

ORDINANCE NO. 339

Be it ordained by the Town Trustees of the Town of Center concerning the licensing of Contractors in the Town of Center.

Section One: Definitions.

The following words, terms and phrases, when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning.

Contractor shall mean any person, Firm, Company, Corporation, LLC or partnership who, for a fixed or a determinable sum of money or other compensation other than wages, undertakes or agrees to undertake for another the construction, alteration or repair of any building or structure affixed to real property, or any part thereof; provided, such term shall not include, and this chapter shall not apply to, persons installing, repairing or altering plumbing or electrical wiring, fixtures, appliances or gas fitters.

General Contractor shall mean any contractor who undertakes or agrees to undertake any such construction, alteration or repair which requires the service of a person or persons engaged in two or three different trades.

Limited Contractor shall mean any contractor who undertakes or agrees to undertake any such construction, alteration or repair which requires the services of a person or persons engaged in one trade only.

Trade shall mean an occupation requiring special mechanical and technical knowledge and skill, including masonry, carpentry, plastering, painting and papering, glazing, roofing and all other occupations carried on in the construction, alteration or repair of buildings or structures, requiring special knowledge and skills for the performance thereof.

Wages shall mean compensation paid for services measured solely by the time spent in performance of such service multiplied by the rate of compensation per unit of time

Section Two: License Required.

1. A contractor shall obtain a license to perform work in the Town of Center when the total estimated value of any job (involving plumbing, electrical, labor and materials) is \$ 1500.00 or more.

2. No person shall engage in the business of contractor, either general or limited, within the Town of Center, as per the requirements of paragraph (1) unless a contractor's license is applied for and obtained as provided herein. There shall be issued to such person a contractor's license for the current year, as provided in this article.

Section Three: Application procedures.

Any person desiring a license as general or limited contractor shall submit to the Town clerk an application for such license on a form to be provided by the town. All applicants shall be required to carry liability insurance, in the amount of not less than \$50,000.00 bodily \$100,000.00 property and workers compensation if the contractor or limited contractor has employees. A license fee of \$50.00 shall be paid for the original general contractor's license, and \$25.00 for the limited contractor fee. The fee for each annual renewal shall be one half the original fee.

Section Four: Contents

Each license shall contain a statement of whether it is a general or limited contractor's license, and, a permanent address and telephone number for each applicant.

Section Six: Expiration date.

All license issued under this article shall expired on December 31 of the year of issue.

Section Seven: Revocation, suspension, rejection; hearing.

Any license issued pursuant to this article may be revoked, suspended or refused any person who intentionally and openly violates any federal, state and Town laws, rules and ordinances pertaining to the building trades; provided, no license shall be revoked or suspended for the reason contained in this section, except by action of the Town Board upon a verified complaint filed with the Town by a party directly affected by such violation setting forth the violations, and unless such complaint or a part thereof shall, in the opinion of a majority of the Town Trustees present at a meeting thereof, be sustained by evidence presented at a hearing before the Town Trustees. The applicant shall be given notice of the hearing and a copy of the complaint at least ten days prior to the hearing. He shall be permitted to be at such hearing and present evidence in his own behalf.

Section Eight: If any Provisions is Declared Invalid:

If any provisions of this Ordinance is declared to be invalid by a decision of any court of competent jurisdiction it is hereby declared to be the Towns intent as follows:

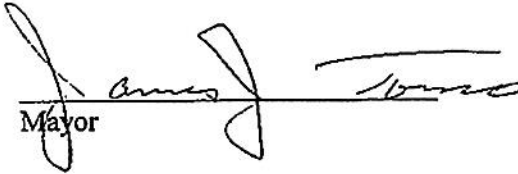
- (1) The effect of such decision shall be limited to that provision or provisions which are expressly stated in the decision to be invalid; and (2) Such decision shall not affect, impair or nullify this Ordinance as a whole or any other part thereof, but the rest of this Ordinance shall continue to full force and effect.

Section Nine: Penalty

Any person who shall violate any of the provisions of this Ordinance, and upon conviction thereof shall pay a penalty of not more than three hundred (\$300.00) dollars or a jail sentence of not more then (90) days or both such fine and imprisonment. Each day that a violation of this Ordinance continues shall constitute a separate and distinct offense, and shall be punishable as such.

Introduced, passed, and read this 9th day of NOVEMBER, 1999


Clerk Attest


Mayor

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