

ORDINANCE NUMBER 10-17-05
AMENDMENT TO ZONING ORDINANCE

AN ORDINANCE AMENDING THE ZONING ORDINANCE NUMBER 8-15-83 REQUIRING BUILDING CONTRACTORS AND PROPERTY OWNERS TO TIMELY PROVIDE TO THE CITY LISTS OF ALL CONTRACTORS AND SUB-CONTRACTOR PERFORMING WORK ON CONSTRUCTION PROJECTS, REQUIRING ALL SUCH CONTRACTORS AND SUBCONTRACTORS TO BE PROPERLY LICENSED, AND PROVIDING FOR THE REVOCATION AND WITHHOLDING OF BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY FOR VIOLATIONS

BE IT ORDAINED BY THE CITY COUNCIL OF RAINSVILLE, ALABAMA, as follows:

Article VIII of the Rainsville Zoning Ordinance Number 8-15-83 shall be, and is hereby, amended by adding the following:

"SECTION 8-3A. List of Properly Licensed Contractors and Subcontractors Required

8-3A-1 List of All Contractors and Subcontractors. The Administrative Officer shall not issue a Building Permit provided for in Section 8-2 or a Certificate of Occupancy provided for in Section 8-3 until the applicant for such permit or certificate has provided to the Administrative Officer a list of all contractors and sub-contractors who will perform, or are performing, work on the proposed construction, moving, alteration, or repair project. Such list shall include the correct entity or personal name, physical address, phone numbers, and Alabama Home Builders Licensure Board license number for each such contractor and subcontractor.

8-3A-2 Contractors and Sub-contractors Must be Properly Licensed. The Administrative Officer shall not issue a Building Permit provided for in Section 8-2 or a Certificate of Occupancy provided for in Section 8-3 for any proposed, existing, or completed construction, moving, alteration, or repair project that is or has employed any contractor or subcontractor, whether hired on a contract or hourly basis, that has failed to obtain a proper license in accordance with Rainsville Ordinance Number 12-21-00.

8-3A-3 Cancellation of Building Permits for Projects Using Unlicensed Contractors or Subcontractors. Upon learning that a contractor or subcontractor has or is performing work on any project without first obtaining the proper license, the Administrative Officer shall give notice of such fact to the permit applicant or other affected person providing seven (7) days to correct such licensure violation. If, upon the lapse of such seven-day grace period, the applicant or other affected person has not corrected such licensure violation, the Administrative Officer shall cancel the Building Permit for such project and written notice of such cancellation shall be given to the applicant or other affected person. Upon receiving proof of correction of the licensure violation that led to cancellation of a Building Permit and full compliance with the

provisions of Section 8-2 (including payment of an additional Building Permit Fee), the Administrative Officer may issue a Building Permit for such project.

8-3A-4 Withholding of Certificate of Occupation for Projects Using Unlicensed Contractors or Subcontractors. Upon learning that a contractor or subcontractor has performed work, without first procuring a proper license, on any project with respect to which there has been an application for a Certificate of Occupancy, the Administrative Officer shall refuse to issue a Certificate of Occupancy for such project and state the refusal in writing to the applicant. The applicant shall be provided the opportunity to, within a reasonable time, correct such licensure violation by paying all fees for such relevant periods and otherwise providing proof of other relevant licensure requirements. All appeal privileges and other provisions of Section 8-3 not inconsistent herewith shall apply to this Section.

Adopted this 17th day of October, 2005.


DONNIE CHANDLER, Mayor

Attest:

JUDY LEWIS, Clerk

CLERK'S CERTIFICATE

I hereby certify that Ordinance No. 10-17-05 was published on the 17th day of October, 2005, by publication of the same in The Weekly Post, a newspaper of general circulation in the City of Rainsville.


JUDY LEWIS, Clerk