

#90-3959

ORDINANCE NO. 12-17-90-A

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AN ORDINANCE CREATING A COMPREHENSIVE LISTING OF CONTRACTORS OPERATING WITHIN THE JURISDICTION OF BROWN COUNTY, INDIANA.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF BROWN COUNTY, INDIANA THAT:

Section 1 GENERAL PROVISIONS

A. TITLE This ordinance shall be known and may be cited as the Contractor's Listing Ordinance of Brown County, Indiana.

B. COMPLIANCE No general contractor, plumbing, mechanical or electrical contractor, shall operate in any manner whatsoever in Brown County, Indiana except in full compliance with all provisions of this ordinance and after lawful issuances of permits by the Ordinance. (Note: Persons desiring to be listed as an electrical contractor must comply with all the provisions of Section 9 of this ordinance.)

C. PURPOSE The purpose of the Ordinance is to establish a comprehensive listing of general contractors, plumbing, mechanical and electrical contractors, who operate within jurisdiction of Brown County, Indiana and providing for the administration, enforcement and amendment thereof in order to promote the health, safety and general welfare of Brown County residents.

D. APPLICATION It is not intended by this Ordinance to interfere with, abrogate or amend any covenants or other agreements between parties, nor is it intended by this Ordinance to repeal abrogate or annul or in any way interfere with existing provisions of laws or ordinances not specifically repealed by this Ordinance, or any rules or regulations previously adopted or issued pursuant to law relating to the listing of contractors.

E. SEVERABILITY If any provisions of this Ordinance or application of any provisions to particular circumstances is held invalid, the remainder of the Ordinance or application of such provision to other circumstances shall not be affected.

F. JURISDICTION This Ordinance shall apply to all land within Brown County.

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Section 2 LISTING FEES

The fee for a listing to operate as a general contractor, plumbing, mechanical or a electrical contractor within the county shall be Ten Dollars (\$10.00). All listings under this article shall expire on the 31st day of December in the year for which such listing was issued. All fees are to de deposited in the County General Fund.

Section 3 LISTING REQUIREMENTS

Any person, partnership or corporation which has entered into a contractual relationship to engage in any construction activity for which a building permit is required, must be a listed contractor under this Ordinance.

Section 4 REGISTRY OF LISTINGS

The Building Department shall maintain a registry of all persons, partnerships and corporations listed to operate in Brown County.

Section 5 APPLICATION

A person, partnership, corporation or other entity shall be entitled to receive a listing as general contractor, plumbing, mechanical or electrical contractor if the following requirements are met:

- a. An application form indicating the name, address, phone number and type of listing has been submitted to the Building Department of Brown County, Indiana, and;
- b. All applications for listing as plumber must show proof of state licensing, and;
- c. The listing fee as shown in Section 2 has been paid, and;
- d. The person, partnership or corporation has furnished proof of liability and worker's compensation insurance, and;
- e. Such insurance shall be maintained in full force and effect during the listing period. Liability insurance to be a minimum of \$100,000 per person and \$300,000 per occurence.

Section 6 LISTING PERSONAL, NOT TRANSFERABLE

No listing issued under provisions of this ordnance shall be assigned or transferred.

Section 7 IMPROPER DISPLAY

It shall be unlawful for any person, partnership, corporation or other entity accomplishing construction activity, to use the work "listed" in connection with its business if such person, partnership, corporation or other entity is not a listed contractor.

Section 8 VIOLATIONS

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Any person, partnership or corporation or other entity who violates any terms of the ordinance shall be subject to a fine of FIVE HUNDRED DOLLARS (\$500) per day for each day such violation continues, suspension of working privilege for up to one (1) year, and an assessment of attorney fees and cost incurred in connection with any action to enforce the provisions hereof, in addition to all other remedies which may exist at law or in equity.

Section 9 EXAMINATION REQUIRED- ELECTRICAL CONTRACTORS

Any person, partnership, corporation, or other entity desiring to engage electrical work within Brown County is hereby required to first pass an examination as required by the Brown County Building Department. Applicant will be deemed to have passed said examination if he/she scores a 70% or above.

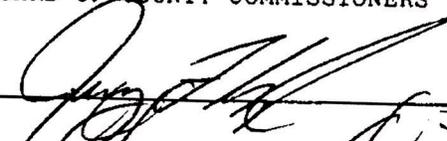
Any applicant desiring to take an examination for an electrician's listing shall be entitled to such examination with ten days after the date of filing completed application in the office of the Building Commissioner. The fee for this examination shall be TWENTY-FIVE DOLLARS (\$25.00). Said fees to be deposited in the County General Fund.

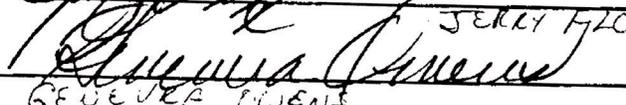
Section 10 EFFECTIVE DATE

This ordinance shall be in full force and effect as of January 1, 1991.

Approved this 17 day of DECEMBER, 1990.

BOARD OF COUNTY COMMISSIONERS



JERRY FLOYD


GENEVA OWENS

ATTEST:



Auditor ROBERT F. MELTON