

ORDINANCE NO 001 -1996

AN ORDINANCE CREATING A CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS; PROVIDING FOR APPEALS OF THE DECISIONS OF THE BUILDING OFFICIAL REGARDING INTERPRETATION OF TECHNICAL BUILDING CODES APPLICABLE TO MONROE COUNTY; ESTABLISHING THE POWERS OF THE BOARD; ESTABLISHING APPELLATE PROCEDURES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, that:

Section 1. Sec. 6-16.1(a) is hereby created to read as follows:

(a) The Construction Board of Adjustment and Appeals, established by the 1994 edition of the Standard Building Code with Appendix C, as adopted by the Southern Building Code Congress International, Inc., shall consist of the members of the Contractors Examining Board, plus one architect, one professional engineer and a second alternate member. Terms of office, removal, vacancies, regularity of meetings, and administrative hearings of the Construction Board of Adjustment and Appeals shall be governed by the same rules and regulations as the Contractors Examining Board.

(1) The Construction Board of Adjustment and Appeals shall have the power to hear appeals of the building official's decisions and interpretations concerning the technical code.

(2) All other provisions in the section on Construction Board of Adjustment and Appeals of the Standard Building Code, as adopted, not inconsistent herewith are hereby adopted.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

FILED FOR RECORD
96 JAN 25 4 48 PM '96
MONROE COUNTY
CLERK OF COUNTY COMMISSIONERS

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 4. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 5. This ordinance shall take effect immediately upon receipt of official notice from the Office of the Secretary of State of the State of Florida that this ordinance has been filed with said Office.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 17th day of January, AD, 1996.

Commissioner Douglass	<u>yes</u>
Commissioner Harvey	<u>yes</u>
Commissioner London	<u>yes</u>
Commissioner Reich	<u>yes</u>
Mayor Freeman	<u>yes</u>

(SEAL)
Attest: DANNY L.KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By *Ruth Ann Jantzen*
Deputy Clerk

By *Shirley Freeman*
Mayor/Chairman

EFFECTIVE DATE _____
jordcbaa

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY.
By *Samuel A. Holt*
Attorney's Office
11/6/95



Danny L. Kolhage

BRANCH OFFICE
3117 OVERSEAS HIGHWAY
MARATHON, FLORIDA 33050
TEL. (305) 289-6027
FAX (305) 289-1745

CLERK OF THE CIRCUIT COURT
MONROE COUNTY
500 WHITEHEAD STREET
KEY WEST, FLORIDA 33040
TEL. (305) 292-3550
FAX (305) 295-3660

BRANCH OFFICE
88820 OVERSEAS HIGHWAY
PLANTATION KEY, FLORIDA 33070
TEL. (305) 852-7145
FAX (305) 852-7146

January 24, 1996

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**Mrs. Liz Cloud
Florida Department of State
Bureau of Administrative Code and Laws
The Elliot Building
401 South Monroe Street
Tallahassee, Fl. 32399-0250**

Dear Mrs. Cloud:

Enclosed please find a certified copy of Monroe County Ordinance No. 001-1996, creating a Construction Board of Adjustment and Appeals; providing for appeals of the decisions of the Building Official regarding interpretation of technical building codes applicable to Monroe County; establishing the powers of the Board; establishing appellate procedures; providing for severability; providing for the repeal of all ordinances inconsistent herewith; providing for incorporation into the Monroe County Code of Ordinances; and providing an effective date.

This Ordinance was adopted by the Monroe County Board of County Commissioners at a Regular Meeting in formal session on January 17, 1996.

Please file for record.

Mrs. Liz Cloud
January 24, 1996
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Sincerely,

Danny L. Kolhage
Clerk of the Circuit Court
and ex officio Clerk to the
Board of County Commissioners

By: Ruth Ann Jantzen


Deputy Clerk

cc: Mayor Shirley Freeman
Mayor Pro tem Jack London
Commissioner Keith Douglass
Commissioner Wilhelmina Harvey
Commissioner Mary Kay Reich
Bob Herman, Growth Management Director
County Attorney
County Administrator
Herb Rabin, Building Official
Municipal Code Corporation
File



FLORIDA DEPARTMENT OF STATE

Sandra B. Mortham
Secretary of State

DIVISION OF ELECTIONS
Bureau of Administrative Code
The Elliot Building
401 South Monroe Street
Tallahassee, Florida 32399-0250
(904) 488-8427

January 29, 1996

Honorable Danny L. Kolhage
Clerk to Board of County Commissioners
Monroe County
500 Whitehead Street
Key West, Florida 33040

Attention: Ruth Ann Jantzen, Deputy Clerk

Dear Mr. Kolhage:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letters dated January 24, 1996 and certified copy each of Monroe County Ordinance Nos. 96-1, 96-2, and 96-3, which were filed in this office on January 29, 1996.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud, Chief
Bureau of Administrative Code

LC/mw

MONROE COUNTY FLA
CLERK OF COURT
JAN 31 1996

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