

ORDINANCE NO. 9446

AN ORDINANCE AMENDING ORD. 3456, 3851, 3947, 4304, 4307, 4588, 4880, 4942, 7658, 8383, 8552, 8602, 8779, 8814, 8887, 8888, 8889, 8893, 9197, 9201, 9204, 9206, 9208, 9209, and 9210 ALSO KNOWN AS SECTIONS 150.005, 150.024, 150.025, 150.027, 150.045, 151.51, 154.43, 156.11, AND 156.20 OF THE HAMMOND MUNICIPAL CODE AS IT PERTAINS TO CERTAIN FEES AND PROCEDURES OF THE INSPECTIONS DEPARTMENT RELATING TO BUILDING CONTRACTORS AND PERMITS

(as amended)

WHEREAS, the Ordinances and Sections listed in the title of this Ordinance pertain to various fees and procedures of the Inspections Department (the "Department") relating to Building Stop Work Orders, Wrecking Permit Fees, Plumbing Permit Fees, Temporary Contractor's Licenses, and Background Checks for Applicants for Contractor's Licenses; and

WHEREAS, the fees relating to Building Stop Work Orders in sections 150.024, 150.025, 150.045, 151.51, 154.43, 156.11, and 156.20 of the Municipal Code do not delineate between residential stop work orders and commercial stop work orders and that stop work orders for commercial projects are generally more time consuming and serious in nature for the Department; and

WHEREAS, sections 150.025, 151.51, and 156.20 relating to Building, Electrical, Plumbing, Mechanical and Wrecking Permit fees have become out of date, problematic in its implementation for both contractors and the Department staff, as well as being out of line with other communities around Lake County and it is in the City's best interest to make these fees more clear, straightforward and in line with other communities in Lake County; and

WHEREAS, the current ordinance pertaining to Temporary Contractors Licenses in section 150.027 of the Municipal Code allows for a "limited" contractor's license, which is not necessary and does not serve the original purpose of the ordinance and needs to be amended; and

WHEREAS, the current limited criminal background check requirement for new applicants in section 150.005 of the municipal code is outdated due to the new state-wide technology available to check criminal cases in all ninety-two counties in the State of Indiana and needs to be updated, and

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Common Council of the City of Hammond that the following sections of the Hammond Municipal Code are hereby amended to read as follows with changes appearing in bold:

§ 150.005 LIMITED CRIMINAL BACKGROUND CHECKS.

(A) Prior to the issuance of any license as a building contractor, electrical contractor, HVAC contractor, or subcontractor in each of these fields, the city shall require the performance of a limited criminal background check for each applicant.

(B) The applicant shall be charged a non-refundable fee of \$20. This fee shall be paid to the **Inspections Department** who will perform the limited criminal background check upon the applicant **by requesting same from the Law Department.**

(C) A limited criminal background check provided by another Lake County Police Department may, in the alternative, be submitted by the applicant, provided it is a certified and authenticated copy of no less than 12 months in age.

(D) An applicant with a criminal background check revealing a conviction for a crime or crimes involving theft, fraud, dishonesty, misrepresentation, deceit, violence against another person and sexual offenses **may** not be licensed as a contractor or subcontractor in the city **at the discretion of the Building Contractors Board.** Any applicant who provides false information during the application process shall be denied a license.

(E) An applicant who believes that a conviction or information appearing on the limited criminal background check is erroneous **and that results in the denial of a license,** may appeal the denial of the license to the Hammond Board of Public Works and Safety, provided the appeal is requested from that Board, in writing, within 10 days of the denial of the contractors or subcontractor's license. The Board of Public Works and Safety shall have the power to grant or deny the appeal. The decision of the

Board of Public Works and Safety may be appealed by the applicant to the Lake Superior or Circuit Court within 10 days of the decision.

§ 150.024 FEE SCHEDULE-BUILDING CONTRACTOR LICENSES.

(A) The annual fee for a building contractor's license under this subchapter shall be \$200. The annual license fee for each annual renewal of a contractor's license shall be \$100 if renewed within 30 days of expiration. The Building Contractor's Board, upon good cause, may recommend the non-renewal of any contractor's license to the Mayor.

(B) Licenses renewed 30 days after expiration, shall be subject to an additional late fee of \$100. Licenses which have been expired for 180 days or longer are no longer valid, and a contractor with an expired license will have to take a building contractor's exam to become re-licensed.

(C) The initial fee for a building contractor's exam under this chapter shall be \$100.

(D) Any person obtaining a contractor's license following the issuance of a **residential** stop work order for failure to be licensed, shall pay an additional \$250 in addition to the initial fee at the time of receiving a license.

(E) **Any person obtaining a building contractor's license following the issuance of a commercial stop work order for failure to be licensed shall pay an additional \$500 in addition to the initial fee at the time of receiving a license.**

(F) Any contractor who fails the examination for his or her license and is required to re-test must pay a \$50 re-examination fee for each re-test. Persons who fail to show for a scheduled test will be considered as having failed the test.

(G) The full annual fee must be paid, regardless of when a license is issued and there will be no proration of fee, nor refund of fee upon revocation or expiration of license.

§ 150.025 BUILDING PERMIT FEES. NOTIFICATION OF INCIDENTS

Any person, contractor, or company desiring a building permit for the work to be performed in the city shall, at the time the permit is issued therefor, pay to the City Controller, a fee as required in this section. Any person obtaining a permit following the issuance of a **residential** stop work order from the Building Commissioner shall pay an additional \$250 in addition to the permit fees listed below. Any person obtaining a permit following the issuance of a **commercial** stop work order from the Building Commissioner shall pay an additional \$500 in addition to the permit fees listed below. **"Total Valuation"** on any construction shall **mean to be the contract price and shall** include, but not be limited to, all labor, materials, subcontractors, permanent equipment and/or fixtures and all costs associated with job supervision. **As a condition of obtaining a building permit in the City of Hammond, it is required that any incident involving serious injury to any person on a permitted site or that results in any damage reasonably believed to be valued at \$5,000 or more, or that results in a reporting requirement to any other governmental entity, shall be reported to the Building Commissioner within twelve (12) hours of the incident. Failure to do so shall subject the permitted project to an immediate stop work order.**

| Building Permits | |
|--|-------------|
| Total Valuation from \$500 to \$1,000 | \$50 |
| For each additional \$1,000 or fraction thereof to and including \$15,000 | \$15 |
| For each additional \$1,000 in excess of \$15,000 | \$10 |
| Inspection Fee (All Projects) | \$50 |
| Red Tag Inspection Fee | \$50 |
| Additional inspection fee or special inspection fee | \$50 |
| Subsequent inspection for same violation | \$50 |
| Wrecking permits – Fees calculated in same manner as Building Permits based upon Total Valuation of Project | |

| Building Permits | |
|--|--|
| Automatic sprinkler system or fire sprinkler system installation-Fees calculated same as Building Permits based upon Total Valuation of Project | |
| Temporary Occupancy Permit | \$100 |
| Certificate of occupancy | \$100 |
| Plan Review | |
| All industrial and commercial prints | 10% of permit fee, but not less than \$150 |
| All residential or other prints over \$5,000 | 10% of permit fee, but not less than \$50 |

§ 150.027 TEMPORARY CONTRACTORS LICENSE.

(A) The Building Commissioner, upon proper application and for good cause shown, shall have the power to issue a temporary contractor's license to those desiring to do contracting work in the city in circumstances where an individual interested in performing contracting work in the city or a resident of the city, would suffer economic injury by delay of a regular meeting of the Building Contractors Board, or when contracting services are necessary in an emergency situation when delay until a regular Building Contractors Board meeting would endanger the health, safety, and welfare of the citizens of the city.

(B) Any temporary contracting license is expressly limited to the individual's contracting services necessary for the specific work in question. Where an individual,

partnership or corporation has been granted a temporary contractor's license, the party shall appear at the next Building Contractors Board meeting if the job for which they obtained their license is still in progress, and shall submit the proper application for a contractor's license, and shall further submit to the regular examination for a contractor's license, where the party seeks to perform contracting services.

(C) An applicant for a temporary contractor's license shall pay an application fee of \$250.

(D) Any person aggrieved by the grant or denial of a temporary contractor's license may appeal the decision of the Building Commissioner to the Building Contractors Board, which may affirm or deny granting of the license. From any decision of the Building Contractors Board concerning the Building Commissioner's grant or denial of a temporary contractor's license, any aggrieved person will be entitled to appeal to the Common Council, which shall have the right to affirm, alter, amend or reverse the decision of the Board.

§ 150.045 SITE PREPARATION FEES.

(A) Any person required to obtain a site preparation permit for the purposes of tree removal, grading, fill or other site preparation activities shall, at the time the permit is issued therefor, pay to the City Building Commissioner a fee as required in this section. Any person obtaining a permit following the issuance of a **residential** stop work order from the Building Commissioner shall pay an additional \$250 to the permit fees listed in subdivision (B) below. **Any person obtaining a permit following the issuance of a commercial stop work order from the Building Commissioner shall pay an additional \$500 to the permit fee listed in subdivision (B) below.**

(B) Permit fees shall be based upon project value, with a Total Valuation of \$0 to \$1,000 requiring a fee of \$50. For each additional \$1,000 or fraction thereof up to and including \$15,000 a fee of \$15 is required, and for each \$1,000 in excess of \$15,000, a fee of \$10 is required.

§ 151.51 PERMIT FEE SCHEDULE-ELECTRICAL PERMITS

Any person, contractor, or company desiring an electrical permit for work to be performed in the city shall, at the time the permit is issued therefor, pay to the City Controller, a fee as required in this section. Any person obtaining a permit following the issuance of a **residential** stop work order from the Building Commissioner shall pay an additional \$250 to the permit fee listed below. **Any person obtaining a permit following the issuance of a commercial stop work order from the Building Commissioner shall pay an additional \$500 to the permit fee listed below.** These fees apply to residential, new work, commercial new work for lighting service or combined light and power service, as well as industrial power, service, or commercial buildings having separate power service, new work or rewiring. These fees include inspections as needed.

| Valuation | Fee |
|--|-------------|
| For a total valuation from \$0 to \$1,000 | \$50 |
| For each additional \$1,000 or fraction thereof up to and including \$15,000 | \$15 |
| For each additional \$1,000 in excess of \$15,000 | \$10 |
| Inspection Fee (All Projects) | \$50 |

| Other permit fees | |
|--|-------|
| Early electric service call-in | \$50 |
| Reconnection of service inspection | \$25 |
| Electrical examination/Low- voltage examinations | \$100 |
| Extra inspection/special inspection | \$50 |
| Red tag inspection | \$50 |
| HVAC permits for the first 3 tons | \$25 |

| Electric signs | |
|---|-------|
| Total valuation from \$0 to \$500 | \$50 |
| For each additional \$500 or fraction thereof | \$10 |
| Flat fee (new construction and service) | \$50 |
| Flat fee (remodel or addition) and service | \$50 |
| Red tag (reinspection) | \$50 |
| Low-voltage limited license | \$200 |
| Low voltage permits (first \$0 to \$500) | \$20 |
| Each additional \$500 or fraction thereof | \$10 |

§ 154.43 PERMIT FEES-MECHANICAL PERMITS.

| Total Valuation | Fee |
|---|------|
| For a Total Valuation from \$0 to \$1,000 | \$50 |
| For each additional \$1,000 or fraction thereof to and including \$15,000 | \$15 |

| | |
|--|--------------|
| For each additional \$1,000 in excess of \$15,000 | \$10 |
| Inspection Fee (All Projects) | \$50 |
| Permit following stop work order- Residential | \$250 |
| Permit following stop work order- Commercial | \$500 |

§ 156.11 PLUMBING REGISTRATION PROCEDURE; FEES.

(A) All persons desiring to engage in the practice of plumbing within the city shall submit a registration form to be prescribed by the City Controller, together with the fee prescribed herein. The registration form shall include any information that will enable the Inspections Department to determine whether or not the person is duly licensed by the state under I.C. 25-28.5 and any other information that will enable the Inspections Department to insure compliance with all applicable laws, provisions of this code and other ordinances of the city.

(B) The registration fee shall be \$200 for each new registration and \$100 per year registration renewal if renewed by January 31 of each subsequent year. The City Controller upon receipt of registration and fee and following investigation by the Inspections Department, shall issue the applicant a registration certificate and shall have the Inspections Department place the applicant's name upon the list of registered plumbers.

(C) All registrations are effective for the calendar year and registrations will expire on December 31 of each year. No registration shall be issued for a period greater than 1 year. The full annual fee must be paid, regardless of when registration occurs and when there will be no proration of fee, nor refund of fee upon revocation or expiration of registration.

(D) Registrations renewed more than 31 days after expiration, shall be subject to an additional late fee of **\$100**. Registrations which have been expired for 180 days or longer are no longer valid, and the application will be treated as a new registration.

(E) Any person registering with the city following the issuance of a **residential** stop work order for failure to be registered shall pay an additional \$250 in addition to the initial fee at the time of registration.

(F) Any person registering with the city following the issuance of a **commercial** stop work order for failure to be registered shall pay an additional **\$500** in addition to the initial fee at the time of registration.

(G) A registration is not transferable. Should a person, during the course of the registration year, fail to remain licensed by the state under I.C. 25-28.5, then the city registration will automatically terminate.

§ 156.20 PLUMBING PERMIT REQUIRED; FEES.

(A) Before any plumbing work of any kind shall be commenced for any building or structure, or on any lot or premises; or before the excavation shall commence on any street, avenue, road, sidewalk or highway, or any other public place, excepting repairs under \$500, proper permits shall first be obtained. "**Total Valuation**" on any

construction shall mean to be the contract price and shall include, but not be limited to, all labor, materials, subcontractors, permanent equipment and/or fixtures and all costs associated with job supervision. Minimum plumbing permit fee shall be \$50.

(B) A plumbing permit shall be obtained for the installation of air-conditioning units and refrigeration units where city water is used, as well as city water pipes and waste pipes.

(C) No person other than a person having obtained a plumbing license from the state and registered with the city as provided in § 156.11, shall open or dig any street, avenue, road, boulevard, sidewalk, alley, parkway or any other public place for tapping any public sewer, installing or connecting any building or storm sewer, or installing water service or water main in the city without first making an application to the Inspection Department for a permit. The applicant shall file a sketch with the Inspection Department's Building Commissioner, showing and specifying the exact location where the work shall be performed with the number of the lot, the name of the street, alley or other place, and the name of the person or persons owning the lot or portion thereof to be served. The Board of Public Works and Safety shall grant approval prior to the digging into any public right-of-way. The Sewer Department of the city shall be notified before any tapping or connection shall be done in accordance with the specifications of the Sewer Department and the Engineering Department.

(D) Any person obtaining a permit following the issuance of a **residential** stop work order from the Building Commissioner shall pay an additional \$250 to the permit fee listed below.

(E) Any person obtaining a permit following the issuance of a **commercial** stop work order from the Building Commissioner shall pay an additional \$500 to the permit fee listed below.

(F) It shall be unlawful for any person obtaining a permit under this chapter to assign, transfer or sublet the permit. No contractor shall pull a permit to be used by another contractor or person.

(G) The permit fees for installation and inspection (and re-inspection) of plumbing shall be as follows.

| Plumbing Permits | |
|---|-------|
| Total Valuation from \$500 to \$1,000 | \$50 |
| For each additional \$1,000 or fraction thereof to and including \$15,000 | \$15 |
| For each additional \$1,000 in excess of \$15,000 | \$10 |
| Red Tag Inspection Fee | \$50 |
| Additional inspection fee or special inspection fee | \$50 |
| Subsequent inspection for same violation | \$75 |
| Water Taps (Each) | |
| • Residential | \$200 |
| • Commercial | \$350 |

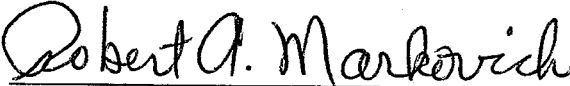
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| Sewer and Sanitary Taps (Each) | |
| • Residential and Two (2) Family | \$300 |
| • Three (3) or more units/Commercial | \$500 |
| • Industrial | \$700 |
| Required Bond for Right of Way or Street Opening | \$10,000 |

THEREFORE, BE IT FURTHER ORDAINED that if any part of this ordinance shall be held invalid by a court of competent jurisdiction, the remainder thereof shall not be affected.

BE IT FURTHER ORDAINED This Ordinance shall be considered as amending Ordinance Numbers 3456, 3851, 3947, 4304, 4307, 4588, 4880, 4942, 7658, 8383, 8552, 8602, 8779, 8814, 8887, 8888, 8889, 8893, 9197, 9201, 9204, 9206, 9208, 9209, and 9210, and if there be any conflict therewith, this Amended ordinance shall take precedence.

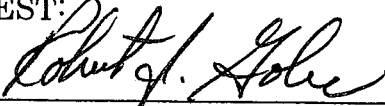
NOW BE IT FURTHER ORDAINED that herein ordinance shall have full force and effect from and after passage, approval by the Council, signing by the President thereof and approval and signing of the Mayor.

ADOPTED AND APPROVED BY the Common Council of the City of Hammond, Indiana, this 23rd day of September, 2019.



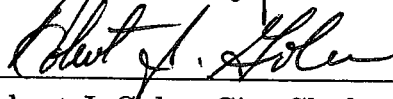
ROBERT A. MARKOVICH, President
Hammond Common Council

ATTEST:



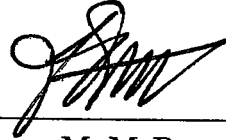
Robert J. Golec, City Clerk
City of Hammond, Indiana

PRESENTED BY ME, the undersigned City Clerk of the City of Hammond, Indiana, to the Mayor, for approval and signature, this 24th day of September, 2019.



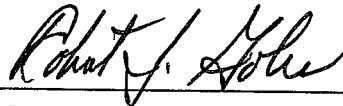
Robert J. Golec, City Clerk
City of Hammond, Indiana

The foregoing Ordinance No. 9446 consisting of eight (8) typewritten pages, including this page, was APPROVED AND SIGNED BY ME, the undersigned Mayor of the City of Hammond, Indiana, this 24th day of September, 2019.



Thomas M. McDermott, Jr., Mayor
City of Hammond, Indiana

PASSED by the Common Council on the 23rd day of September, 2019, and Approved by the Mayor on the 24th day of September, 2019.



Robert J. Golec, City Clerk
City of Hammond, Indiana