

ORDINANCE NO. 273

AN ORDINANCE PROVIDING FOR THE LICENSING OF
CONTRACTORS WITHIN THE CITY OF MANNINGTON;
PROHIBITING CONTRACTORS FROM DOING BUSINESS
IN THE CITY WITHOUT LICENSE; REQUIRING AN
APPLICATION THEREFORE, PROVIDING FOR AN
ANNUAL FEE

WHEREAS, WV Code 21-11 etal declares that all persons desiring to perform contracting work in this State shall be duly licensed: and

WHEREAS, WV Code 8-13-4 provides that whenever any activity, for which a State license is required, is to be done within the corporate limits of any municipality, the governing body thereof shall have plenary power and authority to require a municipal license and a tax not to exceed the amount of the State license tax;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF MANNINGTON, THAT:

SECTION 1. DEFINITIONS: "Contractor" is any person, firm or corporation engaging or offering to engage, for compensation, in the erection, alteration, maintenance, repair, or demolition of any building or structure or the installation, alteration, maintenance or repair of any building service equipment. The term shall include those engaged in the construction, maintenance, or repair of public and private roads, bridges, water and sewage systems, and other similar or related projects. The term shall not include any person who performs such work with respect to any property owned or leased by that person or any regular maintenance employee thereof.

SECTION 2. APPLICATION - LICENSES; GENERAL RESTRICTIONS: No person shall engage in the business of contracting without first obtaining a license as hereinafter provided, nor shall a person continue to engage in any such activity after this license has expired, been suspended or revoked. It shall be the responsibility of every general contractor to hire only such subcontractors as are licensed under this Ordinance. No license shall be issued or renewed and no building permit shall be granted unless the contractor's City Business and Occupation Taxes are paid for the previous year. No license shall be issued or renewed unless the applicant possesses a valid WV State Contractor's License.

SECTION 3. CITY LICENSE ISSUANCE AND FEES:

a) An application for a contractor's license shall be made to the office of the City Clerk, on such forms as may be

required or prescribed by the City Clerk, and shall be available for public inspection.

b) Upon approval of the application, a fee of \$ 25.00 per year shall be paid to the City Clerk, whereupon the license shall be issued. Contractor's licenses shall be valid for a period of one year beginning July 1st of each year. Any license which is not renewed prior to expiration may be reissued within one year by the payment of the regular annual renewal fee plus a late fee of \$ 5.00. Any license which lapses for a period of one year or more shall be reissued as an initial license and subject to fees for same. Fees for initial licensing shall be prorated by calendar quarters.

c) No license issued hereunder shall be transferable. A contractor shall not be issued a building permit unless he possesses a valid City Contractor's License.

SECTION 4. SUSPENSION OR REVOCATION OF LICENSE:

a) A Contractor's License may be revoked or suspended in accordance with Section 31 of the Mannington City Code; cause for such action includes but is not limited to:

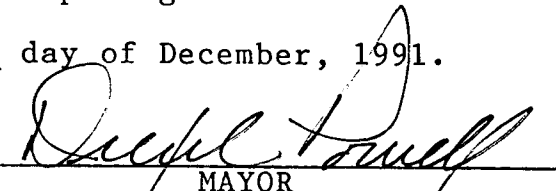
1) Willful or deliberate violation, by the licensee, of the building or related codes of the City of Mannington

b) Suspension or revocation of the contractor's WV State License shall automatically result in the suspension or renovation of the license issued by the City of Mannington.

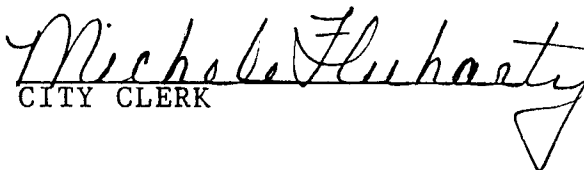
SECTION 5. SEVERABILITY: If any section, sentence, clause or phrase of this article shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this article which shall continue in full force and effect, and to this end the provisions of this article are hereby declared to be severable.

SECTION 6. EFFECTIVE DATE: This Ordinance shall become effective thirty (30) days after passage.

Passed this the 2ND day of December, 1991.


MAYOR

ATTEST:


CITY CLERK