

ORDINANCE NO. 12- 12

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY FLORIDA; PROVIDING FOR A SHORT TITLE; PROVIDING FOR THE REPEAL AND REPLACEMENT OF SECTIONS 6-316 and 6-245 OF CHAPTER 6 OF THE CODE OF ORDINANCES OF OKALOOSA COUNTY, FLORIDA, PERTAINING TO CONTRACTOR INSURANCE CERTIFICATES; PROVIDING FOR THE REPEAL OF ALL OTHER CONFLICTING PROVISIONS; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES OF OKALOOSA COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR EFFECTIVENESS.

RECITALS

WHEREAS, Okaloosa County is a political subdivision of the State of Florida to which Chapter 125 of the Florida Statutes grants broad authority and provides for the adoption of ordinances to provide for self-governance; and

WHEREAS, as provided in Chapter 553 of the Florida Statutes, Okaloosa County enforces the Florida Building, Plumbing, Mechanical, Electrical, and related codes, and administers contractor licensing programs to ensure that all work done under the County's jurisdiction is accomplished by individuals working within the scope of their abilities and who maintain all requisite licenses and insurance; and

WHEREAS, the Board of County Commissioners finds that it is necessary and in the public interest to amend the contractor insurance provisions of the County Code.

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

Section 1. Short Title. This Ordinance shall be known and may be cited as the "Okaloosa County Contractor Insurance Certificate Ordinance of 2012".

Section 2. Repeal and Replacement of Section 6-316. Section 6-316 of Article VIII of Chapter 6 of the County Code is hereby repealed in its entirety and replaced with the following:

All contractors shall execute a hold harmless agreement that indemnifies and holds harmless Okaloosa County, Florida, its Officers and Agents, from all claims, damages, and expenses and, in addition, shall furnish to the Okaloosa County Growth Management Department a certificate of insurance (Insurance Services Office's Form GL 2012 or equivalent) that verifies the following:

- (a) That the applicant has a prepaid public liability insurance policy for the ensuing year with an insurance company authorized to do business in Florida in the minimum amount of \$300,000 to cover liability for each incident or occurrence of damage or destruction to persons or property.
- (b) The policy names Okaloosa County Growth Management Department as an additional insured by endorsement.

- (c) That the policy provides for a minimum of a ten (10) day notice of cancellation to the Okaloosa County Growth Management Department if at any time the liability policy becomes canceled or terminated.

The Description of Operations of the certificate submitted in compliance with this part shall list the type of State or County license under which the contractor shall be operating. If at any time the insurance policy is cancelled or terminated, the certificate shall be voided.

Section 3. Repeal and Replacement of Section 6-245. Section 6-245 of Article VII of Chapter 6 of the County Code is hereby repealed in its entirety and replaced with the following:

All contractors shall execute a hold harmless agreement that indemnifies and holds harmless Okaloosa County, Florida, its Officers and Agents, from all claims, damages, and expenses and, in addition, shall furnish to the Okaloosa County Growth Management Department a certificate of insurance (Insurance Services Office's Form GL 2012 or equivalent) that verifies the following:

- (a) That the applicant has a prepaid public liability insurance policy for the ensuring year with a responsible insurance company authorized to do business in Florida in the minimum amount of (including completed operations and products): one hundred thousand (\$100,000) per person; three hundred thousand dollars (\$300,000.00) per occurrence, and property damage (including completed operations and products); five hundred thousand dollars (\$500,000), or a minimum combined single limit policy of eight hundred thousand dollars (\$800,000).
- (b) The policy names Okaloosa County Growth Management Department as an additional insured by endorsement.
- (c) That the policy provides for a minimum of a ten (10) day notice of cancellation to the Okaloosa County Growth Management Department if at any time the liability policy becomes canceled or terminated.

The Description of Operations of the certificate submitted in compliance with this part shall list the type of State or County license and license number under which the contractor shall be operating. If at any time the insurance policy is cancelled or terminated, the certificate shall be voided.

Section 4. Incorporation into County Code. It is hereby directed by the Board of County Commissioners that the amendments provided herein be incorporated into the Code of Ordinances of Okaloosa County, Florida, and that any renumbering of the various sections is hereby authorized as necessary to achieve that directive.


Section 5. General Repeal of Conflicting Provisions. Any ordinances or portions of the Code of Ordinances of Okaloosa County in conflict herewith are hereby repealed.

Section 6. Severability. If any section, subsection, clause, or other part of this ordinance is deemed unlawful in any court of law competent to decide such matters, said section, subsection, clause, or other part shall be severed and held as a separate provision and shall have no effect on the remainder.

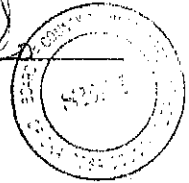
Section 7. Effective Date. This ordinance shall take effect upon execution.

PASSED AND DULY ADOPTED in regular session this 1st day of May, 2012.

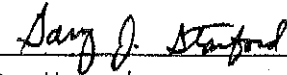
BOARD OF COUNTY COMMISSIONERS OF
OKALOOSA COUNTY, FLORIDA:



Don R. Amunds, Chairman



ATTEST:



Don Howard
Clerk of Circuit Court

