

ORDINANCE NO 24-15

AN ORDINANCE AMENDING SECTION 1309 OF THE PAINESVILLE CODE OF 1998, RELATING TO HEATING, VENTILATING AND AIR CONDITIONING 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 1309 of the Painesville Code of 1998 is hereby amended to read as follows:

1309.01 DEFINITION.

"Heating, ventilating and air conditioning contractor" means a person who contracts with another person, firm or corporation for the installation of space heating, refrigeration or boiler work, but does not include:

(a) Those persons who perform maintenance or repair work upon heating appliances; or

(b) Maintenance men engaged in heating work regularly in the employ of a person, firm or corporation and while doing such work for and on the premises of the employer in the regular course of employment.

1309.02 CERTIFICATE OF REGISTRATION REQUIRED.

No person shall engage in or work at the business of a heating, ventilating and air conditioning contractor in the City without having first procured from the Building Official, a Certificate of Registration permitting such person to perform such work as a heating, ventilating and air conditioning contractor, except that in no case shall this provision apply to employees of the City in the performance of their regular duties.

Each applicant for a Heating, Ventilation and Air Conditioning Contractors (HVAC) Certificate of Registration shall provide a copy, and maintain a current HVAC Contractors License issued by the State of Ohio Construction Industry Examining Board.

1309.03 CERTIFICATE OF REGISTRATION FEE.

Each heating, ventilating and air conditioning 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.

1309.04 REVOCATION OF CERTIFICATE OF REGISTRATION.

(a) Any Certificate of Registration provided for herein may be revoked at any time for the incompetency, the fraudulent use thereof or a violation of the laws of the State or any building code of the City or any other rule or regulation provided for by the City pertaining to the work of a heating, ventilating and air conditioning contractor, after full hearing by the Board of Review.

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

1309.05 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.

1309.06 BOND AND INSURANCE REQUIRED.

(a) A heating, ventilating and air conditioning contractor, before the issuance of a Certificate of Registration, shall furnish a surety bond, on a form to be approved by the City Manager, or other person designated by him, 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 heating, ventilating and air conditioning contractor will conform to and abide by any and all code requirements of the City, including any and all City building codes and such other requirements as the City may make in relation to space heating 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 registration by the Building Official, to the end of the year covered by the registration and must be renewed annually on the reissuance of the 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 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.

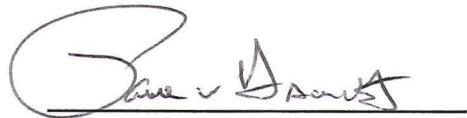
(c) In the event explosives of any kind, nature or quantity are to be used, on any job, then the registered heating, ventilating and air conditioning contractor shall first secure a rider, to be annexed to the original insurance policy so filed, or an additional insurance policy indemnifying the applicant 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 hereinabove 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.

1309.99 PENALTY.

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

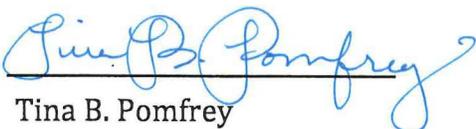
SECTION II. That this Ordinance is passed as an emergency measure for the protection and preservation of the peace, health, safety, and general welfare of the inhabitants of the City of Painesville, the emergency being the immediate necessity to modify and enforce the Contractor Registration Code, and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