

ORDINANCE NO. 15-04

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Douglas C. Cline ON THE 15<sup>th</sup> DAY  
OF November, 2004

AN EMERGENCY ORDINANCE AMENDING CHAPTER 1444 OF THE  
CENTERVILLE MUNICIPAL CODE TO ELIMINATE THE BOND  
REQUIREMENT, TO ADJUST THE REGISTRATION FEE AND TO  
MAKE OTHER ADMINISTRATIVE CHANGES.

WHEREAS, the City of Centerville has previously required heating, ventilating, air conditioning and electrical contractors to post surety bonds for the benefit of any person or persons who suffer damage as a result of a breach of any contract for the installation, service or repair of heating, ventilating, air conditioning or electrical equipment, or damage as a result of a failure to comply with applicable codes through work done or not done by the contractor or by his or her agents, subcontractors or employees; and

WHEREAS, there is no longer a need for such bonds and the attendant expense to the contractor because the State of Ohio now licenses said contractors and has its own surety requirements; and

WHEREAS, the current registration fee is no longer sufficient to cover the cost of administering the registration program.

NOW, THEREFORE,

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That the following amendments to Chapter 1444 of the Centerville Municipal Code are hereby enacted with new matter appearing in *italics* and deleted matter shown by ~~strikethrough~~.

**1444.02 REGISTRATION APPLICATION; DURATION.**

- (a) Any firm, corporation, contractor, property owner or other person who or which engages or intends to engage in the installation or alteration of heating, ventilating, air conditioning and electrical services and equipment shall make application for registration on a form provided by the Building Inspection Department. In addition to such other information as may be required by that Department, any firm,

corporation, contractor or other person desiring a registration shall list each person to be covered under the registration, and it shall be the obligation of the applicant to keep the listing current during the life of the registration shall have and provide a copy of a valid Ohio License for that trade. One such form shall be completed every year in which the applicant intends to carry on such work in the City. Such an application may be filed on or after December 1 of the year preceding the year for which registration is being sought. Approved applications shall expire on December 31 of the year for which registration was obtained, regardless of when the application was made during such year.

- (b) *The owner of a single-family dwelling who performs heating, air conditioning, ventilating or electrical work in the residence in which he or she resides or intends to reside, need not be registered. The owner shall sign an affidavit that he or she meets the residence requirements of this section.*

#### **1444.03 REGISTRATION FEE.**

There shall be a registration fee of ~~twenty-five dollars (\$25.00)~~ *one hundred dollars (\$100.00)* per annum to be collected for each application for registration at the time the application is made. There shall be no proration of the registration fee if the application is made after the commencement of the year for which it is to remain in force. *Registration fees are non-refundable.*

#### **1444.04 REVOCATION OF REGISTRATION; APPEALS.**

Heating, ventilating, air conditioning and electrical registrations may be revoked by the ~~Director of Development~~ *Chief Building Official* or his or her authorized representative for failure of the registrant to obtain proper permits, for failure to obtain proper inspections or for failure to comply with any lawfully issued order. Appeals of any revocation order may be made by the registrant upon a proper form supplied by the ~~Department of Development~~ *Building Inspection Department* within ten days from the date of the order of revocation, and the appeal shall be to the City Manager, who shall review all information relating to the revocation as may be supplied by the ~~Department of Development~~ *Building Inspection Department*, the registrant or any other interested person. The decision of the City Manager shall be final.

Existing Section 1444.05 SURETY BONDS is hereby repealed in its entirety and the following section is renumbered.

#### **1444.05 PERMIT REQUIRED TO DO WORK; FEES; EXCEPTIONS.**

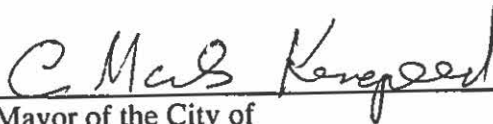
- (a) No person, firm or corporation shall install or make alterations to any heating, air conditioning or ventilating equipment in any building or at any site, nor shall any person, firm or corporation install or make extended alterations to the electrical system in any building or at any site, prior to obtaining the necessary

permits from the ~~Department of Development~~ *Building Inspection Department*. All applications shall be made on a form provided by the ~~Department of Development~~ *Building Inspection Department*. Fees for permits shall be as provided in Chapter 1442. No permit shall be issued to any person, firm or corporation to install or make alterations to heating, air conditioning or ventilating equipment, nor shall any permit be issued to any person, firm or corporation to install, extend or make alterations to an electrical system, unless such person, firm or corporation is on the register as provided in Section 1444.02.

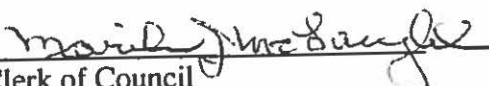
Existing Section 1444.07 EXCEPTIONS FOR CONTRACTORS LICENSED IN THE COUNTY is hereby repealed in its entirety.

Section 2. This ordinance is hereby declared to be an emergency measure and shall become effective immediately upon passage. An emergency affecting public safety and welfare is hereby declared to exist by virtue of the fact that the ordinance must be effective no later than December 1, 2004 in order to avoid the bonding provisions of the existing ordinance and to effect the fee increase necessary to administer the ordinance.

PASSED THIS 15<sup>th</sup> day of November, 2004.

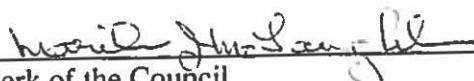
  
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Mayor of the City of  
Centerville, Ohio

ATTEST:

  
\_\_\_\_\_  
Clerk of Council  
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 15-04, passed by the Council of the City of Centerville, Ohio on the 15<sup>th</sup> day of November, 2004.

  
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Clerk of the Council

Approved as to form, consistency with the Charter  
and Constitutional Provisions.

Department of Law

Scott A. Liberman

Interim Municipal Attorney