

MONROE COUNTY CONTRACTORS EXAMINING BOARD RULES OF PROCEDURE

The Monroe County Contractors Examining Board, in Monroe County Code Section 6-269 is granted the authority to adopt such rules and regulations necessary for the administration of their responsibilities to govern the Board's proceedings.

Conduct of Meetings

1. The original citation and proof of good service must be submitted to Contractors License Coordinator no later than fifteen (15) calendar days before the meeting date to be placed on the agenda.
2. All testimony shall be under oath. Section 6-201(c)(2) of the Monroe County Code provides the following evidentiary rules: The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if the board finds it competent and reliable, regardless of the existence of any common law or statutory rules that might make improper the admission of such evidence. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible in civil actions. The rules of privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions. Irrelevant and unduly repetitious evidence shall be excluded.
3. Discourtesy and disorderly or contemptuous conduct or personal attacks shall be considered a breach of proper decorum before the Contractors Examining Board and shall not be tolerated.
4. If any ex parte information is communicated to a Contractors Examining Board member, the member must disclose that information at the public hearing prior to hearing the item.
5. Deliberations of the Contractors Examining Board and decisions on all matters shall normally be made at the public meeting at which the citation is heard. The County Code (Section 6-201(d)) requires a decision no later than five (5) days after the close of the hearing.
6. When the vote on a motion is evenly divided, the motion shall be deemed to have failed, and the respondent shall be deemed to be found not in violation.

7. The Board shall first consider whether or not the respondent has committed the violations, and then, by separate motion, consider the penalty to be imposed. A motion denying an appeal is the equivalent of a finding of guilt to the violation appealed.
8. A motion to reconsider a previous vote by the Board shall be in order only if made by a member who voted with the prevailing side, or if the member did not vote on the original question.
9. If a Board Member is the complainant in a citation then that member shall recuse himself from participating or voting at the hearing.

PASSED AND ADOPTED by the Contractors Examining Board of Monroe County, Florida, at a regular meeting held on the 14th day of January, 2014.