

COUNTY OF LAGRANGE, IN

ORDINANCE NO. 2006-12-4

AN ORDINANCE CONCERNING THE REGISTRATION OF PERSONS ENGAGING IN THE BUSINESS OF A CONTRACTOR WITHIN THE COUNTY OF LAGRANGE, INDIANA, AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

WHEREAS, the Board of Commissioners of the County of LaGrange finds it necessary and in the public interest that the County of LaGrange, Indiana, to require the registration of all contractors engaged in activities requiring, or covered by, a building permit issued pursuant to the one and two family building code; and

WHEREAS, the Board of Commissioners of the County of LaGrange finds it necessary and in the public interest that the County of LaGrange, Indiana, to require the registration of contractors engaged in activities requiring, or covered by, a building permit issued under the commercial building code; and

WHEREAS, the Board of Commissioners of the County of LaGrange, pursuant to the powers granted them by I. C. 36-7-2-4 and other relevant statutes, may regulate methods of repair, alteration, and construction of structures and other improvements.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAGRANGE, INDIANA, THAT:

SECTION I

It shall be unlawful for any person, firm, corporation or association to engage in the business of a contractor, as defined herein, within the County of LaGrange, Indiana, without first having registered with the LaGrange County Building Department in accordance with this Ordinance. A contractor: (i) is defined as any person, firm, corporation or association which enters into a contractual relationship (verbal or written) for the installation, erection, remodeling, or repairing of any structure, electrical wiring, heating, ventilation and air conditioning work, plumbing, or any other type of construction activity or trade, including demolition work, in or upon real estate located within the County of LaGrange, Indiana; and (ii) shall include all construction trades, such as, but not limited to, commercial general contractors, residential contractors, and sub-contractors to either commercial general contractors or residential contractors.

SECTION II

It shall be unlawful for any general contractor to allow or employ any sub-contractor who has not first registered with the LaGrange County Building Department in accordance

with this Ordinance to perform work which involves the installation, erection, remodeling, or repairing of any structure, electrical wiring, heating, ventilation and air conditioning work, plumbing, or any other type of construction activity or trade, including demolition work, in or upon real estate located within the County of LaGrange, Indiana.

SECTION III

The contractor shall register by making application with the LaGrange County Building Department and shall include on the application the company or person's name, address and telephone number; if a company, the owner's name, address and telephone number; whether the contractor carries liability insurance, workman's compensation insurance and is bonded; whether the contractor has failed any test given by any approved testing facility where testing is required in the contractor's field of work; and designate on the application form those activities in which the contractor registrant shall engage. Registration categories are as follows:

Concrete
Masonry
Carpentry
Roofing
Miscellaneous work - i.e. Septic Systems, Swimming Pools, Irrigation, etc.
Manufactured Housing
Electrical
Plumbers

A contractor does not need to have insurance nor be bonded to be registered with the County Building Department under this Ordinance.

SECTION IV

Each contractor approved for registration shall, upon payment of the registration fee, be registered for a period beginning on the date of registration and ending on December 31 of the calendar year in which the contractor was registered. Said registration may be renewed from year to year thereafter by verifying in writing that the information contained in the current application remains true and accurate, by supplementing that application with new information necessary to comply with the registration requirements of this Ordinance, or by completing a new application, and in all events paying the proper renewal registration fee. All fees for initial registration, as well as any renewal registration shall be set in fee schedules adopted by separate ordinance by the LaGrange County Commissioners from time to time. No registration application shall be approved, registration given, or building permit issued until all requirements of this Ordinance have been complied with and the contractor has paid in full the fee or renewal fee charged. No registration shall be assigned or transferred.

SECTION V

The LaGrange County Building Department Commissioner shall have full authority under this Ordinance, including but not limited to, the right to enter onto any property where any work is being done to determine compliance by a contractor with the terms and requirements of this Ordinance and to issue stop-work orders. The violation of this Ordinance by any contractor, or any contractor who permits any sub-contractor to violate this Ordinance shall be subject to a fine of \$ 100 for the first violation, \$500 for the second violation, and \$1,000 for the third and any subsequent violation, regardless of any time period in which said violations may occur.

SECTION VI

This Ordinance shall repeal LaGrange County Ordinance No. 1990-1-1-20. The express or implied repeal or amendment by this Ordinance of any other Ordinance or part of any other Ordinance does not affect any rights or liabilities accrued, penalties incurred, or procedures begun prior to the effective date of this Ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repeated or amended Ordinance as if this Ordinance had not been adopted.

SECTION VII

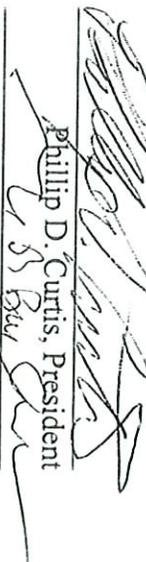
No part of this Ordinance shall be interpreted to conflict with any local, state or federal laws, and all reasonable efforts should be made to harmonize same. Should any section or part thereof of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or any other portion thereof other than that portion so declared to be invalid, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

SECTION VIII

This Ordinance shall be effective upon promulgation according to law.

Adopted and Ordained this ___4TH__ day of __December__, 2006.

BOARD OF COMMISSIONERS OF
LAGRANGE COUNTY, INDIANA


Phillip D. Curtis, President

George R Bachman, Vice-President
Absent

Roger W. Boots, Member

WAIVER OF SECOND READING

On motion duly made and seconded, the second reading of the foregoing Ordinance was unanimously waived and the Ordinance was deemed effective as of the date of passage.

BOARD OF COMMISSIONERS OF
LAGRANGE COUNTY, INDIANA



Phillip D. Curtis, President



George R. Bachman, Vice-President

Absent


Roger W. Boots, Member

ATTEST:


Katy M. Myers, Auditor