

ORDINANCE 2018-40

**ORDINANCE AMENDING CHAPTER 18 BUILDINGS AND
BUILDING REGULATIONS, ARTICLE XVII. CONTRACTORS,
DIVISION 1. GENERALLY AND DIVISION 2. LICENSE
TO THE NILES CODE OF ORDINANCES**

Dated: This 10th day of July, 2018

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of the
President and Board of Trustees of
the Village of Niles**

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ORDINANCE AMENDING CHAPTER 18 BUILDINGS AND BUILDING REGULATIONS, ARTICLE XVII. CONTRACTORS, DIVISION 1. GENERALLY AND DIVISION 2. LICENSE TO THE NILES CODE OF ORDINANCES

NOW, THEREFORE, BE IT ORDAINED, by the President and the Board of Trustees of the Village of Niles, Cook County, Illinois, as follows:

SECTION 1: Chapter 18 Building and Building Regulations, Article XVII. Contractors, Division 1. Generally and Division 2. License to the Niles Code of Ordinances shall be amended as follows:

CHAPTER 18 BUILDING AND BUILDING REGULATIONS

ARTICLE XVII. CONTRACTORS

DIVISION 1. GENERALLY

Sec. 18-190. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Contractor means any person engaged in the business of constructing, altering, or repairing buildings or other structures or sidewalk or street pavements, including, but not limited to, general building contractors, cement or concrete contractors, masonry contractors, carpentry contractors, and subcontractors. ~~provided that this article shall not be construed as requiring a license for the operation of the business of plumbing contractor or the business of electrical contractor by a person who has registered as such pursuant to the provisions of this Code relating to electrical contractors.~~

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Sec. 18-191. Presumption that one is a contractor; exception for homeowners.

(a) Any person who engages in the construction, repair or alteration of any building, structure, street or sidewalk pavement within the municipality, for which a building permit is required, is presumed to be a contractor and must be ~~licensed~~ registered under this article unless such presumption is rebutted.

(b) The exception to this rule is the homeowner. The homeowner may apply for a building permit if it is for his domicile, without a contractor's ~~license~~ registration, if he first satisfies the building official that he is capable of making the installation properly. If

not, the homeowner must have the application taken out and the installation done by a licensed registered contractor.

Sec. 18-192. Violations; penalty; revocation of licenses registration.

(a) Any person who violates any provision of this article shall be punished as provided in section 1-11.

(b) Any license registration issued under the provisions of this article may be revoked by the president for any violation of any provision in this article, and such revocation shall be in addition to any fine or penalty imposed. No person whose license registration has been revoked as provided in this section shall be eligible for a new license registration during the license registration period. The president may for good cause shown reinstate a revoked license registration during the license registration period without payment of an additional fee.

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DIVISION 2. LICENSE REGISTRATION

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Sec. 18-196. Bond License required.

~~(a) No contractor's registration shall be accepted until they have filed a surety bond in the principal amount as set forth in subsection (b) with the Community Development Department.~~

~~(1) The bond shall be issued by an insurance company authorized to transact fidelity and surety business in the State of Illinois with the applicant as principal and the Village of Niles as the obligee. The bond shall state that it cannot be cancelled except upon written notification to the Community Development Department at least 60 days prior to the date of cancellation. Such bond shall extend over the entire license period including any required license renewal.~~

~~(2) The bond shall be conditioned upon the faithful observance of all approved plans, regulations, and ordinances of the Village of Niles and conditioned further to indemnify, save and keep harmless the Village from any loss, cost, damage, expense or liability of any kind whatsoever which the Village or Village official may suffer or which may accrue against it by reason of anything done by the principal in performing such work in the Village.~~

~~(3) The bond will be utilized to compensate the Village for any act or omission and all remedial work necessitated by the actions of the principal that is not done in accordance with the codes, regulations and ordinances of the Village or with the approved plans.~~

~~(4) In the event the work performed under the permit is not completed or fails to meet any codes, requirements, regulations, approved plans, and ordinances, the bond shall be forfeited in an amount equal to the cost for any and all remedial work and costs up to the amount of the bond.~~

~~(5) The Village of Niles may subrogate as obligee to the owner of the property where the permitted work is conducted by the principal to file claims that the work has not been completed according to approved plans or fails to meet any codes, requirements, regulations, and ordinances.~~

~~(b) Amount of surety bond.~~

~~(1) Twenty five thousand dollars for a general contractor;~~

~~(2) Twenty five thousand dollar surety bond for carpenter, concrete, mechanical, sewer, electrical, brick mason, EIFS contractor or subcontractor.~~

~~a. All plumbing contractors doing work in the Village of Niles shall be registered and bonded with the State of Illinois and shall provide a copy of their registration.~~

~~b. All roofing contractors doing work in the Village of Niles shall be licensed and bonded with the State of Illinois Department of Financial and Professional Regulation Division of Professional Regulation.~~

(a) All plumbing contractors doing work in the Village of Niles shall be licensed and bonded with the State of Illinois and shall provide a copy of their license.

(b) All roofing contractors doing work in the Village of Niles shall be licensed and bonded with the State of Illinois Department of Financial and Professional Regulation Division of Professional Regulation and provide a copy of their license.

(c) All alarm contractors doing work in the Village of Niles shall be licensed and bonded with the State of Illinois Department of Financial and Professional Regulation Division of Professional Regulation and provide a copy of their license.

(d) All sprinkler contractors doing work in the Village of Niles shall be licensed with the State Fire Marshall and shall provide a copy of their license.

Sec. 18-197. Duration.

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(b) If the permitted work is not completed and approved by the Village of Niles and a required occupancy permit is not issued the license registered contractor shall renew the registration until all required work is completed and if required an occupancy permit is issued. The renewed registration shall be considered a continuation of the original registration.

Sec. 18-198. Scope of general contractor's license registration.

Any person licensed registered as a general contractor shall not be required to secure an additional license registration for the performance of carpentry, masonry, cement or concrete contracting.

Sec. 18-199. General duties of licensees registers.

(a) It shall be the duty of all contractors registered under this article to comply with this Code and all ordinances relating to or regulating the activities engaged in to remove or cause to be removed from the site of contractor's activities all trash, refuse and waste materials at least once each week.

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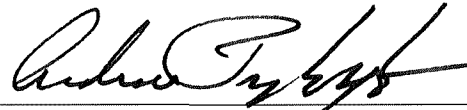
SECTION 2: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any such conflict.

SECTION 4: That any section or provision of this ordinance that is construed to be invalid or void shall not affect the remaining sections or provisions which shall remain in full force and effect thereafter.

PASSED: This 10th day of July, 2018
AYES: 6 Alpogianis, Jekot, LoVerde, Matyas, McCreery, Strzelecki
NAYS: 0
ABSENT: 0
ABSTAIN: 0

APPROVED by me this 10th day of July, 2018.



President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 10th day of July, 2018, and published in pamphlet form as provided by law in the Village of Niles, Illinois.



Village Clerk