

LAPORTE COUNTY ORDINANCE 1996- 14

REGISTRATION OF CONTRACTORS
ORDINANCE REQUIRING THE REGISTRATION OF CONTRACTORS
IN LAPORTE COUNTY

BE IT ORDAINED AND ENACTED by the Board of Commissioners of LaPorte County, State of Indiana, as follows:

Section 1. PURPOSE.

The purpose of this ordinance is to assure that the construction contractors operating in LaPorte County are fiscally responsible for any losses they may cause to the citizens of LaPorte County.

Section 2. DEFINITIONS.

a. **Commissioner** shall mean "LaPorte County Building Commissioner".

b. **Contractor** shall mean any person, firm, corporation engaged in the business of general contractor, roofing, insulation, electrical, plumbing, sewage, well installation, heating, ventilation, air conditioning, or other ancillary contracting in LaPorte County, Indiana, EXCEPTING those individuals doing work on their own residence.

Section 3. REGISTRATION OF CONTRACTORS.

No contractors shall engage in the business of general contractor, roofing, insulation, electrical, plumbing, sewage, well installation, heating, ventilation, air conditioning, or other ancillary contracting, without first procuring a contractor's registration permit, by making application to the Commissioner.

Section 4. APPLICATION.

The Commissioner shall require all applicants to furnish the following information:

1. A statement of applicant's proposed contracting business.
2. Name, residence, and business address of the applicant.
3. If the applicant be a partnership, joint venture, corporation, or other type of business association or firm, the name and business address of such organization, the name and residence of all officer, directors and partners, as the case may be, and their interest in such organization.
4. A list of all businesses owned, operated, and managed by the applicant, or in which

the applicant has had an interest of any kind during the last 5 years, and the addresses of these businesses.

5. Three references from reputable business and professional people, not related by blood or marriage to the applicant, from the County of the applicant, attesting to the applicant's reputation as to honesty, integrity, and good character.

6. A statement, under oath, that the applicant has not been convicted of a felony during the past 5 years, and that the applicant is not presently indicted or charged with having committed a felony.

The Commissioner shall reject the application if it finds:

1. That the applicant has been convicted of a crime within the past 5 years involving dishonesty, fraud, deceit, or lack of integrity, whereby the applicant has been benefited or whereby some injury has been sustained by another.

2. The applicant has, in the past 5 years, refused to pay valid bills of at least 5 different persons or firms, or has been adjudged bankrupt.

3. The applicant has been convicted of a felony during the past 5 years.

The decision of the Commissioner to reject an application shall be subject to review by the Board of Commissioners of LaPorte County, which shall affirm or reverse the decision upon a majority vote at a public hearing.

Section 5. INSURANCE AND BOND.

Before being granted a contractor's permit, each applicant shall show the following proof of insurance and file the same with the Commissioner.

a. Public liability and property damage insurance in an amount not less than \$300,000.00 in the case of damage or injury to one person and not less than \$500,000.00 in case of damage or injury to more than one person.

b. Workman compensation insurance coverage as required by state law.

All insurance shall be issued by an insurance company authorized to do business in the State of Indiana and shall be with a responsible insurance company as approved by the Commissioner.

Section 6. FEES.

The Commissioner shall charge and collect a registration fee for each applicant as follows:

a. From September 1, 1996, through December 31, 1996, \$60.00 per applicant.

b. First registration on January 1, 1997, or thereafter, \$150.00 per applicant.

c. Renewals, \$100.00 per year.

Section 7. NON-REVERTING FUNDS.

All fees collected hereunder shall be retained in a non-reverting account to fulfill the purposes of this ordinance and to provide funding for any inspections required under this ordinance or any LaPorte County Building Code Ordinance, provided, however, that no money shall be drawn from this account for any purposes without appropriation by the LaPorte County Council. The funds accumulated hereunder shall only revert to the general account upon a majority vote of the LaPorte County Council.

Section 8. PENALTIES.

If any person, firm, corporation, shall violate any provision of this ordinance, or should do any act or acts prohibited herein, or shall fail to perform any duty lawfully enjoined within the time prescribed by the Commissioner in connection with the provisions of this ordinance, for each violation and failure or refusal, such person, firm or corporation shall be fined in the sum of \$50.00. Each day of such unlawful activity as prohibited by this section shall constitute a separate offense. Said fine shall be in addition to the cost of enforcement as provided in Section 9 hereunder.

Section 9. STOP ORDER.

Whenever any construction work is being done, contrary to the provisions of this ordinance, the Commissioner shall order the work stopped by notice, in writing, served on any person engaged in doing or causing such work to be done, and such person shall forthwith stop such work until authorized by the Commissioner to proceed with the work. Failure to stop work as ordered by the Commissioner shall subject the individual to fines as provided herein and said individual shall be subject to an injunction from any court of general jurisdiction in LaPorte County, upon action brought by the Commissioner in the name of LaPorte County. In addition to the fines and injunctive relief provided herein, LaPorte County shall be entitled to recover its costs of enforcement, including attorney fees.

Section 10. SEVERABILITY:

If any part of this ordinance is held to be invalid, it shall not affect the validity of the remainder of this ordinance.

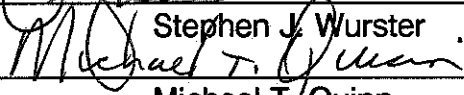
This ordinance shall be in full force and effect beginning the 1st day of September, 1996, and after its enactment as prescribed by law.

Dated this 22 day of July, 1996.

THE BOARD OF COMMISSIONERS OF
THE COUNTY OF LAPORTE, STATE OF INDIANA



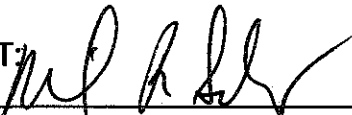
Stephen J. Wurster



Michael T. Quinn

Richard J. Kruse

ATTEST:



Michael R. Schultz, Auditor