

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

Resolution or Ordinance (Blue) Waiver of First Requested
 Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE : November 12, 2019 **(BOT) Date:** November 21, 2019

SUBJECT: Text Amendments to Section 150.143 of Village Code: Contractor Registration

SUBMITTED BY: William J. Heniff, AICP, Director of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

The Lombard Board of Building Appeals (BOBA) undertook a review of code provisions and policy documents relative to contractor registration at their November 6, 2019 meeting. This effort was undertaken as a result of changes to the CitizenServe software program as well as an effort to ease any confusion by contractors in the registration process. The proposed amendments change the contractor registration period from a calendar year cycle to a one-year cycle based upon the date of the previously issued registration.

Please place this item on the November 21, 2019 Village Board agenda. BOBA unanimously approval of the Code amendments relative to Chapter 150.143 as it pertains to contractor registration.

Fiscal Impact/Funding Source:

Review (as necessary):

Finance Director _____ Date _____
Village Manager _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development *WJH*

MEETING DATE: November 21, 2019

SUBJECT: **Text Amendments to Section 150.143 of Village Code: Contractor Registration**

The Lombard Board of Building Appeals (BOBA) undertook a review of code provisions and policy documents relative to contractor registration at their November 6, 2019 meeting. This effort was undertaken as a result of changes to the CitizenServe software program as well as an effort to ease any confusion by contractors in the registration process. The proposed amendments change the contractor registration period from a calendar year cycle to a one-year cycle based upon the date of the previously issued registration.

For reference purposes, the redlined version of the proposed amendments is included within the BOBA memorandum as well as the draft ordinance.


ACTION REQUESTED

Please place this item on the November 21, 2019 Village Board agenda. BOBA unanimously approval of the Code amendments relative to Chapter 150.143 as it pertains to contractor registration.



MEMORANDUM

TO: Board of Building Appeals (BOBA) Members

FROM: William J. Heniff, AICP, Director of Community Development 

MEETING DATE: November 6, 2019

SUBJECT: **Text Amendments to Chapter 150.143 of the Village Code:
Contractor Registration Change from Calendar Year to Annual**

Currently, a contractor registration approval is based upon a calendar year format and registrations are valid from January (or whenever they register through the year) through December 31. There is also a half price provision for contractor that register July 1st or after. Staff is recommending changing the current contractor registration ordinance from calendar year period to an annual period (see Attachment 1).

BACKGROUND

With the process of contractor registration being available online now through an automated process on the Village's website, the software makes the change to giving a 12-month registration no matter what month a contractor registers. Staff found that programing varying prices for different times of the year is also an administrative challenge. Lastly, comments back from contractors have supported this change since they get 12 months of being registered no matter what time of the year they register.

Staff also conducted research looking at other Villages to see how they handle contractor registration (see Attachment 2). Included in the staff provided documents is one titled "Contractor Registration Recap 2019" which shows how the surrounding Villages handle contractor registration. While a few still use annual registration, most have switched to using a 12-month registration based on the date the contractor registers.

Staff is also proposing two other minor changes to the contractor registration ordinance. First, remove "communication contractors" since the Village no longer registers communication/low voltage contractors. The NEC (National Electrical Code) has identified voltages under 50 volts as a separate category. That separate category (phone lines, data lines, antennae wire, and similar) is one that no longer requires a permit. If there is no permit required for that type work, there is then no need to register the contractors who perform that type work. The second change is simply adding language to state the registration can be done online as well as using a form.

Attachment A
Proposed Amendments to Chapter 150.143 of Village Code

Below are the proposed changes relative to the contractor registration process as described in the memorandum. Additions to the code are underlined and deletions are noted in strikeout.

§ 150.143 - Contractor registration and insurance requirements.

For purposes of this subsection, a contractor is defined as any person or firm performing work as a general contractor, carpenter, electrician, ~~communications contractor~~, plumber, sewer and water contractor, excavator, concrete contractor, roofer, heating ventilation and air conditioning (HVAC) contractor, masonry contractor, iron or steel contractor, lawn sprinkler contractor, fire sprinkler contractor, paver and elevator contractor.

- (A) All contractors, as defined in subsection (A) above, performing work within the village shall be required to apply for and receive contractor registration approval from the village's Community Development Department, Building Division, prior to receiving a building permit and/or commencing contractor activities. Approved ~~contractor~~ registrations shall be effective for ~~the entire calendar year in which the registration is approved. one year from the date of issuance.~~ Contractors shall keep their registration in good standing throughout the year in which they are performing contractor services within the village. ~~The cost for an annual contractor registration shall be \$75.00. A contractor registration fee of \$75.00 shall be required for each calendar year in which the respective while contractor is working within the village, with said fee payable upon submittal of the contractor registration application form. If a contractor submits a contractor registration application form after July 1 of a given year, the registration fee will be one half of the full registration fee.~~
- (B) Along with ~~completing the contractor registration online or completing the a-completed~~ contractor registration form, all contractors must place on file with the Community Development Department, Building Division, an insurance policy to meet or exceed the following: \$300,000.00 single limit manufacturers and contractors general liability. The insurance requirement provisions shall not apply to any contractors who are required to be licensed and/or regulated pursuant to the preemption powers of the State of Illinois in the Illinois Compiled Statutes.

(Ord. 2561, passed 10-28-82; Am. Ord. 3150, passed 4-20-89; Ord. 6580, passed 2/3/11; Ord. 6717, passed 5/3/12)

Westmont	\$50.00	Registration Date	Failure to arrange inspections or remedy non-compliance of code related work may result in the termination of this registration and no further work within the Village shall be performed. Registration is valid for one year for the date of registration. An annual registration fee of \$50 per contractor is required. A bond in the penal sum or \$10,000 shall also be required, the condition of the bond being compliant with al ordinances of the village. Contractor fees are nonrefundable.
Wheaton	\$75.00	Registration Date	Registrations under this article shall expire one year from the date of issuance or upon cancellation of the required bond. Registrations are not transferable. In the case of a state licensed contractor the expiration of the registration shall coincide with the date of the license. Upon expiration, any and all licenses issued by the city will be renewed as a registration subject to the requirements of this division.
Winfield	\$250.00/\$125.00	Annually	All registrations shall be valid until January 31st of the year following initial issuance.
Wood Dale	\$100.00	Registration Date	Application: Registration shall occur annually and on the forms provided by the Development Administrator requiring. Expiration of Registration: A contractor's registration shall expire after one year from the date of acceptance of the registration by the Community Development Department. (Ord. O-18-025, 7-19-2018)

ORDINANCE _____

**AN ORDINANCE AMENDING TITLE XV, CHAPTER 150, SECTION 150.143
OF THE LOMBARD VILLAGE CODE**

(Contractor Registration)

WHEREAS, the Lombard Board of Building Appeals met on November 6, 2019, to consider the Village Code amendments pertaining to contractor registration requirements as set forth below; and,

WHEREAS, the Lombard Board of Building Appeals has also filed their recommendations with the President and Village Board of Trustees, recommending approval of the Village Code amendments set forth below;

WHEREAS, the President and Board of Trustees approve and adopt the recommendations of the Lombard Board of Building Appeals as fully set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That Title XV, Chapter 150, Section 150.143 (A) and (B) of the Lombard Village Code is hereby amended to read in its entirety as follows:

§ 150.143 - Contractor registration and insurance requirements.

For purposes of this subsection, a contractor is defined as any person or firm performing work as a general contractor, carpenter, electrician, plumber, sewer and water contractor, excavator, concrete contractor, roofer, heating ventilation and air conditioning (HVAC) contractor, masonry contractor, iron or steel contractor, lawn sprinkler contractor, fire sprinkler contractor, paver and elevator contractor.

- (A) All contractors, as defined in subsection (A) above, performing work within the Village shall be required to apply for and receive contractor registration approval from the Village's Community Development Department, Building Division, prior to receiving a building permit and/or commencing contractor activities. Approved contractor registrations shall be effective for one year from the date of issuance. Contractors shall keep their registration in good standing throughout the year in which they are performing contractor services within the Village. The cost for an annual contractor registration shall be \$75.00.
- (B) Along with completing the contractor registration online or completing the contractor registration form, all contractors must place on file with the Community Development Department, Building Division, an insurance policy to meet or exceed the following: \$300,000.00 single limit manufacturers and contractor's general liability. The insurance requirement provisions shall not apply to any contractors who are required to be licensed and/or regulated pursuant to the preemption powers of the State of Illinois in the Illinois Compiled Statutes.

(Ord. 2561, passed 10-28-82; Am. Ord. 3150, passed 4-20-89; Ord. 6580, passed 2/3/11; Ord. 6717, passed 5/3/12)

SECTION 2: That this Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this ____ day of _____, 2019.

First reading waived by action of the Board of Trustees this ____ day of _____, 2019.

Passed on second reading this ____ day of _____, 2019, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this ____ day of _____, 2019.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published by me in pamphlet from this ____ day of _____, 2019.

Sharon Kuderna, Village Clerk