

ORDINANCE 020110A
AN ORDINANCE TO ESTABLISH AN EQUITABLE REGISTRATION PROCESS FOR
CONTRACTORS PERFORMING WORK WITHIN THE TOWN OF FISHERS
PLANNING AND ZONING JURISDICTION

WHEREAS, the Town of Fishers Town Council finds that it is reasonable and necessary to promote and accommodate the orderly development and to protect the public health, safety and general welfare of the citizens of the Town of Fishers by providing for an equitable registration program for contractors who intend to perform work on residences and/or businesses within the Town of Fishers planning and zoning jurisdiction; and

WHEREAS, the Town Council further finds that it is reasonable and necessary to promote the orderly construction process of the Town by establishing standards by which the Town may require registration for contractors who intend to perform work on residences and/or businesses within the Town of Fishers jurisdiction; and

WHEREAS, the Town Council further finds that in order to provide a service for the public good and for its citizens in the interest of public welfare and protection of investment require that all permit applicants must be registered with the Town of Fishers prior to obtaining permits; and

WHEREAS, the purpose of this ordinance is declared not to hinder or deter business relationships or opportunities within the Town of Fishers, but rather to protect the health, safety and welfare of its residents.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Fishers, Hamilton County, Indiana, meeting in regular session as follows:

Section 1: Registration Requirements.

This ordinance does hereby establish registration requirements for contractors seeking to perform work on residences and businesses located in the Town of Fishers. To become a Registered Contractor with the Town of Fishers, the applicant must complete a Contractor Registration Application and must also provide the following:

(1) General Liability Insurance Certificate

Must have a certificate of insurance.

Must have minimum of \$500,000 for each occurrence of death or bodily injury.

Must have minimum of \$100,000 for each occurrence of property damage, or must have combined single limit coverage which covers both bodily injury and property damage, minimum of \$500,000 per occurrence.

Must indicate the policy number.

Must identify the effective and expiration dates of the coverage.

Must name the sole proprietor, partnership, or corporation as the insured.

Must list the name, address, and phone number of the insurance agent.

Must not limit coverage to a single job.

Must notify the Engineering Department, in writing, at least 15 days prior to cancellation.

Section 2: Term of Registration.

All issued Contractor Registrations shall be valid for one year from the date of issuance.

Section 3: Fee for Registration.

The fee for registration shall be \$100. This fee shall be due and payable upon issuance. For further detail, please see §35.30 of the Town of Fishers Code Fee Schedule.

Section 4: Exceptions.

The following exceptions to the Contractor Registration process shall apply:

(1) Homeowners applying for required residential permits who intend on performing all work themselves shall not be required to be registered as a contractor within the Town of Fishers to obtain residential permits; and

(2) Change of Use and or Occupancy permit applicants need not be registered to obtain required permits.

Section 5. Violation/Penalty.

In the event a Registered Contractor fails to obtain the necessary and required permits, or respond to noticed violations by the Town or comply with the requirements set out above, the Town of Fishers reserves the right to suspend and/or refuse renewal of Contractor Registration until such time that the Contractor demonstrates compliance as determined by the Town Manager or his/her designee. Failure to comply with this Ordinance by (a) failing to obtain a license before doing the work as provided above, or, (b) failing to maintain the required policies of insurance as set out above during the term of the license is a violation of this Ordinance which shall subject the offender to a fine of \$50.00 for the first offense and \$100 for the second and subsequent offenses. This fine shall be added to Section 36.08 of the Town Code of Ordinances as a violation of Business Regulations and payment may be made through the Ordinance Violations Bureau of the Town as provided in Section 36.07 of the Town Code of Ordinances.

Section 6. Town Assumes No Liability.

The purpose of this Ordinance is set out above. By enacting this Ordinance, the Town of Fishers does not in any manner insure or warrant the competency of the Contractors licensed or the quality of the work performed by the Contractors licensed. No representations should be made explicitly by Licensed Contractors to the effect that licensure is a representation by the Town of their competency or the quality of their work, nor should any property owner believe by inference that licensure is an endorsement by the Town of the competency or quality of the work.

Section 6. Effective Date.

This ordinance shall be in full force and effect upon its passage by the Town Council, in accordance with Indiana law. All ordinances or parts thereof in conflict herewith are hereby repealed.

ALL OF WHICH IS SO ORDAINED this 15th day of FEBRUARY, 2010.

THE TOWN COUNCIL OF FISHERS, HAMILTON COUNTY, INDIANA

<u>AYE</u>	<u>NAY</u>
<u>Scott A. Faultless</u>	_____
<u>David C. George</u>	_____
_____	_____
<u>Stuart F. Easley</u>	_____
<u>Daniel E. Henke</u>	_____
<u>Eileen N. Pritchard</u>	_____
<u>Charles P. White</u>	_____
_____	_____
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ATTEST: Linda Gaye Cordell DATE: 2-15-10
Linda Gaye Cordell, Clerk-Treasurer,
Town of Fishers, Indiana

020110A
Approved by: Jennifer L. Williams, Church Church Hittle & Antrim - Town Attorney