

ORDINANCE NO. 3943

AN ORDINANCE TO AMEND THE REQUIREMENT FOR PRESENTING PROOF OF LIABILITY INSURANCE AT THE TIME OF APPLICATION FOR A MECHANICAL CONTRACTOR'S LICENSE BY AMENDING SECTION 15.26.017 OF THE RAPID CITY MUNICIPAL CODE.

BE IT ORDAINED by the City of Rapid City that Section 15.26.017 of Chapter 15.26 be amended to read as follows:

UMC, Chapter 1, Section 111.0, Violations, is amended to read as follows:

111.0 License--Requirements, Fees and Violations.

111.1 License Required.

A. Mechanical Contractor. It shall be unlawful for any person or persons representing or operating under the auspices of a proprietorship, partnership, firm, or corporation to conduct, carry on, or engage in the business of mechanical work or act in the capacity of a mechanical contractor, without first being approved by the Rapid City Mechanical Board, and having had issued to them a valid mechanical contractor's license by the City Finance Officer.

1. Mechanical Contractor means a proprietorship, partnership, firm, or corporation, who for compensation undertakes or offers to undertake mechanical contracting. As a proprietorship, partnership, firm, or corporation, the owner shall be qualified in the mechanical trade as a mechanical contractor, or have employed as a supervisor a person with said qualifications and license. The mechanical contractor's license shall be issued in the name of an individual, DBA (Doing business As) company name. The individual licensed as a contractor under a proprietorship, partnership, firm, or corporation, shall have six years experience and be qualified in planning, superintending, and the practical installation of mechanical system. A written exam is required in addition to work record and proof of insurance.

2. Mechanical Contracting means the enlargement, alteration, improvement, conversion, or installation of mechanical systems; including the planning, superintending and the practical installation; and being familiar with the laws, rules and regulations governing the same.

B. Mechanical Installer. It shall be unlawful for any person to labor at the trade or in the capacity of a mechanical installer without first being approved by the Rapid City Mechanical Board and having had issued to him a valid mechanical installer's license by the City Finance Officer.

1. Mechanical Installer means any person with four years experience in the installation of mechanical equipment, who as his principal occupation, is engaged as an employee of, or otherwise working under, the direction of a mechanical contractor, and who is lawfully qualified and licensed as a mechanical installer pursuant to the provisions of this chapter. A written exam is required in addition to work record.

C. Mechanical Apprentice. It shall be unlawful for any person to labor at the trade or in the capacity of a mechanical apprentice without first being approved by the Rapid City Mechanical Board and having had issued to him a valid mechanical apprentice license by the City Finance Officer.

1. Mechanical apprentice means any person other than a mechanical installer who is engaged in working as an employee of a mechanical contractor under the immediate and personal supervision of a mechanical installer learning and assisting in the installation of mechanical systems. No apprentice shall be in charge of any phase of work.

111.2 License--Issuance.

A mechanical license shall be issued to every person who makes application for such license, pays the required fee and successfully passes the examination conducted by the Rapid City Mechanical Board; however, the board may approve the issuance of such license to any person who makes application therefor, pays the required fee and presents to the board a valid, current mechanical license issued to him by any other governmental agency giving the examination the scope and character of which, in the opinion of the board, is at least equal to that given by the Rapid City Mechanical Board. ~~A "Certificate of Insurance" shall be required of every mechanical contractor and shall be on file with the Rapid City Building Inspection Department.~~ Every applicant for a mechanical contractor's license shall present to the building official for his review, a valid certificate of insurance at the time of application. It shall be the duty of every mechanical contractor to continually maintain valid liability insurance. All licenses shall be issued by the City Finance Officer in accordance with this chapter.

111.3 License--Expiration.

Every license issued pursuant to this chapter shall remain in force and effect until February 28 of the succeeding year unless cancelled or revoked prior to that date. Any person failing to renew the license on or before the close of business on February 28, or if that day be a weekend or a nonbusiness day, then before the close of business on the next business day, shall be required to retest, and pay the initial license fee.

111.4 Examinations.

A written examination is required for a mechanical contractor and mechanical installer license.

Any person who fails to pass the examination may apply for re-examination after the expiration of 30 days. Should such person fail to pass the second time, the board may refuse a third application until after the expiration of 6 months.

111.5 License Fees.

Every person applying for a license shall pay to the City Finance Officer the following fees:

	Initial Fee	Renewal Fee
Mechanical Contractor	\$200.00	\$50.00
Mechanical Installer	25.00	25.00
Mechanical Apprentice	10.00	10.00

111.6 License Violations.

It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use of maintain mechanical systems or equipment or cause or permit the same to be done in violation of this code.

Any person who violates this section shall, in addition to any criminal proceedings instituted therefor, be subject to license revocation by the Mechanical Board.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer
(SEAL)

First Reading:
Second Reading:
Published:

Prepared By: CITY ATTORNEY'S OFFICE