

TITLE VI - REGULATION OF BUSINESS AND VOCATIONS
MISCELLANEOUS

CHAPTER 163
LICENSING OF ELECTRICIANS, PLUMBERS-GAS FITTERS
AND GENERAL CONTRACTORS

163.01 License Required	163.04 General Contractor Licenses
163.02 Administration	163.05 Lending or Transferring Licenses Prohibited
163.03 Electrician Licenses and Plumber-Gas Fitter Licenses	163.06 License Revocation and Suspension

163.01 LICENSE REQUIRED. No electrician, plumber, mechanical or general contractor shall do business within the City without first obtaining a license in accordance with the provisions of this chapter. (Amended by Ordinance No. 731)

163.02 ADMINISTRATION.

1. The City Coordinator shall be responsible for the administration of the provisions of this chapter, except that the Clerk shall maintain a record of all licenses issued and renewed. The Building and Housing Board of Appeals shall meet as necessary to review and make recommendations to Council of the effectiveness of the licensing program.
2. Any person aggrieved by refusal to grant a license hereunder shall have the right to appeal to the Council. Upon review by the Council, if Council finds that the license should have been granted, it shall direct the City Coordinator to issue the license. If Council finds that denial of a license was appropriate, it shall affirm the decision of the City Coordinator.

(Amended by Ordinance No. 731)

163.03 ELECTRICIAN LICENSES AND PLUMBER-GAS FITTER LICENSES. Application for an electrician license or a plumber-gas fitter license shall be made to the Clerk on forms furnished by the City and a license shall be issued in accordance with the following:

1. Examination Required. The Board or Building Official shall administer an examination for such license. The examination shall be practical, written or oral, or a combination thereof, and shall be of such nature as to test uniformly the capabilities of all applicants for each specific type of license. The applicant shall be required to clearly demonstrate the person's qualification for the particular type of license desired.
2. Examination Waived. An applicant who holds a license or certificate of competency from another City which has similar licensing standards, and

who produces credentials showing proper accreditation, shall be excused from the examination required if the Board approves such credentials.

3. Insurance. Before issuance of a license, the applicant shall have on file with the Clerk a copy of a certificate of insurance stating the liability amounts of no less than \$100,000.00 property damage and \$300,000.00 bodily injury and a completed products provision. The City shall be named as an additional insured. The policy shall also provide for at least thirty (30) days notice by the insurer to the City of termination of the policy by the insured or insurer.

(Amended by Ord. No. 589)

4. License Fees. Before issuance of the license, a license fee shall be paid. The fees for examinations and licenses shall be established by resolution of the Council.

(Amended by ordinance No. 607)

5. License Expiration and Renewal. All licenses shall expire on December 31 of each year and may be renewed annually upon payment of the license fee. All licenses must be renewed prior to the expiration date; provided, however, that expired licenses may be renewed without reexamination within a reasonable time.

6. Homeowners Exempt from Electrical License Requirements. In cases in which an owner-occupant of a single-family dwelling desires to install electrical equipment or perform any electrical work in such single-family structure, the owner-occupant may appear before the electrical inspector and show that the owner-occupant is competent to do the specific work. After such showing, the owner-occupant may obtain an electrical permit by paying the proper fee.

(Added by Ordinance No. 589)

7. Journeyman Plumbers and Electricians Excepted. Working permits shall be issued only in the name of the person holding an active Master license and the name of the firm he/she represents. A journeyman must be covered by the employer's insurance and under the supervision of a Master unless such person is a regular employee of a manufacturing, industrial, or public establishment, who does maintenance work for that establishment only, and who maintains and keeps in a state of repair the existing equipment within a building, or group of buildings. Journeymen must have a minimum of one year experience as an apprentice and successfully pass the examination requirements of this chapter.

(Subsection 7 added by ordinance No. 607)

8. Mechanical Contractor. A mechanical contractor's license may be issued to a firm in the business of heating and ventilation, central air conditioning, refrigeration (for the purpose of food and product preservation), including duct work. However, only an installer's license shall be issued to the individuals working where they have demonstrated qualifications, unless an individual shall have demonstrated competency in all areas covered by a general mechanical contractor and the license shall so state such. *(Ord. 731 - May 97 Supp.)*

9. Mechanical Installer. Working permits shall be issued in the name of the person holding an active installer's license and the name of the firm he/she represents. An installer/employee must be covered by the employer's insurance. An installer's license may be issued for one or more categories or specialties within the general mechanical area, provided competency is demonstrated and at least one year apprenticeship served. *(Ord. 731 - May 97 Supp.)*

163.04 GENERAL CONTRACTOR LICENSES. Application for a general contractor's license shall be made to the Clerk on forms furnished by the City, and a license shall be issued in accordance with the following:

1. Insurance. The applicant shall file a certificate of insurance indicating the applicant is carrying liability insurance in the amount of \$300,000.00 general aggregate, \$300,000.00 products-completed operations aggregate, and \$100,000.00 each occurrence. The City shall be named as an additional insured. The policy shall also provide for at least thirty (30) days' notice by the insurer to the City of termination of the policy by the insured or insurer.

2. License Issuance and Renewal. Upon approval of the applicant's qualifications and payment of a license fee in an amount set by resolution of the Council, the license shall be issued. All licenses shall expire on December 31 of each year and may be renewed annually upon payment of the license fee.

163.05 LENDING OR TRANSFERRING OF LICENSES PROHIBITED. It is unlawful for a license holder to loan or transfer his license to another, either directly or indirectly. *(Ord. 939 - June 07 Supp.)*

163.06 LICENSE REVOCATION AND SUSPENSION. A license may not be revoked summarily without good cause and notice and opportunity for a hearing.

1. A license may be revoked and suspended for good cause if:

- A. It was obtained through willful nondisclosure, misstatement or misrepresentation of a material fact, or
 - B. Continuous violation of the Codes reasonably demonstrates lack of sufficient knowledge of Codes and possession of the necessary occupational skills.
2. No order of license revocation or suspension shall be lawful unless the following requirements have been satisfied.
 - A. The licensee shall be served with written notice containing assertions of fact or conduct which warrant the intended action, reference to ordinance provisions allegedly violated, and specification of the time, place and nature of the hearing.
 - B. The Building and Housing Board of Appeals shall conduct a public hearing, subject to appellate review by the City Council, for the purpose of resolving those issues of law and fact arising out of the individual case. Should the licensee or his authorized representative fail to appear without good cause, the Board may proceed, in his absence, to a determination of the issues.
 - C. The licensee shall have the right to be represented by counsel, to testify and present witnesses in his own behalf, and to cross-examine adverse witnesses.
 - D. The Board shall make and record findings of fact and conclusions of law and shall issue an order of suspension or revocation only when, upon review of the entire record, it finds clear and convincing evidence of a substantial violation of this chapter.
 3. Appeal. In the event any person shall feel aggrieved by any action of the Board, he may appeal to the City Council at its next regular meeting. All interested persons shall be given opportunity to be heard at such hearing and the City Council may affirm, modify or overrule the action of the Board. Action taken by the Board shall be affirmed by the Council if such action is supported by substantial evidence upon the whole record. A person whose license has been revoked shall not be permitted to apply for another license within one year from the date of revocation.

(Ord. 939 - June 07 Supp.)