

AN ORDINANCE AMENDING CHAPTER 40 SEMINOLE COUNTY CODE, AMENDING THE DEFINITIONS IN SECTION 40.2; AMENDING THE ENTITIES THAT MAY ENGAGE IN CONTRACTING AND THE EXEMPTIONS IN SECTION 40.19; AMENDING THE REQUIREMENTS FOR INITIAL ISSUANCE OF COMPETENCY CARDS IN SECTION 40.20; DELETING REFERENCES TO A LICENSE IN SECTION 40.21; AMENDING THE EXPIRATION DATE AND RENEWAL REQUIREMENTS FOR COMPETENCY CARDS IN SECTION 40.22; DELETING REFERENCES TO OCCUPATIONAL LICENSE AND LICENSE IN SECTION 40.23; AMENDING REQUIREMENTS FOR BUSINESS TAX RECEIPTS IN SECTION 40.24; AMENDING RESTRICTIONS ON APPRENTICE PLUMBERS AND MAINTENANCE PLUMBERS IN SECTIONS 40.26 AND 40.27; AMENDING USE OF FEES IN SECTION 40.69; DELETING LOCAL REQUIREMENTS FOR POOL CONSTRUCTION AND PATIO DECKS IN SECTIONS 40.116 THROUGH SECTIONS 40.121; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners ("Board") has evaluated Chapter 40, Seminole County Code ("Code"), relative to building and construction, and has concluded that certain provisions are incorrect and out of date; and

WHEREAS, the Board has also concluded that certain changes should be made to the Code relative to the issuance and renewal of competency cards; and

WHEREAS, the Seminole County Home Rule Charter requires that an Economic Impact Statement be prepared to address the potential fiscal impacts and economic costs of this Ordinance upon the public and taxpayers of Seminole County and such Economic Impact Statement has been prepared and has been made available for public review and copying prior to the enactment

CERTIFIED COPY
MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA
BY 
DEPUTY CLERK

of this Ordinance in accordance with the provisions of the Seminole County Home Rule Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. Sec. 40.2 is hereby amended as follows:

Sec. 40.2 Definitions.

As used in this Chapter and unless the context requires otherwise, the following terms shall mean as follows:

Abandon or abandonment: (1) Termination of a construction project by a contractor without just cause or proper notification to the owner including the reason for termination. (2) Failure of a contractor to perform work without just cause for 180 days. (3) Failure to obtain an approved inspection within 180 days from the previous approved inspection.

~~*Apprentice electrician:* A helper or assistant to a journeyman electrician who is not qualified to work on electrical construction alone.~~

~~*Apprentice plumber:* A helper or assistant to a journeyman or master plumber who is not qualified to work on plumbing construction without supervision.~~

Building (verb): The removal, disassembly, repair, replacement, installation or assembly of the building, structure, building system or building components in whole or parts thereof.

Building component: An element or assembly of elements integral to or part of a building.

Building contractor: A contractor, general contractor, building contractor or residential building contractor all as defined by Florida Statutes Section 489.105(3).

Building shell: The structural components that completely enclose a building, including, but not limited to, the foundation, structural frame, floor slabs, exterior walls and roof system.

Building system: A functionally related group of elements, components and/or equipment, such as the electrical, plumbing and mechanical systems of a building.

Certificate of Competency:  The meaning attributed in Florida Statutes, Chapter 489, or successor provisions.

~~*Competency Card:* A card issued by the Building Division of Seminole County which evidences that a specified person is competent to practice construction in Seminole County. Said card is issued based on registration as a contractor in another jurisdiction in the State of Florida and satisfaction of all requirements of section 40.20 Seminole County Code.~~

Certificate of occupancy (C.O.): A written statement issued by the County evidencing that a structure substantially satisfies all County construction requirements and may be occupied.

Certified contractor: Any contractor who possesses a certificate of competency issued by the State of Florida.

Change of occupancy: A change from one code occupancy classification or sub-classification to a different one.

Competency Card: A card issued by the Building Division of Seminole County which evidences that a specified person is competent to practice construction in Seminole County.

Demolition: The act of razing, dismantling or removal of a building or structure, or portion thereof, to the ground level.

~~*Electrical construction:* All work and materials used in installing, maintaining, extending and/or connecting a system of electrical wiring for light, heat or power and appurtenances, apparatus or equipment used in connection therewith; provided, however, that this definition shall not include work and materials outside the scope and purview of those standards set forth in Section 40.61.~~

Electrical contractor: means a person who conducts business in the electrical trade field and who has the experience, knowledge, and skill to install, repair, alter, add to, or design, in compliance with law, electrical wiring, fixtures, appliances, apparatus, raceways, conduit, or any part thereof, which generates, transmits, transforms, or utilizes electrical energy in any form, including the electrical installations and systems within plants and substations, all in

compliance with applicable plans, specifications, codes, laws, and regulations.

Electrician: A person qualified under the terms and provisions of this Chapter who is engaged in the trade or business of electrical construction.

FCILB: The Florida Construction Industry Licensing Board.

Imminent danger: (1) A structurally unsound condition of a structure which could cause physical injury to persons or property; or (2) a structurally unsound condition of a structure which could cause a portion of the structure to detach or move and create potential for physical injury to persons or property; or (3) a structural condition which harbors or is inhabited by pests, vermin, or organisms injurious to human health.

~~*Journeyman electrician:* A person qualified under the terms and provisions of this Chapter who possesses the training, and technical knowledge to install electrical wiring, apparatus, or equipment for light, heat or power and who is capable of performing electrical work under the supervision of a master electrician.~~

Licensed contractor: A contractor certified by the State of Florida or the local jurisdiction who has satisfied all state or local requirements to be actively engaged in contracting.

~~*Maintenance electrician:* A journeyman electrician who is regularly employed by only one person to maintain and make minor repairs to the electric wiring, apparatus, and equipment, which~~

~~is installed, contained, and used upon the premises or within buildings owned, occupied, or controlled by the person for whom he is a full time employee.~~

~~Maintenance plumber: A person who is qualified as a journeyman plumber but who is regularly employed to maintain and make only minor repairs to the plumbing, piping, apparatus, and equipment which is installed, contained, and used upon the premises or in a building owned, occupied or controlled by the person who employs him full time.~~

Mechanical contractor: A person who is a Class A air conditioning contractor, or a Class B air conditioning contractor or a Class C air conditioning contractor or a mechanical contractor, all as defined in Florida Statutes Ch. 489, as amended.

Permit: A written statement issued by the County authorizing performance of a specific activity regulated by this Code.

Plumbing contractor: means a contractor whose contracting business consists of the execution of contracts requiring the experience, financial means, knowledge, and skill to install, maintain, repair, alter, extend, or, when not prohibited by law, design plumbing.

Pump installer: Any person engaged in the business of installing or repairing pumps and pumping equipment.

~~Registered contractor: Any person who holds an active license from any jurisdiction within the State of Florida, who has been found competent to perform the work on the license and achieved a passing grade on a written exam germane to the licensed trade. Any contractor who has registered with the State of Florida, Department of Business and Professional Regulation pursuant to fulfilling the competency requirements of Seminole County.~~

~~Registered electrical contractor: A person who holds a master electrician's competency card as defined in this Chapter and who is engaged in the business of electrical construction and possesses the experience and technical knowledge to plan, lay out and supervise the installation of electrical wiring, apparatus or equipment for light, heat or power; or a partnership, corporation, business trust or other legal entity operating under a master electrician's competency card as defined in this Chapter issued for its use and benefit in the name of a master electrician.~~

~~Registered plumbing contractor: A person engaging in the business of plumbing contracting who holds a current master plumber's competency card as defined in this Chapter or state certification, or in the alternative a partnership, corporation, business trust or other legal entity operating under a current master plumber's competency card as defined in this Chapter or~~

~~state certification issued for its use and benefit in the name of another.~~

Remodeling: Work which changes the original size, configuration or materials of a structure.

Specialty contractor: A contractor whose scope of work and responsibility is limited to a particular phase of construction and whose scope is limited to a subset of the activities as described in Florida Statutes Chapter 489.

Stop work order: An order by the Building Official, or his designee, which requires the immediate cessation of all work and activities described in the order.

Structural component: Any part of a system, building or structure, load bearing or non-load bearing, which is integral to the structural integrity thereof, including but not limited to walls, partitions, columns, beams and girders.

Structural work or alteration: The installation or assembling of new structural components into a system, building or structure; or any change, repair or replacement of any existing structural component of a system, building or structure.

Section 2. Sec. 40.19 is hereby amended as follows:

Sec. 40.19. State of Florida certification required.

(a) *Building.*

(1) It is unlawful for any person to engage in the business or act in the capacity of a building contractor without

current and appropriate certification issued by the State. Sole proprietors, Partnerships partnerships, corporations, business trusts or other legal entities may engage in such business if:

(A) At least one supervisory member or employee of said entity holds current and appropriate State certification and acts as the qualifying agent in accordance with Florida Statutes Section 489.119, and

(B) That member has the authority to and does directly supervise all building construction as described in this Chapter.

(b) *Electrical.*

(1) It is unlawful for any person to engage in the business or act in the capacity of an electrical contractor ~~master or journeyman electrician~~ without current and appropriate certification issued by the State. Sole Proprietors, Partnerships partnerships, corporations, business trusts or other legal entities may engage in such business if:

(A) At least one supervisory member or employee of said entity holds a current ~~master electrician's~~ electrical contractor's State certification and acts as the qualifying agent in accordance with Florida Statutes Section 489.119; and

(B) That member has the authority to and does directly supervise all electrical construction as described in this Chapter.

(c) *Mechanical.*

(1) It is unlawful for any person to engage in the business or act in the capacity of a mechanical contractor without the appropriate and current certification issued by the State. Sole Proprietors, ~~Partnerships~~ partnerships, corporations, business trusts or other legal entities may engage in such business if:

(A) At least one supervisory member or employee of said entity holds a current State certification and acts as the qualifying agent in accordance with Florida Statutes Section 489.119; and

(B) That member has authority to and does directly supervise all mechanical construction as described in this Chapter.



(d) *Plumbing.*

(1) It is unlawful for any person to engage in business or act in the capacity of a plumbing contractor ~~master or journeyman plumber~~ without a current and appropriate certification issued by the State. Sole proprietors, ~~Partnerships~~ partnerships, corporations, business trusts or other legal entities may engage in such business if:

(A) At least one supervisory member or employee of said entity holds a current ~~master plumber's~~ State plumbing contractor's certification and qualifying agent in accordance with Florida Statutes Section 489.119; and

(B) That member has the authority to and does directly supervise all plumbing construction as described in this Chapter.

(e) *Pools.*

(1) It is unlawful for any person to engage in the business or act in the capacity of a swimming or wading pool contractor without a current and appropriate swimming pool contractor's certification issued by the State. Sole proprietors, ~~Partnerships~~ partnerships, corporations, business trusts or other legal entities may engage in such business if:

(A) At least one supervisory member or employee of said entity holds a current State swimming pool contractor's State certification and acts  as the qualifying agent in accordance with Florida Statutes Section 489.119; and

(B) That member has the authority to and does directly supervise all swimming and wading pool construction as described by this Chapter.

(f) *Well drilling.*

(1) It is unlawful for any person to engage in the business of or act in the capacity of a well drilling or pump installation or repair contractor without a current license issued by the State or local water management district. Sole Proprietors, ~~Partnerships~~ partnerships, corporations, business trusts and other legal entities may engage in such business if:

(A) At least one supervisory member or employee of said entity holds a current license in well drilling or pump installation or repair.

(B) That member has the authority to and does directly supervise all well drilling and pump installation repair or construction as described in this Chapter.

(g) *Exemptions.* The State certification requirement of Subsections (a) through (f) shall not apply to:

(1) Persons who are exempt by State law; and

(2) Employees and subordinates of any State certified or registered contractor, if the employees or subordinates do not hold themselves out for hire or engage in contracting except as an employee of the certified or registered contractor.

(3) An authorized employee of the United States, this State, or any municipality, county, irrigation district, reclamation district, or other municipal or political corporation or subdivision of the State, as long as the employee does not hold himself out for hire or otherwise engage in contracting except in accordance with his employment.

(4) An officer appointed by a court when he is acting within the scope of his office as defined by law or court order.

(5) Public utilities, or construction, maintenance, and development work performed by their agents or employees and incidental to their business.

(6) Persons who sell or install any finished products, materials, or articles of merchandise which are not actually fabricated into, and do not become a permanent fixed part of, the structure.

(7) An owner of property making application for permit, supervising and doing the work in connection with the construction, maintenance, repair, and alteration of an addition to a single-family or duplex residence for his own use and occupancy and not intended for sale or use by a third party.

(8) Any construction, alteration, improvement, or repair carried on within the limits of any site the title to which is in the United States, or to any construction, alteration, improvement, or repair on any project when federal law prevails.

(9) Any construction or operation incidental to the construction or repair of irrigation and drainage ditches; regularly constituted irrigation districts; reclamation districts; or clearing or other work on land in rural districts for fire prevention purposes or otherwise, except when performed by a certificate holder under this Part.

(10) A registered architect, professional engineer, or residential designer acting in his professional capacity or

any person exempted by the State law regulating architects and professional engineers.

(11) Any person who furnishes materials or supplies but does not fabricate or use them in the performance of the work of a contractor.

(12) Registered contractors.

Section 3. Sec. 40.20 is hereby amended as follows:

Sec. 40.20. Application for initial issuance of a competency card; information required.

(a) Any person desiring to obtain a~~an~~ initial competency card ~~for a registered contractor required herein~~ shall file a written application with the Building Division upon ~~a~~the forms provided by the Building Division. The applicant shall appear in person, present valid government issued photo identification and sign all related documents including the competency card. All applications shall be verified under oath by the applicant.

(b) In addition to all other information required, the person applying for the competency card shall state on the application form the class or kind, if any, of competency card for which he is applying.

(c) A contractor may apply on behalf of, or for the use and benefit of, any sole proprietor, partnership, corporation, business trust or other legal entity provided that the contractor signs the application and competency card and

provides the names and addresses of all officers and/or partners in said entity.

(d) The Seminole County Building Division will not issue a competency card to any person to practice construction in Seminole County unless the applicant submits:

(1) ~~The applicant, at the time of application, is registered in another jurisdiction in the State of Florida, where he has passed a written examination administered by a recognized testing agency which is germane to the requested competency card.~~ A letter from a Florida jurisdiction where the applicant is registered or from a recognized testing agency stating the applicant's license type, that the applicant achieved a passing grade on a written exam for the applicable license type, and the date the applicant passed the written exam.

(2) ~~In addition, the applicant shall hold an active license from that jurisdiction in the respective class in which the applicant wishes to practice and the applicant shall submit a letter from that jurisdiction dated within seven days of the date of application for the competency card stating that the applicant's license is active and in good standing. The letter shall also include the date that the applicant passed the applicable written examination, the resulting test scores, the applicant's trade, and any disciplinary actions.~~ A list of any disciplinary actions against the applicant in any jurisdiction

within the past twelve (12) months. The Building Division will not issue a competency card to any ~~registered~~ contractor who is undergoing an active disciplinary hearing or who has any sanctions by the State or local governments within the past twelve (12) months.

(e) Notwithstanding any other provision of this Chapter, all persons having a competency card in Seminole County, upon the effective date of this subsection, will be allowed to continue practicing construction in Seminole County as long as they maintain an active competency card in good standing in Seminole County.

Section 4. Sec. 40.21 is hereby amended as follows:

Sec. 40.21. ~~License fees~~ Fees.

Upon the issuance or renewal of a ~~license~~ competency card pursuant to the provisions of this Part, a person shall pay to the Building Division the appropriate fee established from time to time by the Board of County Commissioners by resolution.

Section 5. Sec. 40.22 is hereby amended as follows:

Sec. 40.22. Competency card expiration and renewal.

(a) Competency cards issued pursuant to the provisions of this Part shall expire on September 30th of every odd year. ~~the date the license upon which the competency card was issued expires. Any contractor desiring to renew the competency card shall provide a letter from the jurisdiction that issued the license dated within seven days of the renewal request. Such~~

~~letter shall verify that the contractor's license is active and shall state any current disciplinary actions as well as any sanctions against said license within the past twelve (12) months.~~

(b) Any competency card required herein which is not renewed within 90 days after its expiration shall be void and shall not be renewed. A contractor who has not renewed a competency card within 90 days after its expiration is required to apply for a new competency card pursuant to the requirements in section 40.20.

(c) Nothing in this Section shall be construed to authorize a person to operate without an appropriate and current competency card or State certification.

Section 6. Sec. 40.23 is hereby amended as follows:

Sec. 40.23. Sanctions.

(a) The Seminole County contractor licensing boards shall have the power to direct restitution from a locally licensed or registered contractor; make recommendation to the Florida Construction Industry Licensing Board (FCILB) for revocation or suspension of a contractor's State certification; and/or deny, suspend, or revoke the issuance of permits to contractors if the contractor should:

(1) Misrepresent any material fact in the application for a ~~license~~ competency card or for a permit.

(2) Perform construction in a negligent, incompetent or unworkmanlike manner inconsistent with general construction practices, or manufacturer's recommendations or specifications.

(3) Engage in the business or act in the capacity of a contractor without a valid ~~occupational license~~ business tax receipt.

(4) Contract in a name other than that registered with the Building Division or State of Florida.

(5) Abandon any contract for the performance of work without legal grounds to do so.

(6) Divert property or funds received pursuant to a contract for construction, alteration, repairing, remodeling, or demolition of any building.



(7) Depart from the plans and specifications of any contract or accompanying application for a permit without the consent of the party for whom the work is being performed.

(8) Misrepresent the requirements of this Chapter in order to obtain or increase the scope of work under any contract.

(9) Violate any provisions of this Chapter.

(10) Fail to report to the Building Division or attempt to conceal from the Building Division any violation of any provision of this Chapter by any contractor.

(11) Allow any person to do contracting work, as defined in Florida Statutes Section 489.105(6), under a permit

obtained by the subject contractor when said other person is not working both under the contractor's direct supervision and as one of the contractor's regular employees with the exception of licensed subcontractors as defined in Florida Statutes Section 489.103.

(12) If a vehicle bears the name of a contractor or business organization, or any text or artwork which would lead a reasonable person to believe that the vehicle is used for contracting, the registration or certification number of the contractor or certificate of authority number of the business organization must be conspicuously and legibly displayed with the name, text, or artwork. Locally licensed contractors must also display their ~~certificate of competency~~ card or license numbers. Nothing in this paragraph shall be construed to create a mandatory vehicle signage requirement.

(13) Violate any provisions of Florida Statutes Chapter 489, and other applicable Florida Statutes.

(b) The Seminole County contractor licensing boards shall have the power to impose a fine of no less than \$500.00 and no more than \$5,000.00 per material violation upon determination that a contractor licensed pursuant to Florida Statutes Chapter 489, has committed a material violation of the Code and failed to correct the violation within a reasonable time.

(c) Except as otherwise provided, no right to issuance of permits may be denied, suspended or revoked without a hearing

conducted after proper notice before the board which has the power to deny, suspend, or revoke the issuance of permits to contractors.

(d) Whenever it comes to the attention of the Building Division that any of the grounds for denial, suspension or revocation of the right to issuance of permits may exist, or when ordered to do so by motion of the appropriate board, the Building Division shall make a full investigation and file with the appropriate contractor licensing board a written report thereof together with a statement as whether such grounds do exist.

(e) If the report of the Building Division shows the existence of grounds for denial,  suspension or revocation of the right to issuance of permits or there is filed with the appropriate contractor licensing board a complaint by any person alleging the existence of any such grounds, it shall be the duty of such board to conduct a hearing on whether the right to issuance of permits should be denied, suspended or revoked.

(f) No hearing regarding denial, suspension, or revocation of the right to issuance of permits shall be conducted unless the Building Division has served upon the alleged violator a notice containing the alleged grounds for denial, suspension or revocation of the right to issuance of permits, and the time, date and place of the hearing before the appropriate contractor licensing board. Said notice shall not be

issued less than ten nor more than 20 days prior to said hearing.

(g) The person whose permits may be denied, suspended or revoked shall have the right to appear at the required hearing and be represented by counsel, produce evidence and cross-examine all witnesses appearing against him.

(h) All witnesses who testify at the hearing shall do so under oath.

(i) If after the required hearing the appropriate contractor licensing board should determine that grounds for denial, suspension or revocation of the right to issuance of permits do exist, it shall enter a written order signed by the chairman, reprimanding the violator or denying, suspending or revoking his right to issuance of permits.

Section 7. Sec. 40.24 is hereby amended as follows:

Sec. 40.24. Business Tax Receipt.

(a) It shall be unlawful for any person to engage in a business regulated by the provisions of this Chapter or in the capacity of being a contractor regulated herein without the business tax receipt required by law.

~~(b) It shall be unlawful for any person to engage in the business of being a journeyman electrician or plumber without the business tax receipt required by law.~~

~~(c)~~ No person shall be issued a business tax receipt for any business, trade or profession regulated in this Chapter if

such person does not hold the appropriate state issued license or competency card required herein.

Section 8. Sec. 40.26 is hereby amended as follows:

~~**Sec. 40.26 Allowing apprentice plumbers or helpers to work alone.**~~

~~(a) It shall be unlawful for any master, journeyman or maintenance plumber to allow or send an apprentice plumber or a plumber's helper to do any type of plumbing work alone.~~

~~(b) An apprentice plumber shall not work on any plumbing installations alone, but shall at all times work under direct supervision and be accompanied by a qualified master or journeyman plumber.~~

Section 9. Sec. 40.27 is hereby amended as follows:

~~**Sec. 40.27. Restriction on maintenance plumbers.**~~

~~It shall be unlawful for a maintenance plumber to install any new plumbing.~~

Section 10. Secs. 40.28-40.50 are hereby amended as follows:

~~**Secs. 40.28-40.26-40.50. Reserved.**~~

Section 11. Sec. 40.69 is hereby amended as follows:

Sec. 40.69. Use of Fees.

Any fee required to be paid to the County by this Chapter shall be paid into the County's general revenue Building fund.

Section 12. Sec. 40.116 is hereby amended as follows:

~~**Sec. 40.116. Steel or aluminum structures generally.**~~

~~All steel or aluminum pool structures shall be designed and constructed in accordance with the requirements of the codes set forth in Section 40.145.~~

Section 13. Sec. 40.117 is hereby amended as follows:

~~Sec. 40.117. Concrete pools generally.~~

~~(a) All concrete swimming pools shall be designed in accordance with the requirements of the Codes set forth in Section 40.145.~~

~~(b) All concrete swimming pool walls and floor slab shall be not less than five inches thick and contain a minimum of not less than two tenths of a square inch of reinforcing steel per lineal foot in each direction. All reinforcing in a concrete swimming pool shall be securely supported at approximate mid-depth of base slabs and walls prior to and following placing concrete and shall be grounded to No. 8 copper insulated wire grounding.~~

~~(c) All reinforcing bars in a concrete swimming pool shall have not less than two inches of concrete cover.~~

~~(d) All pneumatically placed concrete shall have a minimum thickness of six inches at the bottom and five inches at the top with reinforcing centered therein.~~

~~(e) All concrete which is placed by hand in a swimming pool shall be portland cement concrete having a 28 day compressive strength of not less than 3,000 pounds per square inch.~~

~~(f) Floors in a concrete swimming pool shall have a minimum thickness of five inches and all block walls shall have a minimum of eight inches with steel centered therein and be poured solid.~~

~~(g) All screeds used in connection with a concrete swimming pool shall be set prior to inspection so the concrete thickness may be checked.~~

~~(h) The mix for concrete swimming pool shall be designed to secure a compressive strength of not less than 3,000 pounds per square inch at 28 days, with a maximum slump of four inches. All concrete shall be kept wet for five days after placing. This subsection applies to poured concrete only.~~

~~(i) All metal fittings, lights, steel, diving standards and motors used in connection with a concrete swimming pool shall be bonded.~~

Section 14. Secs. 40.118., 40.119. are hereby amended as follows:

~~**Secs. 40.118., 40.119. Reserved.**~~

Section 15. Sec. 40.120 is hereby amended as follows:

~~**Sec. 40.120. Prevention of polluted waters from backwashing.**~~

~~Any line from the public water supply to a pool shall be protected against the backflow of polluted water by means of an air gap which shall discharge at least four and one half inches above the pool's maximum high water level to the makeup tank of~~

~~the pool or an anti syphon breaker on the closest sill cock to the pool.~~

Section 16. Sec. 40.121 is hereby amended as follows:

~~**Sec. 40.121. Patio decks.**~~

~~All patio decks around any pool shall slope away from it at a minimum of one and one half inches in ten feet and shall be designed and made in such manner that all scum, splash, and deck water shall not return to the pool except through the filter system.~~

Section 17. Secs. 40.122-40.175 are hereby amended as follows:

~~**Secs. 40.122-40.175. Reserved.**~~ **40.116-40.175. Reserved.**

Section 18. PART 9 is hereby amended as follows:

~~**Part 9. SEMINOLE COUNTY ENERGY EFFICIENCY BUILDING CODE.**~~

Reserved.

Section 19. Sec. 40.221 is hereby amended as follows:

~~**Sec. 40.221. Adoption**~~

~~The "Seminole County Energy Efficiency Building Code" is hereby adopted for use within Seminole County, Florida.~~

Section 20. Codification. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Seminole County Code and the word "ordinance" may be changed to "section," "article," or other appropriate word or phrase and the sections of this Ordinance may be renumbered or relettered to accomplish

such intention; providing, however, that Sections 21, 22 and 23 shall not be codified.

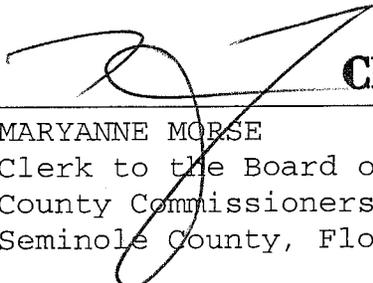
Section 21. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 22. Effective Date. This Ordinance shall take effect on N/A , 2010, or upon filing a copy of this Ordinance with the Department of State by the Clerk of the Board of County Commissioners,  whichever is later.

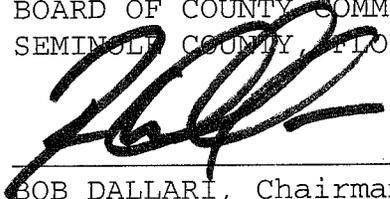
ENACTED this 22nd day of June, 2010.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA



Chief Deputy
MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida



BOB DALLARI, Chairman

MCC/sjs

4/27/10, 5/5/10, 5/13/10, 5/24/10, 5/27/10

F:\Users\ssharrer\ORD\2010\Ordinance Amending Chapter 40 (050510).docx



FLORIDA DEPARTMENT OF STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

DAWN K. ROBERTS
Interim Secretary of State

July 6, 2010

Honorable Maryanne Morse
Board of County Commissioners
Seminole County
County Commission Records
1101 E. First Street, Room 2204
Sanford, Florida 32771

FILED IN OFFICE
CLERK TO B.C.C.
SEMINOLE COUNTY
10 JUL 12 AM 10:36

Attention: Ms. Sandy McCann, Supervisor

Dear Ms. Morse:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated June 28, 2010 and certified copies of Seminole County Ordinance Nos. 2010-9 and 2010-10, which were filed in this office on July 2, 2010.

Sincerely,

Liz Cloud

7001 2510 0009 3704 0593

PS Form 3811, February 2004
Postmark: JUN 22 2010
Postage: \$2.00
Certified Mail
Return Receipt Required
Restricted Delivery Fee (Endorsement Required)
Total: Liz Cloud
Sent to: Program Administrator
Street: R.A. Gray Building, Rm. 101
City: 500 South Bronough Street
City: Tallahassee FL 32399-0250
City: Tallahassee (CSB)

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Liz Cloud
Program Administrator
R.A. Gray Building, Rm. 101
500 South Bronough Street
Tallahassee, FL 32399-0250

ORD 2010-10
2010-9

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee

B. Received by (Print Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

DEPT OF STATE
JUL 02 2010

7001 2510 0009 3704 0593