

AN ORDINANCE PRESCRIBING A LICENSE FOR GENERAL BUILDING CONTRACTORS, AND RELATED BUILDING TRADES, PROVIDING PENALTIES FOR VIOLATION THEREOF: REPEALING ALL OTHER ORDINANCES, OR PARTS OF ORDINANCES IN CONFLICT HERewith: AND DECLARING AN EMERGENCY.

THE PEOPLE OF THE CITY OF SWEET HOME DO ORDAIN AS FOLLOWS:

Section 1: Where used in this ordinance, the following terms shall be deemed to have the following meaning, to wit:

- (a) Contractor. The term "contractor" shall mean any person, firm or corporation who is engaged in the business of selling labor and material or labor only, to alter, repair or construct any building or structure or any part thereof, or to construct a building or structure for sale, within the City of Sweet Home, Oregon, including, but not limited to one, who for a fixed price, undertakes to procure performance of work on a large scale, the furnishing of materials in large quantities or the performance of jobs or works, retaining ~~to~~ himself control of means, methods and manner of accomplishing the desired result, even though final payment for labor is based upon man-hours consumed on the job.
- (b) General building contractor shall mean any person, firm or corporation who is engaged in the business of selling labor and material or labor only, to alter, repair or construct any building or structure, or construct a building or structure for sale, within the City of Sweet Home, Oregon, including, but not limited to one, who, for a fixed price, undertakes to procure performance of job or works, retaining to himself control of means, methods, and manner of accomplishing the desired result, even though final payment for labor is based upon man hours consumed on the job.
- (c) Owner building to sell. Any person building any structure with the intention of selling the same upon completion, or any person who shall have built and sold any structure within six months prior to the filing of any application for a building permit for the construction of a structure.
- (d) Building moving or demolition contractor. Any person who for hire engages in the moving, wrecking, or demolition by any means of any structure, either under a contract with the owner or a subcontract with a general contractor or on a time and material basis.
- (e) Heating and ventilating contractor shall mean any person, firm or corporation who is engaged in the business of selling labor and material or labor only, to install, alter, repair or construct any heating plant or heating unit within the City of Sweet Home, provided, however, that it does not include the sale of factory-built heating units unless the same is installed by the seller.
- (f) Plaster contractor shall mean any person, firm or corporation who is engaged in the business of selling labor and material or labor only, to alter, repair or construct plaster walls, ceilings or other portions of a structure, using either metal, wood or composition lath, within the City of Sweet Home, Oregon.
- (g) Masonry contractor shall mean any person, firm or corporation who is engaged in the business of selling labor and materials or labor only, to alter, repair or construct any brick, cement block or stone wall or structure within the City of Sweet Home, Oregon.
- (h) Painting contractor shall mean any person, firm or corporation who is engaged in the business of selling labor and material or labor only to paint buildings or structures within the City of Sweet Home Oregon

(i) Roofing and/or siding contractor shall mean any person, firm or corporation who is engaged in the business of selling labor and material or labor only, to repair, replace or install any type of roof and/or siding on a building or structure in the City of Sweet Home, Oregon.

(j) Sheet metal contractor shall mean any person, firm or corporation who is engaged in the business of selling labor and material or labor only, to repair, replace or install any type of sheet metal installations in the City of Sweet Home, Oregon.

(k) Sheet rock contractor shall mean any person, firm or corporation who is engaged in the business of selling labor and material or labor only, to repair, replace, or install sheet rock or other materials commonly known as dry wall construction in the City of Sweet Home, Oregon.

(l) Electrical contractor shall mean any person, firm or corporation who is engaged in the business of selling labor and material or labor only, to alter, repair or construct any electrical service system within the City of Sweet Home, Oregon, and who possesses the license therefor provided by the statutes of the State of Oregon.

(m) Plumbing contractor shall mean any person, firm or corporation who is engaged in the business of selling labor and materials or labor only, to alter, repair or construct a plumbing or drainage installation within the City of Sweet Home, Oregon, and who possesses the license therefor, provided by the statutes of the state of Oregon.

(n) Insect exterminator shall mean any person, firm or corporation who is engaged in the business of selling labor and materials, or labor only, to investigate, fumigate, and/or make structural repairs occasioned by insect damage.

(o) Miscellaneous building trades contractor shall mean any person, firm or corporation who is engaged in the business of selling labor and material or labor only, to repair, replace or install any portion of a building or structure requiring specialized skill or special materials, not herein classified, in the City of Sweet Home, Oregon.

Section 2: On and after the adoption of this ordinance, no person or persons, firm or corporation, shall engage in the business of contracting as defined in Section 1 hereof without first having procured a license so to do as provided in this ordinance.

Section 3: Every person before engaging in the work of general building contractor, owner building to sell, building moving or demolition contractor, heating and ventilating contractor, plaster contractor, masonry contractor, painting contractor, roofing contractor, siding contractor, sheet metal works contractor, sheet rock or dry wall contractor or insect exterminator, or miscellaneous building trades contractor, shall first procure a license from the City Recorder, which license shall be issued to the applicant on a form provided by the City, and which shall contain the name of the firm, person or corporation to which it is issued, the address of said firm, the year for which it is issued and the type of license.

Section 4: All licenses so issued shall be posted in the place of business of the licensee if located within the City of Sweet Home, and if not so located said license shall be kept posted in a conspicuous place on any job being performed by the licensee within the City of Sweet Home, or in lieu thereof shall post the permit license number on the work permit.

Licenses shall be nontransferable, and shall be issued for a term of one year commencing July 1, and ending on June 30 of each year.

Section 5: Fees for such license shall be as follows:

(a) General Contractors for any and all type of construction:
\$50.00 a year, or any portion thereof; annual renewal fees shall be \$25.00 a year.

(b) All sub-contractors doing work under a general contractor, and all other contractors defined in this ordinance:
\$25.00 a year, or any portion thereof, annual renewal fees shall be \$15.00 a year.

Section 6: For the protection of the general public, as a condition precedent to the issuance of any contractors license, the contractor shall file with the City Recorder evidence of property damage and public liability insurance coverage of not less than the following amounts: property damage \$5,000.00 and public liability \$10,000.00 for any one person and \$20,000.00 for any one accident. Failure to keep such insurance coverage in force during the term of the license year shall be cause for revocation of said license without further notice.

Section 7: Should the contractor fail, neglect or refuse to comply with any city ordinance or state law relating to the business in which he is engaged, or should there be any fraud, misrepresentation, or false statement in the application for this license, or in the conduct of the business for which the license is granted, then the City of Sweet Home shall have the right to revoke his license. Before any license shall be revoked except for failure to supply the required public liability and property damage insurance coverage, there shall be served upon the contractor a written notice by the regularly appointed Building Inspector of the City, which notice shall set forth wherein the contractor has failed, neglected or refused to comply with a city ordinance or state law or is guilty of fraud, misrepresentation, or false statements, and fixing a time in which the contractor is to make such changes or alterations to make the work conform to the City ordinance or the state laws. If he shall fail to correct the said work within said period of time, said license shall be revoked. Provided, however, that any contractor feeling aggrieved by any act of the Building Inspector may appeal to the City Council, whose determination shall be final.

Section 8: Any person found guilty of a violation of this ordinance shall, upon conviction thereof, be punished by fine of not more than \$1,000.00 or by imprisonment in the city jail for not more than 90 days or by both such fine and imprisonment.

Section 9: All ordinances or parts of ordinances in conflict herewith are hereby repealed. Section 2a of Ordinance 381, is hereby repealed so as to eliminate the \$15.00 permit fee required for plumbers, by said ordinance, and to substitute therefor the license required by this Ordinance, except that plumbers licensed as of the time of adoption of this ordinance need not apply for a new license, but shall renew said license upon its expiration.

Section 10: It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the public peace, health, and safety, and that an emergency is hereby declared to exist and this ordinance shall take effect and be in full force and effect from and after its approval.

PASSED by the Council and approved by the Mayor this 23 day of July, 1963.

William F. Carey
Mayor

ATTEST:

Robert A. White
City Manager and ex-officio City Recorder