

ORDINANCE NO. 6924

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 4-1, ARTICLES I AND II TO REQUIRE PROOF OF GENERAL LIABILITY INSURANCE FOR REGISTRATION AS A ROOFING CONTRACTOR; AMENDING CHAPTER 4-1 TO CORRECT MINOR ERRORS FOUND IN THE ORIGINATING ORDINANCE, NO. 6878; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, it is desirable and necessary to correct errors and omissions found in Ordinance No. 6878, codified in Chapter 4-1 of the Amarillo Municipal Code of Ordinances; and,

WHEREAS, the Construction Advisory and Appeals Board has conducted a public hearing on the following matter and recommends the described action for the reasons stated:

A. That there exists the potential for extensive property damage due to improperly installed roof coverings both during and after re-roofing of a structure occurs; and,

B. That the public health, safety, and welfare would be advanced by the regulation of roofing contractors to assure minimum levels of financial responsibility, so that homeowners have an effective remedy and recourse for faulty roof repairs and replacements; and

C. That liability insurance provides an effective remedy through which property owners may recoup their damages arising from improperly installed roofs; and,

WHEREAS, upon receiving public comment and reviewing the prior Board proceedings, the City Commission concurs in the findings, reasoning, and conclusions of said Board;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS:

SECTION 1: That Chapter 4-1, Article I, Division 2, Section 4-1-21 (b) (3) be and is hereby amended to read as follows:

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c. Wrecking permit and Moving permits: \$30.00

~~Plus thirty dollars (\$30.00) times the number of other permits required for electrical and plumbing work.~~

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j. Siding and exterior veneer: Value of project x 0.0025: minimum \$30.00

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SECTION 2: That Chapter 4-1, Article II, Table 4-1-110 "Contractor Registration

Requirements" be and is hereby amended to read as follows:

Table 4-1-110 Contractor Registration Requirements

Contractor Categories	State License or Registration Required	City Registration In Addition to State License or Registration	Annual City Registration Fee	License and Permit Surety Bond	General Liability Insurance
Building Contractor					
1. General Contractor ¹	no	yes	\$30	none	None
2. New Residential Contractor ²	State Reg.	yes	\$30	none	None
3. Residential Additions and Remodeling Contr. ³	State Reg. ⁴	yes	\$30	\$20,000	None
additional requirements for building demolition		any of the above		lot clearance bond ⁵	yes ⁶
Electrical Contractor, Master Electrician License ⁷	State Lic.	yes	\$30	none	State Required Min.
HVAC Contractor, A and B ⁸	State Lic. ⁸	yes	\$30	none	State Required Min.
Landscape Irrigation Contractor	State Lic.	yes	\$30	\$10,000	None
House Moving Contractor	no	yes	\$30	\$10,000	None
Plumbing Contractor, Master Plumber License ⁸	State Lic.	yes	\$30	none	State Required Min.
with Medical Gas endorsement (MGE) ⁹	MGE	yes	\$30	none	State Required Min.
Roofing Contractor ¹²	no	yes	\$30	\$20,000	<u>\$300,000</u> ¹²
Sign Contractor					
1. Electrical Sign Contractor ¹⁰	State Lic. ¹⁰	yes	\$30	none	State Required Min.
2. Non-electrical Sign Contractor ¹¹	no ¹¹	yes	\$30	\$10,000	None
Swimming Pool, Hot Tub and Spa Contractor	no	yes	\$30	\$10,000	None
Water Treatment Equipment Installation Contractor	State Lic.	yes	\$30	\$10,000	None

Footnotes:

1. A General contractor who is not registered with the State as a residential contractor and does not post a license and permit surety bond, may only work on commercial projects, including the installation of commercial kitchen exhaust hoods, and boilers used only for providing process heat refrigeration units. Makeup air and environmental air systems associated with a commercial kitchen hood must be installed by a State Licensed Air Conditioning contractor. Boilers installed for environmental heating must be included on a heating and air conditioning permit issued to a State Licensed Air Conditioning contractor. Boilers used for domestic and service water heating must be included on a plumbing permit issued to a State licensed Master Plumber.
2. A contractor registered with the State as a residential contractor but who does not post a license and permit surety bond may work on new residential construction, and any commercial project, but may not work on residential remodels and additions.
3. A building contractor who is registered with the State as a residential contractor, and who posts a license and permit surety bond as required for a Residential Additions and Remodeling Contractor may work in any of the 3 building contractor categories.
4. State registration is required by state law when certain levels of improvements, or additions are made. Refer to current State Law for those limits.
5. See demolition permit requirements for the amount of lot clearance bond. A \$20,000 license and permit surety bond may serve in lieu of a cash lot clearance deposit.
6. Reference the demolition permit requirements for a building not set back from the street or alley property line a distance equal to its height.
7. State laws require an Electrical Contractor to be either licensed as a Master Electrician, or employ a Master Electrician. Both are required to register their licenses with the City although the registration fee only applies to the contractor.

8. A licensed master plumber may also install non-ducted, unit heaters and wall heaters without having a separate HVAC license.
9. Installation of medical gas systems may only be done by a licensed master plumber who also has a medical gas endorsement on his license.
10. Signs having any electrical components must be constructed, installed, and maintained by a State Licensed Electrical Sign Contractor. The contractor must either himself be, or he must employ a licensed Master Sign Electrician. Both must register their licenses with the City although the registration fee only applies to the contractor.
11. A Sign Contractor who constructs, installs, and maintains only signs that have no electrical components is not required to be licensed as an electrical Sign Contractor with the State, but is required to comply with City requirements for contracting.
12. General liability insurance requirements for roofing contractors. Prior to being registered, and prior to each registration renewal period, each roofing contractor must provide a standard insurance certificate to the City Code Enforcement Department that demonstrates liability insurance coverage in the following amounts, and that otherwise complies with the following:
 - a. Minimum of \$300,000 per occurrence (combined for property damage and bodily injury);
 - b. Minimum of \$600,000 aggregate (total amount the policy will pay for property damage and bodily injury coverage); and
 - c. Minimum of \$300,000 aggregate for products and completed operations.
 - d. The certificate of insurance must contain a clause requiring the company to give the City of Amarillo 30 day cancellation notice of the policy.
 - e. Insurance must be provided by an admitted company, surplus lines carrier or other insurer authorized by law to issue liability insurance in Texas, with minimum financial reserves of not less than \$100 Million in reported capital, surplus, and conditional reserve funds. Any insurer or re-insurer which is rated shall have an A.M. Best Company rating of B+ or higher or an equivalent rating by another insurance rating company.

A registered contractor shall furnish to any customer who requests it: the name of the insurance carrier, policy number, and the name, address, and telephone number of the insurance agent with whom the contracting company is insured.

SECTION 4. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Commission of the City of Amarillo, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 5. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

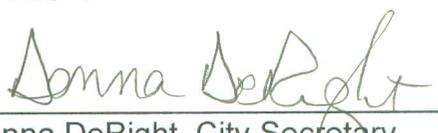
SECTION 6. This ordinance shall be effective upon final adoption.

INTRODUCED AND PASSED by the City Commission of the City of Amarillo, Texas, on First Reading this the 28th day of March 2006; and PASSED on Second and Final Reading the 4th day of April 2006.



 Jim Simms, Mayor Pro Tem

ATTEST:



 Donna DeRight, City Secretary