

**ORDINANCE NO. 02-2024
CITY OF PASCAGOULA, MISSISSIPPI**

**AN ORDINANCE OF THE CITY OF PASCAGOULA, MISSISSIPPI
AMENDING CHAPTER 14, ARTICLE III OF THE CODE OF ORDINANCES
REGARDING CONTRACTORS AND JOURNEYMEN**

WHEREAS, Mississippi Code Section 21-19-1 empowers municipalities to adopt regulations to secure the general health of the municipality; and

WHEREAS, Mississippi Code Section 17-1-3 empowers municipalities to enact regulations to promote the health, safety, morals, and general welfare of the community; and

WHEREAS, Mississippi Code Section 27-17-457 authorizes municipalities to administer examinations for the licensing of contractors and journeymen; and

WHEREAS, certain amendments are needed to Chapter 14, Article III of the Code of Ordinances in relation to the licensing of contractors and journeymen; and

WHEREAS, the City Council for the City of Pascagoula hereby amends Chapter 14, Article III of the Code of Ordinances regarding the licensing of contractors and journeymen.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PASCAGOULA AS FOLLOWS¹:

SECTION 1. Chapter 14, Article III, Section 14-81(a) of the Code of Ordinances is hereby amended to read as follows:

Application. ~~Except as otherwise provided herein,~~ all contractors and journeymen, including electrical, mechanical, and plumbing contractors, engaged in the practice of building, repairing, improving, or demolishing any building, house, or structure within the city shall, prior to the commencement of such work for which a permit is required, provide evidence that they are duly licensed by the state board of contractors to perform such work.

SECTION 2. Chapter 14, Article III, Section 14-81(b) of the Code of Ordinances is hereby

¹ Strikethrough denotes deleted text, and underline denotes new text.

repealed and amended to read as follows:

- (1) A contractor who holds a current certificate of responsibility through the state board of contractors shall submit a copy of the relevant state license or certificate of responsibility. He shall also provide a copy of the current privilege tax license for the county or municipality in which he maintains an office. Such evidence of current licensure shall be presented each time a permit application is made unless the contractor pays a recording fee as specified in subsection (c)(2) of this section.
- (2) A journeyman shall, prior to supervising any electrical, plumbing or mechanical installation, provide evidence that he is competent to perform such work by presenting evidence of passing a written examination which qualified him for such license given by a municipality or county which has an examining board. A journeyman satisfying these requirements is not required to hold a license issued by the state board of contractors.

SECTION 3. Chapter 14, Article III, Section 14-81(c) of the Code of Ordinances is hereby repealed and amended to read as follows:

- (1) Except for paying for a privilege tax license to the appropriate jurisdiction, a contractor who holds a current certificate of responsibility through the state board of contractors shall not be required to pay a licensing fee to the city.
- (2) Contractors who are nonresidents of the city shall have the option of paying a recording fee in the amount of \$25.00 in lieu of presenting evidence of licensure for each time a permit is applied. After payment of the recording fee, records of the contractor or subcontractor's license credentials shall be kept on file for a period of one year.
- (3) Journeymen shall be required to pay an initial fee of \$15.00 and an annual renewal fee of \$15.00 upon the expiration date of the license.

SECTION 4. Chapter 14, Article III, Section 14-81(f) of the Code of Ordinances is hereby amended to read as follows:

Revocation. The license of any ~~contractor~~ or journeyman licensed by the city under this section may be revoked by the building official when such person willfully performs or attempts to perform a contract for the work requiring a permit of any kind from the city when any such permit has not been obtained. Notice of revocation shall be mailed by certified letter addressed to the ~~address shown on the contractor record of subsection (b)(3) of this section~~ journeyman. Any person whose ~~contractor license~~ or journeyman license is revoked by the building official may appeal such action to the planning board within 15 days of the postmark date of such notice by giving written notice of such appeal to the building official within such period. The planning board shall hear such cause at the next

regular scheduled meeting and, after a hearing, shall recommend to the city council whether such decision of the building official should be affirmed or overruled. Should the appealing party desire a more complete record of the proceedings before the planning board than the minutes thereof, he shall provide at his own cost any more complete record, the accuracy of which shall be certified by the chairman of the planning board. An appeal under this section shall act as supersedes until the matter is finally decided by the city council and no longer.

SECTION 4. Chapter 14, Article III, Section 14-83 of the Code of Ordinances is hereby amended to read as follows:

It shall be the duty of the contractor board of examiners to receive all applications for licenses filed by persons or representatives of firms, or corporations seeking to be duly licensed as a ~~contractor~~ or journeyman in the city who does not hold a valid municipal license and who wish to conduct business as such and to verify the qualifications of each applicant subject to the provisions of this chapter. The contractor board of examiners shall have the authority to promulgate rules in writing governing the qualifications of ~~contractors~~ and journeymen. Such rules shall be approved by the city council.

SECTION 5. Chapter 14, Article III, Section 14-84 of the Code of Ordinances is hereby repealed and amended to read as follows:

Sec. 14-84. – Classifications of journeymen licensed by the City.

For the purposes of this chapter, the following classifications of journeymen shall apply:

- (1) Journeyman electrician: One who is qualified to perform electrical work without immediate supervision.
- (2) Journeyman mechanical: One who is qualified to perform mechanical work, excluding plumbing, without immediate supervision.
- (3) Journeyman plumber: One who is qualified to perform plumbing work without immediate supervision.

SECTION 6. Chapter 14, Article III, Section 14-85 of the Code of Ordinances is hereby repealed and amended to read as follows:

Sec. 14-85. – Examination of journeymen.

- (a) All journeymen who are required to be licensed by the city, and prior to engaging in business in the city, shall be required to pass an examination. The examination shall determine the theoretical and practical knowledge of the applicant, including procedures and hazards of his trade and to further determine the ability of the applicant to work in conformity with approved practice and in keeping with all city and state requirements and regulations.
- (b) The applicant shall undergo an examination utilizing the Mississippi Standard Examination Program which is presently administered by the International Code Council, Inc. (ICC), 900 Monteclaire Road, Birmingham, Alabama 35213, and the testing schedule as announced by the Mississippi Standard Examination Program and will be responsible for all fees or costs associated with the examination.
- (c) Any applicant who has been approved to test and passes such examination shall be issued a license in the category for which he has been approved.

SECTION 7. The amendments to this Chapter shall become effective as provided by law.

The motion to approve and adopt the foregoing Ordinance was made by Councilman

Fornett and seconded by Councilman Blythe, and the following vote was recorded:

Mayor Willis	<u>Aye</u>
Councilman Hyde	<u>Aye</u>
Councilman Fornett	<u>Aye</u>
Councilman Walker	Absent
Councilman Parker	<u>Aye</u>
Councilman Blythe	<u>Aye</u>
Councilman Gatchell	<u>Aye</u>

RESOLVED, this the 5th day of March, 2024.

ATTEST:
/s/ Karen Kennedy
City Clerk

CITY COUNCIL
/s/ Jay Willis
Mayor