

**DEKALB COUNTY COMMISSIONERS
DEKALB COUNTY DEPARTMENT OF DEVELOPMENT SERVICES:
BUILDING DEPARTMENT REGULATIONS
AN ORDINANCE REQUIRING THE REGISTRATION OF CONTRACTORS
DEKALB COUNTY ORDINANCE NO. 2019 –R-19
DEKALB COUNTY CODE SECTION 32-3-3**

WHEREAS, the DeKalb County Board of Commissioners desire to regulate contractors and/or persons working in DeKalb County and in any city or town for which DeKalb County has contracted by interlocal agreement to function as the building inspector;

WHEREAS, the DeKalb County Board of Commissioners desire to require contractors and/or persons working in DeKalb County, and in its contracted cities and towns, to be registered by the DeKalb County Department of Development Services & Building Department and provide proof of licensure (if required by State Law) and insurance or bond before they begin construction; and

WHEREAS, the DeKalb County Board of Commissioners believe it is in the interests of public safety and welfare to adopt an ordinance regarding the above concerns:

NOW THEREFORE BE IT HEREBY ORDAINED BY THE DEKALB COUNTY COMMISSIONERS OF DEKALB COUNTY, STATE OF INDIANA AS FOLLOWS:

Section 1: Registration required. Prior to receiving a permit and doing any construction work in DeKalb County, all contractors, subcontractors and/or persons doing construction work in DeKalb County, and in any city or town for which DeKalb County has contracted to function as the building inspector (“DeKalb County” herein), shall register with the DeKalb County Department of Development Services: Building Department, who will issue a registration card effective for one calendar year in which the registration was issued, to authorize doing any work in DeKalb County for but not limited to any of the following type of work:

- 1-1 Block & Brick Masonry Work
- 1-2 Concrete Work (inside concrete, footers, walls, floors or foundation)
- 1-3 Decks
- 1-4 Demolition of Structures
- 1-5 Electrical
- 1-6 Excavation
- 1-7 Framing
- 1-8 Heating
- 1-9 Plumbing: contractor or subcontractor must provide proof of State license
- 1-10 Pool
- 1-11 Remodeling (changing structure, electrical, plumbing (contractor or subcontractor must provide proof of State license), changing size of windows or doors)
- 1-12 Repairs (electrical, plumbing (contractor or subcontractor must provide proof of State license), heating, foundation or structure work)
- 1-13 Roofing (replacing shingles, re-roofing, or re-sheeting)
- 1-13 Steel Erecting
- 1-14 Tower Building

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RECORDER OF DEKALB CO, IN
KATIE FIRESTONE
RECORDED AS PRESENTED
FEE AMOUNT: 0.00



Section 2: Proof of Insurance. All contractors, subcontractors and/or persons being registered shall provide proof of liability insurance or bond in the following amounts:

| | |
|-------------------|--------------|
| Insurance minimum | \$500,000.00 |
| Bond minimum | \$500,000.00 |

Section 3: Proof of Licensure. All plumbing contractors or subcontractors must register as a contractor and provide a copy of their current and valid state plumber contractor license, unless exempted by IC 25-28.5-1-32, or its successor.

Section 4: Registration Fee. Payment for registration under this Ordinance shall be made as follows:

- 4-1 A fee of twenty dollars (\$20.00) will be charged at the time of registration.
- 4-2 All payments will be made by personal check, credit card (with applicable fee) or cash to the DeKalb County Building Department.

Section 5: Permits. Prior to doing any construction work in DeKalb County, permits are required by any contractor hired to do work listed in Section 1 of this Ordinance. For a contractor and/or homeowner to receive a permit, the following must be obtained:

- 5-1 Proof of Contractor Registration
- 5-2 If work is being done by a General Contractor and subcontractors are hired, those subcontractors must be a registered contractor with DeKalb County
- 5-3 Subcontractors are not required to obtain an additional permit separate from the General Contractor
- 5-4 Work being done by any plumbing contractor or subcontractor must register and provide proof of their state licensure as required in Section 3

Section 6: Effective. Any contractor or person who violates this Ordinance shall be subject to the following enforcement procedures:

- 6-1 The Building Inspector is authorized to take such action as is needed to enforce this Ordinance, including without limitation, the right to obtain a court order authorizing entry on any property where the Building Inspector has reason to believe a contractor or person has violated this ordinance.
- 6-2 The Building Inspector shall have the authority to issue a stop work order, on any project not being completed in strict conformance with any provision of this Ordinance.
- 6-3 The failure of any responsible party to immediately abide by such order of the Building Inspector when posted at the site shall authorize the Building Inspector to sue in the name of the County and Department in any court of general jurisdiction for injunctive relief and to obtain such court orders as may be proper for the strict enforcement of this Ordinance.

- 6-4 Upon proof of intentional continual violation of any provision of this Ordinance or order of the Building Inspector, and upon finding of the court that violation to be fact, the court shall be empowered in the court's discretion to impose a fine of \$50.00 per day for each and every day that the violation has occurred or continues to occur.
- 6-5 After such finding, the fine may be imposed jointly and or severally upon the contractor or person who has violated this Ordinance and found to be guilty of such unlawful activity.
- 6-6 Each day of violation shall be considered a separate offense.
- 6-7 If any contractor or person is registered under this Ordinance and performs construction work that violates a Building Code under the DeKalb County Building Department Ordinance No. 2000-10, also cited as DeKalb County Code Section 32-3-2 without compliance as required by the Building Inspector, then the Building Inspector shall have the right to revoke the contractor registration granted under this Ordinance.

Section 7: Limitations. The application and enforcement this Ordinance shall be limited as follows:

- 7-1 This Ordinance exempts those by IC 25-28.5-1-32
- 7-2 Registration under this Ordinance is in no way to be interpreted to include any person, firm or corporation who contracts and engages in any activity which is not directly related to the building, remodeling, or repairing of a structure.

Section 8: Purpose of this Ordinance. By requiring certain service providers to be registered under this Ordinance, DeKalb County is not in any way intending to test, license, or judge the credibility or ability of any particular person who should become registered.

- 8-1 DeKalb County is merely providing a means whereby service providers shall become registered, and any complaints against such service providers may be made in a more organized manner and against a party who has been required to provide basic information.
- 8-2 DeKalb County in no way intends or presumes to accept any liability for the quality of the work of any registrants under this Ordinance.

Section 9: Effective Date. The effective date of this Ordinance shall be JANUARY 1, 2020 or such date thereafter when this Ordinance is published as required by law.


Section 10: Codification. This DeKalb County Ordinance Number 2019-R-19 is passed and adopted on all three readings and shall be codified in the DeKalb County Code as DeKalb County Code 32-3-3 and properly indexed in the Code.

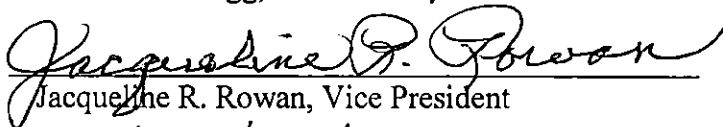
READ AND PASSED ON FIRST READING: Monday, August 5th, 2019.


READ AND PASSED ON SECOND READING: Monday, August 12th, 2019.
READ AND PASSED ON THIRD READING: Monday, August 12th, 2019.

This Ordinance No. 2019-R-19 codified as DeKalb County Code Section 32-3-3 is signed, approved and adopted after all three readings by the Commissioners of DeKalb County, Indiana.

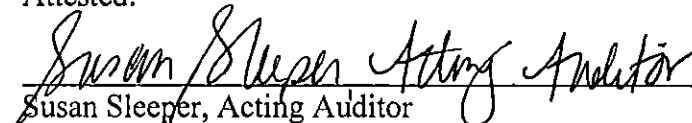
DEKALB COUNTY COMMISSIONERS:

BY: 
Donald D. Grogg, President

BY: 
Jacqueline R. Rowan, Vice President

BY: 
William L. Hartman, Vice-President

Attested:


Susan Sleeper, Acting Auditor

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Section 7: Limitations. The application and enforcement this Ordinance shall be limited as follows:

- 7-1 This Ordinance exempts those by IC 25-28.5-1-32 ~~shall not require homeowners to register as a contractor before performing services of a contractor nature on their own property. The owner or resident of a tract of real estate shall be exempt from the registration requirements of this Ordinance to the extent that activities which would normally require the performer to be registered are being conducted wholly and totally upon property owned by the provider of contracting type services or property in which such provider is a resident.~~
- 7-2 Registration under this Ordinance is in no way to be interpreted to include any person, firm or corporation who contracts and engages in any activity which is not directly related to the building, remodeling, or repairing of a structure.

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*suggested by
Chris -
Approved by
Jim →*