

ORDINANCE NO. BG2009 - 33

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 6 (BUILDING REGULATIONS), SUBCHAPTER 6-13 (CONTRACTORS LICENSING) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO APPROVE A RECOMMENDATION FROM THE CONTRACTORS LICENSING BOARD TO ESTABLISH CONTINUING EDUCATION REQUIREMENTS FOR GENERAL CONTRACTORS

WHEREAS, the City of Bowling Green adopted Subchapter 6-13 (Contractors Licensing) in order to establish reasonable licensing and regulatory requirements for contractors doing work in the City; and,

WHEREAS, this subchapter also created the Contractors Licensing Board with the Board granted authority to establish regulations, subject to approval by the Board of Commissioners and Warren County Fiscal Court, for the administration and enforcement of this subchapter; and,

WHEREAS, the Contractors Licensing Board has proposed compliance and certification requirements for general contractors pursuant to which general contractors shall be required to complete a minimum of three (3) credit hours of continuing education approved and administered by the Contractors Licensing Board; and,

WHEREAS, the Contractors Licensing Board presented this proposed to a working session of the Board of Commissioners on October 20, 2009, and it is in the best interests of the City to approve this recommendation.

NOW, THEREFORE, BE IT ORDAINED by the City of Bowling Green, Kentucky as follows:

1. Chapter 6 (Building Regulations), Subchapter 6-13 (Contractors Licensing) is hereby amended as follows:

6-13 CONTRACTOR LICENSING.

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(Ordinance No. BG2009 - 33)

6-13.05 Requirements for License.

a. Before the Board may issue a contractors license, the Board may require the applicant to provide information in a form suitable to the Board, including but not limited to: proof of liability insurance in an amount established by the Board; proof of the applicant's social security number or tax identification number; proof of compliance with Kentucky's unemployment insurance and workers' compensation laws; and proof of compliance with other specialty craft laws and regulations; local, state and federal tax numbers; and compliance with local, state and federal laws and regulations, such as a city or county business license and similar requirements.

b. Compliance and Certification for General Contractors.

1. Each educational year every general contractor licensed by the Bowling Green-Warren County Contractors Licensing Board shall complete a minimum of three (3.0) credit hours of continuing contractor education activity approved by the Contractors Licensing Board. All continuing contractor education activities shall be completed no later than the end of each educational year. Failure to compete the minimum educational requirements will result in a contractor's license being revoked.

2. A licensee who accumulates an excess over the three (3.0) credit hour requirement may carry forward the excess credits into two successive educational years for the purpose of acquiring the minimum requirement for those years. Carry forward is limited to a total of three (3.0) credits. All excess credits above a total of three (3.0) hours will remain on the licensee's records but may not be carried forward. On or before a general contractor's license renewal date each year, every licensee shall certify to the Contractors Licensing Board that he, or a Designated Representative, has completed a minimum of three (3.0) credit hours of continuing contractor education.

3. Certification may be submitted on approved Contractors Licensing Board forms or uniform certificates adopted by the Contractors Licensing Board.

(Ordinance No. BG2009 - 33)

4. Certification shall be submitted to the Contractors Licensing Board upon completion of the continuing contractor education activity at any time during the educational year. Certification should not be submitted later than thirty (30) days immediately following the educational year-end in which the activities were completed.

5. "Credit Hour" shall mean a 50-minute hour.

6. "Designated Representative" shall mean an owner, officer, director or other management level employee who is actively involved in the daily operation of a Kentucky registered business entity, and who is designated by the contractor at the time the contractor applies for its license, or upon the renewal thereof.

7. An "Educational Year" shall begin on the date a contractor becomes licensed or has his license renewed and end twelve (12) calendar months thereafter.

c. Duties of Board.

The Contractors Licensing Board shall be responsible for the administration of the continuing contractor education rules. In discharging this responsibility, the Contractors Licensing Board shall:

1. Encourage and promote the offering of continuing contractor education;

2. Conduct, sponsor or otherwise provide high quality continuing contractor education, specifically including but not limited to three (3.0) credit hours in each calendar year;

3. Approve or deny promptly all applications provided for by these rules;

4. Establish standards, procedures and forms to evaluate applications made pursuant to these rules;

5. Promulgate rules and regulations for the administration of the mandatory continuing contractor education programs; and,

6. Perform such other acts and duties not inconsistent with these rules, as are

(Ordinance No. BG2009 - 33)

necessary and proper to improve the continuing contractor education programs within Warren County, Kentucky.

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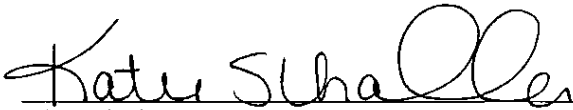
2. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

3. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.

4. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on November 3, 2009, and given final reading on November 17, 2009, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424 with the enforcement of this Ordinance to be effective for all general contractor license renewals after January 1, 2011.

ADOPTED: November 17, 2009

APPROVED: 
Mayor, Chairman of Board of Commissioners

ATTEST: 
City Clerk

SPONSORED BY: Kevin D. DeFebbo, City Manager, 10/21/2009, 7:30 a.m.