

## **Ordinance 04-2011**

### **Contractors' Registration**

**WHEREAS**, the Common Council of the City of Rensselaer deems it necessary to maintain a high quality of Contractor work performed in the City; and,

**NOW BE IT ORDAINED** by the Common Council of the City of Rensselaer, that effective the 14<sup>th</sup> of March, 2011, that the registration and standards for Contractors will be as follows:

#### **Sections:**

1. **Purpose**
2. **Registration Required**
3. **Definitions**
4. **Registration Fees**
5. **Revocation of Registration**
6. **Revocation Procedures**
7. **Violation**
8. **Penalty**
9. **Contractor Registration Fund**

**Section 1 Purpose:** *Purpose.* The purpose of this Ordinance is to provide for central information and record keeping of contractor, subcontractor and specialty contractor performance in the hope that minimum standards will be encouraged for the protection of life, health, environment, public safety and general welfare to users of contractors, subcontractors and specialty contractors in the performance of construction, alteration, repair, moving, wrecking and demolishing of any structures.

**Section 2 Registration Required:** No contractor or specialty contractor shall do or perform any work to construct, alter, remodel, remove, repair, or demolish any structure, within the City of Rensselaer unless such a contractor or specialty contractor shall first obtain a valid registration certificate from the City of Rensselaer.

*A. Requirements for registration.* It shall be unlawful for any person to engage in the business or act in the capacity of a contractor or subcontractor/specialty contractor within the city without having registered and submitted the following:

1. An application form indicating the name, address, and legal business status of the contractor/subcontractor/specialty contractor and its employees to the Building Commissioner. If the contractor/ subcontractor/specialty contractor is a corporation, the name and address of the resident agent is required. Area of expertise shall be stated on the application. The areas of expertise shall include but not be limited to the following:

- (a) General contractor
- (b) Carpentry;
- (c) Plumbing;
- (d) Electrical;
- (e) Masonry/tiling;
- (f) Concrete
- (g) Heating/cooling/ventilating;
- (h) Roofing/siding/insulation/weather protection;
- (i) Drywall/plaster;
- (j) Mechanical (HVAC);
- (k) Excavating;
- (l) Demolition;
- (m) Flooring, excluding hardwood and carpeting;

(n) Tree removal/trimming/landscaping/lawn maintenance; and

(o) Snow removal.

2. Each contractor or subcontractor/specialty contractor shall submit a certificate of insurance naming the City of Rensselaer as the certificate holder: the minimum amounts of \$500,000 bodily injury and property damage and workers compensation in the maximum amount required by state law.

**Section 3 Definitions:** A. *CONTRACTOR*: Any person, except a licensed architect or registered professional engineer, Owner / Occupant of a one or two family dwelling who in any capacity other than as the employee of another for wages as the sole compensation, undertakes to construct, alter, repair, move, wreck, or demolish any structure. The term includes general contractor, subcontractor, or specialty contractor, but does not include a person who furnishes materials or supplies.

B. *SUBCONTRACTOR/SPECIALTY CONTRACTOR*: A person who makes an agreement to perform a limited segment of the construction, improvement, repair or remodeling of the premises. This includes agreements with a general contractor or property owner.

C. "Person" means an individual, partnership, or corporation.

D. "Building Department" shall mean the Building Department of the City of Rensselaer, which operates under the supervision of the Building Commissioner.

**Section 4 Registration Fees:** The fee for new registration is One Hundred Dollars (\$100.00). The annual renewal fee, when received and receipted on or by May 1<sup>st</sup> of each year is Fifty Dollars (\$50.00). Postmark date is not considered. There is a Thirty Dollar (\$30.00) late fee imposed on all renewals received after June 1<sup>st</sup>.

**Section 5 Revocation of Registration:** The following shall constitute grounds for the revocation of registration:

A. Cancellation of or failure to maintain the insurance coverage required under Section 2.2.

B. Failure to pay the registration and/or renewal fees under Section 5.

C. Violation of any Ordinance or state or federal laws related to the work or services performed by the contractor including but not limited to violation of The City of Rensselaer.

D. Failure to correct any red card or inspection violation within the required time frame and/or proceeding with a project in violation of any red inspection notice.

E. Fraud and /or misrepresentation of any fact set forth in the application for registration and /or any supplements thereto.

**Section 6 Revocation Procedures:** In the event the Building Department shall determine that grounds exist to revoke a registration, the Building Department shall immediately serve written notice of the intent to revoke at least ten (10) days prior to its effective date on the contractor and advise the contractor that the contractor may request a hearing. Upon a contractor's request for a hearing, the Building Department shall proceed to schedule a hearing and receive evidence by the Violations Bureau under authority of the City of Rensselaer.

**Section 7 Violation:** After a building contractor violates a building permit, zoning or subdivision ordinance three (3) times in a calendar year, the contractor is ineligible to receive a building permit for one (1) year, beginning on the date of the third (3<sup>rd</sup>) violation.

Whenever a person, for whom the structure is to be built applies for a permit, he must disclose under the penalties for perjury, the identity of his contractor; such a person is eligible to receive a permit only if his contractor is eligible.

**Section 8 Penalty:** In addition to the procedures for revocation of registration, any violation of the provisions of the Ordinance shall be subject to a fine not to exceed \$250.00 per occurrence; an occurrence shall accrue for each business day of non-compliance with this ordinance.

**Section 9 Contractor Registration Fund:**

A. The City of Rensselaer shall establish in its operating a fund designated as the Building Department fund. Any balance remaining at the end of a fiscal year shall be carried over in the fund for the following year.

B. Money for the Building Department fund may be received from contractor registration fees, including donations.

C. Money in the Building Department Fund shall be used to supplement expenses incurred in carrying out the purposes of the Building Department.

**PASSED** by the Common Council of the City of Rensselaer,  
Indiana on the 14th day of March, 2011

ATTEST:

Presented by me to the Mayor of the City of Rensselaer, Indiana,  
On the 14<sup>th</sup> day of March, 2011, at 4:00 o'clock p.m.

*S/ Frieda Bretzinger*  
Frieda Bretzinger, Clerk Treasurer

Approved by me this 14<sup>th</sup> day of March, 2011

*S/ Herbert H. Arihood*  
Herbert H. Arihood, Mayor  
City of Rensselaer

**AYE VOTES:**

*S/ Carole Beaver*  
**Carole Beaver**

*S/ George Cover*  
**George Cover**

*S/ Richard F. Comingore*  
**Richard F. Comingore**

*S/ William Hollerman*  
**William Hollerman**

*S/ Rick Williams*  
**Rick Williams**

**NAY VOTES:**

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**Carole Beaver**

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**George Cover**

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**Richard F. Comingore**

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