

ARTICLE 1. - CONSTRUCTION INDUSTRY LICENSING BOARD^[2]

Footnotes:

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Cross reference— Administration, ch. 1.

Sec. 43.1. - Established; composition; appointment of members.

There shall be a County board known as the Construction Industry Licensing Board of Martin County, Florida, hereinafter referred to as the "CILB", which shall consist of nine members appointed by the Board of County Commissioners.

(Ord. No. 629, pt. 1, 5-27-2003)

Sec. 43.2. - Qualifications of members.

Prior to appointment, each member of the CILB shall be a registered voter in Martin County and all contractor members shall have been actively operating in the construction industry in Martin County for at least three consecutive years as a County-licensed or State-certified contractor. No member shall hold another elective public office or be an employee of Martin County or any municipality within Martin County. The CILB shall have nine members and be composed of the following:

- 43.2.A. Two members, each of whom shall be either a general, building or residential contractor.
- 43.2.B. One electrical contractor.
- 43.2.C. One plumbing contractor.
- 43.2.D. One heating, air conditioning, refrigeration, ventilation contractor, hereinafter HARV.
- 43.2.E. One registered architect or registered engineer.
- 43.2.F. Three consumer representatives who are not, and have never been members or practitioners of any profession regulated by the Martin County Construction Industry Licensing Board or a member of any closely related profession.

(Ord. No. 629, pt. 1, 5-27-2003; Ord. No. 885, pt. 1, 10-26-2010)

Sec. 43.3. - Terms of members.

The Board of County Commissioners shall make the following appointments to the CILB for the terms beginning November 30, 2010:

- One member who is a either a general, building or residential contractor shall be appointed for a one-year term beginning November 30, 2010.
- One member who is a either a general, building or residential contractor shall be appointed for a three-year term beginning November 30, 2010.

One member who is an electrical contractor shall be appointed for a one-year term beginning November 30, 2010.

One member who is a plumbing contractor shall be appointed for a two-year term beginning November 30, 2010.

One member who is a HARV contractor shall be appointed for a three-year term beginning November 30, 2010.

One member who is a registered architect or registered engineer shall be appointed for a two-year term beginning November 30, 2010.

One consumer representative shall be appointed for a one-year term beginning November 30, 2010.

One consumer representative shall be appointed for a two-year term beginning November 30, 2010.

One consumer representative shall be appointed for a three-year term beginning November 30, 2010.

Thereafter, all appointments shall be for a three-year term beginning on November 30. The member's term of office shall terminate earlier at the pleasure of the Board of County Commissioners, or automatically if the member:

43.3.A. Ceases to be a registered voter in Martin County.

43.3.B. Ceases to be qualified pursuant to Section 43.2.

43.3.C. Fails to attend three successive, regularly scheduled, monthly meetings.

(Ord. No. 629, pt. 1, 5-27-2003; Ord. No. 885, pt. 1, 10-26-2010)

Sec. 43.4. - Salary and expenses of members.

Members shall serve without compensation, but may receive actual and necessary expenses incurred in the performance of their official duties.

(Ord. No. 629, pt. 1, 5-27-2003; Ord. No. 885, pt. 1, 10-26-2010)

Sec. 43.5. - Meetings.

The CILB shall meet at least once a month unless no issues are on the agenda for that particular month. The CILB may meet at such other times as it deems necessary.

(Ord. No. 629, pt. 1, 5-27-2003; Ord. No. 885, pt. 1, 10-26-2010)

Sec. 43.6. - Officers.

The officers of the CILB shall be the chairman and the vice-chairman.

(Ord. No. 629, pt. 1, 5-27-2003; Ord. No. 885, pt. 1, 10-26-2010)

Sec. 43.7. - Qualifications and duties of chairman and vice-chairman.

The chairman and vice-chairman shall be members of the CILB and shall be elected by the members at the first meeting in January each year and shall serve one year or until their successors are elected. The officers shall be eligible for reelection. The chairman shall preside at the meetings. The vice-chairman shall act in the absence of the chairman and may exercise any and all powers of the chairman during such absence.

(Ord. No. 629, pt. 1, 5-27-2003; Ord. No. 885, pt. 1, 10-26-2010)

Sec. 43.8. - Role of the Building Department.

The Building Department shall serve as the staff to the CILB.

(Ord. No. 629, pt. 1, 5-27-2003; Ord. No. 885, pt. 1, 10-26-2010)

Sec. 43.9. - Reserved.

Editor's note— Part 1 of Ord. No. 885, adopted Oct. 26, 2010, deleted § 43.9, which pertained to unlawful financial interests of construction industry licensing department employees, and derived from Ord. No. 629, adopted May 27, 2003.

Sec. 43.10. - Reserved.

Editor's note— Part 1 of Ord. No. 885, adopted Oct. 26, 2010, deleted § 43.10, which pertained to custodian of records, and derived from Ord. No. 629, adopted May 27, 2003.

Sec. 43.11. - Reserved.

Editor's note— Part 1 of Ord. No. 885, adopted Oct. 26, 2010, deleted § 43.11, which pertained to engineer, and derived from Ord. No. 629, adopted May 27, 2003.

Sec. 43.12. - Secretary.

The County shall provide a Secretary to record the meetings and prepare the minutes of the CILB.

(Ord. No. 629, pt. 1, 5-27-2003; Ord. No. 885, pt. 1, 10-26-2010)

Sec. 43.13. - Attorney.

The County Attorney or designee shall serve as legal advisor to the CILB.

(Ord. No. 629, pt. 1, 5-27-2003; Ord. No. 885, pt. 1, 10-26-2010)

Sec. 43.14. - Reserved.

Editor's note— Part 1 of Ord. No. 885, adopted Oct. 26, 2010, deleted § 43.14, which pertained to recording of minutes, and derived from Ord. No. 629, adopted May 27, 2003.

Sec. 43.15. - Rules of procedure.

Five members of the CILB shall constitute a quorum for the purpose of conducting meetings. All matters shall be decided by majority vote of the members present. At a hearing, any party may appear in person or through a designated representative. The CILB may, from time to time, adopt such other rules of procedure as it deems fit and proper, provided that they do not conflict with this chapter.

(Ord. No. 629, pt. 1, 5-27-2003; Ord. No. 885, pt. 1, 10-26-2010)

Sec. 43.16. - Powers and duties.

The CILB shall have the following powers and duties:

43.16.A. *Knowledge and expertise.* Pursuant to a request by the Board of County Commissioners, to make its special knowledge and expertise available to any official, department, board or agency.

43.16.B. *Examination of contractor's license holders and applicants.* To examine or cause to be examined holders of contractor's licenses within the County or applicants for such license, in accordance with the requirements of this chapter.

43.16.C. *Licensing of contractors.* To license contractors pursuant to the requirements of this chapter.

43.16.D. *Review of violations of chapter by license holders.* On its own motion or the notarized written complaint of any person, the CILB may investigate the action of any contractor, qualifying agent or financially responsible officer and take appropriate disciplinary action if the contractor, qualifying agent, or financially responsible officer has committed any one or more of the acts or omissions constituting cause for disciplinary action as set out in this chapter.

43.16.E. *Adjustments and Appeals Board.* The CILB shall be the Adjustment and Appeals Board pursuant to Sections 21.20 and 21.21, General Ordinances, Martin County Code. The CILB, as the Adjustments and Appeals Board, may hear appeals from decisions of municipal Building Officials within Martin County, provided that the municipality has enacted an appropriate ordinance designating the County Adjustments and Appeals Board as the appropriate board to hear such appeals.

43.16.F. *Construction Regulation Board.* Pursuant to Section 489.113(4), Florida Statutes, CILB shall be the Local Construction Regulation Board.

(Ord. No. 629, pt. 1, 5-27-2003; Ord. No. 742, pt. 4, 2-6-2007; Ord. No. 885, pt. 1, 10-26-2010)

Secs. 43.17—43.39. - Reserved.