

ORDINANCE NO. 561

AN ORDINANCE OF THE CITY OF GLEN ROSE, TEXAS MANDATING THE MUNICIPAL REGISTRATION OF CONTRACTORS AND PROVIDING REGISTRATIONS; COLLECTIONS OF FEES; ENFORCEMENT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City seeks to provide for safe and orderly construction activities within its city limits; and

WHEREAS, the City seeks to deter substandard work by contractors; and

WHEREAS, the City is authorized to regulate construction pursuant to the City of Glen Rose general law enforcement powers and Texas Local Government Code Chapters 51, 54 and 217; and

WHEREAS, pursuant to Texas Local Government Code Chapter 214 the City Council of the City of Glen Rose is expressly authorized to establish procedures to adapt building regulations, establish local amendments to standard codes, and provide for the administration and enforcement of the codes; and

WHEREAS, the City has already adopted the authorized building codes, and finds it to be in the public interest to register contractors performing work in accordance with those codes; and

WHEREAS, the City finds that the registration of contractors is necessary for the protection of the public health, safety, and general welfare; and

WHEREAS, the City finds the enclosed rules to be reasonable and necessary; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLEN ROSE, TEXAS:

**SECTION 1. DEFINITIONS**

- A. **BUILDING INSPECTOR.** The person appointed by the City of Glen Rose to inspect building activities to ensure compliance with applicable codes, permits and ordinances. The building inspector can be a volunteer, employee, agent of another political subdivision, company, corporation, or independent contractor retained by the City of Glen Rose. The term includes the Code Enforcement Officer.
- B. **BUILDING OFFICIAL.** The person appointed by the City of Glen Rose to receive and review registration applications and ensure compliance with this Ordinance. The

building official can be a volunteer, employee, police officer, agent of another political subdivision, company, corporation, or independent contractor retained by the City of Glen Rose. The term includes the Code Enforcement Officer.

- C. **PERSON.** Any human individual or corporations, organization, government or governmental subdivision or agency, business trust, estate, trust, partnership, association, and any other legal entity.
- D. **CONTRACTOR.** Any person who installs, maintains, erects, consults, enlarges, alters, repairs, moves, improve, removes, converts, demolishes, Master Electrician Contractor, State Licensed Plumbing Contractor, Mechanical Contractor, General Contractor, Building Contractor, State Licensed Sprinkler Contractor, House Mover, State Licensed Fire Sprinkler Contractor, Sign Contractor, etc.

## SECTION 2. REGISTRATION REQUIRED

### A. Prohibition

- 1) It shall be unlawful for any person to perform or contract to perform for compensation a construction operation (**operations** of any of the following descriptions: The construction, alteration, repair, extension, demolition or dismantling of buildings or structures) within the city limits without first having registered with the City of Glen Rose in compliance with this Ordinance.
- 2) *Exception:* Work done by a property owner in a residential building owned and occupied by the property owner as the property owner's homestead is exempt from this Ordinance.

### B. Applicability

- 1) This Ordinance shall apply to persons providing construction services to include building, enlargement, alteration, repair, improvement or conversion of any building or structure, or the pertinent equipment and systems for a building or structure, for which a permit is required within the city limits until such person has registered as a contractor with the city, presented either a bond, or an insurance certificate to the city, and paid the associated fees in accordance with the ordinance. This is to include General Contractors, Plumbing Contractors, Electrical Contractors, and Mechanical Contractors, Irrigation Contractors, Sign Contractors, Pool Contractors and Home/General Repair contractors.
- 2) When required to be licensed or registered by the state to perform as a contractor, proof of the appropriate state license or registration is also required at the time of registration and upon renewal of that registration.

### C. Scope of Registration

Registration provides the City of Glen Rose with the means of tracking contractors operating within the City of Glen Rose. Registration also aids the City of Glen Rose in

its efforts to ensure the public that only qualified contractors are allowed to do business in the City of Glen Rose. Registration does not substitute for any permit required by law. Nor does registration substitute for any license required by law.

D. In order to register in compliance with this ordinance, Contractors must complete the registration process with the Code Enforcement Office. At a minimum, the applicant must provide the following:

- 1) Applicant's Name
- 2) Business name and address
- 3) Business owner name and phone number
- 4) Copy of State License as issued by the Texas Department of Licensing and Regulation, or other applicable state or federal agencies.
- 5) Copy of Certificate of Insurance currently in effect demonstrating a minimum general liability coverage level of three hundred thousand dollars (\$300,000).

**E. Registration Fee**

Registration shall not be approved by the Code Enforcement Office until the fee prescribed by the City of Glen Rose has been paid. Registration fees shall be as indicated on the fee schedule of the City of Glen Rose.

Note: Contractors based within the city limits are required to register with the city however the fee is waived.

**SECTION 3. ENFORCEMENT**

**A. Enforcement**

The Code Enforcement Officers is primarily responsible for the enforcement of this ordinance.

**B. Civil and Criminal Penalties**

The City of Glen Rose shall have the power to administer and enforce the provisions of this Ordinance and the code of ordinances. Any person violating any provision of this Ordinance or the code of ordinances herein adopted is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of this Ordinance is hereby declared to be a nuisance.

**SECTION 4.** That all ordinances of the City of Glen Rose in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City of Glen Rose not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 5.** That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

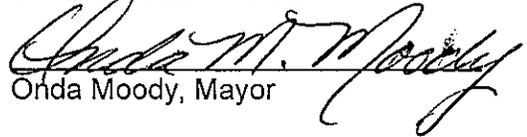
**SECTION 6.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 7.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Glen Rose, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense.

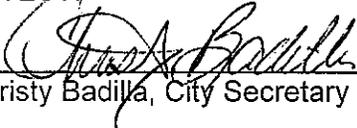
**SECTION 8.** This ordinance shall be in force and effect from and after its passage and publication of the caption as the law provides.

**PASSED and APPROVED** at a meeting of the City Council of the City of Glen Rose, Texas on this 14 day of September, 2015.

CITY OF GLEN ROSE

  
Onda Moody, Mayor

ATTEST:

  
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Christy Badilla, City Secretary