

AN ORDINANCE REQUIRING REGISTRATION AND LICENSING OF CERTAIN CONTRACTORS IN THE CITY OF FLORENCE, MISSISSIPPI AND FOR ENFORCEMENT THEREOF

WHEREAS, authority is granted unto the Governing Authority of a municipality in Section 21-19-1, MCA 1972, to enact ordinances deemed proper to secure the general health, safety and welfare of the community; and

WHEREAS, the City of Florence finds the regulation and registration of contractors would indeed ensure the public health, safety and welfare of its citizens; and

WHEREAS, the Mayor and Board of Aldermen having reviewed the proposed Ordinance and find its adoption to be in the best interest of the City of Florence for the reasons set out in said Ordinance: and

THEREFORE, BE IT ORDAINED, by the Governing Authorities of the City of Florence, Mississippi, as follows:

Section 1: Registration required.

All commercial and residential construction general contractors, mechanical, electrical, and plumbing subcontractors doing business within the city shall register with the city zoning administrator in order to qualify to do business within the city. It is hereby established that the city zoning administrator shall maintain an approved list of general contractors and subcontractors upon registration.

Section 2: Bond, insurance, license, and certificate of responsibility required.

In order to qualify, all residential and commercial construction contractors shall:

- (1) Post a \$5,000.00 performance bond with the city zoning administrator, such bond being payable to the city and being conditioned on such contractor complying with all ordinances and regulations of the city and state;
- (2) Provide proof of commercial liability insurance issued by an insurance company admitted to write such insurance in the State of Mississippi and having minimum limits as follows: general liability \$500,000.00 per occurrence and \$1,000,000.00 general aggregate;
- (3) Provide proof of worker's compensation insurance to the extent the contractor is required to have such by state law; and
- (4) Hold a certificate of responsibility from the state

Section 3: Statutory compliance and related requirements.

In order to qualify for registration, all commercial and residential mechanical, electrical and plumbing subcontractors, shall:

- (1) Comply and meet the provisions of MCA 1972, § 27-17-457 (1) and post a \$5,000.00 performance bond payable to the city, conditioned upon such contractor complying with all ordinances and regulations of the city, and the statutes of the state; or

- (2) Comply and meet the provisions of MCA 1972, §27-17-457(2), or hold a certificate of responsibility from the state; and
- (3) Provide proof of commercial liability insurance issued by an insurance company admitted to write such insurance in the State of Mississippi and having minimum limits as follows: general liability \$500,000.00 per occurrence and \$1,000,000.00 general aggregate
- (4) Provide proof of worker's compensation insurance to the extent the contractor is required to have such by law.

Section 4 – Fees.

The registration fee for all general contractors and subcontractors **not** holding a certificate of responsibility for the state or a license by any other municipality which has an examining board, but can provide a letter stating the contractor has performed satisfactory work in said jurisdiction for a period of ten (10) years or more, shall be established by the mayor and board of aldermen from time to time.

The registration fee for all general contractors and subcontractors holding a certificate of responsibility for the state, a license issued by any one municipality or county of the State of Mississippi which has an examining board where there is regularly given a written examination shall be \$25.00.

Registration fees shall be valid for one year and shall be renewed each year on anniversary date.

Section 5 – Grounds for removal from register.

Once qualified, all contractors and subcontractors will remain on the approved list until removed therefrom due to:

- (1) Nonpayment of registration fee; or
- (2) Revocation of the license or state certificate of responsibility; or
- (3) The performance bond expires or is revoked due to violations of this Code or applicable state law; or
- (4) The liability insurance and worker's compensation insurance (where required by state law) expires or is revoked or cancelled.

Section 6 – Qualification of employees.

All construction work performed within the city shall be performed by at least a journeyman level employee.

Section 7 – Owner/builders.

Nothing contained in this article shall prohibit any individual from building his principal dwelling or from remodeling or expanding his existing dwelling, however, all such work must be done in conformity with all other provisions of this article, including those relating to permits, inspections and fees. This provision shall apply only to a residence owned and occupied by the individual doing the work and not building a structure which is readily accessible to the general public or not occupied by an

individual doing the work. No one who is not licensed and bonded may assist the homeowner in the work.

Section 8 – Maintenance work.

This article does not prohibit an individual from doing maintenance work , (installing, altering or repairing electrical, gas, mechanical, plumbing, appliances, or installing, extending, replacing, altering or repairing in general).

Section 9 – Applications for permits.

All building permit applications shall be initiated by the owner or contractor, or their agent, and all subcontractors to work on the job must sign the application prior to issuance thereof.

Section 10 – Penalties and fines.

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not less than fifty dollars (\$50.00) and not exceeding one thousand dollars (\$1,000.00) or to be imprisoned in the county jail for a period not exceeding ninety (90) days or both.

This Ordinance is to become effective after publication and thirty-one (31) days from the date hereof.

The Motion to adopt the foregoing Ordinance having been made by Alderman _____ and seconded by Alderman _____, and the Ordinance having been considered and put to a roll call vote, the results being as follows:

VOTING:

APPROVED:

DISAPPROVED:

AYE

NAY

ALDERMAN BRIAN GRANTHAM

AYE

NAY

ALDERMAN TREY GUNN

AYE

NAY

ALDERMAN JOHN HELMS

AYE

NAY

ALDERMAN BOBBIE MOUDY

AYE

NAY

ALDERMAN LARRY POYNER

The Motion having received the affirmative vote of a majority of members of the Board present, the Mayor therefore declared the motion so carried and the Ordinance adopted this the _____ day of _____, 2015.

PAM CLARK, MAYOR
CITY OF FLORENCE, MISSISSIPPI

ATTESTED BY:

LINDA WIGLEY, CITY CLERK
CITY OF FLORENCE, MISSISSIPPI

DRAFT 1-4-28-16

CITY OF FLORENCE

MISSISSIPPI

CONTRACTOR & SUB-CONTRACTOR REGISTRATION FORM

Please complete this form and provide the required documents (listed below) to be added to the City of Florence registered contractor's database. Completed forms can be submitted in person at the City Hall at 203 College Street, Florence, MS 39073 or mailed to P. O Box 187, Florence, MS 39073.

Registration Types: The City of Florence requires that the following types of contractors/trades be registered before a permit can be issued (check all that you are applying to register).

\$25 registration fee applies to each			
<input type="checkbox"/>	General Contractor	<input type="checkbox"/>	Mechanical Contractor
<input type="checkbox"/>	Residential Builder	<input type="checkbox"/>	Electrical Contractor
<input type="checkbox"/>	Remodeler	<input type="checkbox"/>	Plumbing and Gas Contractor
<input type="checkbox"/>	Roofing Contractor	<input type="checkbox"/>	Sign Installation Company
<input type="checkbox"/>	Swimming Pool Contractor	<input type="checkbox"/>	Other:

Documents required:

_____ Complete registration form (a new form should be completed annually or whenever there has been a change in within the registering company).

_____ Copy of MS Certificate of Responsibility or a valid license issued by the State of Mississippi or a Mississippi municipality.

_____ Declaration Page of the General Liability Policy

_____ Performance bond in the amount of \$5,000 payable to the City of Florence, Mississippi conditioned upon such contractor complying with all ordinances and regulations of the city, and the statutes of the state.

_____ Annual registration fee of \$25 (per registered trade) payable to the City of Florence.

Authorized signers: To allow others to obtain permits on behalf of the registered company, documentation, in the form of a letter on company letter head or listed on the registration form, must be on file with the City.

Company Name:		Owner:	
Email Address:			
License Holder's Name:			
License Number:		Issued by:	Exp date:
Company Address:			
City:		State:	Zip:
Phone:	Cell:	Fax:	
Persons who are authorized to obtain permits: (leave blank if no one is authorized but the license holder)			
1)			
2)			
3)			
License Holder's Signature:			