

1205 supervision of a certified craftsman on the job site as provided in section 6-186(b). It is the  
1206 employing contractor's responsibility to provide certified craftsmen on each job site, and  
1207 failure to do so is a violation of this article. It is also unlawful and a violation of this article  
1208 for any person not possessing a valid craftsman certificate issued by the city to represent  
1209 himself/herself as holding one, or to do any work requiring one except under the direct  
1210 supervision of a certified craftsman. This article applies only to the trades, crafts and  
1211 contractors specifically provided for in this section.

1212 ~~(b) Electrical construction:~~

1213 ~~(1) Scope. For purposes of this article, "electrical construction" means the practice,~~  
1214 ~~materials and equipment used in the installation, maintenance, extension and~~  
1215 ~~alterations of a system of electrical wiring for light, heat, fire alarm systems, burglar~~  
1216 ~~alarm systems or power and all appurtenances thereto, and all apparatus and~~  
1217 ~~equipment used in connection therewith, within or adjacent to any building or~~  
1218 ~~structure, excluding:~~

1219 ~~a. A wiring and electrical system in an elevator installation located beyond the~~  
1220 ~~elevator disconnect switch;~~

1221 ~~b. Wiring and equipment in a signaling, public address or communications system~~  
1222 ~~located beyond the branch circuit serving the equipment;~~

1223 ~~c. Low voltage control wiring and an electrical system within an air conditioning or~~  
1224 ~~heating system and similar equipment, which wiring or system constituted the~~  
1225 ~~original equipment installed by the manufacturer.~~

1226 ~~(2) Certificate of competency required. It is unlawful for any person required by subsection~~  
1227 ~~(a) to have a craftsman certificate to engage in the trade of electrician or to do~~  
1228 ~~electrical construction for others unless he/she holds a valid craftsman certificate~~  
1229 ~~issued by the city or state as a master, residential journeyman or journeyman~~  
1230 ~~electrician. It is unlawful for any person to engage in the business of electrical~~  
1231 ~~contractor unless he/she holds a valid contractor certificate in that category issued by~~  
1232 ~~the city or by the state.~~

1233 ~~(c) Plumbing:~~

1234 ~~(1) Scope. For purposes of this article, "plumbing" means the practice, materials and~~  
1235 ~~equipment used in the installation, repair, maintenance, extension and alteration of all~~  
1236 ~~pipng, fixtures, appliance and appurtenances in connection with a sanitary or storm~~  
1237 ~~drainage facility, venting of a sewerage system, a liquid waste and a sewage disposal~~  
1238 ~~system, and a water supply system, within or adjacent to any building or structure,~~  
1239 ~~excluding:~~

1240 ~~a. The extension or installation of collector and distribution lines (not including~~  
1241 ~~lateral lines or lines serving only individual buildings or structures) of a sanitary or~~  
1242 ~~storm drainage system and a water supply system;~~

- 1243           b. ~~Piping and water circulation equipment in a swimming pool, exclusive of the~~  
1244           ~~connections to a public water supply or sewerage system;~~
- 1245           c. ~~Fire sprinkler piping, fire hose cabinets and standpipes for fire protection purposes~~  
1246           ~~only.~~
- 1247           ~~(2) Certificate of competency required. It is unlawful for any person required by subsection~~  
1248           ~~(a) to have a craftsman certificate to engage in the trade of plumber or to do plumbing~~  
1249           ~~work for others unless he/she holds a valid craftsman certificate, issued by the city, as~~  
1250           ~~a master or journeyman plumber. It is unlawful for any person to engage in the~~  
1251           ~~business of plumbing contractor who does not hold a valid contractor certificate in~~  
1252           ~~that category issued by the city or the state.~~
- 1253           ~~(3) Drain and sewer cleaner contractor. Notwithstanding other provisions of this section,~~  
1254           ~~the building official shall:~~
- 1255           a. ~~Establish a certificate of competency classification to be known as drain and sewer~~  
1256           ~~cleaner contractor and certify persons in such classification as qualified to perform~~  
1257           ~~the work required for the cleaning, unstopping and rodding out of drains and~~  
1258           ~~sewers, provided the work is done through established cleanout plugs or vents~~  
1259           ~~and does not involve breaking into pipes, removal of fixtures or other disturbance~~  
1260           ~~to the drainage piping and system;~~
- 1261           b. ~~Adopt rules to regulate the issuance, suspension and revocation of certificates of~~  
1262           ~~competency, including the requirement for an examination, the payment of~~  
1263           ~~reasonable fees not to exceed those applicable to journeyman craftsmen, the~~  
1264           ~~issuance of temporary certificates, and other regulations found necessary by the~~  
1265           ~~building official to administer this subsection (c)(3);~~
- 1266           c. ~~Issue temporary certificates of competency for plumbing journeyman, provided~~  
1267           ~~applications for the certificates shall be endorsed by the qualifying agent of a~~  
1268           ~~certified plumbing contractor who shall be responsible for all work done under the~~  
1269           ~~temporary certificate and the person to whom the certificate is issued has applied~~  
1270           ~~for the next regular examination for plumbing journeyman. Temporary certificates~~  
1271           ~~of competency for plumbing journeyman shall only be valid while the holder~~  
1272           ~~thereof is in the employ of the sponsoring plumbing contractor and until the next~~  
1273           ~~examination in such category.~~
- 1274           ~~(d) Heating, air conditioning, refrigeration and ventilation:~~
- 1275           ~~(1) Scope. For the purpose of this article, "heating, air conditioning, refrigeration and~~  
1276           ~~ventilation," to be noted herein as HARV, shall include the practice, materials and~~  
1277           ~~equipment used in the installation, repair, maintenance, extension and alteration of all~~  
1278           ~~appliances and appurtenances in connection with a heating, air conditioning,~~  
1279           ~~refrigeration and ventilation system, within or adjacent to any building or structure~~  
1280           ~~excluding:~~

- 1281 a. ~~Factory-built appliances such as window air conditioners, prefab fireplaces, wood~~  
 1282 ~~stoves, domestic refrigerators, kitchen ranges, space heaters, portable fans and~~  
 1283 ~~other apparatus which is not normally included in the permanent construction of~~  
 1284 ~~a dwelling;~~
- 1285 b. ~~Electrical radiant heating systems, electrical household appliances, electrical~~  
 1286 ~~construction beyond the point of connection of HARV machinery to the electrical~~  
 1287 ~~disconnect;~~
- 1288 c. ~~Any part of a plumbing system beyond the point of connection of HARV machinery~~  
 1289 ~~to a water supply outlet or the discharge of HARV machinery drainage into an~~  
 1290 ~~indirect waste disposal outlet;~~
- 1291 d. ~~Water heaters unless such water heater and all hot water or steam lines~~  
 1292 ~~connected thereto are a part of the heating system and are not for domestic use;~~
- 1293 e. ~~Fire sprinkler and all piping of any fire protection system;~~
- 1294 f. ~~Gas piping not within a HARV system;~~
- 1295 g. ~~Any construction or installations included with the scope of electrical contractor~~  
 1296 ~~or plumbing contractor as provided in subsections (b) and (c).~~
- 1297 (2) ~~Trade classifications.~~ The following classifications of HARV are established:
- 1298 a. ~~Class A air conditioning contractor shall mean any person whose services are~~  
 1299 ~~unlimited in the execution of contracts requiring the experience, knowledge, and~~  
 1300 ~~skill to perform the following: Installing, maintaining, repairing, fabricating,~~  
 1301 ~~altering, extending or designing, when not prohibited by law, central air~~  
 1302 ~~conditioning, refrigeration, heating, and ventilation, including duct work in~~  
 1303 ~~connection with a complete system only to the extent the ductwork performed by~~  
 1304 ~~the contractor is necessary to make complete an air distribution system, boiler~~  
 1305 ~~and unfired pressure vessel systems, and all appurtenances, apparatus, or~~  
 1306 ~~equipment used in connection therewith; also piping, insulation of pipes, vessels~~  
 1307 ~~and ducts, pressure and process piping, pneumatic control piping, and installation~~  
 1308 ~~of a condensate drain from an air conditioning unit to an existing safe waste or~~  
 1309 ~~other approved disposal other than a direct connection to a sanitary system, all in~~  
 1310 ~~such a manner as to comply with all plans, specifications, codes, laws, and~~  
 1311 ~~regulations applicable thereto. The scope of work for the contractor shall also~~  
 1312 ~~include any excavation incidental thereto but shall not include any work on lines~~  
 1313 ~~such as liquefied petroleum or natural gas fuel lines within buildings, potable~~  
 1314 ~~water lines, or connections thereto, sanitary sewer lines, swimming pool piping~~  
 1315 ~~and filters, and electrical power wiring.~~
- 1316 b. ~~Class B air conditioning contractor shall mean any person whose services are~~  
 1317 ~~limited to twenty five (25) tons cooling and five hundred thousand (500,000) Btu—~~  
 1318 ~~heating (in any one system) in the execution of contracts requiring the~~  
 1319 ~~experience, knowledge, and skill to perform the following: Installing, maintaining~~

1320 and repairing, fabricating, altering, extending or designing when not prohibited by  
1321 law, central air conditioning, refrigeration, heating and ventilating, including duct  
1322 work in connection with a complete system only to the extent such duct work  
1323 performed by the contractor's necessary to make complete an air distribution  
1324 system being installed under this classification; also piping, insulation of pipes,  
1325 vessels and ducts, and installation of a condensate drain from an air conditioning  
1326 unit to an existing safe disposal or other approved manner of disposal as to  
1327 comply with all plans, specifications, codes, laws, and regulations applicable  
1328 thereto.

1329 ~~e. Class C air conditioning contractor shall mean any person whose business is~~  
1330 ~~limited to the servicing of air conditioning, heating, or refrigeration systems,~~  
1331 ~~including duct alterations in connection with those systems being serviced.~~

1332 ~~d. Mechanical contractor shall mean any person whose services are unlimited in the~~  
1333 ~~execution of contracts requiring the experience, knowledge, and skill to perform~~  
1334 ~~the following: Installing, maintaining, repairing, fabricating, altering, extending or~~  
1335 ~~designing, when not prohibited by law, central air conditioning, refrigeration,~~  
1336 ~~heating and ventilating, including duct work in connection with a complete system~~  
1337 ~~only to the extent the duct work performed by the contractor is necessary to~~  
1338 ~~make complete an air distribution system, boiler and unfired pressure vessel~~  
1339 ~~systems, lift station equipment and piping and all appurtenances, apparatus, or~~  
1340 ~~equipment used in connection therewith; also piping, insulation of pipes, vessels~~  
1341 ~~and ducts, pressure and process piping, pneumatic control piping, gasoline tanks~~  
1342 ~~and pump installation and piping for same, fire sprinkling systems and standpipes,~~  
1343 ~~air piping, vacuum line piping, oxygen lines, nitrous oxide piping, ink and chemical~~  
1344 ~~lines, fuel transmission lines, and installation of a condensate drain from an air~~  
1345 ~~conditioning unit to an existing safe waste or other approved disposal other than a~~  
1346 ~~direct connection to a sanitary system, all in such a manner as to comply with all~~  
1347 ~~plans, specifications, codes, laws, and regulations applicable thereto. The scope of~~  
1348 ~~work for the contractor shall also include any excavation work incidental thereto,~~  
1349 ~~but shall not include any work on lines such as liquefied petroleum or natural gas~~  
1350 ~~fuel lines within buildings, potable water lines or connection thereto, sanitary~~  
1351 ~~sewer lines, swimming pool piping and filters, and electrical power wiring.~~

1352 ~~(3) Certificate of competency required. It is unlawful for any person required by subsection~~  
1353 ~~(a) to have a craftsman certificate to engage in the trade of a HARV mechanic or to do~~  
1354 ~~HARV work for others unless he/she holds a valid craftsman certificate, issued by the~~  
1355 ~~city, as a master or journeyman HARV mechanic in the appropriate classification. It is~~  
1356 ~~unlawful for any person to engage in the business of a HARV contractor who does not~~  
1357 ~~hold a valid contractor certificate in the category and classification issued by the city or~~  
1358 ~~by the state.~~

1359 ~~(e) Contractor.~~

1360 ~~(1) Scope. For the purpose of this article, the construction and home improvement~~  
1361 ~~industries are significant industries. Such industries may pose significant harm to the~~  
1362 ~~public when incompetent or dishonest contractors provide unsafe, unstable, or short-~~  
1363 ~~lived products or services. Therefore, it is necessary in the interest of the public health,~~  
1364 ~~safety and welfare to regulate the construction industry which shall include:~~

1365 ~~a. General contractor, whose services are unlimited as to the type of work which~~  
1366 ~~he/she may do, except by other types of certification by state.~~

1367 ~~b. Building contractor, which means a contractor whose services are limited to~~  
1368 ~~construction of commercial building and single dwelling or multiple dwelling,~~  
1369 ~~residential buildings, which commercial or residential buildings do not exceed~~  
1370 ~~three stories in height and accessory use structures in connection therewith, or a~~  
1371 ~~contractor whose services are limited to remodeling, repair, or improvement of~~  
1372 ~~any size building if the services do not affect the structural members of the~~  
1373 ~~building.~~

1374 ~~c. Residential contractor, which means a contractor whose services are limited to~~  
1375 ~~construction, remodeling, repair or improvement of one family, two family or~~  
1376 ~~three family residences not exceeding two stories in height and accessory use~~  
1377 ~~structures in connection therewith.~~

1378 ~~(2) Certificate of competency required. It is unlawful for any person required by subsection~~  
1379 ~~(a) to have a craftsman certificate to engage in the trade of construction or to do~~  
1380 ~~construction work for others unless he/she holds a valid contractor certificate, issued~~  
1381 ~~by the city or state. It is unlawful for any person to engage in the business of~~  
1382 ~~construction unless he/she holds a valid contractor certificate in that category issued~~  
1383 ~~by the city or by the state.~~

1384 ~~Sec. 6-186. Responsibilities of certified craftsman.~~

1385 ~~(a) Disallow use of name to obtain permit for unlawful work. It is unlawful for any contractor~~  
1386 ~~or master craftsman to allow his/her name to be used to obtain permits for work:~~

1387 ~~(1) Which is to be done by anyone who is not a bona fide employee of the contractor or~~  
1388 ~~master craftsman or of the entity for which the contractor or master craftsman works~~  
1389 ~~full time; or~~

1390 ~~(2) Which is not done under the supervision of the contractor or master craftsman.~~

1391 ~~(b) Lawful work by lawful craftsman. It is the responsibility of the contractor or master~~  
1392 ~~craftsman obtaining a permit under his/her name to ensure that:~~

1393 ~~(1) Work done under the permit complies with the law and regulations related to the work;~~

1394 ~~(2) The work is done by craftsmen holding valid certificates where required; for this~~  
1395 ~~purpose, a certified craftsman is deemed to do the work if he/she is in direct charge of~~  
1396 ~~the work, is continuously present on the site where the work is being done, and is~~  
1397 ~~assisted by no more than four helpers.~~

1398 ~~(c) Performance of work under improper or no permit declared unlawful. It is unlawful for any~~  
1399 ~~contractor, master or journeyman craftsman:~~

1400 ~~(1) To do or assist in work for which a permit has been issued to any owner;~~

1401 ~~(2) To do work for which no permit has been issued where required.~~

1402 ~~(d) Registration of employer. Each contractor and master craftsman serving as a qualifying~~  
1403 ~~agent shall register with the building official the name and place of business of his/her full-~~  
1404 ~~time employer. No contractor or master craftsman serving as a qualifying agent shall serve~~  
1405 ~~in that capacity more than one employer at a time. No master craftsman shall serve as~~  
1406 ~~qualifying agent for more than two contractors in any 12-month period.~~

1407 ~~(e) Notification of change in employment. Each contractor or master craftsman serving as a~~  
1408 ~~qualifying agent shall promptly notify the building official of a change in employment. If a~~  
1409 ~~contractor has obtained a permit for work to be done under the supervision of a master~~  
1410 ~~craftsman who later leaves the contractor's employ, work authorized by the permit may be~~  
1411 ~~done by qualified journeyman craftsmen, notwithstanding the lack of supervision by a~~  
1412 ~~master craftsman, but only as provided in section 6-190(b).~~

1413 ~~(f) Qualifying agent generally. Where a master craftsman has notified the building official, by~~  
1414 ~~endorsement of an application for a contractor's certificate or otherwise, that he/she is~~  
1415 ~~serving a contractor as qualifying agent, the master craftsman shall be held responsible~~  
1416 ~~under this Code for ensuring that all work done by the contractor is in compliance with all~~  
1417 ~~provisions of this Code applicable thereto. A qualifying agent is required to keep~~  
1418 ~~himself/herself informed of the status of work being performed by his/her employing~~  
1419 ~~contractor and to carry out the responsibilities delineated by this section. It is the express~~  
1420 ~~intent of these regulations that a master craftsman serving as a qualifying agent will be~~  
1421 ~~physically capable of carrying out his/her responsibilities at all times while employed in~~  
1422 ~~that capacity.~~

1423 ~~Sec. 6-187. Certificates for journeymen.~~

1424 ~~A certificate for a journeyman, may be obtained in the following manner:~~

1425 ~~(1) Application. The applicant shall apply on a form prescribed by the building official. The~~  
1426 ~~supporting papers shall be maintained as a permanent record as long as the certificate~~  
1427 ~~issued thereon is valid.~~

1428 ~~(2) Journeyman certificate. To be eligible for a journeyman certificate, the applicant shall~~  
1429 ~~have and shall include in his/her application evidence of at least three years of~~  
1430 ~~practical experience as an apprentice or helper in the trade or craft concerned.~~

1431 ~~(3) Time of application. To be eligible for a particular examination, an applicant must file~~  
1432 ~~his/her application with the building official at least 30 days before the date of the~~  
1433 ~~examination.~~

1434 ~~(4) Fee. Each application for a certificate shall be accompanied by a receipt evidencing~~  
1435 ~~payment of an application processing fee as provided in Appendix A. Fees are not~~  
1436 ~~refundable.~~

1437 ~~(5) Examination. Except as provided in subsection (7) for temporary certificates, each~~  
1438 ~~applicant shall successfully pass an examination as provided in section 6-188.~~

1439 ~~(6) Reciprocity of certificate.~~

1440 ~~a. The building official shall recognize certificates of competency for journeymen~~  
1441 ~~issued by another county or municipality when the applicant:~~

1442 ~~1. Submits an application for reciprocity of the certificate and pays the~~  
1443 ~~application fee as provided in Appendix A.~~

1444 ~~2. Meets the same requirements as an applicant for examination; and~~

1445 ~~3. Files a copy of the applicant's original application to the government agent~~  
1446 ~~administering the examination.~~

1447 ~~b. The building official shall verify with the testing agency that the applicant has been~~  
1448 ~~tested, graded and proctored by the professional testing and grading firm.~~

1449 ~~c. The building official shall issue a certificate to all craftsmen that have been issued~~  
1450 ~~a state certification.~~

1451 ~~(7) Temporary certificate. The building official may issue a temporary certificate~~  
1452 ~~authorizing work in the capacity of a journeyman to a person who:~~

1453 ~~a. Has applied for the next examination for journeyman and such examination is~~  
1454 ~~scheduled 45 or more days from the date application for the temporary certificate~~  
1455 ~~is filed with the board; and~~

1456 ~~b. Possesses a current license or certificate as a journeyman which:~~

1457 ~~1. Is issued by any state, county or city in the United States; and~~

1458 ~~2. Certifies that the holder has passed a comparable examination and has been~~  
1459 ~~found competent to perform the work of a journeyman; and~~

1460 ~~c. Files with the building official a written request for a temporary certificate, made~~  
1461 ~~by the applicant's employing contractor.~~

1462 ~~Failure to take or pass the examination applied for automatically~~  
1463 ~~terminates a temporary certificate. The employing contractor shall~~  
1464 ~~promptly return terminated temporary certificates to the building official.~~

1465 ~~Sec. 6-188. Examination of journeymen.~~

1466 ~~(a) Required schedule. The building official shall post a schedule of examinations in the office~~  
1467 ~~of the building codes and standards division.~~

- 1468 ~~(b) *Testing agency.* The building official shall employ consultants or professional testing~~  
1469 ~~agencies experienced in the administration of similar examinations to prepare, conduct~~  
1470 ~~and grade examinations. Prior to administration of an examination, the level of~~  
1471 ~~competency and type of examination shall be approved by the building official.~~
- 1472 ~~(c) *Type.* Each applicant shall be examined by an objective written test. All examinations given~~  
1473 ~~in any category at the same time shall be identical and graded on the same point system.~~
- 1474 ~~(d) *Passing grade.* The total passing grade for every examination is at least 75 percent. An~~  
1475 ~~applicant taking an examination for the second time and scoring less than 50 percent is not~~  
1476 ~~eligible for the next regular examination in the same category, but may apply for any~~  
1477 ~~succeeding examination.~~
- 1478 ~~(e) *Subjects.* All examinations shall test knowledge of such portions of the Code and other~~  
1479 ~~laws, rules and principles as are relevant to the trade or craft concerned. Journeyman~~  
1480 ~~examinations shall be practical and elementary, but sufficiently strict to test the applicant's~~  
1481 ~~ability to install, erect and perform the work necessary to make a safe, complete and~~  
1482 ~~adequate installation of the type of construction or installation done by the trade or craft~~  
1483 ~~concerned.~~
- 1484 ~~(f) *Format.* The written portion of the journeyman's examination shall be multiple-choice, fill-~~  
1485 ~~in or true-false character, or may include, or consist of, diagrams, plans or sketches upon or~~  
1486 ~~in connection with which the applicant is required to demonstrate his/her knowledge of~~  
1487 ~~circuits, installation or the like by answering the true-false, multiple-choice or one word fill-~~  
1488 ~~in questions keyed to the diagrams, plans or sketches. If an open book testing technique is~~  
1489 ~~used, questions may provide for multiple-choice, true-false, matching, completion, or~~  
1490 ~~mathematical responses, or may require the completion of plans, sketches or diagrams.~~
- 1491 ~~(g) *Identity of applicant to grader.* Each test paper shall identify the applicant only by a~~  
1492 ~~number assigned by the building official. The building official shall ensure that the grader~~  
1493 ~~has no knowledge of any applicant's identity.~~
- 1494 ~~Sec. 6-189. Correction of errors in certificate issuing process.~~

- 1495 ~~(a) *Error resulting in issuance.* If the building official determines that a contractor or craftsman~~  
1496 ~~certificate has been issued or is outstanding because of error of law or of fact, or because~~  
1497 ~~of administrative error, the building official may revoke or correct the certificate, after~~  
1498 ~~written notice to the certificate holder and a reasonable opportunity for him/her to be~~  
1499 ~~heard, but without charges, findings or other formal requirements. Failure to return a~~  
1500 ~~revoked certificate or to deliver a certificate for correction to the building official upon~~  
1501 ~~demand is an offense against the city.~~
- 1502 ~~(b) *Error resulting in denial.* The building official may correct an error of law or of fact, or an~~  
1503 ~~administrative error, which resulted in the denial of an application for a craftsman~~  
1504 ~~certificate.~~



1505 ~~Sec. 6-190. Contractor certificate holders maintaining qualifications; revocation or suspension~~  
1506 ~~upon failure to maintain.~~

1507 ~~(a) Generally. Except as provided in subsection (b), whenever the holder of a contractor~~  
1508 ~~certificate fails to maintain one or more of the qualifications required for the issuance of a~~  
1509 ~~certificate, he/she shall within five days report his/her lack of qualifications to the building~~  
1510 ~~official. The certificate is automatically suspended from the date on which the holder first~~  
1511 ~~failed to maintain all of the required qualifications until he/she reestablishes his/her~~  
1512 ~~qualifications. In lieu of suspension and on request of the holder, the building official may~~  
1513 ~~declare the certificate inactive for a stated period of time. Suspended certificates under~~  
1514 ~~this section become invalid after one year and shall not thereafter be renewed.~~

1515 ~~(b) Failure to have a qualifying agent. If a contractor fails to have a required qualifying agent~~  
1516 ~~for a period of 30 consecutive days, his/her contractor certificate is automatically~~  
1517 ~~suspended. During the 30-day period, the contractor may complete any work for which all~~  
1518 ~~permits have been issued prior to the loss of the agent, but he/she may not obtain any new~~  
1519 ~~permits or contract for new work. Upon suspension, the contractor shall cease all work.~~  
1520 ~~Until a suspended certificate becomes invalid under subsection (a), but not thereafter,~~  
1521 ~~suspension automatically terminates when the contractor again acquires a qualifying~~  
1522 ~~agent.~~

1523 ~~(c) Termination of bond. If the surety bond required by section 6-181 is terminated for any~~  
1524 ~~reason, the contractor certificate is suspended as of effective date of termination. The~~  
1525 ~~contractor shall cease all work upon suspension. Until a suspended certificate becomes~~  
1526 ~~invalid under subsection (a) but not thereafter, suspension automatically terminates when~~  
1527 ~~the contractor again files evidence of bond with the building official.~~

1528 ~~Sec. 6-191. Revocation or suspension of certificate of competency.~~

1529 ~~(a) Grounds. The city manager or designee may suspend or revoke the certificate of~~  
1530 ~~competency of a contractor or craftsman who is found guilty by the city manager or~~  
1531 ~~designee of any of the following:~~

1532 ~~(1) Willful violation of this article or any ordinance or regulation of the city related to work~~  
1533 ~~included under the certificate;~~

1534 ~~(2) Fraud or deceit in the obtaining or renewal of a license or certificate of competency;~~

1535 ~~(3) Negligence, incompetency or misconduct in the trade or craft covered by the~~  
1536 ~~certificate; or~~

1537 ~~(4) Misapplication of funds or property received for prosecution or completion of specific~~  
1538 ~~work if as a result the certificate holder is unable to fulfill the terms of his/her~~  
1539 ~~obligation for the work.~~

1540 ~~(b) Public hearing. Any interested party may file with the city manager or designee written~~  
1541 ~~charges against a certificate holder alleging a ground for disciplinary action listed in~~

1542 subsection (a). If the charges state a proper basis for inquiry, the city manager or designee  
1543 shall hold a public hearing to inquire into the facts upon which the charges are based. The  
1544 public hearing shall be held only after at least ten days' written notice of the time and  
1545 place of the hearing to the certificate holder against whom the charges are made and to  
1546 the person filing the charges. Notice to the certificate holder shall be given by certified mail  
1547 to his/her last address known to the city manager or designee and shall include a brief  
1548 description of the charges.

1549 ~~(c) *Record of hearing.* The administrative hearing of charges shall be open to the public. The~~  
1550 ~~city manager or designee shall keep a record of those testifying, but need not record the~~  
1551 ~~testimony given. All proceedings and testimony at the hearing may be recorded by any~~  
1552 ~~party at his/her own expense.~~

1553 ~~(d) *Evidence.* The hearing need not be conducted according to technical rules relating to~~  
1554 ~~evidence and witnesses. Any relevant evidence shall be admitted if the city manager or~~  
1555 ~~designee finds it competent and reliable, regardless of the existence of any common law or~~  
1556 ~~statutory rule which might make improper the admission of the evidence. Hearsay~~  
1557 ~~evidence may be used for the purpose of supplementing or explaining any direct evidence~~  
1558 ~~but shall not be sufficient in itself to support a finding unless it would be admissible in civil~~  
1559 ~~actions. The rules of privilege shall be effective to the same extent that they are then~~  
1560 ~~recognized in civil actions. Irrelevant and unduly repetitious evidence shall be excluded.~~

1561 ~~(e) *Right of parties.* Each party shall have the following rights: To call and examine witnesses;~~  
1562 ~~to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the~~  
1563 ~~issues even though that matter was not covered in the direct examination; to impeach any~~  
1564 ~~witness regardless of which party first called the witness to testify; and to rebut the~~  
1565 ~~evidence against the witness.~~

1566 ~~(f) *Decision.* The city manager or designee shall render a decision during open hearing and~~  
1567 ~~shall within five days after the close of the hearing provide a written decision to the~~  
1568 ~~certificate holder and the party filing the charges. The decision may be:~~

1569 ~~(1) Not guilty;~~

1570 ~~(2) Suspension of the certificate, stating conditions prescribed for lifting suspension or~~  
1571 ~~date of expiration of suspension; the decision to revoke or suspend a master craftsman~~  
1572 ~~certificate shall include a decision to issue or not issue a journeyman craftsman~~  
1573 ~~certificate to replace the revoked or suspended certificate;~~

1574 ~~(3) Revocation of the certificate, stating the effective date; or~~

1575 ~~(4) Official letter or reprimand, to become a part of the certificate for three years.~~

1576 ~~(g) *Return of certificate.* Failure to return a revoked or suspended certificate to the building~~  
1577 ~~official upon demand is an offense against the city.~~

1578 ~~Sec. 6-192. Enforcement, interpretation, appeals and judicial review.~~

1579 ~~(a) Enforcement and interpretation. It shall be the duty of the building official of the building~~  
1580 ~~codes and standards division to interpret and enforce the provisions of this article as~~  
1581 ~~related to the activities of contractors and craftsmen regulated herein.~~

1582 ~~(b) Appeal to the board. Where it is alleged there is error in any order, requirement, decision~~  
1583 ~~or determination made by the building official in the interpretation or enforcement of this~~  
1584 ~~article, an appeal may be made to the city manager or designee who shall conduct a~~  
1585 ~~hearing into the matter in the same manner as provided in section 6-191 for other~~  
1586 ~~hearings. Following the hearing, the city manager or designee shall notify the applicant and~~  
1587 ~~the building official of the decision.~~

1588 ~~(c) Judicial review. Judicial review shall be as provided by law.~~

1589 ~~Sec. 6-193. Certificates nontransferable; renewal.~~

1590 ~~(a) Contractor certificates and craftsman certificates are nontransferable and expire on the~~  
1591 ~~last day of September of either even or odd numbered years depending on last name, as~~  
1592 ~~set out in Appendix A. The building official shall renew certificates upon request and~~  
1593 ~~payment of the applicable renewal fee in accordance with the schedule set out in Appendix~~  
1594 ~~A.~~

1595 ~~(b) The payment of a certificate renewal fee is required in addition to and is wholly unrelated~~  
1596 ~~to any business tax receipt fee required by another ordinance of the city.~~

1597 ~~Sec. 6-193.1. Late renewal.~~

1598 ~~Certificates of competency shall be renewed annually within 90 days of the~~  
1599 ~~expiration date contained thereon. Certificates not renewed within the 90-day period~~  
1600 ~~may be renewed as follows:~~

1601 ~~(1) Renewal within one year. Certificates may be renewed by the building official after the~~  
1602 ~~90-day period provided:~~

1603 ~~a. Application for renewal is made to the building official within one year after the~~  
1604 ~~expiration date;~~

1605 ~~b. The building official, upon review of the applicant finds good cause for the failure~~  
1606 ~~to renew;~~

1607 ~~c. The certificate holder pays the renewal fee and the late renewal fee.~~

1608 ~~Should the building official refuse to renew the certificate, it shall not be~~  
1609 ~~renewed without examination. The applicant before examination may~~  
1610 ~~appeal the matter within 30 days to the building official to review the~~  
1611 ~~application and recommend appropriate action.~~

1612 ~~(2) Renewal after one year. Contractor certificates expired longer than one year shall not~~  
1613 ~~be renewed. Persons with such certificates must obtain the appropriate license from~~  
1614 ~~the state prior to working in the city.~~

1615 ~~Sec. 6 194. Reserved.~~

1616 ~~Sec. 6 195. Violations; penalties.~~

1617 ~~It is unlawful for any person to violate a provision of this article or fail to comply~~  
1618 ~~therewith. The proprietor, all partners, and all directors of any firm or corporation are~~  
1619 ~~responsible for the acts of their respective agents and employees, and it shall be an~~  
1620 ~~offense against the city for any such proprietor, partner or director to cause, or to~~  
1621 ~~knowingly suffer or permit, his/her agent or employee to violate a provision of this~~  
1622 ~~article or fail to comply therewith.~~

1623 ~~Sec. 6 196. Reserved.~~

1624 ~~Secs. 6 197 6 210. Reserved.~~

1625 ~~DIVISION 2. RESERVED~~

1626

1627 ~~ARTICLE IX. DOWNTOWN MINIMUM PROPERTY STANDARDS~~

1628 ~~Sec. 6 231. Title.~~

1629 ~~The provisions of this article shall be known and cited as the "Downtown~~  
1630 ~~Minimum Property Standards Ordinance."~~

1631 ~~Sec. 6 232. Purpose.~~

1632 ~~The purpose of this article is to promote the general health, safety and welfare~~  
1633 ~~of citizens through elimination of slum and blighted conditions, improvement of the~~  
1634 ~~aesthetic characteristics, and enhancement of the public accessibility, use, and~~  
1635 ~~awareness of the Central City District. This article governs the maintenance and upkeep~~  
1636 ~~of vacant lots and exterior building surfaces, the cleanliness of public rights of way, the~~  
1637 ~~repair or improvement of existing structures, and new construction. The provisions of~~  
1638 ~~this article are in addition to any other applicable building construction and~~  
1639 ~~maintenance standards.~~

1640 ~~Sec. 6 233. Application.~~

1641                    ~~The downtown minimum property standards ordinance applies to all properties~~  
1642                    ~~zoned Central City District (CCD) in accordance with section 30-66 of the Land~~  
1643                    ~~Development Code.~~

1644                    ~~All detached single family dwellings within the Central City District shall be~~  
1645                    ~~exempt from the provisions of this article.~~

1646                    ~~Sec. 6-234. Standards for public rights of way and sidewalks.~~

1647                    ~~(a) The owner of each lot or parcel adjoining public sidewalks shall maintain the sidewalks free~~  
1648                    ~~of litter and debris.~~

1649                    ~~(b) Establishments permitting the consumption or sale of alcoholic beverages shall maintain~~  
1650                    ~~the sidewalks, curbs, and gutters free of litter and debris within 100 linear feet of the~~  
1651                    ~~establishment's entrance(s) or exit(s) customarily used by the public.~~

1652                    ~~Sec. 6-235. Standards for private parking lots.~~

1653                    ~~(a) Private parking lots shall be maintained free of litter and debris; appurtenant lights and~~  
1654                    ~~fences shall be maintained in good repair and in good working order.~~

1655                    ~~(b) Any structure which covers parking spaces or lots shall be maintained in a secure and safe~~  
1656                    ~~condition. Deteriorated or rusted metal coverings shall be repaired or replaced to render~~  
1657                    ~~same in a secure and safe condition.~~

1658                    ~~Sec. 6-236. Standards for yards and landscaped areas.~~

1659                    ~~(a) All unimproved areas not covered by a building, structure, or otherwise devoted to parking,~~  
1660                    ~~service drive, or walkways shall be landscaped with grass, ground cover, shrubbery, trees,~~  
1661                    ~~and/or other living plants.~~

1662                    ~~(b) Any portion of an area which is landscaped, unpaved, or unimproved shall be maintained~~  
1663                    ~~free of litter, debris, trash, or infestation of pests. Any grass or ground cover shall be~~  
1664                    ~~regularly mowed so that it does not exceed 12 inches in height at ground level. All shrubs~~  
1665                    ~~and plants shall be regularly trimmed so that they do not obstruct pedestrian or vehicular~~  
1666                    ~~traffic ways.~~

1667                    ~~Sec. 6-237. Standards for exterior building walls.~~

1668                    ~~Building walls shall be maintained in a secure and safe manner as follows:~~

1669                    ~~(1) All defective structural and decorative elements of such building facades shall be~~  
1670                    ~~removed, replaced, or repaired;~~

1671                    ~~(2) All exterior walls shall have all loose material removed, and patching and resurfacing~~  
1672                    ~~shall match the existing or adjacent surfaces as to materials, color, bond and joinings;~~

1673 ~~(3) All cornices, trim, and window frames that are damaged, sagging, or otherwise~~  
1674 ~~deteriorated shall be removed, repaired, or replaced so that they are structurally~~  
1675 ~~sound and secure;~~

1676 ~~(4) All exposed materials shall be painted, stained, or otherwise treated to protect them~~  
1677 ~~from the elements.~~

1678 ~~Sec. 6-238. Standards for door and window openings.~~

1679 ~~(a) All window and door openings shall be safe and secure. Sashes with rotten wood, broken~~  
1680 ~~joints, or deteriorated mullions or muttons shall be removed, repaired or replaced.~~

1681 ~~(b) All exterior doors and windows shall be maintained in an unbroken and secure condition.~~  
1682 ~~No door or window shall be removed and enclosed, covered, or boarded up unless treated~~  
1683 ~~as an integral part of the building facade, compatible with the design, material, and finish~~  
1684 ~~of the adjoining walls of which the opening is a part. This paragraph shall not apply to the~~  
1685 ~~temporary short term covering or boarding up of windows or doors while undergoing~~  
1686 ~~replacement or repair. However, all damaged or broken doors and windows shall be~~  
1687 ~~restored, repaired, or replaced within 60 days following breakage or damage.~~

1688 ~~(c) The interior of a display window visible from the public right of way shall be free of trash~~  
1689 ~~and debris and shall not be used for the regular storage of materials, goods or supplies.~~

1690 ~~Sec. 6-239. Standards for roofs.~~

1691 ~~All roofs shall be maintained in a secure, safe and watertight condition. Any new~~  
1692 ~~or replaced mechanical equipment placed on a roof shall be located and/or screened so~~  
1693 ~~as to minimize the view of the equipment from public rights of way and the ground~~  
1694 ~~floor of adjoining properties. The roof shall be maintained free of trash, debris, or other~~  
1695 ~~elements which are not a permanent part of the building. Any such trash, debris, or~~  
1696 ~~other elements visible from the public right of way shall be removed within ten days of~~  
1697 ~~notification by a code enforcement official.~~

1698 ~~Sec. 6-240. Standards for accessory and appurtenant structures.~~

1699 ~~(a) Chimneys, elevator shafts, mechanical and electrical equipment devices shall be~~  
1700 ~~maintained in a safe state of repair and the exterior finish of such structures shall consist of~~  
1701 ~~the same material, or be enclosed by screening material which is the same as the exterior~~  
1702 ~~side of the building, or be treated as an integral part of the building facade and compatible~~  
1703 ~~with the design, material, and finish of the adjoining walls.~~

1704 ~~(b) Signs, awnings, canopies, freestanding walls, and fences shall be maintained in good repair~~  
1705 ~~and condition. Deteriorated signs, torn or unsecured awnings or canopies, and any~~  
1706 ~~dilapidated freestanding wall or fence shall be removed, repaired, or replaced.~~

1707 ~~Sec. 6-241. Compliance period.~~

1708           ~~Any other provision of this Code of Ordinances notwithstanding, corrective~~  
1709 ~~action ordered by a code enforcement official shall be commenced within 30 days and~~  
1710 ~~shall be completed within 90 days from the date of written notice of noncompliance,~~  
1711 ~~except where a lesser period of time is provided in this article. Where a time for~~  
1712 ~~completion of corrective action of 30 days or less is provided, the violation may be~~  
1713 ~~enforced using the civil citation process. In addition, all violations of this article may be~~  
1714 ~~enforced by the code enforcement board process. For violations where more than 30~~  
1715 ~~days are provided for completion of corrective action, the code enforcement official~~  
1716 ~~may stay enforcement for a further period of time, not exceeding six months from initial~~  
1717 ~~notice, if the property owner demonstrates with tangible evidence that he/she is taking~~  
1718 ~~affirmative action to abate the violation and requires additional time to accomplish the~~  
1719 ~~abatement.~~

1720 ~~Sec. 6-242. Reserved.~~

1721 ~~Sec. 6-243. City commission review of article.~~

1722           ~~The provisions of this article shall be reviewed by the city commission in~~  
1723 ~~consultation with the downtown redevelopment agency and the downtown owners and~~  
1724 ~~tenants association, not for-profit corporation, within 540 days of final adoption of this~~  
1725 ~~article. The purpose of the review is to determine whether the article is accomplishing~~  
1726 ~~its stated purpose. Upon completion of such review the provisions of this article may be~~  
1727 ~~retained, amended, or repealed. The failure of the city commission to comply strictly~~  
1728 ~~with this section shall not invalidate this article.~~

1729 ~~Sec. 6-244. Penalty.~~

1730           ~~Any person who shall fail to comply with this article shall be subject to penalties~~  
1731 ~~provided in section 1-9 or this Code of Ordinances.~~

1732 ~~APPENDIX A. BUILDING AND FIRE CODE REGULATIONS FOR HISTORIC BUILDINGS~~

1733 ~~Sec. 100. General.~~

1734 ~~100.1. Purpose. The purpose of this standard is to:~~

1735           ~~(a) Provide alternative building regulations for preserving restoring or rehabilitating~~  
1736 ~~historic buildings or structures.~~

1737           ~~(b) Facilitate the restoration or rehabilitation of historic buildings so as to preserve their~~  
1738 ~~original or restored architectural elements and features;~~

1739           ~~(c) Permit a cost effective approach to historic preservation, restoration, and~~  
1740 ~~rehabilitation;~~

1741 ~~(d) Provide for the health safety and welfare of occupants and visitors in qualified historic~~  
1742 ~~buildings;~~

1743 ~~(e) Provide a reasonable means of access to historic buildings for people with physical~~  
1744 ~~disabilities.~~

1745 ~~100.2. Scope. The provisions of this standard are not retroactive.~~

1746 ~~(a) *Qualified buildings.* This standard applies solely to qualified historic buildings:~~

1747 ~~(1) Listed on the National Register of Historic Places;~~

1748 ~~(2) Listed on the Local Register of Historic Places as designated by local ordinance;~~

1749 ~~(3) Included in a district which is listed on a local or national register of historic places,~~  
1750 ~~and which has been determined by the City of Gainesville to contribute to the~~  
1751 ~~historic significance of the district.~~

1752 ~~(b) *Non-qualified buildings.* This standard does not apply to the following:~~

1753 ~~(1) New buildings constructed in a historic district;~~

1754 ~~(2) New additions to historic buildings;~~

1755 ~~(3) Buildings that are reconstructed;~~

1756 ~~(4) Institutional occupancies such as hospitals, nursing homes, mental hospitals,~~  
1757 ~~detoxification facilities, jails, correctional institutions.~~

1758 ~~100.3. Definitions.~~

1759 ~~(1) "Code official" means the official or other designated authority, or their duly~~  
1760 ~~authorized representative, charged with the administration and enforcement of the~~  
1761 ~~prevailing building code(s).~~

1762 ~~(2) "Preservation" is defined as the act or process of applying measures necessary to~~  
1763 ~~sustain the existing form, integrity, and materials of an historic property. Work may~~  
1764 ~~include preliminary measures to protect and stabilize the property, but generally~~  
1765 ~~focuses upon the ongoing maintenance and repair of historic materials. Extensive~~  
1766 ~~change in the form of alterations and additions is not within the scope of this~~  
1767 ~~treatment.~~

1768 ~~(3) "Prevailing code" means the building code as adopted and amended in this chapter,~~  
1769 ~~and/or the fire prevention and fire safety codes adopted in chapter 10 of this Code.~~

1770 ~~(4) "Qualified historic building" means a building which is:~~

1771 ~~(a) Listed on the National Register of Historic Places;~~

1772 ~~(b) Listed on a local register of historic places as designated by local ordinance; or~~

1773 ~~(c) Included in a district which is listed on a municipal or national register of historic~~  
1774 ~~property, and which had been determined by the Local Historic Preservation~~  
1775 ~~Authority to contribute to the historic significance of the district.~~