

**VILLAGE OF JOHNSON CITY
LOCAL LAW NO. 4 FOR THE YEAR 2024**

**A LOCAL LAW ADDING A NEW CHAPTER 126 OF THE VILLAGE CODE
ENTITLED “CONTRACTOR STANDARDS”**

Be it enacted by the Village Board of the Village of Johnson City as follows:

Section 1. A new chapter shall be added to the Village Code as follows:

Chapter 126. Contractor Standards

§ 126-1 License required.

- A. General Contractor. No person shall hereafter engage in, carry on or conduct the business of General Contractor or do or perform or offer or undertake or contract to do or perform the work of a General Contractor within the Village or hold himself or herself out to the public, directly or indirectly, as being able to do so unless licensed pursuant to this article.
- B. Repair Person. No person shall hereafter engage in, undertake or perform the work of a Repair Person or agree to do or perform such work within the Village or hold himself or herself out to the public, directly or indirectly, as being able to do so unless licensed pursuant to this article or unless working under the direction of a person so licensed, and no person shall directly or indirectly hire, employ, engage or suffer or permit any person to do the work of a Repair Person unless such person is licensed as a Repair Person pursuant to this article.
- C. Verification of licenses. It shall be within the authority of the Building Inspector or any Village official to verify that any person or persons performing contractor work within the Village (other than property owners authorized pursuant to § 126-5 of this chapter) are duly licensed to perform such work according to the provisions of this chapter. If proof of proper licensing is not shown to the Inspector or Village official, the work on the project shall be stopped until such time as properly licensed contractors are available to complete the project, and the person performing the work without a valid license shall be subject to a minimum fine of \$500 and a maximum fine of \$1,500. In addition, the owner of the premises where the work was being performed, the Building Inspector and the Code Enforcement Officer shall be notified, in writing, that the person or persons performing the contractor work on said premises were unable to show proof of proper licensing and the work on said premises is to be discontinued until a properly licensed contractor is retained to perform the work.

§ 126-2 License term; renewal; fees.

The Village Clerk may issue licenses under this article as follows:

- A. General Contractor's license, Class A.

- (1) General Contractor's license, Class A, shall authorize the licensee to engage in the business of General Contractor within the Village for a period ending the 31st day of December next following the date of its issuance.
- (2) The fee for such license shall be set by resolution of the Village Board of Trustees.
- (3) Such a license may be renewed annually on or before the expiration thereof for periods of one year upon payment of an annual renewal fee which shall be set by resolution of the Village Board of Trustees.

B. General Contractor's license, Class B.

- (1) A General Contractor's license, Class B, shall authorize the licensee to engage in the business of General Contractor in the Village, but only for the purpose of undertaking, performing and completing a single continuous job or installation at one location of property. Only one Class B license can be issued within a twelve-month period.
- (2) The fee for such a license shall be set by resolution of the Village Board of Trustees.

C. Repair Person's license.

- (1) A Repair Person's license shall authorize the licensee to perform only the work of a Repair Person within the Village for a period ending the 31st day of December next following the date of its issuance.
- (2) The fee for such license shall be set by resolution of the Village Board of Trustees.

D. Failure to renew license generally. Every licensee shall pay an additional fee as set by resolution of the Village Board of Trustees, together with the license fee prescribed in this section, upon the renewal of the license.

E. Effect of failure to renew any license. Every licensee who fails to renew his or her license after a period of five years will be required to retake the examination.

§ 126-3 Applications for licenses.

A. General Contractors. Every person desiring a license as a General Contractor under this article shall make application therefor to the Village Clerk in such form and detail as the Clerk may prescribe. Such application shall state, among other things, the name and place of business of the applicant, the class of license applied for and the name of the representative of the applicant who will take the examination for the license and who will act as the supervisor of the work to be done under the license, if granted. A corporation or partnership that performs contractor work as defined in this section must have a licensed General Contractor that is a stockholder of such corporation in a minimum amount of 25%.

- B. Repair Persons. Every person desiring a license as Repair Person under this article shall make application therefor to the Village Clerk in such form and detail as the Clerk may prescribe. Such application shall state, among other things, the name and residence address of the applicant, the name and business address of the employer of the applicant and the nature and extent of the experience of the applicant in work as a Repair Person.

§ 126-4 Examinations.

- A. A person desiring or intending to conduct the trade, business or calling of a General Contractor or Repair Person in the Village shall be required to take the ICC Testing examination. The Village will provide any applicant a list of the approved testing locations for such examination.
- B. Waiver of examination. Notwithstanding any other provision of this section where an applicant for a General Contractor's license, Class B, holds a current general contractor's license from another state or political subdivision thereof or from the State of New York or any political subdivision thereof, the ICC Testing examination may be waived.
- C. No applicant for a license under the provisions of this article shall be permitted to take the examination required by § 126-22 or § 126-23 more than once in six months.
- D. Each applicant must pay any fees and costs associated with taking the ICC Testing examination at an approved testing location. The Village shall charge and collect from each person applying for examination a sum set by resolution of the Board.

§ 126-5 Eligibility for General Contractor's exam.

Any person shall be eligible to take the ICC Testing examination as a General Contractor who has submitted proof of at least four years' prior experience as a licensed Repair Person, with prior experience in the relevant construction work; or that he or she has received an applicable degree in construction work from a college or university accredited by the State Department of Education, holds a license as a professional engineer in the state and has had at least three years' prior experience in the relevant construction work in the United States, its territories and possessions under the supervision of a person or persons licensed as a General Contractor under the provisions of this article.

§ 126-6 Eligibility for Repair Person's exam.

Any person shall be eligible to take the ICC Testing examination as a Repair Person who has submitted proof of 9,000 hours of contractor experience under a licensed contractor's supervision; or enrollment in, and subsequent completion of, an approved contractor apprenticeship program with at least 8,250 hours of training completed before applying to take the ICC Testing exam for Repair Persons; or any other experience comparable to the above training.

§ 126-7 Signing and issuance of licenses.

Licenses shall be signed by the Village Clerk and shall be issued by the Village Clerk.

§ 126-8 Records of issuance, suspension and revocation of licenses.

It shall be the duty of the Village Clerk to keep and maintain records of all licenses issued, suspended or revoked and to make such records available for public inspection.

§ 126-9 Restrictions upon licenses.

- A. Assignment; transfer. No license issued hereunder shall be assigned or transferable.
- B. Identification of licensee. Each license as a General Contractor issued hereunder shall specify the name of the person licensed, who shall be known as the holder of the license, and such persons shall be designated in the license as the supervisor of all work to be done under the license.
- C. Numbering, form, color, etc. All licenses shall be numbered in the order in which they are issued and shall be in such form and of such color and shall contain such information as may be prescribed by the Village Clerk.
- D. Display. Each license shall at all times be kept conspicuously displayed in the place of business or employment, as the case may be, of the licensee.
- E. In case one or more officers of a corporation engaged in such business shall die, being the holder of General Contractor license, the corporation may continue the business during the time necessarily required to administer the estate of such deceased officer, not exceeding two years from the granting of letters, provided that one or more officers of the corporation is the holder of a General Contractor's license and, together with the legal representative of such deceased officer or officers, actually owns and holds at least 25% of the issued and outstanding capital stock of said corporation.

§ 126-10 Suspension and revocation of licenses; fines.

- A. Any license issued hereunder may be suspended or revoked, at the discretion of the Code Enforcement Officer, after hearing upon due notice held, upon charges given to the licensee and an opportunity to be heard in his or her defense in person and/or by attorney, if the Code Enforcement Officer is satisfied that the holder of such license or any of his or her or its officers or employees willfully or by reason of incompetence has violated any provision of this chapter or of any other law or of any ordinance, local law or the building code of the Village governing contractor work or requiring permits.
- B. The Code Enforcement Officer may, in lieu of suspending or revoking a license hereunder, impose a fine not exceeding \$50 for the first offense and not less than \$100 nor more than \$500 for a subsequent offense and may suspend the license until such fine is paid.

Section 2. Remainder

Except as hereinabove amended, the remainder of the Code of the Village of Johnson City shall remain in full force and effect.

Section 3. Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 4. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.