



City of North Port

Neighborhood Development Services

Interoffice Memorandum

TO: Peter Lear, CPA, CGMA City Manager

THRU: Frank Miles, MPA, Director, Neighborhood Development Services

FROM: Tom Lasprogato, Inspections Division Manager and Katrina Romano, Administrative Division Manager

SUBJECT: Contractor Licensing and Advisory Board (CLAB)

DATE: February 14, 2019

In response to an inquiry about the history and status of the City of North Port Contractor Licensing and Advisory Board, including the dissolution of the board, the history and status are as follows:

The Contractor's Licensing and Advisory Board was established in 1990. The board comprised of seven members and two alternates. These members had the knowledge and experience of a variety of building industry disciplines such as mechanical, electrical, and engineering. The board's purpose was to determine an applicant's qualifications for a certificate of competency based on the criteria defined in Chapter 14 of the City Code. In addition, the board was responsible for holding hearings to determine if the certificate of competency of any contractor, master or journeyman, other than a state-certified contractor were to be disciplined under the provisions provided in Chapter 14 as well as determining if a state-certified contractor authority to obtain permits were to be denied, suspended, revoked or limited. The board was also responsible for directing a complaint against a contractor to be filed for prosecution.

The board was also responsible for the following duties:

- Reviewing ordinances and the code of the City of North Port applicable to building and construction and making recommendation to the City Commissioners.
- Reviewing the operations of the City of North Port Building Department and making recommendations to the City Manager when necessary to improve the efficiency and responsiveness and to enhance customer service.
- To act upon appeals of the decisions or interpretations by the building director

On April 15, 2014, the City Commission held a workshop to discuss proposed amendments to the City Code. Specifically, amending Chapter 14, Building and Construction Regulations by amending Article II, Florida Building Code, and Article III, Contractor Certification. The proposed amendments to Article II the Florida Building Code was to create a modified Chapter 1 Administrative Code and for these standards to be adopted by reference. The amendments to Article III, Contractor Certification repealed this section in its entirety and thus dissolved the Contractor Licensing and Advisory Board. Commission by consensus at

the workshop approved incorporating those changes as stated above. Ordinance No. 2015-10, adopted by Commission on April 13, 2015 carried out those amendments to Chapter 14 by incorporating Chapter 1 Administrative Code by reference and dissolved the Contractor Licensing Advisory Board.

Also discussed at the workshop were recommendations made by staff to disband the Code Enforcement Board and assign a Special Magistrate to preside over Code Enforcement hearings. Commission directed staff to develop an Ordinance to reflect the appointment of a Special Magistrate to Conduct Code Enforcement violation hearings. This has been accomplished through Ordinance No. 2014-30 which was drafted by the former City Attorney and adopted by the City Commission on September 8, 2014, with an effective date of October 1, 2014. At ending of the workshop discussion, Commission also directed staff to create an Ordinance to include a Special Magistrate to hear Contractor Licensing issues as needed.

Presently, all formal complaint cases are forwarded to the Florida Department of Business and Professional Regulation and the Sarasota County Task Force Against Unlicensed & Unpermitted Activity for their review. All compliant cases that claim fraud or financial misconduct are forwarded to the City of North Port Police Department and the Florida Department of Agriculture and Consumer Services. All compliant cases involving the elderly are redirected to the "Seniors vs. Crime" organization. This process ensures that contractor misconduct cases are expedited in the reporting to other local & state agencies and brings resolution to these cases in a more efficient and consistent manner.

No documentation has been found as to why there was not an ordinance created to assign a Special Magistrate to hear contractor licensing issues or when the formal process was created that all contractor misconduct and complaint cases are sent to be handled by the County and State agencies.

Staff is requesting Commission direction on whether they want to reinstate the Contractor Licensing Advisory Board, draft an ordinance to appoint a Special Magistrate or continue to have the County and State agencies directly handle all contractor misconduct and complaint cases.

cc: Cari Branco, Assistant City Manager
Jason Yarborough, Assistant City Manager

FOM/sawg