

ORDINANCE NO. 21-15

AN ORDINANCE AMENDING SECTION 1306.03 OF THE PAINESVILLE CODE OF 1998, RELATING TO GENERAL CONTRACTOR REGISTRATION FEES, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PAINESVILLE, LAKE COUNTY, OHIO:

SECTION I. That Section 1306.03 of the Painesville Code of 1998 is hereby amended to read as follows:

1306.01 DEFINITION.

"General contractor" means any person or entity doing construction work in the City that requires a building permit by the Building or Zoning Code. A general contractor shall not include HVAC, sewer, electrical, fire suppression, and plumbing contractors, which are otherwise regulated by City ordinances. The term "general contractor" excludes a resident or owner of a one, two or three family home that performs their own work. However, if an owner of a one, two or three family home performs their own work, they shall obtain a building permit if required but shall not be required to comply with this chapter. The term shall not include interior and exterior painters and landscapers, unless their work requires a building permit through the City.

The term "subcontractor" means a person or other legal entity that contracts with a general contractor or subcontractor to perform work in the City that requires a permit by the Building or Zoning Code, but does not contract directly with the purchasing person or entity that purchases the services of the general contractor. A subcontractor must register with the City unless otherwise exempted by this chapter. A subcontractor is exempted from registration with the City if they are working directly for a general contractor or subcontractor who is already registered with the City. If a subcontractor contracts directly with a purchasing person, or entity that is not registered with the City, then the subcontractor must register with the City.

1306.02 LICENSE CERTIFICATE OF REGISTRATION REQUIRED.

No person shall engage in, or work at the business of a general contractor in the City, without having first procured from the Building Official or their authorized representative a Certificate of Registration permitting such person to perform general contracting work, except in no case shall this provision apply to employees of the City in the performance of their regular duties on City property.

1306.03 CERTIFICATE OF REGISTRATION FEE.

Each general contractor shall pay a fee of one hundred dollars (\$100.00) if registered or renewed by January 31 of each year. If registered or renewed after January 31 of each year, the fee will be one of the following: \$150.00 from February 1 to August 31 or \$75.00 on or after September 1 to December 31. ~~Said fee shall be paid for a full year or any part thereof.~~ All registrations shall expire on December 31 of each year.

If work is started before the contractor is registered, the registration fee shall be doubled.

1306.04 REVOCATION OF REGISTRATION.

Certificate of Registration provided for herein may be revoked at any time for incompetence, the fraudulent use thereof or a violation of the laws of the State, the International Residential Code, or any Building Code of the City, or any other rule or regulation provided for by the City pertaining to the work of a general contractor after full hearing by the Board of Review.

(a) After revocation for any of the causes above, no Certificate of Registration shall be issued to the party for at least three months after the revocation.

(b) In all cases of revocation, no new Certificate of Registration shall be issued until the applicant has paid the same fee as for the original registration.

1306.05 BOARD OF REVIEW.

The Board of Review shall be the same Board of Review and the same procedure shall apply as is set forth in Section 1307.04.

1306.06 BOND AND INSURANCE REQUIRED.

(a) A general contractor, before the issuance of a Certificate of Registration shall furnish a surety bond on a form to be approved by the City Manager, in the penal sum of twenty-five thousand dollars (\$25,000) stating that the applicant will save the City harmless from all damages that may arise from negligence of the applicant, or anyone in his employ, and as a guarantee that the general contractor will conform to and abide by the Building Code of the City, and any and other codes which may be incorporated into the Codified Ordinances by reference, and such other requirements as the City may make in relation to general contracting work or installations, and to the directions of the Building Official or the authorized representative of the City. Such bond is to be in force from the date of its acceptance and the issuance of the Certificate of Registration by the Building Official to the end of the year covered by the Certificate of Registration.

(b) Every applicant for a Certificate of Registration, upon submitting a completed application and furnishing the required bond, shall provide evidence of liability insurance for bodily injury in the amount of one hundred thousand/three hundred thousand dollars (\$100,000/\$300,000) and for property damage in the amount of fifty thousand dollars (\$50,000) annually and upon renewal of all Certificates of Registration.

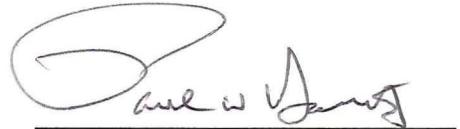
(c) In the event explosives of any kind, nature or quantity are to be used on any job, then the registered general contractor shall first secure a rider, to be annexed to the original insurance policy so filed, or an additional insurance policy indemnifying the applicant and/or the City in the sum of fifty thousand dollars (\$50,000) for injury to one person, and one hundred thousand dollars (\$100,000) for injury to more than one person, and fifty thousand dollars (\$50,000) for property damage in any one accident by reason of acts of negligence by the licensee or his employees in performing the work, as herein above described, which cause personal injury or damage resulting from the use of explosives. Such additional coverage required for the use of explosives may be a continuous coverage, or may be secured as a separate coverage for each job done in which explosives are to be used.

1306.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the fourth degree for each offense.

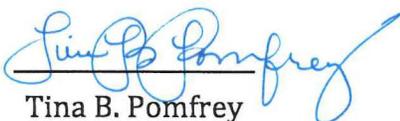
SECTION II. That this Ordinance is passed as an emergency measure for the protection and preservation of the peace, health, safety, and general welfare of the inhabitants of the City of Painesville, the emergency being the immediate necessity to modify and enforce the Contractor Registration Code, and therefore, this Ordinance shall become effective immediately.

PASSED: September 8, 2015



Paul W. Hach, II
President of Council

ATTEST: September 8, 2015



Tina B. Pomfrey
Acting Clerk of Council