

95-0r-004

# AN ORDINANCE

of the

## CITY OF

## MINNEAPOLIS

1ST READING: 1/13/95
REFERRED TO (NAME OF COMMITTEE): PSRS
PUBLIC HEARING: 1/18/95
2ND READING AND FINAL PASSAGE: 1-27-95

Biernat, Cherryhomes, Diedzic, Campbell, Rainville, Niland, Scott, Herron,  
Thurber, McDonald, Mead, Schulstad and Minn

presents the following ordinance:

**Amending Title 13, Chapter 277 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Building Trades Licenses.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 277.2940 definitions, "Building contracting business" and "Class A building contractor," of the above-entitled ordinance, be amended to read as follows:

**277.2940. Definitions.** As used in this article, the following terms shall mean:

**Building contracting business** means the construction, repair, replacement, remodeling, alteration, conversion, modernization, improvement or addition to any building which is used as a private residence or dwelling place for not more than three (3) families, including accessory buildings and land, when:

(a) If the cost of the work exceeds three hundred dollars (\$300.00) and it involves the installation, construction, replacement or improvement of awnings and canopies, brick masonry, cabinets, carpentry work, carpet installation, ceilings, chimneys, countertops, drywall, means of entrance and egress, fascias, fireplaces, floors (including sanding), garages and other accessory buildings, gutters and downspouts, insulation, mud jacks, paneling, patios, porches, range hoods, resilient flooring, retaining walls, roof ventilation, sandblasting, sheet metal, shutters, sidewalks and steps, siding, soffits, solar panels, stairs, ~~stucco~~, swimming pools, OR terrazzo or tuck pointing.

(b) The work involves installation, construction, replacement or improvement of basements, driveways, insulation, painting, removal of ice and snow from roofs, roofing of all kinds, new storm and combination doors and windows, wall papering, wall tile or waterproofing, regardless of the cost or the requirement of a permit.

(c) The work requires a permit.

(d) SUBCONTRACTING TRADE WORK THAT REQUIRES A SPECIALTY LICENSE UNDER CHAPTER 277 OF THE MINNEAPOLIS CODE OF ORDINANCES.

**Class A building contractor** means any person, other than a bona fide employee of a Class A building contracting business, who owns or operates a building contracting business, or who undertakes or offers to undertake or agrees to perform any building contracting or negotiates or offers to negotiate a building contract with an owner, or solicits or otherwise endeavors to procure by any means whatsoever, directly or indirectly, a building contract from an owner, whether or not such person is a prime contractor or subcontractor with respect to the owner, and whose building contracting business involves work encompassing four (4) or more unrelated categories, OR ENGAGES IN ANY TYPE OF ROOFING WORK, as enumerated in the definition of a building contracting business including the engaging of persons otherwise licensed under state or city law as subcontractors.

Section 2. That Chapter 277 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 277.3025 to read as follows:

**277.3025. LICENSE SUSPENSION OR REVOCATION FOR LACK OF INSURANCE OR BOND.** ANY LICENSE ISSUED UNDER THIS ARTICLE SHALL BE IMMEDIATELY SUSPENDED BY THE DIRECTOR WHENEVER, DURING THE TERM OF SAID LICENSE, A BUILDING CONTRACTOR FAILS TO KEEP IN FULL FORCE AND EFFECT, AND IN THE FULL AMOUNT REQUIRED, THE INSURANCE AND BONDS REQUIRED BY THIS ARTICLE.

Section 3. That Section 277.3030 of the above-entitled ordinance be amended to read as follows:

**277.3030. Bond required.** EFFECTIVE APRIL 1, 1995. Every application for a Class A license OR ANY APPLICANT TO PERFORM ROOFING WORK OF ANY KIND shall be accompanied by a bond, approved as to form by the city attorney, executed by a bonding or surety company authorized to do business in the State of Minnesota, in the amount of ~~five~~ TEN thousand dollars (\$510,000.00) annual aggregate, and for a Class B license a bond in the amount of ~~two~~ FIVE thousand ~~five~~ hundred dollars (\$2,500.00) annual aggregate, EFFECTIVE UPON APPLICATION, AND conditioned upon the assurance that ~~during the term of such license the licensee~~ THE APPLICANT will ~~continue to~~ comply with the provisions of this article and all laws of the city and to assure that upon default in the performance of any contract, the advance payment made thereon, less the reasonable cost of completion of the contract

in the event of the noncompletion thereof, will be refunded to the owner with whom such contract was made. The city shall have a cause of action against the bond for reimbursement for any damages suffered as a result of noncompliance with the laws of the city. The bond shall contain a provision that no bond may be cancelled except upon thirty (30) days' written notice to the city, which shall be served upon the department of licenses and consumer services.

**RECORD OF COUNCIL VOTE (X INDICATES VOTE)**

COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN	COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN
Dziedzic	X						Thurber	X					
Campbell	X						McDonald	X					
Biernat	X						Mead	X					
Rainville	X						Schuisted	X					
Niland	X						Minn	X					
Scott	X						President						
Herron	X						Cherryhomes	X					

PASSED JAN 27 1995  
DATE

APPROVED - NOT APPROVED ~~RESIDED~~

FEB 2 1995  
DATE

*Jackie Chynoweth*  
PRESIDENT OF COUNCIL

*Shirley Beitz*  
MAYOR

ATTEST *Mary Kopp*  
CITY CLERK