

ORDINANCE NUMBER 4702

AN ORDINANCE AMENDING THE LICENSING AND REGISTERING OF ELECTRICAL AND MECHANICAL CONTRACTORS

WHEREAS, the work of electrical and mechanical contractors is a matter affecting the life, health and public welfare of the citizens of Goshen, therefore any individual engaging in such work is required to show proof of his or her competency and qualifications by becoming licensed to perform such work in the City of Goshen;

WHEREAS, in order to safeguard the life, health, and public welfare of City of Goshen citizens, the quality and character of work performed by electrical and mechanical contractors shall be regulated through inspections and the enforcement of building codes; and

WHEREAS, to insure that City of Goshen Building Department officials have the records necessary to inspect the work of electrical and mechanical contractors, such individuals, must register with the City of Goshen and renew the registration once every three (3) years.

NOW, THEREFORE, be it ordained by the Common Council of the City of Goshen, Indiana that:

SECTION 1 - LICENSING AND REGISTERING REQUIRED; DISPLAY

1. Any individual acting in the capacity of an electrical contractor, class A mechanical contractor or class B mechanical contractor in the City of Goshen, Indiana shall be required to first obtain the appropriate license and register with the City of Goshen Building Department.
2. Any license granted under this ordinance shall be prominently displayed at the licensee's principal place of business.

SECTION 2 - APPLICATION FOR LICENSE AND LICENSING REQUIREMENTS

1. Any individual desiring to be licensed as an electrical contractor, class A mechanical contractor or class B mechanical contractor in the City of Goshen must file with the City of Goshen Building Department a written application, on the form provided by the Building Department, that contains information considered necessary to determine the qualifications of the applicant.
2. Any individual at least 18 years of age that satisfies the requirements of this ordinance may be licensed by the City of Goshen as an electrical contractor, class A mechanical contractor or class B mechanical contractor.
3. Any individual desiring to be licensed as an electrical contractor, class A mechanical contractor or class B mechanical contractor in the City of Goshen, Indiana must successfully complete an examination unless the applicant holds the license from another locality whose requirements equal or exceed the City of Goshen's requirements.

4. To qualify for an electrical contractor, class A mechanical contractor or class B mechanical contractor license, the applicant must also provide to the City of Goshen Building Department evidence of the applicant's training, experience and past work record.

SECTION 3 - EXAMINATIONS

1. Applicants for a license as an electrical contractor, class A mechanical contractor or class B mechanical contractor must pass an examination approved by the City of Goshen Building Commissioner. The contents of the examination must, for each license category, test the current level of skills required of individuals to be licensed in that category.
2. A passing score shall be considered a score of 70 percent or better.
3. An administrative fee in the amount as required by the current "City of Goshen Building Department Fee Ordinance" shall accompany an application to take an examination for each licensing category.
4. No refund of the administrative fee will be made to an applicant.

SECTION 4 - LICENSING APPROVAL

1. The applications of all new applicants scoring 70 percent or better on the licensing examination shall be submitted to the Board of Public Works and Safety for approval, along with any other information regarding the applicant's training, experience and past work record.
2. The applications of all new applicants holding an electrical contractor, class A mechanical contractor or class B mechanical contractor licensed in another locality shall be submitted to the Board of Public Works and Safety for approval, along with any other information regarding the applicant's training, experience and past work record. The application must include written verification from the other locality that the applicant has met the requirements for the licensing of an electrical contractor, class A mechanical contractor or class B mechanical contractor in the other locality, and that those requirements are equal to or greater than the requirements in force in the City of Goshen.
3. If the Board of Public Works and Safety finds an applicant to be responsibly qualified based on the information submitted on the application and other information brought to the Board's attention, the Board shall approve the applicant's license as an electrical contractor, class A mechanical contractor or class B mechanical contractor. The Board shall authorize the Building Commissioner to issue an initial license, as appropriate, and register the applicant.
4. All new applicants seeking licensing under this ordinance are required to pay the three (3) year licensing fee in the current amount as indicated in the "City of Goshen Building Department Fee Ordinance".

SECTION 5 - LICENSE RENEWAL AND REGISTRATION REQUIREMENTS

1. Every license and registration issued under this ordinance shall expire December 31 of the last year for which the license is valid.

2. Any licensee in good standing shall have the right, without further examination or approval of the Board of Public Works and Safety, to renew their license and registration by filing an application with the City of Goshen Building Department. Upon receipt of the application for renewal and payment of the required renewal fee in the amount as indicated in the applicable "City of Goshen Building Department Fee Ordinance", the Building Commissioner shall issue to the applicant a renewal license and registration.
3. Roughly one third (1/3) of licenses issued in 2013 will be issued for one (1) year, roughly one third (1/3) of licenses will be issued for two (2) years and roughly one third (1/3) of licenses will be issued for three (3) years. The licensees receiving a two (2) year registration will pay twice the annual fee established by the City of Goshen Building Department Fee Ordinance and licensees receiving a three (3) year registration will pay three (3) times the annual fee. Beginning in 2014, each renewed license shall be issued for three (3) years and will be charged three (3) times the annual fee. Each new license will be issued for the remaining portion of the current year and two additional years. The licenses will be charged three (3) times the annual fee.
4. In the event any licensee fails to renew their license within thirty (30) days of receiving a written notice to renew the license, the licensee shall pay a late fee equal to the late fee for registration of units established by the Goshen Building Department Fee Ordinance for the Neighborhood Preservation Ordinance for registration of units. However, no late fee will be imposed as long as the renewal fee is paid by February 28 of the year in which the renewal is due.

SECTION 6 - DEFINITIONS

1. CLASS A MECHANICAL CONTRACTOR. A class A mechanical contractor is any individual who, for hire, does himself or herself or by employing others on his or her behalf, erects, installs, alters, repairs, relocates, replaces, maintains, designs or performs any other work to any heating, ventilating, cooling, refrigeration system and other miscellaneous heat-producing appliances, including all appurtenances, apparatus or equipment used in connection therewith. A mechanical contractor, however, may not make the electrical connection from the warm air heating unit, air-conditioning unit, or wet/dry heat pump into the main service box.
2. CLASS B MECHANICAL CONTRACTOR. A class B mechanical contractor shall be considered any individual who, for hire, does himself or herself or by employing others on his or her behalf, installs, alters, repairs, relocates, replaces, maintains or performs any other work to any heating, ventilating or cooling system, including all appurtenances, apparatus or equipment used in connection therewith exclusively in any mobile home dwelling unit. A mechanical contractor, however, may not make the electrical connection from the warm air heating unit, air-conditioning unit, or wet/dry heat pump into the main service box.
3. ELECTRICAL CONTRACTOR. An electrical contractor is any individual who, for hire, does himself or herself or by employing others on his or her behalf, installs, alters, repairs, replaces, designs or performs any work to an electrical system.
4. LICENSEE. A licensee is any individual who holds an electrical contractor license, class A mechanical contractor license or class B mechanical contractor license, and is registered with the City of Goshen Building Department pursuant to this ordinance.

SECTION 7 - REPEAL OF PRIOR ORDINANCES

1. This ordinance repeals ordinance number 3757 only to the extent that ordinance number 3757 conflicts with the provisions of this ordinance.

SECTION 8 - SEVERABILITY CLAUSE

1. If any provision of this ordinance shall be held invalid, such provision shall be deemed severable and the invalidity thereof shall not affect the remaining provisions of this ordinance.

SECTION 9 - EFFECTIVE DATE

1. The provisions set forth in this ordinance shall become and remain in full force and effect from and after its passage and adoption, approval and publication as required by law.

PASSED AND ADOPTED, by the Common Council of the City of Goshen, Indiana on the 9th day of October, 2012.



Allan Kauffman, Presiding Officer

Attest:



Tina Bontrager, Clerk-Treasurer

Presented by me to the Mayor of the City of Goshen, Indiana for his approval on the 16 day of October, 2012 at the hour of 12:00 a.m.(p.m.)



Tina Bontrager, Clerk-Treasurer

This ordinance, having been passed by the Common Council of the City of Goshen, Indiana and presented to me is approved and duly adopted on 18 day of October, 2012 at the hour of 10 a.m.(p.m.)



Allan Kauffman, Mayor