

CHAPTER 1309
Contractor Registration

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1309.01 CONTRACTOR DEFINED.

"Contractor" as used in this Chapter, means any individual, firm, co-partnership, corporation, association or other organization, or any combination of any thereof, who or which by himself or itself, or by or through others, constructs, alters, repairs, adds to, subtracts from, reconstructs, remodels or performs any service on any buildings, structure or appurtenance thereto, or who or which undertakes or offers to undertake, or purports to have the capacity to undertake, or submits a bid so to do. The term "contractor" includes subcontractor and specialty contractor, whose operations as such are the performance of construction work requiring special skill and whose principal contracting business involves the use of specialized building trades or crafts.

1309.02 REGISTRATION REQUIRED.

No person, firm or corporation shall perform any work or service in the City in the capacity of a contractor, as herein defined, without first obtaining a certificate of registration from the Building Commissioner.

Advertising sign contractors and/or erectors shall be registered and bonded as defined in Section 1163.11(b) - 1163.11(g) of the Codified Ordinances of the City of Rocky River.

1309.03 PERMIT TO BE ISSUED ONLY TO REGISTERED CONTRACTOR.

No permit required by the provisions of Chapter 1321 of the Codified Ordinances of the City of Rocky River shall be issued for work to be undertaken by contract except to a registered contractor.

1309.04 APPLICATION.

Application for a registration certificate shall be made on forms provided by the Building Commissioner and shall set forth the name of the applicant, his place of business, his experience in the work for which a certificate is applied and such other information as the Building Commissioner may require. Evidence that the applicant is correctly licensed by the State of Ohio shall be sufficient evidence of qualification.

1309.05 REGISTRATION FEE AND TERM.

Upon receipt of the completed application, the required bond, required liability insurance and payment of an initial license fee in the sum of Seventy-five Dollars (\$75.00), the Building Commissioner shall issue a certificate to the applicant. The initial certificate shall expire on December 31 of the year of issue and may be renewed annually thereafter upon the payment of the fee, completed application, required bond and liability insurance.

1309.06 REGISTRATION BOND AND INSURANCE REQUIRED.

(a) Prior to the issuance of a registration, the Building Commissioner shall require an applicant to furnish a registration bond, to be approved as to form by the Director of Law and as to sufficiency by the Mayor. The registration bond for all contractors shall be in the penal sum of five thousand dollars (\$5,000).

(b) Every applicant for registration shall, upon the approval of his application, furnish and file with the Building Commissioner, proof of liability and property damage business insurance in a minimum sum of one hundred thousand dollars to three hundred thousand dollars (\$100,000/\$300,000) for liability insurance and ten thousand dollars (\$10,000) property damage, the City to be named as additionally insured.

1309.07 REGISTRATION SUSPENSION OR REVOCATION.

The Building Commissioner may suspend or revoke any certificate issued under the provisions of this Chapter for any of the following reasons:

- (a) Misrepresentation of a material fact by the applicant in obtaining a certificate or renewal thereof.
- (b) Use of a certificate in obtaining permits for another person.
- (c) Faulty or defective workmanship.
- (d) Departure from or disregard of plans and specification filed with the application for a permit.
- (e) The noncompliance with or violation of any provision of Chapter 1301 and Chapter 1303.
(Ord. No. 139-02. Passed 9/23/02.)
- (f) Performing contract work without proper permit.

Any person, firm, corporation or association whose certificate is suspended or revoked shall not be issued another certificate before the expiration of the term of suspension or within two (2) years from the date of revocation.

1309.08 HEARING OF APPEAL.

A registrant whose certificate has been suspended or revoked may appeal such order or suspension or revocation to the Board of Zoning and Building Appeals. The appellant may be represented by counsel at his own expense. The Board shall permit the appellant and the Building Commissioner to call witnesses and introduce competent testimony pertinent to a hearing of appeal. The appeal shall be made in writing and filed with the secretary of the Board within thirty (30) days after the receipt of the notice or order. The Board may affirm, reverse or modify any action taken by the Building Commissioner.

1309.09 HOMEOWNER'S EXCEPTION.

The provisions of this chapter shall not apply to a homeowner desiring to perform work on his or her own premises, or a homeowner who desires to assume the responsibility as his or her own general contractor, provided that any person or firm employed for such phases of the work who does this type of work as a business is registered as provided herein. The homeowner shall submit an affidavit to the Building Commissioner stating exactly the nature and extent of the work to be performed by the homeowner himself or herself and by others. Any work performed by such homeowner and others shall be subject to all provisions of this Building Code and to all inspections authorized by the Commissioner.

1309.99 PENALTY.

Whoever violates any provision of this Chapter shall be guilty of a minor misdemeanor for the first offense. Whoever violates any provision of this Chapter shall be guilty of a fourth degree misdemeanor for the second offense or subsequent offenses.

(Ord. No. 154-04. Passed 11/08/04.)

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