

**AN ORDINANCE REQUIRING THE REGISTRATION
AND INSURING OF CONTRACTORS PERFORMING WORK
WITHIN UNINCORPORATED DU PAGE COUNTY, ILLINOIS**

SECTION I. SHORT TITLE: This Ordinance shall be known as the Contractor’s Registration and Insurance Ordinance.

SECTION II. DEFINITIONS: As used in this Ordinance, unless the context otherwise requires:

A. “Contractor” means any person, partnership, corporation or other business entity engaged in the business of constructing, altering, or repairing buildings or other structures or lots and all trades and crafts associated with such work, including, but not restricted to, general building contractors, excavating contractors, carpentry contractors, heating, air conditioning, ventilating, mechanical, electrical and plumbing contractors and subcontractors.

(1) Any person who’s construction, repair or alteration of any building or structure within unincorporated DuPage County, for which a building permit is required, is presumed to be a contractor and must be registered hereunder unless such presumption is rebutted.

(2) Any person, partnership, corporation or other business entity who engages in any of the work described in Paragraph A shall not be considered a contractor for purposes of this Ordinance in any instance where such work is performed for no compensation.

B. “General Contractor with Trades” shall mean a contractor who uses one or more tradesmen or sub-contractors to perform the required construction to complete any project for which a building permit is required. When a general contractor employs a full-time tradesman or tradesmen who perform a variety of miscellaneous tasks, i.e., carpentry, siding, excavating or concrete, etc., the registration fee shall be three hundred dollars (\$300.00). A list of tasks and tradesmen performing them will be required from the General Contractor at the time of registration.

A General Contractor/Construction Manager shall mean not employing full-time tradesmen and using sub-contractors to complete construction, shall pay a fee of two hundred dollars (\$200.00) and all sub-contractors working on that project shall be required to register and pay the sub-contractors fee of one hundred (\$100.00).

C. “Sub-contractors” means a contractor who performs only that type of work that is classified as a trade including, but not limited to:

- | | |
|----------------------------------|-------------------------------|
| Carpentry | Cell Tower Erector |
| Concrete | Damp Proofing |
| Demolition | Drywall |
| Electric (including low voltage) | Elevator/Lift Installers |
| Excavating | Fence |
| Fire Alarm | Fire Sprinkler |
| Fireplaces | HVAC |
| Insulation | Irrigation (Sprinkler System) |
| Masonry | Mechanical Piping |
| Plumbing | Roofing |
| Siding/Exterior Wall Finish | Sign Erector |
| Steel Erector | Swimming Pools |

SECTION III. REGISTRATION REQUIRED: No person shall act or perform any services as a contractor or sub-contractor within unincorporated DuPage County without first registering with the DuPage County Building Official, as herein provided.

SECTION IV. REGISTRATION APPLICATION:

- A. All applications for Contractor’s Registration required in Section III shall be made in writing to the DuPage County Building Official upon forms furnished by the County.
- B. Each application shall state:
- (1) The name and business address of the applicant.
 - (2) Whether it is a general contractor or sub-contractor’s registration application. If it is a general contractor with tradesmen, a list of trades and tradesmen performing each trade will be required at the time of registration. A sub-contractor will be required to list the trade or trades involved.
 - (3) A statement that the applicant is familiar with all pertinent DuPage County Ordinances, Codes and Regulations and agrees to fully comply with the same.

SECTION V. REGISTRATION FEES:

- A. Registration Fees. All registrations shall be valid for a one year period from the date of registration. The fees for contractor registration are as follows:

REGISTRATION

General contractor (with tradesmen) registration fee:	\$300.00
(1) General Contractor/Construction Manager (without tradesmen) registration fee	\$200.00
(2) Sub-contractor's registration fee per specialty:	\$100.00

SECTION VI. LIABILITY INSURANCE REQUIRED:

A. No person shall act as a general contractor or sub-contractor within unincorporated DuPage County, nor shall be registered, unless said general contractor or sub-contractor deposits with the DuPage County Building Official, a certificate of liability insurance issued to said general contractor or sub-contractor by a company approved and authorized to issue such insurance by the State of Illinois and said general contractor or sub-contractor shall continuously remain insured for the full period of the Registration period, listing DuPage County as the certificate holder, and written in the following amounts:

(1) General Contractor:	
a) General Liability	\$1,000,000
b) Workers' Compensation and Employers Liability	Broad form coverage in amounts required by law
(2) Sub-contractor	
a) General Liability	(No set amount. Certificate must show amount of insurance coverage)
b) Workers' Compensation and Employers Liability	Broad form coverage in amounts required by law

A contractor with no employees must submit an affidavit (sworn and notarized statement) to that fact at the time of registration.

If said insurance, at any time, terminates, expires, cancels or otherwise lapses, or is not maintained in the required coverage amounts, the registration shall be deemed revoked effective the date and time of the termination, expiration, cancellation, lapse and, or, change of coverage amounts. The general contractor or sub-contractor shall thereupon cease all work within unincorporated DuPage County.

B. The Certificate of Insurance shall provide that the insurance is not cancelable during the policy period without ten (10) days prior written notice to the DuPage County Building Official.

- C. The general contractor or sub-contractor shall immediately notify the DuPage County Building Official of any change to that party's insurance coverage status. The Building Official must receive the notice of cancellation within seven (7) days of the change to that party's insurance coverage status.
- D. Any and all insurance companies used by general contractors or sub-contractors to comply with the provision of this Ordinance must maintain a minimum A rating.

SECTION VII. REGISTRATION ISSUANCE:

- A. The DuPage County Building Official shall register contractors to work in unincorporated DuPage County upon proper application, compliance with the provisions of this Ordinance, and payment of the fee set out in Section V.
- B. All registrations shall be valid for one year from the date of registration unless revoked earlier as provided in this Ordinance.
- C. All general contractors and sub-contractors must register prior to being issued any building permits by the DuPage County Building Official.

SECTION VIII. SCOPE OF GENERAL CONTRACTOR'S REGISTRATION:

- A. All contractors registered under Section III shall comply with the provisions of all applicable DuPage County Codes, Resolutions and Ordinances during the performance of construction activities within unincorporated DuPage County.
- B. All general and sub-contractors registered under this Ordinance shall be responsible for any and all employees working for him/her or under his/her registration license.
- C. All general contractors shall hire only sub-contractors who are registered under this Ordinance to perform work in unincorporated DuPage County.

SECTION IX. REGISTRATION REVOCATION AND REINSTATEMENT:

- A. Any registration issued under the provisions of this Ordinance may be revoked by the DuPage County Building Official for any violation of any of the provisions of this Ordinance. Such revocation shall be in addition to any fine or penalty imposed.
- B. No person whose registration has been revoked as herein provided shall be eligible for a reinstated/new registration for a period to be determined by the Building Official based upon the severity of the violation. A fifty dollar (\$50.00) administrative fee to be paid to the County shall be required prior to any approved Contractor Registration reinstatement.
- C. All appeals from the action of the Building Official to revoke a contractor's or sub-contractor's registration shall be filed within ten (10) days of such action with the County Development Committee of the DuPage County Board, which committee shall conduct an administrative appeal hearing on such revocation.

D. The DuPage County Building Official may refuse to issue or reinstate a registration in the event that any of the provisions of this Ordinance, which are conditions precedent to the issuance of the registration, have not been met. A registrant, or registration applicant, may appeal any decision of the Building Official affecting its registration, or application, by requesting an administrative appeal pursuant to Section 8-124 of the DuPage County Building Code. All appeals brought under this Ordinance shall be conducted in accordance with Section 8-124 of the DuPage County Building Code.

SECTION X. SEVERABILITY: In the event that any court of competent jurisdiction may declare that any provision or part of a provision of this Ordinance is void or unconstitutional, the remaining provisions and parts of provisions not ruled void or unconstitutional shall continue in full force and effect.

SECTION XI. ENFORCEMENT: The provisions of this ordinance shall at all times be the responsibility of the DuPage County Building Official to regularly inspect the site of contractors' activities to see that the same are being conducted and operated in accordance with the requirements of all laws and ordinances applicable thereto.

SECTION XII. PENALTY: Any person who violates any provision of this Ordinance or fails to comply with any of the requirements thereof shall be guilty of an offense punishable by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00). Each day that a violation continues shall be deemed a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this Ordinance.

SECTION VIII. EFFECTIVE DATE: This Ordinance shall be in effect upon its passage, approval and publication as provided by law.