

Chapter 117

Contractor's, Licensing of

[History: Adopted by the Town Board of the Town of Pendleton 4-6-2004. Amendments noted where applicable.]

§ 117-1. Purpose

The purpose of this chapter is to make certain that any contractor engaged in business in the Town of Pendleton meets certain requirements as established by the Town Board of the Town of Pendleton.

§ 117-2. Definitions

The following words, terms and phrases as used in this chapter are defined as follows:

CONTRACTOR-Any person, firm, partnership, corporation, or any other entity engaged in the business of constructing, repairing, remodeling, altering, converting, modernizing or adding to any house, building, dwelling, structure of land adjacent to it shall include, but not limited to, blacktop sealing or blacktop work of any nature, cement or concrete work of any nature including replacement or improvement of sidewalks, driveways, curbs, streets, rights-of-way, flat concrete work, form or wall concrete work or masonry work of any nature or carpentry work of any nature or the construction, erection replacement or improvement of, among other things, streets, rights-of-way, swimming pools, siding, insulation, chimneys, roofing, windows, terraces, patios, fences, porches, garages, solar energy systems, flooring, basements or water, sanitary or drainage systems, landscape, and snow plowing residential. "Contractor" shall also include hired by another contractor.

§ 117-3. License Required; construal of terms.

- A. It shall be unlawful to engage in business as a contractor in the Town of Pendleton without first having obtained a license therefore as hereinafter provided.
- B. Engaging in the following activities in the Town of Pendleton for remuneration shall be construed as doing business as a contractor in the Town of Pendleton; constructing, repairing, remodeling, altering, converting, modernizing, or adding to a house, building, dwelling, structure or land adjacent to it and shall include, but is not limited to, blacktop sealing or blacktop work of any nature, cement or concrete work of any nature including the replacement or improvements of sidewalks, driveways, curbs, streets, rights-of-way, flat concrete work, form or wall concrete work or masonry work of any nature or carpentry work of any nature or the construction, erection replacement or improvement of, among other things, streets, right-of-way, swimming pools, siding, insulation, chimneys, roofing, windows,

terraces, patios, fences, porches, garages, solar energy systems, flooring, basements or water, sanitary or drainage systems, landscape and snow plowing residential in the Town of Pendleton.

§ 117-4. License application; information

- A. Any person, firm, partnership, corporation or any other entity desiring to engage in business as a contractor in the Town of Pendleton shall make application for a license to the Building Inspector on a form prescribed by him. The application shall be signed and verified under oath by the applicant, if an individual or sole proprietorship, or by a duly authorized agent, if a firm or partnership, or a duly authorized officer of the corporation, if the applicant is a corporation.
- B. The application shall contain the following information:
 - (1) If a person or firm, the name, residence, business address, and telephone number of the applicant.
 - (2) If a partnership, the business address, telephone number, employer identification number and also the name and residence of each partner.
 - (3) The specific type of work to be performed by the applicant.
 - (4) The approximate number of persons employed or to be employed by the applicant.
 - (5) Satisfactory evidence that employees of the applicant are covered by worker's compensation. The applicant shall be responsible for furnishing the Town of Pendleton with copies of current certificates of insurance demonstrating that the applicant has appropriate insurance coverage in place.
 - (6) Such information as the Building Inspector may reasonably require.

§ 117-5. Issuance or denial of license.

The Building Inspector is authorized to issue or deny the application for a license. Any application so approved shall be issued by the Building Inspector upon payment to the Building Inspector for the required fee.

§ 117-6. License expiration, posting and suspensions; duplicate license; fees.

- A. All licenses shall expire on the 31st day of December of each year.
- B. Each license issued shall be posted in a conspicuous place in the contractor's place of business.
- C. Any license which has not been suspended or revoked may, upon payment of a fee prescribed by this chapter, be renewed for an additional period of one year from its expiration upon filing of an application for renewal on a form to be prescribed by the Building Inspector.
- D. A duplicate license may be issued for a lost, destroyed or mutilated license upon

application therefore to the Building Inspector and upon payment of the fee prescribed therefore by this section.

- E. No license shall be assignable or transferable.
- F. The fee for a contractor's license or for any renewal thereof shall be set by resolution of the Town Board of the Town of Pendleton. Such fee shall not be prorated for a term of less than one year.
- G. The fee for issuing duplicate license for on lost, destroyed or mutilated shall be set by resolution of the Town Board of the Town of Pendleton.

§ 117-7. Compliance with other laws required.

It shall be the duty of all contractors to comply with all applicable state laws, including article 36-A of the New York State General Business Law, state codes, local laws and/or ordinances relating to the various activities engaged in by the contractor.

§ 117-8. Revocation of license

Any contractor's license may be revoked by the Building Inspector for any violation of any applicable state law, including Article 36-A of the New York State General Business Law, state codes, this chapter of any local laws and/or ordinances relating to the activities engaged in by such contractor which are included within the scope of this chapter. Such a revocation may be in addition to any fine imposed for violating this chapter.

§ 117-9. Penalties for offenses.

Any person, firm, partnership, corporation or any other entity violating any of the provisions of this chapter shall be subject to a fine of not more the \$250.00 for each violation or to imprisonment for a period not exceeding 15 days for each such violation, or to both such fine and imprisonment, except when a punishment is expressly prescribed in such provision. Unless otherwise provided, each day on which a violation occurs shall be deemed a separate violation for purposes of this chapter.

§ 117-10. Effective date

This chapter shall take effect on April 6, 2004.