

ORDINANCE NO. 2014-03

**AN ORDINANCE REGULATING THE REGISTRATION OF CONTRACTORS
REPLACES ORDINANCE NO. 2009-06**

WHEREAS, the Inc. Town of North Judson desires to establish an ordinance to protect life, public safety, health and general welfare of the citizens of North Judson, Indiana, and in an effort to effectuate this purpose;

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE INC. TOWN OF
NORTH JUDSON, INDIANA, THAT:**

Section 1:

This Ordinance and all material included herein by reference shall be known as the "Contractor Registration Ordinance of North Judson, Indiana" and supersedes any previous Contractor Registration Ordinance.

Section 2:

Any land owner or home owner who builds or remodels on property owned by said land owner or home owner does not need to be registered as a contractor. However, any building or remodeling done by the land owner or home owner is subject to all other sections and fees of the Building Ordinance. All subcontractors hired by the land owner or home owner shall be registered under this section.

No contractor shall perform any work in the Town of North Judson without first obtaining a Contractor's Registration Permit from the Clerk-Treasurer's Office. Any contractor who contracts with the general public to perform work regulated by this ordinance must be registered with the Town of North Judson to do such work. "Contractor," as used within this ordinance, means any individual, firm, partnership, corporation, association or other organization, or any combination thereof, who or which by himself, or itself, or by or through others, constructs, alters, repairs, adds to, subtracts from, reconstructs or remodels any building, 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 to do such work. The term "contractor" includes a subcontractor and all specialty **contractors** whose operations as such are the performance of construction work requiring special skills, including, but not limited to, building construction, plumbing, electrical, air conditioning and heating, roofing, excavating, sewage, septic installation, masonry, general contracting, and whose principal business involves the use of specialized building trades and crafts. Any subcontractor who performs work which requires a special or trade **permit** under the provisions of this ordinance must be registered with the Town of North Judson to do such work.

Section 3:

Before being granted a Contractor's Registration Permit, each applicant shall furnish the following information:

- a.) Public Liability and property damage insurance in an amount not less than one million dollars (\$1,000,000.00) in case of damage or injury to one or more persons.
- b.) Certificate of Insurance made out to the Town of North Judson. All insurance and bonds shall be issued by an insurance company authorized to do business in the state of Indiana. Failure to provide such certificate of insurance shall be grounds for denying the application for a Contractor's Registration Permit.

Section 4:

After proper application, the Clerk-Treasurer will issue a Contractor's Registration Permit. The applicant will pay a designated fee as listed on a schedule of fees in the Clerk-Treasurer's Office. All permits are valid until December 31st of the calendar year in which they were issued, or until the expiration date of the certificate of insurance. Upon receipt of the insurance renewal, a replacement permit will be issued with an expiration date of December 31st of the calendar year in which the permit was issued.

Once a contractor has had a registration issued, renewal of such registration shall be on or before February 15th with the payment of the designated fee and completion of renewed application. Failure to renew a registration by February 15th will require the contractor to pay an additional late renewal fee, as listed in a schedule of fees in the Clerk-Treasurer's Office.

The contract registration issued by the Inc. Town of North Judson shall not be transferable to any other firm, name, or business other than the name to which it was originally issued. The contract registration issued by the Inc. Town of North Judson confirms insurance coverage was in place on the date the permit was issued. The contract registration issued by the Inc. Town of North Judson does NOT confirm the actual qualifications of the contractor or the quality of their potential work.

Section 5:

The Inc. Town of North Judson shall have the right to revoke or suspend any registration issued, upon its investigation, upon satisfactory proof that the holder of the registration permit has willfully, intentionally, or repeatedly violated any provisions of the Code or laws of the state pertaining to his/her business, for incompetence or misconduct in the practice of his/her business, for deceit or fraud in obtaining the registration, for irresponsible financial practices, or for any other reason specified in the article.

If a contractor fails to obtain a permit as outlined in this ordinance, they shall be imposed a fine of \$500. If there is a failure to pay or a continued violation, the individual will be subject to the provisions of this ordinance and all additional fines/fees as listed in a schedule of fees in the Clerk-Treasurer's Office, which allows for the assessment of fines not to exceed \$2,500, plus attorney fees and costs of enforcement should legal action be necessary.


Repeal of Conflicting Ordinances. The provisions of all other ordinances in conflict with the provisions of this ordinance are of no further force or effect, and are now repealed.

Severability of Provisions. If any part of this ordinance is held to be invalid, such part will be deemed severable and its invalidity will have no effect upon the remaining provisions of this ordinance.

Duration and Effective Date. Unless otherwise provided by applicable Indiana law, the provisions set forth in this ordinance become and will remain in full force and effect (until their repeal by ordinance) on day of the passage and adoption of this ordinance.

PASSED AND ADOPTED AFTER THE THIRD READING, THIS 2nd DAY OF JUNE, 2014.

TOWN COUNCIL OF THE INC. TOWN
OF NORTH JUDSON, INDIANA


Wendy J. Hoppe, Council President


Josh Brown, Council Member


Tim Cummings, Council Member


Justin Davis, Council Member


Jane Ellen Felchuk, Council Member

ATTEST: 
Donna M. Henry, Clerk-Treasurer