

3/26/08

ORDINANCE NO. 08-757

AN ORDINANCE AMENDING CHAPTER 115 ENTITLED "REGISTRATION OF CONTRACTOR"
TO THE LOCKPORT MUNICIPAL CODE.

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**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
LOCKPORT, WILL COUNTY, ILLINOIS:**

SECTION ONE: That Chapter 115 entitled "Registration of Contractors" is

hereby amended in its entirety to read as follows:

SECTION:

- 115.01 Definitions
- 115.02 Registration Required
- 115.03 Application for Registration
- 115.04 Bond Requirements
- 115.05 Liability Insurance Requirements
- 115.06 Issuance of Registration Term
- 115.07 Registration Fee
- 115.08 Cancellation of Insurance
- 115.09 Occupation of Streets, Sidewalks, and Parkways
- 115.10 Bypass Walk
- 115.11 Barricades Required
- 115.12 Damage to Barricading
- 115.13 Mortar Beds
- 115.14 Material on Public Property
- 115.15 Removal of Rubbish – Public Property
- 115.16 Removal and Containment of Rubbish
- 115.17 Public Inconvenience
- 115.18 Protection of Passerby
- 115.19 Sewer and Plumbing Contractors
- 115.20 Contractors, Existing Violations
- 115.21 Bond for Water and Sewer Connections
- 115.22 Penalty
- 115.23 Revocation; Appeal

115.01 DEFINITIONS: The following terms used in this Chapter have the following meanings unless context otherwise requires:

CONTRACTOR: Any person engaged in the business of constructing, altering or repairing buildings or other structures or sidewalk or street pavements including, but not limited to, general building contractors, cement or concrete contractors; masonry contractors; carpentry contractors; acoustical contractors; electrical contractors; excavating contractors; fencing contractors; garage contractors; glazing contractors; heating, air conditioning and refrigeration contractors; plumbing contractors; porch, deck contractors; roofing contractors; sewer and drain layers; window contractors; wrecking contractors; landscape contractors; swimming pool contractors; insulation contractors; waterproofing contractors; siding contractors; sign contractors.

PERSON: Any individual, partnership, firm, association, corporation, trust or other legal entity.

115.02 REGISTRATION REQUIRED: No person shall be a Contractor within the City without first having obtained a Certificate of Registration therefore as herein provided. Any person who engages in the construction, repair, or alteration of any building, structure of street or sidewalk pavement within the City, for which a Building Permit is required, is presumed to be a Contractor and must be registered hereunder unless such presumption is rebutted.

A Homeowner engaged in constructing, altering, or repairing the Homeowner's personal residence shall not be considered a Contractor for purposes of this Chapter.

115.03 APPLICATION FOR REGISTRATION: Application shall be made, in writing, to the Building Department upon forms furnished thereby. Each application shall state the name of the Applicant, Applicant's address, individual persons to be operating under such registration, type of contracting performed and a statement that the Applicant agrees to comply with this Chapter and all City Ordinances relating to or regulating such activities.

115.04 BOND REQUIREMENTS: Before receiving a Certificate of Registration as provided herein, each Applicant shall deposit with the Building Department, a Bond with Surety to be approved by the Corporate Authorities to indemnify, keep, and save harmless the Municipality against loss, cost, damage, judgment, or liability of any kind whatsoever which the Municipality may suffer or be put to, or which may accrue against, be charged to or be recovered from the Municipality or any of its Officials by reason of any act or thing done or neglected to be done under or by virtue of the Authority given in such registration, and further conditioned that the Applicant shall well and faithfully observe all the provisions of this Chapter and other Ordinances and other regulations of the City relating to the activities engaged in under or by virtue of the Authority given in such a registration. Such bond shall extend over the registration period and be in the sum of twenty thousand dollars (\$20,000.00).

It shall be the responsibility of the Contractor to notify the City of any streets, curbs, sidewalks, or parkways that were damaged prior to the start of construction on the permitted property.

115.05 LIABILITY INSURANCE REQUIREMENTS: No person shall act as a Contractor or Subcontractor within the City, nor shall be registered, unless said Contractor or Subcontractor deposits with the City Building Department a Certificate of Insurance issued to said Contractor or Subcontractor by a Company approved and authorized to issue such insurance by the State which shall be in effect at the time that the application is filed with the City in the following amounts:

ATTACHMENT A

CONTRACTORS INSURANCE

<u>Type of Insurance</u>	<u>Limits of Liability</u>
General Liability:	Property Damage: \$500,000 each occurrence \$1,000,000 aggregate Bodily Injury: \$500,000 aggregate
Automobile Liability:	Bodily Injury and Property Damage Combined: \$100,000 per person \$300,000 per accident \$100,000 property damage
Worker's Compensation and Employer's Liability: (Only required if Applicant has Employees)	\$100,000 each accident \$100,000 each employee \$500,000 policy limit

A new Certificate of Insurance shall be filed when the policy reaches the renewal date which shows the policy to be in effect for the remainder of the certificate period.

115.06 ISSUANCE OF REGISTRATION TERM: The Building Department shall issue a Certificate of Registration upon proper application and compliance with this Chapter All Certificates of Registration shall expire annually on the Anniversary Date of issuance.

115.07 REGISTRATION FEE: The annual registration fee shall be one hundred dollars (\$100.00).

115.08 CANCELLATION OF INSURANCE: Cancellation of the insurance provided for herein shall cause automatic revocation of the Contractor's or Subcontractor's permit(s). All Insurance Certificates must include an endorsement whereby the Insurer agrees to endeavor to notify the City at least ten (10) days prior to non-renewal, reduction, or cancellation.

115.09 OCCUPATION OF STREETS, SIDEWALKS, AND PARKWAYS: Streets, parkways, or sidewalks shall not be occupied with building materials prior to the issuance of a Building Permit. In no event shall public property other than that immediately in front of the lot or land upon which the work is being done be occupied, nor shall more than one-third of the street, from curb line to curb line, be occupied. No material shall be so placed as to render inaccessible any fire hydrant, valve chamber, manhole, or catch basin, or obstruct the gutter or waterway of any street.

115.10 BYPASS WALK: Before any sidewalk is obstructed by scaffolding or other material, or is removed, a safe hard surfaced temporary bypass walk shall be constructed and maintained. Pedestrians shall be protected from vehicular traffic by a barricade or fence. During overhead construction, pedestrians shall further be protected from falling debris by solid overhead planking.

115.11 BARRICADES REQUIRED: Any person, using public property for storage of construction materials shall provide substantial and suitable barricades and shall provide, place and maintain, proper and sufficient red lights or flares to guard and protect all traffic and passersby.

115.12 DAMAGE TO BARRICADING: It shall be unlawful to move, remove, turn off, extinguish, diminish, or disturb any light or barricades required in Section 115.11.

115.13 MORTAR BEDS: Mortar beds or boxes shall be so placed and guarded as to protect the clothing of persons passing, and shall not be located upon any street or public way unless enclosed with a tight fence. Mortar beds or boxes shall not be placed upon any public walk, and no mortar shall be mixed upon any pavement surface or sidewalk surface.

115.14 MATERIAL ON PUBLIC PROPERTY: As soon as construction work is completed, all remaining material shall be promptly removed from public property and the streets and sidewalks shall be cleared and put in the same condition as before the construction work was started.

115.15 REMOVAL OF RUBBISH – PUBLIC PROPERTY: Rubbish or excavated material which is deposited on the sidewalks or streets shall be removed from day to day, as rapidly as produced. When materials or rubbish causing dust are handled they must be well wetted down.

115.16 REMOVAL AND CONTAINMENT OF RUBBISH – PRIVATE PROPERTY: Rubbish or materials shall not be thrown, dropped, or swept from any floor above the ground or from any roof, but shall either be carried or lowered in such a manner as not to cause dust. Rubbish and construction debris shall be properly contained and/or controlled to prevent such debris from being blown, scattered, or otherwise carried to abutting properties.

115.17 **PUBLIC INCONVENIENCE:** All building operations shall be conducted in a manner that least inconveniences the public and abutting property owners.

115.18 **PROTECTION OF PASSERBY:** Where during construction an excavation or other hazard exists, the Contractor shall provide and maintain a barricade or fence for the protection of passersby if the Building Official determines that a hazard exists to the Public.

115.19 **SEWER AND PLUMBING CONTRACTORS:** (1) Every person, firm, or corporation desiring to engage in the business of making any sewer and/or plumbing installation in the City shall show evidence to the City that his State Plumbing License is current and valid. (2) Each plumbing contractor, and sewer contractor, shall be subject to the insurance requirements set forth under State licensing procedures. (3) Each plumbing contractor, and sewer contractor must register with the City Building Department annually prior to receiving permits.

115.20 **CONTRACTORS, EXISTING VIOLATIONS:** The City shall not be required to issue Building Permit to any Contractor or Subcontractor responsible for existing code violations until such work has been corrected.

115.21 **BOND FOR WATER AND SEWER CONNECTIONS:** In addition to connection charges, the Owner or Contractor shall, prior to commencement of work on a connection under this Chapter, deposit with the City Building Department a cash bond in the amount of three thousand dollars (\$3,000.00) in a form satisfactory to the City to insure that work is properly performed and that any disruptions in existing street surfaces or curbs are properly backfilled and repaired. Such bond shall cover water main or sewer main connect(s), or both.

115.22 **PENALTY:** Any person, firm or corporation that violates any of the provisions of this Ordinance, unless otherwise specified, shall be fined not less than \$50 nor more than \$750 for each offense.

115.23 (A) **REVOCAION; APPEAL:** In the event any Contractor or Subcontractor violates any terms or provisions of the Ordinance's rules or regulations or State Statutes, the Contractor or Subcontractor's permit(s) shall be subject to revocation.

(B) Any Contractor or Subcontractor whose permit has been revoked shall have ten (10) days within which to appeal the revocation to the City Administrator. The appeal period shall commence on the date set forth in the Notice of Revocation. In the event the Contractor or Subcontractor elects to appeal the decision to the City Administrator, the City Administrator shall notify in writing the appealing party of his or her decision within thirty (30) days after the date of the Hearing.

SECTION TWO: All Ordinances or parts of Ordinance in conflict herewith are hereby repealed.

SECTION THREE: The provisions in Sections of this Ordinance shall be deemed to be separable and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

SECTION FOUR: The City Clerk of the City of Lockport shall certify to the adoption of this Ordinance and cause the same to be published in pamphlet form.

SECTION FIVE: The provisions of this Ordinance shall take effect on

PASSED THIS 26TH DAY OF MARCH, 2008, with

8 ALDERMEN voting aye, 0 ALDERMEN voting nay,

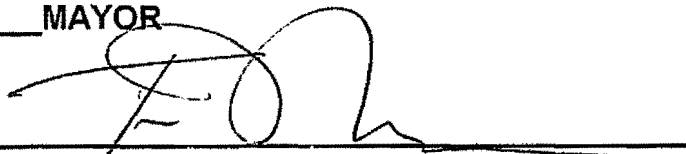
0 ALDERMEN absent, 0 ALDERMEN abstaining

the MAYOR voting aye _____, voting nay _____, not voting X

A COLARELLI A COLLIER A FRACARO A SMITH

A KELLY A MORRIS A TRIVEDI A KELLEY

 MAYOR



Tim Murphy, Mayor

ATTEST:



Maria M. Esposito, City Clerk



Lockport: City of Historic Pride


City of Lockport

Tim Murphy, *Mayor*
Maria M. Esposito, *City Clerk*
David H. Palya, *Treasurer*
Ronald L. Caneva, *Attorney*
Tim Schloneger, *Administrator*

Central Square Building, Suite 4, 222 E. Ninth Street, Lockport, Illinois 60441-3497 Phone (815) 838-0549 Fax (815) 838-9498

AFFIDAVIT

I, **MARIA ESPOSITO, CITY CLERK OF THE CITY OF LOCKPORT**, on oath state that on MARCH 26, 2008, the Mayor and the City Council of the City of Lockport adopted Ordinance No. 08-757 and than on April 14, 2008 I published such Ordinance in pamphlet form by placing at least three copies thereof on file for examination by the general public at the Office of the City Clerk, 222 E. 9th Street, Lockport, IL.



City Clerk

Subscribed and sworn to me before this 14th day of April, A.D. 2008



