

07/07/2006

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 102-479, CONTRACTOR'S LICENSE, ARTICLE IV, SEWER SERVICE, OF CHAPTER 102, UTILITIES, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, TO DELETE PREREQUISITE REQUIREMENTS OF CITY APPLICATION AND DRAINLAYER'S LICENSE EXAM FORMERLY ADMINISTERED BY THE CITY OF PONTIAC, REPEAL CONFLICTING ORDINANCES, AND PRESCRIBE A PENALTY FOR VIOLATIONS.

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. Section 102-479 of Chapter 102 of the Code of Ordinances of the City of Rochester Hills shall be amended, as follows:

Sec. 102-479. Contractor's license.

(a) *Requisite for permits.* A person, other than an individual property owner signing and agreeing to the terms of a homeowners affidavit under section 102-478, may be issued a permit only upon being licensed by the city as a contractor.

(b) *Prerequisites.* As a prerequisite to a contractor's license, an applicant must:

~~(1) Complete and file an application as supplied by the city.~~

~~(2)~~(1) Pay a license fee in the amount as provided in section 54-806, except for state registered master plumbers who shall pay the amount as provided in section 54-806.

~~(3) Successfully pass a written examination, obtaining at least a 70 percent score for a drainlayer's class A license, administered by the City of Pontiac, Oakland County, Michigan. However, a person holding a plumber's license, in good standing, issued by the state shall not be required to take and pass the test provided in this subsection.~~

~~(4)~~(2) File and maintain a one-time cash bond of \$1,000.00 while any permits are outstanding and for a period of ten months from the last sewer connection. The bond shall ensure compliance with this Code and city standards and regulations and shall cover any damages resulting from the contractor's work to utility systems and public property, not damage to private property.

(c) *Fee and duration.* A contractor's license shall be issued and renewable for a fee in the amount as provided in section 54-806. Failure to renew a license annually will

cause the license to be considered inactive. A fee as provided in section 54-806 shall be required to reinstate an inactive license.

(d) *Suspension or revocation.* A contractor's license may be suspended and/or revoked upon noncompliance with this Code and standards, specifications, rules and regulations and/or a finding by the mayor that work is being done in less than a workmanlike manner and/or that there are claims for faulty work or materials for which the contractor has failed to promptly respond by making reparations or demonstrating the claims are unfounded.

- (1) *Notice in writing.* Any notice of suspension or revocation shall be in writing to the contractor.
- (2) *Appeal for final determination.* The contractor may, at any time, appeal the suspension or revocation to the city council for final determination.

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Section 3. Penalty. All violations of this ordinance shall be municipal civil infractions and upon a determination of responsibility therefor shall be punishable by a civil fine of not more than \$500.

Section 4. Repeal, Effective Date, Adoption.

(1) Repeal. All regulatory provisions contained in other city ordinances, which are inconsistent with the provisions of this ordinance, are hereby repealed.

(2) Effective Date. This ordinance shall become effective on _____, following its publication in the Rochester Eccentric on _____.

(3) Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on Wednesday, _____.

Bryan K. Barnett, Mayor
City of Rochester Hills

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED
BY THE CITY COUNCIL OF THE CITY OF ROCHESTER HILLS AT A
MEETING THEREOF ON WEDNESDAY, _____.

Jane Leslie, Clerk
City of Rochester Hills