

ORDINANCE NO. 744

AN ORDINANCE AMENDING IN THEIR ENTIRETY SECTIONS 9-1, 9-2, 9-3, 9-4, 9-5 and 9-6 OF THE WHEATLAND TOWN CODE PROVIDING FOR LICENSING AND FEES FOR CONTRACTORS, AS WELL AS REVOCATION OF LICENSES

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WHEATLAND, WYOMING:

SECTIONS 9-1, 9-2, 9-3, 9-4, 9-5 AND 9-6 OF THE WHEATLAND TOWN CODE ARE HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 9-1. Definitions: For the purposes of this ordinance the following definitions apply:

- (a) "Water treatment contractor" shall be deemed to be any person engaged in the business of making any connections to any waterlines within the town for the purpose of installing water softeners, underground lawn sprinkler systems, fire extinguishing sprinkler systems or any other connection made to any waterline other than those made by a licensed plumber. (Amended during August, 1984, supplementation.)
- (b) "General Contractor A" shall be a person qualified, experienced and licensed in construction and overseeing the completion of any construction project, excluding the work required to be performed by licensed electrical, plumbing and HVAC contractors.
- (c) "Residential Contractor C" shall be a person qualified, experienced and licensed in construction and overseeing the completion of one- and two-family dwellings, excluding the work required to be performed by licensed electrical, plumbing and HVAC contractors.
- (d) "Handy-man Contractor" shall be a person licensed but limited to the following:
  - (1) One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m<sup>2</sup>).
  - (2) Fences, decks and patios.
  - (3) Retaining walls that are not over 4 feet (1219 mm) in height.
  - (4) Sidewalks, stoops and driveways.
  - (5) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
  - (6) Prefabricated swimming pools that are less than 24 inches (610 mm) deep.

- (7) Swings and other playground equipment.
- (8) Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
- (e) "Siding Contractor" shall be a person licensed to install exterior finish work on dwellings.
- (f) "Roofing Contractor" shall be a person licensed for installation of any roof covering material.
- (g) "Shingle Roofing Contractor" shall be a person licensed only for the installation of asphalt and wooden type shingles.
- (h) "Mechanical Contractor" shall be a person licensed to contract or install heating, ventilation, air conditioning, refrigeration, and related systems in all construction.
- (i) "Concrete Contractor" shall be a person qualified, experienced and licensed in the installation of all concrete, concrete forms and masonry structures.
- (j) "Excavation/Grading Contractor" shall be a person qualified, experienced and licensed to perform earth work and site preparation.
- (k) "Home Owner" shall be a person constructing and/or remodeling their own dwelling unit and are required to occupy that dwelling for a period not to exceed one year after completion of project.
- (l) "Owner Contractor" shall be a person qualified, experienced and licensed to oversee the construction of their own commercial buildings, including buildings they do not occupy.
- (m) "Plumbing Contractor" shall be a person qualified, experienced and licensed to repair and install complete water piping systems, sewage systems, heating pipe systems and installing all plumbing fixtures and sanitary provisions.
- (n) "Electrical contractor" shall be a person licensed by the State of Wyoming and the Town of Wheatland as an electrical contractor
- (o) "Gas pipe fitter" shall be a person qualified, experienced and licensed to install fuel gas pipe systems for heating and air-conditioning systems.
- (p) "Residential Property Owner" is an individual who has an ownership interest in real property or personal property situated upon real property. A residential property owner may complete construction and/or remodeling on a dwelling unit they own, excluding the work required to be performed by licensed electrical, plumbing and HVAC contractors.

Sec. 9-2. License Required - Exceptions.

- (a) No person shall engage in business as a contractor in the Town of Wheatland without first obtaining a license.
- (b) Exempt entities include: homeowners, residential property owners, public utility companies, municipalities, cable-tv providers, and buildings constructed by a school or community college district as part of an industrial arts curriculum, under the direct supervision of a qualified industrial arts instructor.

Sec. 9-3. Application -- Required information; examination; exemption from examination.

- (a) Every person desiring to obtain a license as a gas pipefitter, plumber, electrician or water treatment contractor, general contractor A, residential contractor C, mechanical contractor, roofing contractor, shingle roofing contractor, siding contractor, handy-man contractor, concrete contractor, excavation/grading contractor, owner contractor shall make application to the Town Clerk for a license. Every application shall set forth the name of the applicant and his qualifications together with such other information as may be required by the Town. Each applicant shall submit proof of a Wyoming Trades Certification examination or equivalent as prescribed by the Town to determine the fitness to hold the license being requested.
- (b) Exemption from Testing: Exemption from testing includes: handy-man contractors, excavation/ grading contractors, home owners, and other exempt entities.
- (c) Licensee Subject to All Town Codes, Regulations and Other Ordinances: All licenses issued under this Ordinance shall be subject to all Town codes, regulations and other ordinances. In the event a licensee violates this ordinance, any other ordinances, building codes, or state laws, the license shall be subject to revocation by the Town of Wheatland.
- (d) REVOCATION OF LICENSE: The building inspector shall be entitled to revoke any contractor's license for good cause. The revocation of the license shall be in writing, setting forth in detail the reasons for revocation. The contractor whose license is revoked shall have ten days from the date of revocation to request in writing a hearing before the governing body. The governing body shall hear the matter within 30 days from the date the

hearing is requested. The governing body can uphold the revocation, reverse the revocation and place conditions on the license being reinstated.

Sec. 9-4. Same - Fees: bond.

Each application shall be accompanied by a fee of \$100.00, proof of insurance, and a bond in the penal sum of \$2,000.00, executed in favor of the Town, conditioned for the faithful performance of the duties for which the license is issued.

Sec. 9-5. Issuance - Term.

Upon meeting the requirements set forth in sections 9-3 and 9-4, every successful applicant shall receive a license. All licenses issued hereunder shall expire on December 31 of the year of issue.

Sec. 9-6. Renewal.


Any license may be renewed yearly by payment of an annual fee of \$50.00. Every licensee who desires to renew a license shall make application for renewal to the town clerk within 30 days prior to the date of expiration of the license to be renewed.

This ordinance will become effective on March 1, 2009.

Passed and approved this 13<sup>th</sup> day of October, 2008, on first reading.

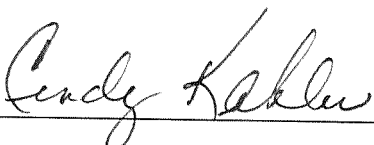
Passed and approved this 10<sup>th</sup> day of November, 2008, on second reading.

Passed and approved this 8<sup>th</sup> day of December, 2008, on third and final reading.

  
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Mayor

Attest:

  
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Town Clerk