

ORDINANCE NO. _____, SERIES 2019

AN ORDINANCE REQUIRING ADDITIONAL CONDITIONS BE MET BEFORE A PERMIT MAY BE ISSUED TO CONTRACTORS. (AS AMENDED)

SPONSORED BY: COUNCILMEMBERS MULVIHILL AND FOWLER

WHEREAS, Metro Council wishes to protect the health and safety of its citizens by creating additional procedures to obtain building licenses and permits; and

WHEREAS, in 2017 and 2018 Louisville/Jefferson County Metro Government had ~~1,801~~ 1,560 and 1,548, respectively, contractors who obtained the necessary license to legally operate, obtained the requisite liability insurance, and were in good standing with the Metro Revenue Commission; and

WHEREAS, Metro Council amends Louisville Metro Code of Ordinances (“LMCO”), Chapter 150, to ensure that any work being done by a contractor in Metro Louisville must be done with the proper building permits to meet the building standards set forth by our State and to assure the public as to the quality and safety of the workmanship being performed by such contractor.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

SECTION I: LMCO § 150.083(G)–(L) is hereby repealed and replaced by LMCO § 150.083(G)–(J) as follows:

~~(G) Before a permit may be issued, all contractors must provide the Department through affidavit, that the person, firm, partnership or corporation shall be in compliance with the Kentucky requirements for Workers’ Compensation Insurance according to KRS Chapter 342 and Unemployment Insurance according to KRS Chapter 341, unless a certificate of~~

~~insurance for a specific amount of coverage is required in detail under the type of identification/license that the contractor has obtained.~~

~~(H) Before a permit may be issued, all contractors shall submit a certificate of insurance, verifying that the person, firm, partnership, or corporation has obtained a commercial general liability insurance policy with limits of liability of not less than \$250,000, per person per occurrence and \$500,000 aggregate, including products and completed operations coverage.~~

~~(I) Before a permit may be issued, all contractors shall have their workers compensation and commercial general liability insurance policies endorsed to state that written notice will be sent by their insurance company of the company's intention to terminate or cancel such policy, at least 30 days, as required by KRS 304.20 - 304.320, before the cancellation shall take effect, to Louisville Metro Department of Codes and Regulations. Upon the date of expiration, the Code Official shall cause the affected contractor's identification/license to become suspended until such time as satisfactory evidence of a new insurance policy is presented to the Department.~~

~~(J) Before a permit may be issued, any contractor required by this subchapter to provide a surety bond shall require that its surety company notify the Department in writing of its intention to terminate or cancel such bond at least 30 days before the cancellation shall take effect. Upon the date of expiration, the Code Official shall cause the affected contractor's identification to become suspended until such time as evidence of a new bond is presented to the Department.~~

~~(K) Before a permit may be issued, all licensed contractors must properly identify all vehicles used in the operations of the contractor and shall assure that automobile liability~~

~~insurance with minimum limits of liability as required by KRS 304.39.010 is purchased and maintained.~~

~~(L) Before a permit may be issued, any licensee who has not renewed their identification/license within a period of one year after it expired shall be subject to reexamination, as determined by the Code Official and pay the required license fee for the years for which the identification/license was not renewed.~~

(G) Before a permit may be issued, all contractors are required by this section to do the following:

(1) Provide the Department through affidavit that the person, firm, partnership or corporation shall be in compliance with the Kentucky requirements for Workers' Compensation Insurance according to KRS Chapter 342 and Unemployment Insurance according to KRS Chapter 341, unless a certificate of insurance for a specific amount of coverage is required in detail under the type of identification/license that the contractor has obtained;

(2) Submit a certificate of insurance verifying that the person, firm, partnership, or corporation has obtained a commercial general liability insurance policy with limits of liability of not less than \$250,000 per person per occurrence and \$500,000 aggregate, including products and completed operations coverage;

(3) Have their workers' compensation and commercial general liability insurance policies endorsed to state that written notice of the company's intention to terminate or cancel said policy will be sent by their insurance company to the Department at least 30 days before the cancellation shall take effect, as required by KRS 304.20–304.320. Upon the date of expiration, the Code Official shall cause the affected contractor's

identification/license to become suspended until such time as satisfactory evidence of a new insurance policy is presented to the Department;

(4) Provide a surety bond, if required by this section, that shall require that its surety company notify the Department in writing of its intention to terminate or cancel such bond at least 30 days before the cancellation shall take effect. Upon the date of expiration, the Code Official shall cause the affected contractor's identification to become suspended until such time as evidence of a new bond is presented to the Department;

(5) Properly identify all vehicles used in the operations of the contractor listing the name of the company and any required license and or identification numbers;

(H) Any licensee or identified building contractor who is seeking a renewal of their identification/license must provide the name, current business address, email address (if available), current telephone number for any direct construction trade/labor subcontractor who worked under, or for, the licensee or identified building contractor in the previous year and whether such subcontractor represented he or she had general liability insurance, provided licensee or identified building contractor shall not be liable for a misrepresentation by the subcontractor to any information provided herein in subsection (H).

(I) Any licensee or identified building contractor who has not renewed their identification/license within a period of one year after it expired shall be subject to reexamination, as determined by the Code Official, and pay the required license fee for the years for which the identification/license was not renewed and any associated penalties and continuing educational units required.

(J) A royal blue placard, issued or approved by the Department upon issuance of a building permit for construction activity for everything, other than for construction of a new building in excess of 800 square feet, must be placed on the exterior of the construction site and clearly visible from the public right of way. The placard must be removed within seven business days upon completion of final inspection and approval by Codes and Regulations.

SECTION II: This Ordinance shall take effect on July 1, 2019.

H. Stephen Ott
Metro Council Clerk

David James
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: _____

O-491-18 Amended Building Contractor Requirements LMCO 150.083(G)-(J) sd v2 020719.docx