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AN ORDINANCE AMENDING TITLE 5, CHAPTER 1, OF THE ORLAND PARK VILLAGE CODE IN REGARD TO LICENSING AND BONDING OF CONTRACTORS

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WHEREAS, the Village President and Board of Trustees of the Village of Orland Park (the "Village") have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, pursuant to 65 ILCS 5/1-2-1, the Village may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities; and

WHEREAS, the Village desires to further specify the requirements for Licensing and Bonding of Contractors in the Village in order to update said requirements; and

WHEREAS, the Village has determined that the amendment set out below is in the best interests of the Village and its residents.

NOW, THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1:

Title 5, Chapter 1, Section 5-16 (LICENSING AND BONDING OF CONTRACTORS) of the Orland Park Village Code is hereby amended in its entirety to provide as follows:

5-1-6: LICENSING AND BONDING OF CONTRACTORS:

A. **Scope of Contractor's License:** All contractors performing construction within the Village shall comply with the provisions of the Village Codes and Ordinances for minimum building standards regulated within the corporate limits of the Village. The intent of contractor licensing is to require the name, address and phone number of all contractors on a job site

1. All general and sub-contractors licensed under this Ordinance shall be responsible for any and all employees working for them under the license.
2. All general contractors shall hire only sub-contractors who are licensed as specified under this Ordinance.

3. Village licensing may not be required when contractors are licensed through the State of Illinois and only when/if specified by Illinois Compiled Statutes (ILCS).

ILCS Examples:

- a. Plumbing Contractors per IDPH (225 ILCS 320/) Illinois Plumbing License Law.
- b. Fire Alarm Contractors (225 ILCS 447/) Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004.
- c. ILCS Roofing act allows Orland Park to license contractors separately.
Roofing Contractors per (225 ILCS 335/) Illinois Roofing Industry Licensing Act.

4. Licensed contractors must provide a Certificate of Insurance naming the Village as the Certificate holder. The minimum insurance requirements are \$1,000,000 per occurrence for General Liability and the statutory minimum for Workers Compensation.

5. Licensed contractors are to complete all work in compliance with the Village Codes.

6. Inspection requests must be submitted to the Village to verify compliance approval with Village Codes. Construction is to remain exposed for inspection(s) until approval(s) are issued by Village inspectors

7. A \$100.00 fee is to be charged to the owner and/or contractor for Village Code enforcement proceedings due to each nonconformity or inaction.

B. License Required: No person shall act or perform any services as a contractor or sub-contractor within without first having issued a license by the Village Development Services Department, as herein provided.

1. **Application Required:** All applications for a Village contractor's license shall be made in writing upon forms furnished by the Village.

See Village Website; <https://orlandpark.org>

2. Each application shall state:

(1) The name, physical business address and business phone number of the applicant.

(2) Whether it is a general contractor or sub-contractor's registration application. If it is a general contractor with tradesmen, a list of trades and tradesmen performing each trade will be required at the time of registration. A sub-contractor will be required to list the trade or trades involved.

(3) A statement that the applicant is familiar with all pertinent Village ordinances, codes and regulations and agrees to fully comply with the same.

C. Definitions: As used in this Ordinance:

"Contractor" means any person, partnership, corporation or other business entity engaged in the business of constructing, altering, or repairing buildings or other structures or lots and all trades and crafts associated with such work, including, but not restricted to, general building contractors, excavating contractors, carpentry contractors, heating, air conditioning, ventilating, mechanical, electrical and plumbing contractors and "subcontractor" as defined below.

(1) Any person whose construction, repair or alteration of any building or structure within the corporate limits of Orland Park, Illinois, for which a building permit is required, is presumed to be a contractor and must be licensed and insured hereunder unless not required by other Village, county or State laws.

(2) Any person, partnership, corporation or other business entity who engages in any construction work, shall not be considered a contractor for purposes of this Ordinance where such work is performed for no compensation.

(3) Any land owner who employs workers paid an hourly rate is not considered a contractor. Employees of this type must be licensed or registered by the State of Illinois as determined by the work performed. A landowner under this subsection must not employ more than five employees and must not engage in more than three trades.

"General Contractor with Trades" shall mean a contractor who uses one or more tradesmen or sub-contractors to perform the required construction to complete any project for which a building permit is required. When a general contractor employs a full-time tradesman or tradesmen who perform a variety of miscellaneous tasks (i.e., carpentry, siding, excavating or concrete, etc.) the registration fee shall be three hundred dollars (\$300.00). A list of tasks and tradesmen performing the tasks will be required from the General Contractor or property owner at the time prior to permit issuance. The general contractor shall be responsible for all work performed by the general contractor's employees

"General Contractor/Construction Manager" shall mean not employing full-time tradesmen and using sub-contractors to complete construction. A General Contractor/Construction Manager shall pay a fee of three hundred dollars (\$300.00) and all sub-contractors working on that project shall be required to register and pay the sub-contractors fee of seventy five dollars (75.00).

A contractor with no employees is considered a General Contractor or Project Manager.

"Subcontractor" means a contractor who performs only the type of work that is classified as a specific trade, such as but not limited to: carpentry, roofing, electrical, etc.

D. License Fees: All licenses shall be valid for one calendar year from January 1 to December 31.

The fees for the contractor license are as follows:

License fee

General contractor \$300.00

Sub-contractor's License fee per specialty: \$75.00

E. License Issuance: The Village's Development Services Department shall license contractors to work within its corporate limits upon proper application, compliance with the provisions of this Ordinance, and payment of the fee set out in this ordinance.

1. All licenses shall be valid for one calendar year from January 1 to December 31, unless otherwise revoked as prescribed in this Ordinance.

2. All general contractors and sub-contractors must be licensed prior to being issued any building permits by the Village's Development Services Department. Any change in the general or sub-contractors once a permit has been issued shall be put in writing by the general contractor or sub-contractor if no general contractor is present, within 3 business days of such change, and delivered to the Village's Development Services Department.

F. License Revocation and Reinstatement: Any registration issued under the provisions of this Ordinance may be revoked by the Village's Development Services Department for violation(s) of any of the provisions of this Ordinance not repaired within fourteen (14) days from the notice of violation(s) or a limited amount of time as determined by the Building Official. Such revocation shall be in addition to fines or penalties imposed and items listed below:

1. No person whose registration has been revoked as herein provided shall be eligible for a reinstated new license for a period to be determined by the Building Official, as based upon the severity of the violation. A fifty dollar (\$50.00) administrative fee shall be paid to the Village prior to any approved contractor license reinstatement.

2. All appeals from the action of the Building Official to revoke a contractor or subcontractor's license shall be filed within ten (10) days of such action with the Village who shall conduct a hearing on such revocation.

3. The Village's Development Services Department may refuse to issue or reinstate a license in the event that any of the provisions of this Ordinance, which are conditions precedent to the issuance of the license, have not been met. The Village shall serve as the Building Board of Appeals, and application for appeal shall be made to the Chairman of this Committee within ten (10) days of the Building Official's decision. Both the aggrieved party and the Building Official shall be permitted to give testimony, call witnesses and present evidence to the Building Board of Appeals. The Chairman shall administer and may, at his/her discretion, place a time limit on all testimony.

SECTION 2:

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 3:

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4:

This Ordinance shall be in full force and effect from and after its adoption and publication in pamphlet form as provided by law.

SECTION 5:

The Village Clerk be and hereby is authorized and directed to publish this Ordinance in pamphlet form.