

ORDINANCE NO. 9-79

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN NOVAK on the 16th day of July, 1979.

AN ORDINANCE ENACTING CHAPTER 1353  
OF THE CENTERVILLE MUNICIPAL CODE  
REQUIRING REGISTRATION OF HEATING,  
VENTILATING, AIR CONDITIONING AND  
ELECTRICAL CONTRACTORS.

WHEREAS, it is deemed desirable and necessary to establish and maintain a register of all persons, firms and corporations installing and servicing heating, ventilation, air conditioning and electrical equipment and services in the City of Centerville; and

WHEREAS, such a register will aid in protecting the citizens of Centerville from improper heating, ventilation, air conditioning and electrical installation;

NOW THEREFORE:

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section I. That Chapter 1353 of the Centerville Municipal Code is hereby enacted as follows:

CHAPTER 1353

Registration of Heating, Ventilating, Air Conditioning and Electrical Contractors

1353.01 PURPOSE.

It is the purpose of this Chapter to establish and maintain a register of all persons, firms and corporations engaged or intending to engage in the installation or alteration of heating, air conditioning and ventilation equipment, or those engaged or intending to engage in the installation or alteration of heating, ventilating, air conditioning and electrical services and equipment in or on real property in the City of Centerville.

1353.02 REGISTRATION APPLICATION AND EXPIRATION.

Any firm, corporation, contractor, property owner, or other person who engages or intends to engage in the installation or alteration of heating, electrical ventilating and air conditioning services and equipment shall make application on a form provided by The Department of Development. In addition to such other information as may be required by said Department, any firm, corporation, contractor or other person or persons desiring a registration shall list each person to be covered under the registration and it shall be the obligation of the applicant to keep said listing current during the life of the registration. One such form shall be completed every year in which the applicant intends to carry on such work in the City of Centerville. 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 the time of making of the application.

1353.03 REGISTRATION FEES.

There shall be a registration fee of \$25.00 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.

1353.04      REGISTRATION REVOCATION.

Heating, ventilating, air conditioning and electrical registrations may be revoked by the Director of Development or his 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 proper form supplied by the Department of Development within ten days from the date of the order of revocation and said 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, the registrant or any other interested person. The decision of the City Manager shall be final.

1353.05      BONDING REQUIREMENT.

Upon approval of an application, the applicant shall post a Surety Bond with the Department of Development for the benefit of the person or persons who suffer damage as a result of a breach of any contract for the installation, service or repair of heating, ventilation, air conditioning or electrical equipment or damage as a result of a failure to comply with applicable codes through work done or omitted from being done by the applicant, his agents, subcontractors or employees. A bond in the amount of \$5,000.00 per firm, corporation or individual applicant shall be executed and deposited with the City. The bond shall be required at the time of registration.

1353.06      PERMIT REQUIRED.

No person, firm or corporation shall install or make alterations to any heating, air conditioning or ventilation 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. All applications shall be made on a form provided by the Department of Development. The fees for the permits shall be determined in accordance with Chapter 1309. No permits shall be issued to any person, firm or corporation to install or make alterations to the heating, air conditioning and ventilation, nor shall any permit be issued to any person, firm or corporation to install, extend or make alterations to the electrical system unless such person, firm or corporation is on the register as provided in Section 1353.01.

EXCEPTION: The owner of a single family dwelling who installs heating, air conditioning, ventilation 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.

1353.07      RECIPROCITY.

Any person, firm or corporation having received a license or a registration from any other municipality in Montgomery County, Ohio, which license or registration was issued pursuant to an Ordinance or a Code requirement similar to the provisions of this Chapter and, if in the opinion of the Director of the Department of Development, the citizens of Centerville will receive substantially similar protection under said Ordinance or Code requirement as they would receive under the provisions of this Chapter, the Director of Development may waive the registration and/or Bonding Requirements of this Chapter.

1353.08      SEPARABILITY.

It is the intention of the Council of the City of Centerville that this Chapter and every provision thereof shall be considered separable and the invalidity of any section, clause, provision or part or portion of any section, clause or provision of this Chapter shall not effect the validity of any other portion of this Chapter.

1353.99 PENALTY.

Any person, firm or corporation violating any provision of this Chapter shall be fined not less than \$25.00 nor more than \$500.00, or imprisoned not less than thirty days nor more than six months, or both. The separate offense shall be deemed committed on each day during or on which a violation occurs or continued.

Section II. This Ordinance shall take effect and be in force from and after January 1, 1980.

PASSED THIS 16th day of July, 1979.

ATTEST:

Marilyn M. Saughlin  
Clerk of the Council  
City of Centerville, Ohio

Victor A. Green  
Mayor of the City of Centerville,  
Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 9-79, passed by the Council of the City of Centerville, Ohio, on the 16th day of July, 1979.

Marilyn M. Saughlin  
Clerk of the Council

Approved as to form, consistency  
with existing laws and  
charter of the City of Centerville, Ohio.  
Respectfully,  
Municipal Attorney