

ARTICLE XII. CONTRACTORS

DIVISION 1. GENERALLY

Secs. 18-272—18-287. Reserved.

DIVISION 2. REGISTRATION

Sec. 18-288—18-323. Reserved.

DIVISION 3. LICENSING

Sec. 18-324. Title and scope of division; definition.

- (a) This division shall be known as the licensing division, and may be cited as such.
- (b) Where the term “director of city planning and development” is used in this division, this shall mean the director of city planning and development or his authorized representative.
- (c) For the purposes of this article and other sections of this code pertinent to licensing, the term “employee” shall not apply to consultants, contract labor, or subcontractors employed by the licensed contractor. Such individuals or entities shall be considered contractors in their own right and, as such, shall be required to obtain their own licenses as required by this chapter.
- (d) For the purposes of this article and other sections of this code pertinent to licensing, the term “direct employee” shall mean an employee (as defined in this section) of a licensed contractor working in a regulated construction trade who has not achieved a supervisor certificate of qualification. For plumbing work, the term “direct employee” shall mean an employee working in the trade of plumbing who has not achieved a journeyman plumber certificate of qualification.

(Code of Gen. Ords. 1967, § 9.10.100; Ord. No. 55197, 6-3-83; Ord. No. 010783, 8-23-01; Ord. No. 020025, 1-31-02; Ord. No. 040477, § 1, 8-12-04; Ord. No. 040580, § 2, 12-16-04; Ord. No. 071193, § 1, 1-3-08)

Sec. 18-325. Duties of director of city planning and development.

- (a) There is hereby vested in the director of city planning and development the duty of examining the qualifications of applicants for licenses and certificates established and required by the various articles of this chapter, including the issuance, reissuance, renewal, suspension, or revocation of such licenses and certificates. The examination of applicants for certificates shall be in writing and shall be prepared and administered by a third-party testing agency approved by the director of city planning and development. Oral examinations are prohibited.

(b) Among the duties of the director of city planning and development shall be the establishment of procedures consistent with this code for recommending the issuance of licenses. The director shall also select the agency or agencies, subject to approval by the city council when otherwise required, to prepare and administer the examinations of applicants for certificates of qualification.

(c) The director of city planning and development shall establish continuing education requirements for the residential building supervisor certificate of qualification. Continuing education requirements shall recognize education programs proved by governmental agencies, trade associations, model code organizations, contractor education providers and others for courses and instruction directly related to the model codes and standards adopted by this chapter subject to the review and approval of the director of city planning and development.

(Code of Gen. Ords. 1967, § 9.10.101; Ord. No. 55197, 6-3-83; Ord. No. 910110, 2-14-91; Ord. No. 010783, 8-23-01; 021383, 12-19-02; Ord. No. 040477, § 1, 8-12-04; Ord. No. 071193, § 1, 1-3-08)

Sec. 18-326. License required; exceptions.

(a) A license is authority granted to the person, firm, partnership, company, corporation, association, agency, or other entity to whom it is issued to engage in the business of contracting to perform certain work. A license is not transferable.

(b) Licenses shall be required for all types of work classified and described in this division.

(c) Exceptions to the license requirement are found in section 18-14 of this chapter.

(Code of Gen. Ords. 1967, § 9.10.102; Ord. No. 55197, 6-3-83; Ord. No. 010783, 8-23-01; Ord. No. 020025, 1-31-02; Ord. No. 040477, § 1, 8-12-04; Ord. No. 071193, § 1, 1-3-08)

Sec. 18-327. License classes; prerequisites for licensing.

(a) *Classes; authorized work.* There shall be various classes of licenses under this division, and the holder of each license shall be authorized to do the following:

(1) *Demolition contractor class I.* Demolition of any building, structure, or portion thereof, without limitation of height or size. All such work shall be performed by a licensed demolition contractor class I and shall be performed by or under the supervision of the holder of a demolition supervisor class I certificate of qualification.

(2) *Demolition contractor class II.* Demolition of any building not more than three stories in height, excluding the basement. All such work shall be performed by a licensed demolition contractor class II and shall be performed by or under the supervision of the holder of a demolition supervisor class I or demolition supervisor class II certificate of qualification.

- (3) *Electrical contractor class I.* Installation, alteration, repair, or removal of any electrical equipment regulated by this chapter. All such work shall be performed by a licensed electrical contractor class I and shall be performed by or under the supervision of the holder of a master electrician certificate of qualification.
- (4) *Electrical contractor class II.*
- a. Maintenance or repair of an existing facility on property owned by the licensee or his employer;
 - b. Assembly, installation, wiring, and connection of electric lighting fixtures and extending existing circuits not more than ten feet;
 - c. Connection of new or replacement gas-fired heating equipment to existing electrical circuits, extension of existing circuits not more than ten feet, and installation of control circuits; or
 - d. Assembly, installation, wiring, and connection of electric signs when such connection is limited to extension of existing circuits not more than ten feet.

All such work shall be performed by a licensed electrical contractor class II and shall be performed by or under the supervision of the holder of a master (limited) electrician or master electrician certificate of qualification.

- (5) *Electrical contractor class III.* Installation, alteration, repair, or removal of communication; fire alarm; burglar alarm; remote control; and other low-energy power, low-voltage power, signal, sound recording, and similar equipment regulated by this chapter. All such work shall be performed by a licensed electrical contractor class III and shall be performed by or under the supervision of the holder of an electrical supervisor or master electrician certificate of qualification.
- (6) *Elevator contractor class I.* Installation, alteration, modernization, maintenance, service, testing, or repair of any electric or electrohydraulic passenger or freight elevators, escalators, or moving walks. All such work shall be performed by a licensed elevator contractor class I and shall be performed by or under the supervision of the holder of an elevator supervisor class I certificate of qualification.
- (7) *Elevator contractor class II.* Installation, alteration, modernization, maintenance, service, testing, or repair of any hand-powered freight elevator, electric or hand-powered dumbwaiter, manlift, private residence elevator, chairlift, workmen's hoist, material hoist, conveyor, and related equipment. An elevator contractor class II license is also required for any person, firm, or corporation engaged only in the maintenance, service, or minor alteration of equipment covered by an

elevator contractor class I license when such equipment is owned or operated by the person, firm, or corporation. All such work shall be performed by a licensed elevator contractor class II and shall be performed by or under the supervision of the holder of an elevator supervisor class I or elevator supervisor class II certificate of qualification.

- (8) *Fire protection contractor class I.* The installation, alteration, modernization, maintenance, servicing, repair, testing, and inspection of automatic sprinkler systems and standpipe systems for any and all types of occupancies, inclusive of all related underground fire lines and fire services and inclusive of, but not limited to, all appurtenances such as fire pumps; water storage tanks; fire control systems; automatic and manual water-spray and deluge systems; special extinguishing systems using carbon dioxide, foam, dry chemicals, or inert gas; and other such systems used for the control or extinguishment of fire. Backflow prevention devices are permitted to be installed, but they must be tested in accordance with city and state regulations. All such work shall be performed by a licensed fire protection contractor class I and shall be performed by or under the supervision of the holder of a fire protection supervisor class I certificate of qualification. A fire protection contractor class I shall place with the director of finance a cash deposit in the amount of \$500.00. Should the contractor in any event fail to pay bills rendered by the city for any obligation, permit, service, or material, the amount of such bills shall be deducted from the deposit. Failure of the contractor to pay such bills or his failure to maintain the deposit in the full amount of \$500.00 shall be cause for denial of the issuance of further permits.
- (9) *Fire protection contractor class II.* Installation, maintenance, testing, or repair of only dry, wet, or combination standpipe systems as defined in chapter 9 of the *International Building Code* or article II of this chapter; and installation of fire hydrant lines. All such work shall be performed by a licensed fire protection contractor class II and shall be performed by or under the supervision of the holder of a fire protection supervisor class I or fire protection supervisor class II certificate of qualification. A fire protection contractor class II shall place with the director of finance a cash deposit in the amount of \$500.00. Should the contractor in any event fail to pay bills rendered by the city for any obligation, permit, service, or material, the amount of such bills shall be deducted from the deposit. Failure of the contractor to pay such bills or his failure to maintain the deposit in the full amount of \$500.00 shall be cause for denial of the issuance of further permits.
- (10) *Fire protection contractor class III.* Installation, maintenance, testing, or repair of only special systems using carbon dioxide, foam, dry chemicals, or inert gas for the control or extinguishment of fire. All such work shall be performed by a licensed fire protection contractor class III and shall be performed by or under the supervision of the holder of a fire protection supervisor class I or fire protection supervisor class III certificate of qualification.

- (11) *Gas-fired appliance contractor.* Installation, erection, alteration, repair, servicing, or resetting of gas-fired appliances other than warm air heating units, but including water heaters of not more than 100 gallons' storage capacity; and installation of low-voltage wiring not exceeding 48 volts when such wiring is not enclosed in conduit or raceway. All such work shall be performed by a licensed gas-fired appliance contractor and shall be performed by or under the supervision of the holder of a gas-fired appliance supervisor or master plumber certificate of qualification.
- (12) *Heating and ventilating contractor.* Installation, alteration, servicing, replacement, repair, or maintenance of heating, duct, and ventilation systems; connection of a humidifier which is part of a heating system to an existing potable water supply system within a building; connection of gas piping from the nearest cutoff valve to the burner of a warm air heating system; connection of control wiring to an existing control box; and installation, alteration, servicing, replacement, removal, or repair of air conditioning units of not more than 7 1/2 ton capacity which are part of an air circulation unit. All such work shall be performed by a licensed heating and ventilating contractor and shall be performed by or under the supervision of the holder of a heating and ventilating supervisor certificate of qualification.

Additionally, the installation of a replacement residential water heater that is connected to existing piping systems and is under the administration of the Department of Neighborhood and Community Services Property Preservation Division may be performed by a licensed heating and ventilating contractor.

- (13) *Pipe fitting contractor.* Installation, maintenance, repair, and servicing of refrigeration equipment; installation and servicing of low-pressure hot water and steam heating systems; installation of any system containing or connected to a boiler designed to operate under a steam pressure greater than 15 pounds per square inch; installation of any system containing or connected to an unfired pressure vessel designed to operate under a pressure greater than 15 pounds per square inch; installation of industrial or chemical piping designed to operate under a pressure greater than 15 pounds per square inch; installation of pipe insulation; and installation of low-voltage wiring which does not exceed 48 volts when such wiring is not enclosed in conduit or raceway. All such work shall be performed by a licensed pipe fitting contractor and shall be performed by or under the supervision of the holder of a master pipe fitter certificate of qualification.
- (14) *Plumbing contractor.* Installation, maintenance, repair, servicing, and testing of all sanitary plumbing and potable water supply piping, and appliances connected thereto, including gas piping, and the complete installation of water heaters; the installation of piping for transmission of chemicals and gases where regulated by this code; the installation of gas ranges, domestic gas incinerators, gas dryers, and other gas-fired appliances; the installation of steam heating plants carrying pressures not exceeding 15 pounds per square inch gauge steam pressure; the installation of hot water heating plants carrying pressures not exceeding 30

pounds per square inch gauge hot water pressure; and installation of low-voltage wiring not exceeding 48 volts for gas-fired appliances and water heaters when such wiring is not enclosed in conduit or raceway. All such work shall be performed by a licensed plumbing contractor and shall be performed by the holder of a journeyman plumber or master plumber certificate of qualification, or other direct plumbing employee with on-site supervision by a certified journeyman or master plumber. All plumbing work shall be performed under the supervision of the holder of a master plumber certificate of qualification. As a condition for obtaining and maintaining a plumbing contractor license and before any permit for work requiring excavation on any street, alley, public place, or easement shall be issued, the applicant for such license or permit shall have placed with the director of finance a cash deposit of not less than \$500.00. This money shall be maintained and held as a special deposit to protect the city on account of any expense it may incur in repairing, refilling, paving, or resurfacing any cut or excavation, or for repairing any damages to any city-owned utility as a result of work done under such permit. Should the contractor fail to pay bills rendered by the city for any obligation, permit, service, or material, the amount of such bills shall be deducted from the deposit. Failure of the contractor to pay such bills or failure to maintain the deposit in full shall be cause for denial of issuance of further permits. Certain excavation permits shall require the contractor to post additional restoration deposit fees of up to \$50,000.00 with the director of finance in accordance with chapter 64.

- (15) *Refrigeration contractor.* Installation, maintenance, repair, servicing, or alteration of a system of mechanical refrigeration or a system where refrigerant piping must be installed or where a refrigerant-containing part must be cut into for connection or assembly; installation of pipe insulation; and installation of low-voltage wiring which does not exceed 48 volts when such wiring is not enclosed in conduit or raceway. All such work shall be performed by a licensed refrigeration contractor and shall be performed by or under the supervision of the holder of a refrigeration supervisor or master pipe fitter certificate of qualification.
- (16) Residential building contractor. Constructing, structurally altering or enlarging any one- or two-family detached dwelling or townhouse including detached accessory buildings in excess of 400 square feet in area thereto as regulated by article III of this chapter. All such work shall be performed by a licensed residential building contractor and shall be performed by or under the supervision of that licensed residential building contractor's qualified supervisor or by building trades subcontractor(s), not otherwise required to be licensed under this article, to the licensed residential building contractor holding a valid building permit and under the direction of that licensed residential contractor's qualified supervisor.
- (17) *Sign contractor.* Installation, maintenance, or repair of off-premise advertising (billboards or other outdoor advertising making use of rental panels or paint boards) and/or on-premise advertising (outdoor advertising making use of media

other than rental panels or paint boards). All such work shall be performed by a licensed sign contractor and shall be performed by or under the supervision of the holder of a sign supervisor certificate of qualification. If electrical wiring is involved, an electrical contractor class I or class II license is also required.

- (b) *Indemnity insurance.*
- (1) *Required.* The following classifications shall, as a condition precedent to issuance, maintenance, or renewal of a license, furnish to the department of city planning and development a certificate of insurance issued by a company approved by the director of finance: demolition contractor class I, demolition contractor class II, fire protection contractor class I, fire protection contractor class II, plumbing contractor, residential building contractor and sign contractor.
- (2) *Policy requirements.* The contractor shall provide a certificate of insurance indicating insurance meeting the following requirements:
 - a. The policy shall provide for liability insurance with a minimum aggregate limit of \$1,000,000.00 per occurrence.
 - b. The city shall be added as an additional insured to such policy by separate endorsement; except that no such endorsement shall be required for a residential building contractor unless such contractor will be performing work in the public right-of-way.
 - c. The policy shall contain a separate endorsement requiring the insurance company to notify the city in writing of any change in or cancellation of such policy at least 30 days prior thereto, or ten days in the event of cancellation due to nonpayment of premium.
 - d. The insurance certificate shall be produced by a company having a current A.M. Best rating of B+ V or better and licensed to do business in the state of Missouri.
 - e. Before the license is issued, and annually thereafter, the contractor shall deposit with the city a certificate of insurance evidencing that the coverage required by this subsection is in force and that the endorsements required by subsections (b)(2)b and c of this section have been issued.
- (3) Failure to maintain the required insurance shall be grounds for automatic suspension of a license and for denial of further permits and inspections.

(Code of Gen. Ords. 1967, § 9.10.103; Ord. No. 55197, 6-3-83; Ord. No. 910110, 2-14-91; Ord. No. 960023, § 1, 1-25-96; Ord. No. 010783, 8-23-01; Ord. No. 020025, 1-31-02; Ord. No. 020732, 7-2-02; Ord. No. 030006, 1-30-03; Ord. No. 040477, § 1, 8-12-04; Ord. No. 040580, § 2, 12-16-04; Ord. No. 071193, § 1, 1-3-08; Ord. No. 080491, § 1, 5-29-08)

Sec. 18-328. Application for license.

(a) *Generally.* Every applicant for a contractor license shall fill out a form provided by the director of city planning and development. The name and signature of a designated certified supervisor shall appear on the license application.

(b) *Application fee.* A license application fee as provided in section 18-20 of this code shall be paid at the time of filing, except that the city and its departments shall be exempt. Such fee shall not be refundable and shall not apply on the license fee.

(c) *License fee.* A license fee as provided in section 18-20 of this code shall be paid at the time the application is filed, except that the city and its departments shall be exempt. The license fee shall be refunded in the event that the license application is rejected.

(d) *Approval or denial.* After review of each application, appropriate action shall be taken and the applicant shall be notified accordingly. If the application for license is disapproved, the applicant may appeal such adverse decision to the building and fire codes board of appeals within 30 days of the decision, in the manner provided in article I of this chapter. If the decision is overturned by the building and fire codes board of appeals, the contractor shall have ten days from the date of that decision to repay its license fee, or such application shall become null and void. Thereafter, a new application and license fee shall be due. In any event, no refund of the application fee shall be given.

(Code of Gen. Ords. 1967, § 9.10.104; Ord. No. 55197, 6-3-83; Ord. No. 910286, 3-28-91; Ord. No. 960149, § 1, 3-7-96; Ord. No. 960363, § 1, 4-18-96; Ord. No. 010783, 8-23-01; Ord. No. 020025, 1-31-02; Ord. No. 040477, § 1, 8-12-04; Ord. No. 071193, § 1, 1-3-08)

Sec. 18-329. License fees.

Quadrennial license fees for contractor licenses shall be paid as provided in section 18-20 of this code.

(Code of Gen. Ords. 1967, § 9.10.105; Ord. No. 55197, 6-3-83; Ord. No. 910110, 2-14-91; Ord. No. 910286, 3-28-91; Ord. No. 960149, § 1, 3-7-96; Ord. No. 960363, § 1, 4-18-96; Ord. No. 961418, § A, 11-14-96; Ord. No. 010783, 8-23-01; Ord. No. 020025, 1-31-02; 021383, 12-19-02; Ord. No. 040477, § 1, 8-12-04; Ord. No. 071193, § 1, 1-3-08)

Sec. 18-330. Renewal of license.

Contractor licenses shall be valid for four years, and must be renewed quadrennially at the fee established in section 18-20 of this code. It shall be a violation of this chapter to perform any regulated work after expiration of a license. If a license is renewed more than four years after its issuance, the quadrennial fee, plus an amount prorated by month, or part of a month, representing the period during which the license was dormant, shall be paid.

(Code of Gen. Ords. 1967, § 9.10.106; Ord. No. 55197, 6-3-83; Ord. No. 910110, 2-14-91; Ord. No. 961418, § A, 11-14-96; Ord. No. 010783, 8-23-01; Ord. No. 020025, 1-31-02; 021383, 12-19-02; Ord. No. 040477, § 1, 8-12-04; Ord. No. 071193, § 1, 1-3-08)

Sec. 18-331. Reissuance of license.

The director of city planning and development shall have the authority to reissue a contractor license provided that such reissuance is requested within two years following expiration and there is no change in the supervisor, name, owner, organization, or principals of the firm. Otherwise, the license shall be null and void; and a new application shall be filed; and new application and license fees shall be paid.

(Code of Gen. Ords. 1967, § 9.10.107; Ord. No. 55197, 6-3-83; Ord. No. 010783, 8-23-01; Ord. No. 020025, 1-31-02; Ord. No. 040477, § 1, 8-12-04; Ord. No. 071193, § 1, 1-3-08)

Sec. 18-332. Responsibilities of licensees.

(a) *Generally.* All licensees under this division shall be responsible for work requiring a permit under the provisions of this chapter, and, without limitation, for the following items:

- (1) To provide minimum safety measures and equipment to protect the public as prescribed by this chapter.
- (2) To observe any other city ordinances prescribing measures for the safety of the public.
- (3) To observe and comply with any other city ordinances or regulations.
- (4) To present his license card when requested by the director of city planning and development.
- (5) To employ a qualified supervisor certified in accordance with the requirements of this chapter and to provide the name of such supervisor on the employer's license card.
- (6) To obtain a building permit when a permit is required.
- (7) To faithfully construct without departure from or disregard of drawings and specifications, when such drawings and specifications have been filed with and reviewed for code compliance by the director of city planning and development and a permit has been issued for such construction.
- (8) To obtain inspections required by this chapter.
- (9) To pay any fee assessed under the authority of this chapter.
- (10) To obey any order issued under the authority of this chapter.

- (11) To maintain satisfactory levels of competence, integrity, workmanship, and recognized practice.
- (12) To notify the director of city planning and development in writing within ten days should the qualified supervisor leave the employ of the contractor.
- (13) To always maintain one or more up-to-date business license(s) in the appropriate classification(s), company name, and ownership, per the requirements of the finance department.
- (14) To maintain an active fictitious name registration with the State of Missouri, Office of the Secretary of State, under the business name in which the licensee is conducting business when conducting business under a name other than the licensee's given name.
- (15) To procure a new license from the director of city planning and development within ten days of making any change in company name, ownership, business designation, organization, or managing personnel.

(b) *Indemnification.* The applicant, in accepting the license, hereby agrees that, when the applicant or his subcontractors or agents make an excavation in a street, sidewalk, alley, curb, or public place in the city, with or without a permit:

- (1) The applicant does indemnify, save harmless, and defend the city on any claim of loss, damage, or expense sustained on account of damages to persons or property occurring by reason of an excavation made by the applicant or his subcontractor or agent.
- (2) The applicant does indemnify, save harmless, and defend the city from any and all liability for the city's own negligence occurring by reason of the opening or excavation. This indemnification agreement covering the city's liability for its own negligence shall not apply to injuries or damages sustained while city employees are present at the excavation pouring concrete or asphalt therein.
- (3) The applicant assumes the sole responsibility for maintaining proper barricades and lights as required by sections 3303 and 3306 from the time of the opening of the excavation until the excavation is surfaced and opened for travel.
- (4) For any and all other liability incurred subsequent to the completion of the operation and the excavation having been opened for travel, the applicant indemnifies the city for work performed by the applicant in the city, except liability arising out of the sole negligence of the city.
- (5) These indemnification agreements shall not cover accidents occurring after a period of three years from the date of the city's acceptance of the resurfacing.

- (6) The applicant shall restore or reimburse the city for restoring with the same material and in the same condition as before a street cut was made, all streets, sidewalks, alleys, curbs, or public property which have been disturbed or removed by him or his agents or his employees.
- (7) The applicant shall comply with all applicable rules of city departments and all applicable ordinances of the city.

(Code of Gen. Ords. 1967, § 9.10.108; Ord. No. 55197, 6-3-83; Ord. No. 010783, 8-23-01; Ord. No. 020025, 1-31-02; Ord. No. 040477, § 1, 8-12-04; Ord. No. 071193, § 1, 1-3-08)

Sec. 18-333. Change in business name, owner, organization, business designation, or personnel of licensee; submitting false information.

(a) A change in name, owner, business designation, organization, or managing personnel of a licensee under this division shall have the legal effect of terminating the license and of operating without a license. All such changes therefore, shall be reported by the licensee to the director of city planning and development within ten days after making such change.

(b) Incorporation or change in incorporation creating a new legal entity requires a new license, even though one or more stockholders or directors have a license.

(c) The organization of a partnership or a change in a partnership creating a new legal entity requires a new license, even though one or more of the partners are licensed.

(d) The dissolution of a corporation or partnership which has been licensed terminates the license; and no individual or firm may operate under such license.

(e) Submitting false information on an application for a license renders the license, if issued, invalid. No individual or firm may operate under such license. Depending upon the nature and severity of the offense, an individual or firm submitting false information when seeking a license shall be barred from obtaining a license for a period not less than six months but not more than two years from the date the license is determined by the director of city planning and development to be invalid or the date the information is determined to be false if no license is issued. This decision may be appealed to the building and fire codes board of appeals within 30 days of its rendering.

(Code of Gen. Ords. 1967, § 9.10.109; Ord. No. 55197, 6-3-83; Ord. No. 910110, 2-14-91; Ord. No. 910287, 3-28-91; Ord. No. 010783, 8-23-01; Ord. No. 020025, 1-31-02; Ord. No. 040477, § 1, 8-12-04; Ord. No. 071193, § 1, 1-3-08)

Sec. 18-334. Suspension or revocation of license.

(a) *Grounds.* The director of city planning and development may suspend or revoke a license issued under this division when the licensee commits one or more of the following acts or omissions:

- (1) Failure to comply with any of the licensee responsibilities as outlined in section 18-332.
- (2) Knowingly combining or conspiring with a person, firm, or corporation by permitting one's license to be used by such person, firm, or corporation.
- (3) Acting as agent, associate, or partner or in any other capacity with persons, firms, or corporations to evade the provisions of this chapter.
- (4) Violation of any provisions of this chapter.

(b) *Procedure; effect and duration.* When any of the acts or omissions enumerated in subsection (a) of this section are committed by a licensed contractor or a person or entity required to be licensed (referred to in this subsection as “the contractor”), and the director of city planning and development initiates suspension, revocation, or disqualification proceedings, the procedure shall be as follows:

- (1) The contractor shall be notified in writing, by certified mail or personal service, that the license will be suspended or revoked on a date not less than 15 days from the date of the mailing of the notification. The notice will also inform the contractor of the basis for the action. A contractor, not licensed, will be informed of the period of disqualification from obtaining a license, seeking certification, obtaining trades permits, performing tradeswork, and providing trades supervision.

Exceptions to the 15-day notification period: In the case of failure to maintain the required insurance coverage, the loss of a supervisor, or failure to report changes in supervisors within the ten-day grace period, suspension shall be automatic and immediate. Changes in company name, company owner, business designation, company organization, or managing personnel not filed within the allotted ten-day grace period shall be grounds for automatically and immediately declaring a license invalid. Nullification of a license due to violation of 18-333(e) shall be executed immediately upon discovery.

- (2) The director of city planning and development shall also state the length of suspension, revocation, or disqualification, according to the following restrictions:
 - a. Generally, a license may be suspended, or a period of disqualification imposed, for any period not to exceed six months.
 - b. However, if a contractor has been convicted four times, within a three-year period, of offenses punishable pursuant to section 18-15(b), the license shall be suspended, or a period of disqualification imposed, for one year.

- c. Subsection (b)(5) of this section notwithstanding, if a contractor has been convicted five times, within a three-year period, of offenses punishable pursuant to section 18-15(b), the license shall be permanently revoked. If the contractor was working without the required license, the contractor shall be permanently disqualified from obtaining the required license.
- (3) A hearing before the building and fire codes board of appeals as set forth in section 18-12 may be requested by the contractor, in writing, within 30 days of the date of the mailing of the notification. Appeal to the building and fire codes board of appeals shall stay the suspension or revocation until the board issues its decision.
- (4) When a hearing is conducted, the contractor and all other interested parties may be in attendance. The building and fire codes board of appeals shall consider all properly admitted evidence. It shall determine, consistent with subsection (b)(2) of this section, whether a license should be suspended or revoked, or whether a person or contractor required to be licensed should be disqualified, and the length of any suspension or disqualification.
- (5) At the end of any period of suspension, a contractor shall be reissued the license suspended to complete its original term, unless by its original terms it would have expired. If at the end of the suspension the original term has expired, a new application shall be filed before issuance of a license for the subsequent period, except that, where the suspension was due to failure to maintain insurance, and the account is otherwise up-to-date, the contractor shall instead provide a valid insurance certificate for reinstatement.
- (6) Except as provided in subsection (b)(2) and (b)(5) of this section, a license suspended may not be reissued, nor may a new license be issued during the period of suspension. A person or contractor seeking a license following suspension must comply with all requirements for the initial issuance of a license.
- (7) License revocation shall be permanent; and disqualification from obtaining a license may be either permanent or temporary. A license that has been revoked shall not be eligible for reinstatement, nor shall the parties thereto be eligible for new licenses, certificates of qualification, regulated tradeswork, or trades supervision in future. The same is true of any entity and representatives thereof permanently disqualified from obtaining a license.
- (8) An individual, corporation, partnership, association, sole proprietorship, or other entity may not obtain a license if an officer or director of a corporation, a partner of a partnership, or the managing official of any entity, including a sole proprietorship, will be a person who has served as an officer or director of a corporation, a partner of a partnership, or the managing official of any entity, including a sole proprietorship, of a contractor whose license is suspended or revoked, or who has been disqualified from obtaining a license; nor shall such

parties be allowed to seek trades certification, obtain trades permits, perform tradeswork, or provide trades supervision. This prohibition applies only during the period of suspension, revocation, or disqualification.

(Code of Gen. Ords. 1967, § 9.10.110; Ord. No. 55197, 6-3-83; Ord. No. 910110, 2-14-91; Ord. No. 910287, 3-28-91; Ord. No. 010783, 8-23-01; Ord. No. 020025, 1-31-02; Ord. No. 040477, § 1, 8-12-04; Ord. No. 071193, § 1, 1-3-08)

Sec. 18-335. Supervisor required for licenses.

(a) *Type and class of supervisor.* Every licensed contractor under this division shall be required to employ a full-time supervisor who holds a certificate of qualification as follows:

Licensee	Certificate
Demolition contractor class I	Demolition supervisor class I
Demolition contractor class II	Demolition supervisor class I or II
Electrical contractor class I	Master electrician
Electrical contractor class II	Master (limited) electrician or master electrician
Electrical contractor class III	Electrical supervisor or master electrician
Elevator contractor class I	Elevator supervisor class I
Elevator contractor class II	Elevator supervisor class I or II
Fire protection contractor class I	Fire protection supervisor class I
Fire protection contractor class II	Fire protection supervisor class I or II
Fire protection contractor class III	Fire protection supervisor class I or III
Gas-fired appliance contractor	Gas-fired appliance supervisor or master plumber
Heating and ventilating contractor	Heating and ventilating supervisor
Pipe fitting contractor	Master pipe fitter
Plumbing contractor	Master plumber
Refrigeration contractor	Refrigeration supervisor or master pipe fitter
Residential building contractor	Residential building supervisor
Sign contractor	Sign supervisor

(b) *Designation of supervisor.* An applicant for a contractor license may qualify with regard to the required supervisor in the following ways:

- (1) If an individual, he may qualify by personal certification or by certification of a responsible managing employee.
- (2) If a copartnership or a limited partnership, it may qualify by certification of a general partner or by certification of a responsible managing employee.

- (3) If a corporation or any other combination or organization, it may qualify by the certification of a responsible managing officer or by certification of a responsible managing employee.

The supervisor shall be a full-time management employee of the licensed contractor and shall be responsible for exercising such full-time, active supervision and control of his employer's or principal's construction operations as is necessary to secure full compliance with the provisions of the various articles of this chapter and other ordinances and rules and regulations of the city.

(c) *Change of supervisor.* The contractor license shall be valid only as long as the named supervisor serves as the supervisor for only one contractor in an active, full-time capacity.

- (1) *Notification of disassociation.* If the individual designated as supervisor for the licensed contractor ceases for any reason whatsoever to be connected with the individual or firm to whom the contractor license is issued or in any manner ceases to fulfill the full range of duties of the qualified supervisor even though he remains in the contractor's employ, the licensed contractor shall notify the director of city planning and development in writing within ten days from such cessation.

- (2) *Effect of disassociation.* If notice is given to the director of city planning and development as required in subsection (c)(1) of this section, the contractor license shall remain in force until another supervisor is designated, but not to exceed 30 days from such notice. If the licensed contractor fails to notify the director of city planning and development in writing within the ten-day period, the contractor license shall be automatically suspended at the end of that ten-day period. The contractor license shall be reinstated upon the approval of another supervisor.

- (3) *Designation of new supervisor.* To replace a supervisor, the licensed contractor shall file with the director of city planning and development an application, executed by the responsible managing employee of the firm, designating an individual to serve as supervisor as required by this chapter. The application shall be accompanied by the fee fixed by this chapter and shall state that the individual so serving is designated as the person responsible for work performed in the city.

(Code of Gen. Ords. 1967, § 9.10.111; Ord. No. 55197, 6-3-83; Ord. No. 910110, 2-14-91; Ord. No. 010783, 8-23-01; Ord. No. 020025, 1-31-02; Ord. No. 040477, § 1, 8-12-04; Ord. No. 040973, § 1, 9-16-04; Ord. No. 071193, § 1, 1-3-08)

Sec. 18-336. Certificates of qualification generally; examinations.

(a) *Definition.* A certificate of qualification is authority granted to an individual to perform and/or supervise certain skilled tradeswork and is issued by the director of city planning and development upon successful completion of a written examination, provided that all applicable certification requirements have been met. A certificate of qualification is not transferable.

(b) *Certificate required.* Certificates of qualification shall be required for all types of work specified and classified in section 18-339.

(c) *Examination required.* Every supervisor required for a particular license shall be examined by the director of city planning and development for conformance with established certification standards, including passage of the required third-party examination; and, if deemed qualified, shall be issued a certificate of qualification and shall be entitled to perform and supervise the work in the particular skilled trade for which he is qualified and certified. The certificate is an individual certificate and shall not be construed to be a license.

(d) *Examination standards.* The director of city planning and development is authorized to make rules of procedure and to establish reasonable standards necessary for evaluation of certificate applicants. Examination standards shall be consistent with the purpose of this chapter, which is the protection of the public health and safety of the people of the city so that those who are approved under this division are qualified to supervise or perform the work for which they may be approved. The director of city planning and development is authorized to set standards and examine supervisors in the following areas:

- (1) Applicable portions of this chapter and other governing codes.
- (2) Related technical knowledge.
- (3) Related skills.
- (4) Education.
- (5) Experience.

Verification of information included on the application forms and references shall be included as part of this process. In addition, passage of written examinations prepared and administered by the City's third-party testing agency shall be required for certification.

(e) *Application for certificate.* Every applicant for a certificate of qualification shall fill out the form provided by the director of city planning and development and shall pay an application fee as provided in section 18-20 of this chapter, at the time of filing. Such fee shall not be refundable. The application fee shall not apply on the certificate fee. The city and its departments shall be exempt from paying this fee. Certificate applications are valid one year from the date accepted for processing.

(f) *Temporary certificate.* At the discretion of the director of city planning and development, he may issue a temporary certificate of qualification. Such certificate shall be in effect until the examination procedure is completed. The applicant shall be given consideration only when he has previously been certified by the city but not suspended, revoked, or disqualified.

(g) *Examination fee.* Each applicant taking an examination shall be charged an examination fee as provided in section 18-20 of this chapter.

(h) *Issuance of certificate.* After an applicant has successfully passed the examination, the director of city planning and development shall make a final review of the applicant's qualifications and, if satisfied that the standards have been met, shall issue a certificate of qualification.

(i) *Failure to pass examination.* When an applicant has failed to pass the examination, he shall be so notified in writing by the director of city planning and development.

(j) *Right of appeal.* In every instance that the director of city planning and development disapproves the application of a candidate for a certificate of qualification, the applicant may appeal that adverse decision to the building and fire codes board of appeals in the manner provided in section 18-12.

(Code of Gen. Ords. 1967, § 9.10.112; Ord. No. 55197, 6-3-83; Ord. No. 910110, 2-14-91; Ord. No. 91286, 3-28-91; Ord. No. 960149, § 1, 3-7-96; Ord. No. 960363, § 1, 4-18-96; Ord. No. 010783, 8-23-01; Ord. No. 020025, 1-31-02; Ord. No. 040477, § 1, 8-12-04; Ord. No. 040973, § 1, 9-16-04; Ord. No. 071193, § 1, 1-3-08)

Sec. 18-337. Renewal of certificate of qualification.

(a) Certificates of qualification issued under this division shall be valid for four years and must be renewed quadrennially. A quadrennial renewal fee as provided in section 18-20 of this chapter shall be paid. It shall be a violation of this chapter to perform any regulated work after expiration of a certificate. If a certificate is renewed more than four years after its issuance, the quadrennial fee, plus an amount prorated by month, or part of a month, representing the period during which the certificate was dormant, shall be paid.

(b) *Continuing education.* The residential building supervisor shall complete at least 32 hours of continuing education as a condition of approval for certificate renewal and shall submit satisfactory evidence of completion of such continuing education prior to renewal.

(Code of Gen. Ords. 1967, § 9.10.115; Ord. No. 55197, 6-3-83; Ord. No. 910110, 2-14-91; Ord. No. 961418, § A, 11-14-96; Ord. No. 010783, 8-23-01; Ord. No. 020025, 1-31-02; 021383, 12-19-02; Ord. No. 040477, § 1, 8-12-04; Ord. No. 071193, § 1, 1-3-08)

Sec. 18-338. Reissuance of certificate of qualification.

The director of city planning and development shall have the authority to reissue a certificate of qualification under this division without examination, provided such reissuance is requested within two years following expiration. Quadrennial renewal fees for the period during which the certificate was dormant must be paid prior to reissuance. If a certificate is not reissued during this period, the person must begin the application process, including passage of the required examination, anew.

(Code of Gen. Ords. 1967, § 9.10.116; Ord. No. 55197, 6-3-83; Ord. No. 910110, 2-14-91; Ord. No. 961418, § A, 11-14-96; Ord. No. 010783, 8-23-01; Ord. No. 020025, 1-31-02; 021383, 12-19-02; Ord. No. 040477, § 1, 8-12-04; Ord. No. 071193, § 1, 1-3-08)

Sec. 18-339. Classification of certificates of qualification.

(a) *Generally.* There shall be various classes of certificates of qualification under this division, and the holder of each certificate type shall be authorized to do the work specified for that class.

(b) *Supervisor certificates.* A supervisor certificate of qualification shall be required for certain contractor licenses as set forth in this division and shall allow the holder to serve as supervisor as follows:

Supervisor	Licensee
Demolition supervisor class I	Demolition contractor class I or II
Demolition supervisor class II	Demolition contractor class II
Electrical supervisor	Electrical contractor class III
Elevator supervisor class I	Elevator contractor class I or II
Elevator supervisor class II	Elevator contractor class II
Fire protection supervisor class I	Fire protection contractor class I, II, or III
Fire protection supervisor class II	Fire protection contractor class II
Fire protection supervisor class III	Fire protection contractor class III
Gas-fired appliance supervisor	Gas-fired appliance contractor
Heating and ventilating supervisor	Heating and ventilating contractor
Master electrician	Electrical contractor class I, II, or III
Master (limited) electrician	Electrical contractor class II
Master pipe fitter	Pipe fitting contractor or refrigeration contractor
Master plumber	Plumbing contractor or gas-fired appliance contractor
Refrigeration supervisor	Refrigeration contractor
Residential building contractor	Residential building supervisor
Sign supervisor	Sign contractor

(c) *Operators' certificates.* An operator's certificate of qualification shall be required to operate and maintain the following equipment and shall entitle the holder to operate and maintain the equipment for which he is certified; except that equipment and accessories used for operations, production, or processing by public utilities, government agencies, manufacturing or processing plants, or commercial enterprises may be operated and maintained by a regular operating and maintenance staff when supervised by a professional engineer registered by the state. The work done under such supervision shall comply with all applicable provisions of this code, including required permits and inspections.

(1) *Operating engineer.* An operating engineer certificate shall entitle the holder to take charge of and to operate and maintain all steam-generating boilers, steam engines, internal-combustion engines, turbines, condensers, compressors,

generators, motors, blowers, fuel-burning equipment, and refrigeration systems and all auxiliary apparatus, together with any necessary maintenance of piping used in connection therewith. The certificate is required for operating the following:

- a. Steam-generating boilers carrying 125 or more pounds of pressure.
- b. Boilers carrying 100 or more pounds of pressure when used for driving machinery.
- c. Any system containing a Group 3 refrigerant.
- d. Any system with a capacity greater than ten tons containing a Group 2 refrigerant.

(2) *Steam operating engineer.* A steam operating engineer certificate shall entitle the holder to operate and maintain the same steam equipment and accessories as an operating engineer, as follows: All steam-generating boilers, steam engines, internal-combustion engines, turbines, condensers, compressors, generators, motors, blowers, fuel-burning equipment, and all auxiliary apparatus, together with any necessary maintenance of piping used in connection therewith. The certificate is required for operating the following:

- a. Steam-generating boilers carrying 125 or more pounds of pressure.
- b. Boilers carrying 100 or more pounds of pressure when used for driving machinery.

(3) *Refrigeration operating engineer.* A refrigeration operating engineer certificate shall entitle the holder to operate and maintain any refrigeration system. The certificate is required for:

- a. Any system containing a Group 3 refrigerant.
- b. Any system with a capacity greater than ten tons containing a Group 2 refrigerant.

(4) *Fireman.* A fireman certificate shall entitle the holder to operate and maintain boilers carrying less than 100 pounds of pressure for the purpose of driving machinery, and to operate other steam tanks or steam boilers carrying less than 125 pounds of pressure. The certificate is not required for the operation of steam tanks or steam boilers carrying pressures of 15 pounds or less.

(5) *Plant fireman.* A plant fireman certificate shall entitle the holder to operate and maintain the same equipment and accessories as a fireman but shall limit the holder to a designated plant or system of plants with similar equipment.

(d) *Journeyman plumber certificate of qualification.* A journeyman plumber certificate of qualification shall entitle the holder to labor at the trade of plumbing as an employee of a licensed plumbing contractor.

(Code of Gen. Ords. 1967, § 9.10.113; Ord. No. 55197, 6-3-83; Ord. No. 910110, 2-14-91; Ord. No. 010783, 8-23-01; Ord. No. 020025, 1-31-02; Ord. No. 040477, § 1, 8-12-04; Ord. No. 071193, § 1, 1-3-08)

Sec. 18-340. Submitting false information on application for certificate of qualification.

Submitting false information on an application for a certificate of qualification under this division renders the certificate, if issued, invalid. No individual may work under such certificate. Depending upon the nature and severity of the offense, any individual submitting false information when seeking a certificate of qualification shall be barred from obtaining a certificate for a period not less than six months but not more than two years from the date the certificate of qualification is determined by the director of city planning and development to be invalid or the date the information is determined to be false if no certificate is issued. This decision may be appealed to the building and fire codes board of appeals.

(Code of Gen. Ords. 1967, § 9.10.116.5; Ord. No. 910110, 2-14-91; Ord. No. 010783, 8-23-01; Ord. No. 020025, 1-31-02; Ord. No. 040477, § 1, 8-12-04; Ord. No. 071193, § 1, 1-3-08)

Sec. 18-341. Responsibilities of holders of certificates of qualification.

Every holder of a certificate of qualification under this division shall be responsible for compliance with the requirements of this chapter, and, without limitation, for the following items:

- (1) To present his certificate when requested by any member of the department of city planning and development.
- (2) To faithfully construct without departure from or disregard of approved drawings and specifications, when such drawings and specifications have been filed with and reviewed for code compliance by the director of city planning and development and a permit has been issued for such construction.
- (3) To obey any order issued under authority of this chapter.
- (4) To pay any fee assessed under authority of this chapter.
- (5) To observe and comply with all city ordinances prescribing measures for the safety of workmen and of the public.
- (6) To observe and comply with all other city ordinances or regulations and any federal or state laws or regulations.

- (7) To exercise supervision and control of his employer's or principal's construction operations.
- (8) To immediately notify the director of city planning and development when he leaves the employ of a licensee for whom he is the qualified supervisor.
- (9) To be available on the project site as needed.

(Code of Gen. Ords. 1967, § 9.10.117; Ord. No. 55197, 6-3-83; Ord. No. 010783, 8-23-01; Ord. No. 040477, § 1, 8-12-04; Ord. No. 071193, § 1, 1-3-08)

Sec. 18-342. Suspension or revocation of certificate of qualification.

(a) *Grounds.* The director of city planning and development may suspend or revoke a certificate issued under the provisions of this chapter for any one or more of the following acts or omissions:

- (1) Incompetence.
- (2) Misuse of the certificate.
- (3) Violation of any provisions of this chapter.
- (4) Failure to comply with any of the certificate holder responsibilities as outlined in section 18-341.

(b) *Procedure.* When any of the acts or omissions as enumerated in subsection (a) of this section are committed by a certificate holder and the director of city planning and development deems that such certificate should be suspended or revoked, the action shall be as set forth in section 18-334 for licensed contractors.

(Code of Gen. Ords. 1967, § 9.10.118; Ord. No. 55197, 6-3-83; Ord. No. 010783, 8-23-01; Ord. No. 040477, § 1, 8-12-04; Ord. No. 071193, § 1, 1-3-08)

Sec. 18-343. Transitional provisions.

Except as otherwise expressly provided in this division, this division shall not be construed to require the duplication or reissuance of any license or certificate within the same four-year period, the duplication of any examination, or the duplication of any payment of any fee for a particular grade of license or certificate within the same four-year period. All persons, firms, and corporations in the building and construction industries now lawfully certified or licensed under former codes and ordinances shall be deemed to be appropriately certified or licensed under this division. Any such licensee or certificate holder under a former code or ordinance who fails to reapply for a license or certificate at the conclusion of the license's or certificate's term shall surrender that license or certificate; and such license or certificate shall be deemed to be null and void.

(Code of Gen. Ords. 1967, § 9.10.121; Ord. No. 55197, 6-3-83; Ord. No. 010783, 8-23-01; Ord. No. 020025, 1-31-02; 021383, 12-19-02; Ord. No. 040477, § 1, 8-12-04; Ord. No. 071193, § 1, 1-3-08)

Secs. 18-344—18-349. Reserved.