daily News

CITY OF MARCO ISLAND  
ATT;KENDY  
950 N COLLIER BLVD #308  
MARCO ISLAND FL 34145

REFERENCE: 054361  
58096439 SECOND READING & PUB

State of Florida  
County of Collier

Before the undersigned authority, personally appeared B. Lamb, who on oath says that she serves as the Assistant Corporate Secretary of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida: that the attached copy of advertising was published in said newspaper on dates listed.

Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said Collier County, Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

PUBLISHED ON: 07/24

AD SPACE: 37.000 INCH  
FILED ON: 07/24/00

Signature of Affiant

*B. Lamb*

Sworn to and Subscribed before me this 24th day of July 2000

Personally known by me Chanel A. McDonald



Chanel A. McDonald  
MY COMMISSION # CC850752 EXPIRES  
June 29, 2003  
BONDED THROUGH TROY FAIN INSURANCE, INC.

SECOND READING &  
PUBLIC HEARING  
ORDINANCE  
CITY OF  
MARCO ISLAND  
The City Council of Marco Island, meeting in regular session at 8:00 p.m., on August 7, 2000, at the Frank E. Mackie, Jr. Community Park, 1361 Andalusia Terrace, Marco Island, Florida will consider:  
AN ORDINANCE AMENDING ORDINANCE 98-17, WHICH IS THE CITY'S ADMINISTRATIVE CONSTRUCTION CODE, BY ADDING NEW SUBSECTION (d) TO CHAPTER 1, SECTION 112, "UNLICENSED CONTRACTOR", AND PROVIDING AN EFFECTIVE DATE.  
This Ordinance is available for inspection by the Public in the Deputy City Clerk's office located at City Hall. Members of the Public are invited to make oral or written comments in regards to this Ordinance.  
July 24 No. 1653295