

ORDINANCE NO. 3944**AN ORDINANCE TO AMEND THE REQUIREMENT FOR PRESENTING PROOF OF LIABILITY INSURANCE AT THE TIME OF APPLICATION FOR A RESIDENTIAL CONTRACTOR'S LICENSE BY AMENDING SECTION 15.13.015 OF THE RAPID CITY MUNICIPAL CODE.**

BE IT ORDAINED by the City of Rapid City that Section 15.13.015 of Chapter 15.13 of the Rapid City Municipal Code be amended to read as follows:

15.13.015 License application.

A residential contractor license shall be issued to every proprietorship, partnership, firm or corporation who makes application for such license, pays the required application fee, meets the requirements as stated in this chapter, and successfully passes the examination conducted by the board of residential contractors; provided, however, that the board may approve the issuance of such license to any person who makes application therefore, pays the required fee, meets the requirements, and presents to the board a valid current residential contractor license issued to him by any other governmental agency giving an examination, the scope and character of which, in the opinion of the board, is at least equal to that given by the residential contractor board.

A. Existing Contractors. All proprietorships, partnerships, firms or corporations engaged in and who can show proof they have been in the business of residential building contracting for more than ninety days before the adoption of this chapter shall be issued a license, after paying all license fees.

B. Person or Persons Responsible For License. Each residential contractor license issued to a proprietorship, partnership, firm or corporation shall be the responsibility of the owner or owners of the proprietorship, partnership, firm or corporation.

C. License Use Restricted. No licensed residential building contractor shall allow his name to be used by any other person directly or indirectly, either to obtain a building permit or to perform residential building contracting outside his personal supervision.

D. License Term Renewal. All licenses issued under the provisions of this chapter shall expire on December 31st of every third year, beginning on December 31, 1994. All renewal fees shall be paid on or before December 31st of each successive triennial year. No license may be issued until the designated construction supervisor has completed the requirements for continuing education in subsection J of this section. Licenses not renewed by the date of expiration shall not be renewed until the applicant has submitted and passed an examination and has paid the examination fees.

E. Examination. Before a residential building contractor's license may be issued, the contractor shall be required to submit to and pass an examination as to his qualifications and fitness to perform residential building contracting. Such examination shall be given under the direction of the Rapid City residential contractor's board. Any applicant who fails to pass the examination shall not be eligible to take another examination until at least thirty days have

lapsed from the date of the last examination. Applicants shall pay the examination fee for each exam given.

F. ~~Proof of Liability Insurance. Proof of Liability insurance shall be required of every residential contractor, and shall be on file with the Rapid City building inspection department. It shall be the responsibility of the insurance company to notify the building inspection department if insurance is canceled.~~ Every applicant for a residential 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 residential contractor to continually maintain valid liability insurance.

1. The minimum required general aggregate liability shall be three hundred thousand dollars with fifty thousand dollars fire damage and three hundred thousand dollars each occurrence.

G. Worker's Compensation Insurance. In accordance with South Dakota state law, proof of worker's compensation insurance shall be verified prior to the issuance of a license.

H. Proof of Excise Tax Number. Applicants for a residential contractor's license shall be required to supply their excise tax number.

I. South Dakota Address and Phone Number. Applicants for a residential contractor's license shall be required to furnish the name, address and phone number of an agent residing in South Dakota.

J. Continuing Education. The requirement for triennial renewal is one hour of attendance for every year the license is in effect, at a code class approved by the building inspection office. The class topics shall include, but are not limited to: (1) legal requirements of the code; (2) local amendments to the code; (3) requirements for group R occupancies; and (4) requirements for group U occupancies.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer
(SEAL)

First Reading:
Second Reading:
Published:

Prepared By: CITY ATTORNEY'S OFFICE

