

Town of Cambria Local Law No. 2 of the Year 2023
Regulating Building Contractors

§ 1. *Purpose.* This local law provides for the requirement of a license for Building Contractors as permitted by the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in this Town. This local law is adopted pursuant to § 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, other state law, or other sections of this local law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions of this local law.

§2. *Definitions.*

Building Contractor. Includes anyone engaged in the business of cement or concrete contracting, either flat form or wall work, or as a masonry contractor, as a carpenter contractor, or a general building contractor, and any person engaged in the construction, alteration, or repair of buildings or other structures or sidewalks or street pavements or demolition of buildings or any other similar activity requiring a permit from the Town of Cambria.

License Revocation Board. A Board that will meet periodically at the request of the Building Inspector when he feels the need to remove or suspend a license from a person or corporation doing business within the Town of Cambria. This Board shall consist of the Building Inspector, one Council member, two contractors, and one citizen, all appointed by the Supervisor for two-year terms.

§3. *License Required.* It shall be unlawful to engage in business in the Town of Cambria as a building contractor without first having obtained a license therefor as hereinafter provided.

§ 4. *License.* Any person desiring to engage in the contracting business shall make an 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) and by a duly authorized agent (if a partnership) or by a duly authorized officer of a corporation. The application shall contain the following information:

- (a) If a person- the name, residence, and business address of the applicant.
- (b) If a partnership- the name, residence, and business address of each partner.
- (c) If a domestic corporation- the name and business address of the corporation, the name and residence address of the principal officer of the corporation; if a foreign corporation, the date it was authorized to do business in the State of New York, together with the names of the officers and local agents and their residence and business addresses.

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- (d) The number of years the applicant has engaged in the contracting business.
- (e) The specific type of business or work performed by the applicant.
- (f) The approximate number of persons to be employed by the applicant.
- (g) Satisfactory evidence that employees of the applicant are covered by workmen's compensation and disability insurance.
- (h) Satisfactory evidence that the applicant is covered by general liability, personal injury, and property damage insurance.
- (i) Such other information as the Building Inspector may require.

§ 5. *Issuance of license; fees.* The Building Inspector, upon satisfactory proof of the above requirements, shall issue a license. Any application so approved shall be issued by the Building Inspector upon payment of the fee required by this section.

§ 6. *Duration; posting renewal; duplicates; transferability; fees.*

- (a) All licenses shall expire each year on the 31st of December.
- (b) Each license issued shall be posted in a conspicuous place on the contracting establishment.
- (c) Any license which has not been suspended or revoked, may upon payment of the fee described in this section, be renewed for an additional period of one year from its expiration upon the 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 to the Building Inspector upon payment of the fee prescribed by this section.
- (e) No license shall be assignable or transferable.
- (f) The fee for a license or for a renewal thereof to conduct a contracting business shall be \$100.00.

§ 7. *Compliance with regulations.* It shall be the duty of all building contractors to comply with all ordinances relating to the construction of buildings or other structures, to the construction of streets or sidewalk pavement, and all laws or ordinances about or regulating the activities engaged in.

§8. *Revocation of license.* Any building contractor's license may be revoked by the License Board for repeated violations of any ordinance relating to the construction of buildings, building permits, the use of streets or the replacement of streets, sidewalks, or parkways, or any other ordinance relating to the work performed by the contractor. The Building Inspector shall also revoke any license upon the building contractor's failure to keep insurance coverage in force. Such revocation may be in addition to any fine imposed for violating this section.

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§ 9. *Insurance.* No permit shall be issued for the construction of a building or structure in the Town for the repair or alteration of the interior or exterior of any building or structure unless a certificate or other proof is filed showing that the contractor carried workmen's compensation insurance and public liability insurance with limits of at least \$100,000 for each person. \$300,000 for each accident or bodily injury liability and \$10,000 on property damage liability. The contractor must notify the Building Department if their insurance lapses. Termination of insurance automatically revokes the permit.

§ 10. *Penalties for offenses.* Any person, firm, or corporation violating any provision of this section shall be guilty of a violation and subject to a fine not to exceed \$250.00 or imprisonment for a period not exceeding 15 days or both. Each week a violation is continued shall be deemed a separate offense.

§11 *Partial invalidity.* If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

§12 *Effective date.* This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with §27 of the Municipal Home Rule Law.