

City of Sanibel

**Building
Department**
800 Dunlop Road
Sanibel, FL 33957
239-472-4555
(Phone)
239-472-8826
(Fax)

www.mysanibel.com



A Consumer's Guide to Choosing the Right Contractor 2008

The City of Sanibel is committed to protecting its residents from unlicensed contractor activities. The City of Sanibel has adopted an ordinance which enables

finances to be levied against violators. Working without the proper license is against the law. Homeowners can protect themselves by avoiding unlicensed contractors. Residents should be aware of what can happen if they hire an unlicensed contractor. If the work is not done to code there is no recourse against the unlicensed contractor, other than through the civil courts. In addition, the property owner is liable for all corrections that need to be made to achieve code compliance. **NOTE: A Handyman** is not a licensed contractor and cannot obtain building permits.

A Recorded Notice of Commencement (NOC): is required for all Work that Exceeds \$2,500.00. (Except heat and air conditioning work, the limit is \$7,500.00). The Notice of Commencement (NOC) notes the intent to begin improvements, the location of the property, description of the work and the amount of bond, (if any). It also identifies the property owner, contractor, lender, surety and other pertinent information. Failure to record an NOC, could contribute to your paying twice for the same work or materials. It must be recorded with the Clerk of the Courts in Lee County and a copy must be in the Sanibel Building Department prior to the first inspection.

Early warning signs of an unlicensed contractor:

1. A large down payment is requested before work begins.
2. Many requests for money during early phases of construction.
3. The homeowner is asked to obtain the permit.
4. Verbal contract only, the person is not willing to put all terms in writing.
5. The contractor does not have proof of insurance.

6. The contractor informs the homeowner that the job does not require a permit or inspection. (To verify if a permit is actually required, call the Building Department at 239-472-4555.)
7. The contractor is only willing to work on weekends or after hours.
8. Contractor display only a local business tax receipt. (Formally an occupational license). This is not a license to perform construction work.
9. The homeowner is asked to make the check payable to an individual when the contract is with a company, or asked to make payments in cash, or make checks payable to "cash".
10. Advertisements where only the telephone number appears and there is not a business address or license number.
11. License numbers are not on the vehicle, business cards, contracts, newspapers or yellow page advertisements.

The homeowner can also ask questions.

1. Ask what type of license they have. The license should be issued from the City of Sanibel or the Department of Business and Professional Regulation.
2. Ask to see a copy of their license. To lawfully engage in contracting, a contractor must be either State Certified, State Registered or Locally Licensed and have the card on their person.
3. Ask for a copy of their liability and workman's compensation insurance. Licensed contractors must have general liability and workman's compensation insurance in force at all times.
4. If the work involved is on or adjacent to water, long shore man's insurance is required.

Below are web-sites you may find helpful.

www.mysanibel.com

City of Sanibel.

www.fema.gov

Federal Emergency Management Agency

www.epa.gov

Environmental Protection Agency

www.cdc.gov

Centers for Disease Control

www.ibhs.org

Institute for Business & Home Safety

www.dca.org

Department of Community Affairs

www.floridabuilding.org

Florida Building Codes

www.fldfs.com

Workers Compensation

www.flsenate.gov

Florida Statutes

www.leepa.org

Lee County Property Appraiser

www.sanibel-captiva.org

Sanibel-Captiva Chamber of Commerce

To File a Complaint on a Contractor:

For locally licensed: please contact the City of Sanibel Building Department at 239-472-4555. A Contractor Complaint form is also on the web at www.mysanibel.com.

City forms/building department.

For State Certified Licenses write to the State at:

Department of

Business & Professional Regulations

1940 N. Monroe Street

Tallahassee, FL 32399-0782

www.myfloridalicense.com

HELPFUL TERMS:

Development Permit – Is always required when changing the exterior features of a home or property.

Building Permit – Any work over \$750.00 requires a building permit.

If you are found doing work without a building permit, minimally the Building Inspector will issue a “Stop Work Order” until you obtain the proper building permit. The minimum penalty for doing work without a permit is that you will be charged twice the normal fee for the building permit for the type of work you

are having done. (All construction will remain on hold, until all necessary approvals are obtained). If the work being done is in violation of the Building Codes or Zoning Requirements, the work must be changed to comply or work must be completely removed.

Matters of non-compliance are referred to the City’s Code Enforcement, which has the Authority to review the case and impose fines up to \$250.00 per day until Compliance is achieved.

HOLDERS:

The Hours a Contractor can work on Sanibel Island are Monday through Saturday, from 7:00 a.m. to 5:00 p.m.

Owner Builders:

State law requires construction to be done by Licensed Contractors.

You may apply for an exemption to that Law, if you are the owner of the subject property. You may do so only if it is for your own use, you must supervise the construction yourself and you may not sell or lease the property for one year. Your construction must comply with all applicable laws, ordinances, building codes, and zoning regulations. You need to understand that City staff is not there to design, alter, nor give advice on how to meet the Codes; only to ensure that the structure meets the minimum code. Homeowners who hire unlicensed contractors face several potential costly penalties. The

City of Sanibel can issue an order to stop construction and can levy a \$10,000.00 fine for aiding and abetting unlicensed contractors.

Should you encounter an emergency situation, i.e. flood/wind repairs,

you need to secure a contractor who can assist you through this time. Make sure they are Certified with the State of Florida as a Building Contractor, General Contractor or Residential Builder. (Ask to see their State License).