

## ARTICLE III. - CONTRACTOR REGISTRATION

### Sec. 11-41. - Required.

Contractor registration. Prior to the issuance of any building, mechanical, electrical, plumbing or irrigation permit the building official shall verify that all required contractors, as listed herein, have a current registration with the city. Registration is valid for the calendar year the contractor is registering in unless the contractor is registering in December, in which case, the registration will carry over to the following calendar year. No renewal notice will be sent.

(a) Contractor registration required.

- (1) Issuance of permits. General, plumbing, mechanical, electrical, and irrigation contractors as well as backflow testers shall not be eligible to receive a permit within the city unless they are registered with the city. Backflow testers shall not be eligible to approve test reports for backflow devices unless they are registered with the city.
- (2) Registration requirements. Contractors must submit the following required information to the city prior to receiving a registration permit:
  - a. General contractor. General contractors are required to submit the following information:
    1. A completed contractor registration application supplied by the city.
    2. A valid driver's license of the owner or officer of the company issued by his/her home state. The owner or officer of the company must register in person or submit a notarized document allowing another person to register in his/her name.
    3. Proof of registration with the Texas Residential Construction Commission when required by Chapter 416, Property Code, or exempt from registration under section 401.005, Property Code.
    4. Registration fee of one hundred dollars (\$100.00).
  - b. Plumbing contractor. Plumbing contractors are required to submit the following information:
    1. A completed contractor registration application supplied by the city.
    2. A valid master plumber's license issued by the State of Texas. The master plumber must register in person or submit a notarized document allowing another person to register in his/her name.
    3. A valid driver's license of the master plumber issued by his/her home state.
    4. Registration fee of one hundred dollars (\$100.00).
  - c. Irrigation contractor. Irrigation contractors are required to submit the following information:
    1. A completed contractor registration application supplied by the city.
    2. A valid irrigator's license issued by the State of Texas. The licensed irrigator must register in person or submit a notarized document allowing another person to register in his/her name.
    3. A valid driver's license of the licensed irrigator issued by his/her home state.
    4. Registration fee of one hundred dollars (\$100.00).
  - d. Backflow tester. Backflow testers are required to submit the following information:

1. A completed contractor registration application supplied by the city.
  2. A valid backflow tester certification issued by the State of Texas. The certified backflow tester must register in person or submit a notarized document allowing another person to register in his/her name.
  3. A valid driver's license of the certified backflow tester issued by his/her home state.
  4. A document verifying that the test gauges have been calibrated within the past twelve (12) months.
  5. Registration fee of one hundred dollars (\$100.00).
- e. Mechanical contractor. Mechanical contractors are required to submit the following information:
1. A completed contractor registration application supplied by the city.
  2. A valid mechanical license issued by the State of Texas. The licensed mechanical contractor must register in person or submit a notarized document allowing another person to register in his/her name.
  3. A valid driver's license of the licensed mechanical contractor issued by his/her home state.
  4. Registration fee of one hundred dollars (\$100.00).
- f. Electrical contractor. Electrical contractors are required to submit the following information:
1. A completed contractor registration application supplied by the city.
  2. A valid electrical contractors license issued by the State of Texas.
  3. A valid master electrician's license issued by the State of Texas. The master electrician must register in person or submit a notarized document allowing another person to register in his/her name.
  4. A valid driver's license of the master electrician issued by his/her home state.
  5. Verification of state required insurance.
  6. Registration fee of one hundred dollars (\$100.00).
- (b) Suspension of registration. Any contractor's registration may be suspended by the building official for any of the following reasons:
1. The contractor fails to request and obtain a final inspection prior to the expiration of the permit; or
  2. The contractor allows use or occupancy of the structure for which a permit was obtained without first obtaining the required authorization from the city; or
  3. The contractor has been found by the building official, in his sole discretion, to have been grossly negligent in the performance of his work; or
  4. The contractor has, as solely determined by the building official, jeopardized the safety of the general public, or those at the construction site by actions or inactions of the company; or
  5. The contractor has a history of violating ordinances related to building, mechanical, electrical or plumbing safety; or
  6. A license that is a requirement to register as a particular contractor has expired, been suspended or revoked; or

7. The contractor has submitted any false or misleading information to the city in the registration process.
- (c) Appeal of suspension by building official. Any contractor whose registration has been suspended may appeal the action to the building and standards commission. In the case of an appeal to the building and standards commission, the action of the building official shall stand until the final determination of the appeal is made by the building and standards commission. The appeal must be in writing and filed with the building and standards commission within ten business days of the suspension of the contractor's registration. After hearing the case, the building and standards commission may take the following action:
1. Affirm the suspension; or
  2. Overrule the suspension and reinstate the registration of the contractor; or
  3. Affirm the suspension, but waive any or all of the reinstatement requirements set forth in subsection (d) below; or
  4. Affirm the suspension and require conditions for reinstatement in addition to those set forth in subsection (d) below, including, but not limited to, prohibiting reinstatement for up to six (6) months.
- (d) Reinstatement of registration. A contractor whose registration has been suspended may reapply for registration if:
1. All circumstances leading to the suspension have been corrected;
  2. The contractor reapplies for registration in accordance with this section;
  3. The registration fee is paid; and
  4. Any additional conditions set by the building and standards commission pursuant to subsection (c)(4) above, have been met.

Exception: Electrical contractor's registration suspensions shall be appealed to the electrical advisory board pursuant to subsection (c), and (d).

Penalty provision. Any person, firm, corporation or business entity violating this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00), unless the violation relates to fire safety, zoning or public health and sanitation, including dumping and refuse, in which the fine shall not exceed the sum of two thousand dollars (\$2,000.00). Each continuing day's violation under this section shall constitute a separate offense. The penal provisions imposed under this section shall not preclude Waxahachie from filing suit to enjoin the violation. Waxahachie retains all legal rights and remedies available to it pursuant to local, state and federal law.

(Ord. No. 2455, 4-7-08; Ord. No. 2474, 7-7-08)

Sec. 11-42. - Certain work exempt from registration requirements.

The following classes of work may be carried out by persons who are not registered electricians:

- (1) The replacement of lamps, fuses and the connection of portable devices to suitable receptacles which have been permanently installed.
- (2) The installation, alteration or repairing of any wiring devices or equipment for the operation of signals or the transmission of intelligence, where such wiring, devices, appliances or equipment operates at a voltage not exceeding thirty (30) volts between conductors and does not include generating or transforming equipment.
- (3) Homeowners performing electrical work permitted by state law.

(Ord. No. 2455, 4-7-08)

Sec. 11-43. - Vehicle identification numbers required.

- (a) A person shall not engage in an electrical business within the city unless each vehicle used by the business in connection with the installation, alteration or repair of electrical wiring or equipment displays a vehicle identification number assigned State of Texas and affixed in the manner required by this section and/or state law.
- (b) Vehicle identification numbers shall be permanently and prominently affixed to both exterior sides of the vehicle. The numbers shall be clearly legible, at least two (2) inches in height and of a color which provides a contrast to the background surface.

(Ord. No. 2455, 4-7-08)

Sec. 11-44. - Reserved.

Sec. 11-45. - Year.

No registration shall be issued under this article for more than one (1) year. Fees shall be paid annually and registration will be valid from January 1 through December 31. Registrations received and fees paid between December 1 and December 31 of any calendar year shall be valid from that date until December 31 of the following year.

(Ord. No. 2455, 4-7-08)

Sec. 11-46. - Transfer prohibited.

It shall be unlawful for any person holding a registration to transfer same or to allow the use of same, directly or indirectly, by any other person for the purpose of obtaining a permit to do any of the electrical work herein specified.

(Ord. No. 2455, 4-7-08)

Secs. 11-47, 11-48. - Reserved.

Sec. 11-49. - Conflicts; controlling provisions.

In the event of any conflict between the provisions of the code adopted by this chapter and applicable provisions of this Code, state law or city ordinances, rules or regulations, the provisions of this Code, state law or city ordinances, rules or regulations shall prevail and be controlling.

(Ord. No. 2455, 4-7-08)

Secs. 11-50—11-60. - Reserved.