

(Published in THE RUSSELL COUNTY NEWS, October 5, 2017)1t

ORDINANCE NO. 1899

SUMMARY

On September 19, 2017, the City of Russell, Kansas, adopted Ordinance No. 1899 regulating the issuance of contractor licenses, the qualifications for such licenses, establishing the type of contractor licenses that can be issued, the licensing fee for each license and the insurance requirement. The types of licenses are general contractor, building contractor, plumbing contractor or gas fitter, mechanical heating, ventilation and air conditioning, electrical contractor, roofing contractor and various limited contractor licenses. The initial qualifications and continuing education requirements for each license is also stated in the Ordinance. A complete copy of this Ordinance is available at www.russellcity.org or may be viewed free of charge at the office of the City Clerk at City Hall, 133 W. 8th Street, Russell, Kansas. This summary is certified as legally accurate and sufficient by Kenneth L. Cole, Russell City Attorney.

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I certify this Summary of Ordinance No. 1899 to be legally accurate and sufficient.

Signed this 27th day of September, 2017.



Kenneth L. Cole
Russell City Attorney

ORDINANCE NO. 1899

AN ORDINANCE REGULATING THE ISSUANCE OF CONTRACTOR LICENSES, THE QUALIFICATIONS FOR SUCH LICENSES, SETTING THE TYPES OF CONTRACTOR LICENSES AND LICENSE FEES, AND AMENDING CITY CODE SECTION 4-803, AND RENUMBERING OTHER CODE SECTIONS.

BE IT ORDAINED by the Governing Body of the City of Russell, Kansas.

SECTION 1. Sections 4-803 through 4-808 of the Code of the City of Russell are hereby amended and supplemented to read as follows:

4-803. Contractor's License - Types and Qualifications. Any person or persons desiring to engage in the practice as a contractor or as a limited contractor as hereinafter defined, shall first make application to the City Clerk for the license(s) to engage in such practice(s).

4-804. Contractor License - Types and Qualifications. The contractor licenses and qualifications for each are as follows:

a. General Contractor. Unlimited in scope of work. Requires college degree in Architecture, Construction Science or Engineering and proof of two (2) years on job experience and proof of minimum score of 75% on the International Code Council (ICC) standard exam.

b. Building Contractor. Scope of work limited to construction of commercial buildings and single/multi-family dwellings not exceeding three (3) stories in height and remodeling of all structures. Requires college degree in Construction Science or certification for a two (2) year program in the trade from an accredited community college, technical school or technical college with three (3) years documented field experience, or must have five (5) years documented experience in the trade, or proof of minimum score of 75% on the ICC standard exam. "Documented field experience" for a building contractor application requires written certification by the applicant that he has worked in the trade and been licensed for the same by this or another city for the applicable period of time.

c. Plumbing Contractor or Gas Fitter. Unlimited on scope of plumbing work. Requires proof of Certification of Master Plumber or Journeyman Plumber or certification for a two (2) year program in the trade through an accredited community college, technical school, technical college, or proof of a minimum score of 75% on the ICC standard exam, the international association of plumbing and mechanical officials (IAPMO) standard exam or Prometric standard exam, or documented field experience of a minimum of three (3) years in the trade. "Documented field experience" for a plumbing contractor or gas fitter application requires written certification by a person with a master plumber's license that the applicant worked under his or her direct supervision and is competent to work in this trade.

d. Mechanical Heating, Ventilation and Air Conditioning Contractor (HVAC). Unlimited in scope of mechanical, heating, ventilation and air conditioning work. Requires proof of certification of Master or Journeyman in heating, ventilation and air conditioning mechanics, or certification for a two (2) year program in the trade through an accredited community college, technical school, or technical college or a minimum score of 75% on the ICC, IAPMO or Prometric standard test, or documented field experience of a minimum of three (3) years in the trade. "Documented field experience" for a HVAC application requires written certification by a person with a master VAC license that the applicant worked under his or her direct supervision and is competent to work in this trade.

e. Electrical Contractor. Unlimited in scope of electrical work. Requires proof of certification of Master Electrician or Journeyman Electrician, or certification for a two (2) year program in the trade through an accredited community college, technical school or technical college or a minimum of 75% on the ICC, IAPMO or Prometric standard test, or documented field experience of a minimum of three (3) years in the trade.

"Documented field experience" requires written certification by a person with a master electrician's license that the applicant worked under his or her direct supervision and is competent to work in this trade.

f. Roofing Contractor. Authorized to install, repair and replace residential and commercial roof coverings. Requires state registration number and copy of certificate issued by Attorney General's Office.

Contractor qualifications stated above shall commence and be in full force and effective as of January 1, 2019, except that any person licensed as a contractor by the City of Russell prior to January 1, 1999, and continuously renewed thereafter, without lapse, shall not be required to provide proof of qualification, other than compliance with the continuing education requirement, so long as the license is continuously renewed. The license granted a person qualified only by continuous licensing since before January 1, 1999, shall be issued a license(s) only for the trade or trades which were his or her principal work during that time.

Sec. 4-805. Limited Contractor License. A limited contractor license may be issued for each of the following types of work: Concrete, fencing, sheetrock, masonry, lawn sprinkler/irrigation and doors/windows/guttering/siding. Requirement is proof of two (2) years of documented field experience in the work for which a license is sought. "Documented field experience" requires written certification by the applicant of the times and places he or she worked under the direct supervision of a person having a license in the trade for which the applicant wishes to be licensed.

Sec. 4-806. Application for contractor license. All license applications shall be made upon a form to be supplied by the city which shall disclose the name of the applicant, his place of business in the city (and home office if a nonresident), the kind of contracting work engaged in (i.e. general contractor, limited contractor-concrete, etc.), the length of time engaged in such work, places where work has been performed within the past two years and such other information as the City deems necessary to consider the application. The application shall be signed by the applicant or his authorized agent.

Sec. 4-807. Insurance prerequisite to license issuance. Before a license shall be issued to any contractor or limited contractor, the applicant shall file with the city clerk a certificate of insurance providing for public liability coverage including bodily injury and property damage insurance coverage in an amount not less than \$1,000,000 per occurrence and a general aggregate amount of not less than \$1,000,000; provided further that such insurance coverage shall be effective at the time of any accident or property damage that is caused by the applicant herein, his agent, employee, lessee, or license. Such insurance policy shall contain all of the conditions required by the laws of the state of Kansas and shall carry a uniform endorsement for the actual notice to the city of any changes on such policy. The certificate of such insurance policy shall be provided on an accord certificate of insurance form, or other city approved form, and such certificate of insurance shall further provide that it cannot be canceled unless and until written notice is filed with the city clerk.

Sec. 4-808 Annual renewal of license - Continuing Education. Commencing with licenses to be effective January 1, 2019, or thereafter, all licenses shall be renewable biennially as in the case of an original license on or before December 31st of every even numbered year. All licenses shall be renewable for two-year terms beginning January 1st of an odd numbered year and ending December 31st of every even numbered year. For all, except Limited Contractor licenses, not less than twelve (12) classroom hours of trade associated continuing education approved by the City of Russell are required every two years prior to license renewal approval. [Six (6) hours is required for the application for the year 2019.] Continuing education credits in excess of 12 hours will not carry over from one license renewal period to another. Continuing education may be provided by the local governing body, a nationally recognized trade organization, community college, technical school, technical college, or manufacturers of equipment and/or systems used regularly in that type of trade.

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Sec. 8-809 - License fees. Commencing with licenses to be effective on or after January 1, 2019, the annual fee for a contractor's license to each person engaging in such work shall be as follows:

- a. General Contractor. Initial license and nonconsecutive annual renewals shall be \$400.00. Each consecutive renewal shall be \$300.00.
- b. Building Contractor. Initial license and nonconsecutive annual renewals shall be \$300.00. Each consecutive renewal shall be \$200.00.
- c. Plumbing Contractor or Gas Fitter. Initial license and nonconsecutive annual renewals shall be \$300.00. Each consecutive renewal shall be \$200.00.
- d. Mechanics, Heating, Ventilation and Air Conditioning Contractor. Initial license and nonconsecutive annual renewals shall be \$300.00. Each consecutive renewal shall be \$200.00.
- e. Electrical Contractor. Initial license and nonconsecutive annual renewals shall be \$300.00. Each consecutive renewal shall be \$200.00.
- f. Roofing Contractor. Initial license and nonconsecutive annual renewals shall be \$200.00. Each consecutive renewal shall be \$100.00.
- g. Limited Contractor. Initial license fee and nonconsecutive annual renewals shall be \$200.00. Each consecutive renewal shall be \$100.00.

The application fee for a 2018 license shall be one-half of the fees stated above and the license shall expire December 31, 2018. On January 1, 2019, all licenses will be considered an "initial license" unless the contractor has held a city issued contractor's license for the immediately preceding five (5) years, and the renewal is completed on time.

Sec. 8-810 - Renewal of license.

- a. All licenses shall be renewable biennially as in the case of an original license on or before December 31st of every even numbered year.
- b. Commencing for licenses to be effective on or after January 1, 2019, all licenses shall be valid for two-year terms beginning January 1st of an odd numbered year and ending December 31st of every even numbered year.

Sec. 8-811 - Contents of license; display. Each such license shall set forth the kind of contract work in which the licensee may engage. The licensee shall display his license at any place where he may be engaged in contract work or produce the license on demand of any city official.

SECTION 2. City Code Section 4-804 is renumbered as 4-812, Section 4-805 is renumbered as 4-813, Section 4-806 is renumbered as 4-814, Section 4-807 is renumbered as 4-815, and Section 4-808 is renumbered as 4-816.

SECTION 3. This Ordinance shall take effect and be in force from and after publication as provided by law in the official city newspaper.

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PASSED BY the Governing Body of the City of Russell, Kansas, on this 19th day of September, 2017.

APPROVED by the Mayor of the City of Russell, Kansas on this 19th day of September, 2017.



Raymond C. Mader, Mayor

Attest:



Katrina Woelk, City Clerk

(SEAL)

