

Press Release
12/09/98

MARCO ISLAND
“YOUR BUILDING DEPARTMENT IN REVIEW”

The City of Marco Island Building Department: We have now been in business since Oct. 1st of this year. Your Building Department is comprised of individuals that have the state certifications in their various disciplines to enforce the adopted codes and ordinances of the City. Their commitment to the residents and visitors of Marco Island is to enforce the Life, Health and Safety Issues that are so important. Your City inspectors will take the guess work out of your construction projects through the plan review, inspection and permit processes.

Marco Island Residents: Our commitment to the residents of this unique City is to be available and provide an accessible, “hands-on” Building Department that will guide the residents and the construction industry through the various procedures as required. This approach allows the residents to be part of their Building Department. For example, Citizens have been very helpful by reporting construction activity in their neighborhood or adjacent condos that may not have obtained a permit for the project or may be doing the work with unlicensed contractors.

The Contractors: The Contractors have also been appreciative that the Building Department is here to monitor the construction activities of not only the legitimate contractors, but those that build without being licensed or fail to obtain a permit. They say that it allows them to be at a competitive level with the public because their all subject now to following the codes and ordinances of the City. The first step in this process is accomplished by taking out permits for their construction projects and getting the Building Department involved to make the necessary inspections.

Just a note: The Collier County Building Department is currently in the process of phasing out all permitting and inspections on the Island, which means that their interests are probably elsewhere. Your City of Marco Island Building Departments interests are right here on the Island with its residents. With the advent of cityhood and the Building Department maintaining the construction standards, the Marco Island Residents are now realizing the advantages of having their own Building Department.

Projects already cited: The City of Marco Island Building Department has already exposed projects of all sizes that were under construction by unlicensed contractors that also had no permits. For example, we noticed construction trucks in the parking lot of an upscale condo project. Our curiosity led us to a condo in which an interior renovation was taking place without a permit. After further investigation we also found out that the construction was being coordinated by an unlicensed individual. After a preliminary inspection of the premises, we found that plumbing and electrical work was being performed in such a manor that would probably effect the entire building and its inhabitants at some later time. In other words, the work was not done consistent with the adopted minimum standards.

The bottom line: A licensed contractor was denied this job because an unlicensed individual was in control of the project and the home owner trusted that individual to take the proper steps. As a result, the home owners investment has been faulted, in addition to the entire building. The City of Marco Island Building Department is here to help, but if your contractor fails to take the proper steps, such as obtaining a permit from the City, the home owner should be prepared to assume the liabilities of not following the law.

Other items of interest are:

It's the law !!! All construction regardless of the scope shall be permitted by the City of Marco Island Building Department, located in the Fire Station on Bald Eagle and San Marco Road, Ph. #389-5059. All construction shall also be performed by a licensed contractor. There are no exceptions to this unless the Building Department is consulted prior to the start of construction. Construction projects within Condominiums are considered commercial in nature and must have a General Contractor take out the permit and coordinate the trades. Owners may build their own residence once every two (2) years, however, they must use licensed contractors.

Notice to Contractors: Notice to Contractors is a document issued by your Building Department that issues administrative policy decisions to the building industry. These notices are developed for the purpose of expanding on the adopted codes and ordinances to use as a guide or help to clear up miscellaneous items. If you are interested in being put on our mailing list to receive updates, please phone us with your address and we will be glad to mail any new notices.

Construction Noise within a residential area: The City of Marco Island has adopted the Collier County Noise Ordinance which states that construction activities shall only be allowed Monday through Saturday between the hours of 6:30 AM. and 7:00 PM. Construction activities are not permitted on Sundays and the following holidays; New Years Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day, and Christmas.

If a resident has cause to report a noise violation outside of these times, the agency in charge to call would be your local Police Department at #394-5129.

Neighbor Barriers Required: Contractors shall not impose their construction waste or materials on any neighboring lots and shall be responsible for a clean and safe work site. A two ft. (2') high temporary barrier fence shall be installed at the property line of an occupied lot prior to the start of any clearing or excavation work.

Job Site Posting of City Permits: All job sites shall be required to provide a weather tight storage container for the rolled permit plans and application. The storage container shall be visible from the adjacent road and shall display the permit number with 2" high characters for easy identification and located as close to the front property line as possible (not on the ROW). The approved permit plans shall be available at the job site during normal working hours (7:30 AM. to 5:00 PM.) for easy access to our City inspectors.

If a job site is found to be in violation of this established policy , a stop work order will be issued and an appropriate fee will be charged. If construction has been started and no permit exists, a fee of four (4) times the normal permit fee shall be in effect. If construction has been started and a permit does exist but is not posted, then a minimum fee of \$35.00 shall be in effect for each offense.

Boat Docks and Lifts: You're dock lift may not be safe !!! If you received a letter from Collier County saying that your boat dock needs to receive a final inspection, for your own safety and peace of mind, please call them back for that final inspection. That is if your permit with them is still valid. Look at the date on the permit and if it has expired (six months from the date of issue), then we recommend that you call the City Marco Island Building Department for a final inspection. We are here for your protection.

You must obtain Waivers of lien: Lets say that your building a new house or just putting on a family room addition and suppose your concrete subcontractor neglects to pay for the concrete or the steel reinforcing on your house. The project progresses to completion, you pay the general contractor in full and you are now living in the house. One month later you get a bill from the concrete company that supplied the concrete, or the steel fabricator for those materials. The materials went into your house and by law, you are responsible to pay for them . You can't even sell your house until you satisfy the lien which means that you may ultimately pay twice for those materials !!!

A final waiver: A final waiver from your contractor is protection that he or she has paid all the bills and expenses with regard to your project. Before you approve his final payment, the General Contractor should provide the home owner with a final waiver. This final waiver should list all his sub contractors, their labor, all materials and a statement on the waiver saying that all materials were delivered by the contractor in their own trucks and that all taxes and insurance is included. This final waiver from your contractor is a commitment saying that all outstanding expenses are paid and no future liens are expected. The general Contractor should also provide a final waiver from all his sub contractors that worked on your project listing those similar expenses.

Contractor insurance: Before you finalize your agreement with the Contractor, you should require the Contractor to provide you with an original insurance certificate that lists the required coverages for his personal and public liabilities. This insurance should be valid for the duration of your project. Check the expiration date of the policy, and if it should run out before your project is to be completed, be sure to have them provide you with a revised insurance certificate showing a new expiration date. If your Contractor is not fully insured, then he or she is not allowed to work in the City of Marco Island, and his license will be pulled until he satisfies this requirement.

A contractor may not be licensed if:

- The contractor asks you, or says that someone else, must obtain the permit;
- You are told by the contractor that the job does not require a permit or inspection;
- The contractors vehicles do not display their name or license number;
- Advertisements do not include the contractors license number;
- The contractor displays only an occupational license;
- The contractor prefers a verbal agreement, rather than a written agreement;
- The contractor does not have proof of insurance;
- You are asked to pay cash, or make the check payable to the individual;
- A large down payment is required before work begins;
- The contractor makes numerous requests for money during the early phases;
- The contractor prefers to work on weekends or after normal working hours;

Unlicensed contractor activity: If you suspect that you may have been the victim of an unlicensed contractor, please contact your Building Department at 389-5059.