

CHAPTER 1448
Registration of Contractors

1448.01	Registration required.	1448.09	Installations by public utility companies.
1448.02	Fees.	1448.10	Compliance required.
1448.03	Expiration and renewal of certificates.	1448.11	Permits issued only to registered contractors.
1448.04	General eligibility for registration.	1448.12	Bond.
1448.05	Eligibility for electrical, plumbing, heating, air-conditioning, hydronics and refrigeration contractors.	1448.13	Insurance.
1448.06	Eligibility for general contractors, and all other contractors.	1448.14	Homeowner's exception.
1448.07	Eligibility for fire protection systems contractors.	1448.15	Suspension and revocation of registration.
1448.08	Applicants holding license certificates from other communities. (Repealed)	1448.16	Firms or corporations installing work.
		1448.17	Appeals.
		1448.99	Penalty.

CROSS REFERENCES

Registration of contractors - see Ohio R.C. 715.27

Construction Industry Examining Board - see Ohio R.C. 4740.01 et seq.

Having an unlawful interest in a public contract - see GEN. OFF. 608.10

Falsification to obtain registration - see GEN. OFF. 608.01

Sewer builders - see S.U. & P.S. 1042.01 et seq.

1448.01 REGISTRATION REQUIRED.

All persons, prior to engaging in, or being employed as responsible for the installation, replacement and/or construction within the Village of any of the following, shall register and obtain a registration certificate:

- (a) Carpentry contractors
- (b) Cement contractors
- (c) Drywall contractors
- (d) Electrical contractors
- (e) Excavation contractors
- (f) Fire protection contractors
- (g) General contractors
- (h) Insulation contractors
- (i) Heating and air-conditioning contractors
- (j) Hydronics contractors
- (k) Masonry contractors
- (l) Plumbing contractors

- (m) Refrigeration contractors
 - (n) Roofing contractors
 - (o) Security system contractors
 - (p) Sewer contractors
 - (q) Siding contractors
 - (r) Sign contractors
 - (s) Steel erection contractors
 - (t) Telephone/communications system contractors
 - (u) Vacuum system contractors
- (Ord. 27-01. Passed 2-6-01; Ord. 103-01. Passed 10-2-01.)

1448.02 FEES.

(a) The following fees shall be charged for the registration and license certificate required by this chapter:

Registration fee	\$50.00
License certificate fee	15.00
Appeal fee	15.00

(b) Fees shall be payable upon acceptance of the application for a certificate. An application shall not be deemed accepted until the authority having jurisdiction has examined such application and determined that the applicant is qualified pursuant to this chapter and possesses the experience, training and education required for the certificate in question.

(1974 Code § 114.02) (Ord. 125-01. Passed 12-19-01.)

1448.03 EXPIRATION AND RENEWAL OF CERTIFICATES.

All license certificates shall expire one year from the date on which they are issued and shall be renewed within 30 days prior to such expiration. If such certificate is not renewed for the ensuing year prior to the expiration date, then such certificate thereafter shall not be renewed unless and until the former registrant makes application therefor and pays the fees required by this chapter and complies with all of the requirements of this chapter.

(1974 Code § 114.03) (Ord. 121-2002. Passed 12-17-02.)

1448.04 GENERAL ELIGIBILITY FOR REGISTRATION.

No applicant shall be registered under the provisions of this chapter unless such applicant is at least 21 years of age and of good moral character and has complied with all of the provisions of this chapter. If a former registrant has been previously approved by the Building Department, approval shall not be required again.

(1974 Code § 114.04)

1448.05 ELIGIBILITY FOR ELECTRICAL, PLUMBING, HEATING, AIR-CONDITIONING, HYDRONICS AND REFRIGERATION CONTRACTORS.

Every applicant, to be eligible for registration as an electrical, plumbing, heating, air-conditioning, hydronics or refrigeration contractor, shall make a written application therefor on blanks furnished by the Building Department and shall present a current certificate in that trade, issued by the Ohio Construction Industry Licensing Board (OCILB). In addition, every applicant shall furnish Federal Identification Number (FIN) or Social Security Number (SSN).

(1974 Code §114.05) (Ord. 103-01. Passed 10-2-01; Ord. 68-2005. Passed 11-1-05.)

1448.06 ELIGIBILITY FOR GENERAL CONTRACTORS AND ALL OTHER CONTRACTORS.

Every applicant, to be eligible for registration as a general, carpentry, cement, drywall, excavation, fire protection, insulation, masonry, roofing, security system or vacuum system contractor, shall make a written application therefor on blanks furnished by the Building Department. Every applicant shall furnish Federal Identification Number (FIN) along with proof of Workers' Compensation Insurance.

(1974 Code §114.06) (Ord. 103-01. Passed 10-2-01.)

1448.07 ELIGIBILITY FOR FIRE PROTECTION SYSTEMS CONTRACTORS.

Every applicant, to be eligible for registration as an installer of fire protection systems, shall have and present a valid, active certificate from the State Department of Commerce, Division of State Fire Marshal.

(1974 Code §114.07)

1448.08 APPLICANTS HOLDING LICENSE CERTIFICATES FROM OTHER COMMUNITIES. (REPEALED)

(Editor's note: Former Section 1448.08 was repealed by Ordinance 103-01, passed October 2, 2001.)

1448.09 INSTALLATIONS BY PUBLIC UTILITY COMPANIES.

(a) No provision of this Building Code shall be interpreted to require licenses, registration or certificates of qualification for officials or employees of public utility organizations to engage in the installation, alteration, repair, maintenance or utilization of any device, appliance, installation or appurtenance forming a part of the equipment for generation, transmission or distribution of any commodity or service which such public utility organization is authorized by law to furnish or provide.

(b) Electrical utility companies holding active franchises within the Village shall be permitted to install outdoor illumination lights on private property pursuant to contract or agreement with the owner or person in charge thereof, without obtaining any permits from the Village and without the necessity of having licensed electricians as defined herein, provided that such installation is performed at all times by the utility company using its personnel regularly employed on a full-time basis. No such utility company shall assign or subcontract all or any portion of such an outdoor lighting installation or install any light or lights which may create a nuisance to adjoining residents or inhabitants, or any light or lights which may create a hazardous condition in the community.

(1974 Code §114.09)

1448.10 COMPLIANCE REQUIRED.

(a) No person, firm or corporation shall engage in the business or act in the capacity of a contractor, as herein defined, except pursuant to a certificate of registration issued in conformity with the provisions of this chapter, by the Building Inspector, unless such person, firm or corporation is particularly exempted by the provisions of this chapter.

(b) The term "contractor", for the purposes of this section, means any individual, firm, corporation, co-partnership, association or other organization, or any combination thereof, who or which, by himself, herself or itself, or by or through others, constructs, alters, repairs, adds to, subtracts from, reconstructs or remodels any building, structure or appurtenance thereto, including the pavement of walkways, driveways, driveway aprons, curbs, patios and sidewalks, or who or which undertakes to submit a bid to do so. The term "contractor" includes a subcontractor and also a special 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.

(c) The Building Inspector shall prescribe a form of application for certificates of registration to be used in administering this section. Registrants shall provide proof of insurance in the amount hereinafter required. However, any person, firm or corporation licensed or certified under any other section of this chapter shall be exempt from registration under this section.

(1974 Code §114.10)

1448.11 PERMITS ISSUED ONLY TO REGISTERED CONTRACTORS.

No permit required by the provisions of this Building Code shall be issued for work to be undertaken by contract except to a registered contractor.

(1974 Code §114.11)

1448.12 BOND.

(a) Every applicant for registration shall, upon approval of the application, furnish and file with the Building Department a bond in the sum of twenty-five thousand dollars (\$25,000.00), to be approved as to form by the Law Director, guaranteeing full and faithful compliance by the applicant with all the provisions of this Building Code and with pertinent rules and regulations promulgated under authority of this Building Code or of the Village. Recourse shall be had to such bond whenever the applicant for registration named as the principal on such bond refuses, neglects or fails to correct or abate a violation within a reasonable time limit set by the Building Inspector.

(b) In the event that any one individual is registered in more than one of the trades referred to in this chapter, such individual, upon posting an indemnity bond in the sum of twenty-five thousand dollars (\$25,000), shall not be required to furnish bonds for any other of such trades.

(1974 Code §114.12) (Ord. 103-01. Passed 10-2-01; Ord. 128-01. Passed 12-19-01.)

1448.13 INSURANCE.

Every applicant for registration shall, upon approval of the application, furnish evidence of liability insurance in the amount of three hundred thousand dollars (\$300,000) and the Village of Brooklyn Heights must be named as "Additional Insured".

In addition, every applicant shall furnish proof of Worker's Compensation Insurance if company employs two or more employees.

(1974 Code §114.13) (Ord. 68-2005. Passed 11-1-05.)

1448.14 HOMEOWNER'S EXCEPTION.

No provision of this Building Code, or any regulation adopted by authority of this Building Code, shall be interpreted to require that the owner of a one or two-family dwelling shall be registered personally to perform work upon the premises occupied, or to be occupied, by such owner, as such owner's established residence. All such work shall be done by such owner with the assistance of any member of his or her family or household, and such work shall be done in conformity with the provisions of this Building Code and rules or regulations promulgated thereunder, and no work shall be done unless all permits, inspections and approvals required by this Building Code are secured.

(1974 Code §114.14)

1448.15 SUSPENSION AND REVOCATION OF REGISTRATION.

(a) A certificate of registration may be suspended by the Building Official for a prescribed period, not to exceed ninety days, whenever he or she has determined that the holder thereof:

- (1) Has not performed the duties required of him or her by this Building Code;
- (2) Has been lax, incompetent, negligent or derelict in the performance of work or furnishing of services authorized by such certificate; or
- (3) Has violated or participated in the violation of any provision of this Building Code.

(b) Either the holder of a suspended certificate or registration or the Building Official may request a public hearing by the Village Council relative to the cause for such suspension.

(c) The Building Official may revoke a certificate of registration if, at the conclusion of the ninety-day suspension, the holder of the suspended certificate has failed to comply with the steps necessary to reinstate such certificate. The holder of a revoked certificate may appeal the Building Official's ruling before the Village Council within thirty days of the notification of said action.

(1974 Code §114.15)

1448.16 FIRMS OR CORPORATIONS INSTALLING WORK.

No firm or corporation shall engage in the business of making installations for which registration is required by this Building Code, unless at least one responsible member, officer or employee of such firm or corporation has been registered by the Village to make such installations. All work performed by such firm or corporation shall be under the direct supervision of the certificate holder. Suspension or revocation of the registration of such person shall suspend or revoke, respectively, the right of such firm or corporation to engage in the business authorized by such registration.

(1974 Code §114.16)

1448.17 APPEALS.

Any suspension or revocation of, or refusal to issue or renew, a certificate of registration, or any other action or determination by any administrative officer under the provisions of this chapter, may be appealed to the Village Council.

(1974 Code §114.17)

1448.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000.00) or imprisoned not more than six months, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.