



Legislation Text

File #: 1621-2016, **Version:** 1

BACKGROUND: This ordinance amends various sections in Chapter 4114 of the Columbus City Code, also known as Title 41, the Columbus Building Code, in order to create testing requirements for licensed home improvement general contractors. This change will not affect or alter the requirements for a home improvement limited license contractor.

This change is as a result of the difficulty in determining the proper construction experience of a candidate seeking a home improvement general contractor's license and the substantial increase in the number of contractor complaints received.

The Board of Review of General and Home Improvement Contractors reviewed and recommended approval at its monthly public meeting on March 2, 2016. The Columbus Building Commission voted to recommend approval of this code revision at its monthly public meeting on April 19, 2016

FISCAL IMPACT: No funding is required for this legislation.

To amend various sections in Chapter 4114 of the Columbus City Code in order to create testing requirements to obtain a license for Home Improvement General Contractors.

WHEREAS, this ordinance amends various sections in Chapter 4114 of the Columbus City Code in order to create testing requirements for applicants seeking to obtain a Home Improvement General Contractor's license; and

WHEREAS, this amendment will not affect applicants seeking to obtain a Home Improvement Limited Contractor's license; and

WHEREAS, the Board of Review of General and Home Improvement Contractors reviewed and recommended approval of this amendment at its monthly public meeting held on March 2, 2016; and

WHEREAS, the Columbus Building Commission voted to recommend approval of this amendment at its monthly public meeting held on April 19, 2016; and

WHEREAS, it has become necessary in the usual daily operation of the City to amend various sections of Chapter 4114 of the Columbus City Code in order to create testing requirements for applicants seeking to obtain a Home Improvement General Contractor's license; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That existing section 4114.305 of the Columbus City Codes is hereby amended to read as follows:

4114.305 - Duties and powers of the boards of review.

(A) General Duties and Powers. Each board of review shall have the following general duties and powers:

- (1) To make, adopt, and from time to time, alter its own rules or procedures for the conduct of its meetings and proceedings;

- (2) To select its own officers in accordance with the by-laws adopted by the board;
- (3) To perform other related duties required either by this Building Code or as directed by the chief building official or the department;
- (4) To adjudicate a complaint filed with the appropriate board of review against a department-registered OCILB licensed specialty contractor, the holder of a department-issued license or other department contractor registration. Such a complaint, however, shall be within the limits of the authority, competence, concern, intension, or responsibility of the board of review receiving the complaint;
- (5) To suspend or revoke the relevant department-issued license or registration of a contractor who, after notification and hearing:
 - (a) Shall have been found to have violated the terms of this chapter, or
 - (b) Shall have failed to obtain proper permits or failed to obtain a registration certificate or failed to obtain inspection as provided by law as required by the applicable building code relating to the inspection and approval of such work, within the city; or
 - (c) Shall have been shown to be persistent and habitual violators of the laws of the state, the provisions of this Building Code or other ordinances of the city relating to the construction, installation, or repair of buildings within the City of Columbus.

(B) Specific Duties and Powers. The boards of review shall have the additional specific duties and powers as hereinafter indicated in this subsection:

- (1) The board of review of general and home improvement contractors is authorized and empowered to review the qualifications as established in Section 4114.505, of all applicants who have passed the appropriate written examination(s), if required as a prerequisite and thereupon have made proper application for the department's license to engage in the business of a general or limited home improvement contractor. For those applicants who the board has found to meet all such qualifications, the board shall certify their names to the department for the issuance of the appropriate home improvement contractor's license.
- (2) The board of review of general and home improvement contractors shall review the qualifications as established in Section 4114.903, of all applicants who have made proper application to obtain a demolition contractor registration from the department. For those applicants who the board has found to meet all such qualifications, the board shall certify their names to the department for the issuance of a demolition contractor's registration.
- (3) The board of review of general and home improvement contractors shall adjudicate matters pertaining to a department-issued home improvement general or limited licensed contractor, department-registered general contractor, and/or a department-registered demolition contractor.
- (4) The board of review of plumbing and sewer contractors and of journeyman plumbers, is authorized and empowered to review the qualifications as established in Section 4114.505, of all applicants who have made proper application for a department-issued license as a sewer, water or combination sewer/water contractor or a journeyman plumber. For those applicants who the board has found to meet all such qualifications, the board shall certify their names to the department for the issuance of the appropriate license for which the application was made.
- (5) The board of review of plumbing and sewer contractors and of journeyman plumbers shall adjudicate matters pertaining to a department-issued licensed sewer contractor, a department licensed water contractor, a licensed journeyman plumber, a department-registered OCILB licensed plumbing contractor, a department registered backflow technician, and a department-registered fire protection/suppression company.

Exception: The board of review of warm air heating and air conditioning (HVAC) contractors shall adjudicate matters pertaining to a department-registered fire alarm and detection equipment and/or fire protection/suppression company pertaining to kitchen exhaust systems.
- (6) The board of review of electrical contractors shall adjudicate matters pertaining to a department-registered OCILB licensed electrical contractor, and/or a registered fire alarm and detection equipment company.
- (7) The board of review of refrigeration contractors shall adjudicate matters pertaining to a department-registered OCILB licensed refrigeration contractor.
- (8) The board of review of warm air heating and air conditioning (HVAC) contractors shall adjudicate matters pertaining to a department-registered OCILB licensed warm air heating and air conditioning contractor (HVAC), a department-registered OCILB licensed hydronics (steam and hot water) contractor, and a fuel gas piping

contractor.

(9) The appropriate board of review of general and home improvement contractors and the board of review of plumbing and sewer contractors and of journeyperson plumbers, are empowered to review the qualifications, as established in Section 4114.505, of all applicants who have filed a completed action and, if required as a prerequisite, have passed the relevant written examination(s) for a department issued license.

(C) In the event there ceases to be an approved testing agency to provide the examination(s) required by C.C. 4114, the director shall immediately notify, in writing, the board of review of general and home improvement contractors of this fact. The director shall also issue a statement, in writing, of policy and procedure to be used until such time an approved testing agency has been identified by the director.

SECTION 2. That existing section 4114.503 of the Columbus City Codes is hereby amended to read as follows:

4114.503 - Application for department-issued license.

(A) A person desiring to be a department-licensed contractor, including a journeyperson plumber, shall apply to the department on an application form prescribed therefor for such license, together with the nonrefundable fee prescribed by the fee schedule.

(B) The application for a department-issued license shall be confirmed and signed under oath by the applicant. The application for a license shall contain the following information:

- (1) Name of the applicant;
- (2) Date of birth;
- (3) Current residence and business address(es) of the applicant;
- (4) Current residence and business telephone number(s) of the applicant;
- (5) Dates of previous licenses or registrations with the department, if any; and
- (6) Other information deemed necessary by the department.

(C) The application for a license; that, as a prerequisite, requires an examination; or examinations, shall be submitted to the department no later than one (1) year after the date on which a passing score was achieved on any required examination given by an approved testing agency. After one (1) year from the date that a passing score was achieved on any required examination for a department issued license, the passing score for that examination shall become invalid. When more than one (1) examination is required for a department issued license, all examination scores shall be valid. Only valid examination scores shall be acceptable when making an application to the department. Additionally, the application shall be submitted at least seven calendar days prior to the date of the meeting of the relevant board of review.

(D) In addition, the applicant shall also furnish a statement of experience with the application for a department-issued license. The statement of experience shall encompass the period of required experience as set forth in the qualifications for the type of license for which the application is made. The statement shall clearly and concisely provide the following information:

- (1) List of employer or projects with dates of same as applicable; and
- (2) Detailed work-related information about the employment or projects so listed; and
- (3) The length of time devoted to each such employment or project listed; and
- (4) The name of the employer or other responsible person with direct knowledge of the work performed by the applicant during such employment or project listed; and
- (5) A statement, made by the applicant, of the schooling and training the applicant has obtained shall also be included.

(E) The statement of experience shall be notarized.

(F) Before an application may be approved for any applicant, the applicant shall meet the following requirements:

- (1) Be not less than 18 years of age; and
- (2) Be a United States citizen or national, a lawful permanent resident, or an alien authorized to work in the United States.

SECTION 3. That existing section 4114.507 of the Columbus City Codes is hereby amended to read as follows:

4114.507 - Examinations required for a department-issued license.

~~No examination shall be required.~~

(A) Before submitting an application to the department to become a department licensed home improvement general contractor, an applicant shall have satisfactorily completed and passed, with a grade of at least seventy (70) percent, all written examinations as prescribed by the board of review for the type of license for which an application will be made with the department. The required examinations shall be administered by an approved testing agency identified by the director.

(B) After one (1) year from the date that a passing score was achieved on any required examination for a department issued license, the passing score for that examination or examinations shall become invalid.

SECTION 4. That prior existing sections 4114.305, 4114.503, and 4114.507 of the Columbus City Code are hereby repealed.

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period provided by law.