

**AN ORDINANCE REQUIRING THE REGISTRATION, BONDING
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, Bonding 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	Electric (including low voltage)
Elevator/Lift Installers	Excavating
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 AND BONDS:

- A. Registration Fees. All registrations shall be valid for one calendar year from January 1 to December 31. The fee for the contractor registration, as required in Section III, are as follows:

REGISTRATION

	January 1 - June 30	July 1 – December 31
General contractor (with tradesmen) registration fee:	\$300.00	\$150.00
(1) General Contractor/Construction Manager (without tradesmen) registration fee	\$200.00	\$100.00
(2) Sub-contractor’s registration fee per specialty:	\$100.00	\$50.00

B. Bonds. Each applicant for a registration, as required in Section III, shall, before receiving such a registration, deposit with the DuPage County Building Official a Surety Bond issued by a company approved and authorized to issue bonds by the State of Illinois bound to the County of DuPage in the penal sum of twenty thousand dollars (\$20,000.00). Said bond shall be conditioned on the faithful compliance with the Applicant’s duties and compliance with all applicable unincorporated DuPage County Codes, Resolutions and Ordinances.

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 should at any time expire, be canceled or otherwise lapse, the registration of the general contractor or sub-contractor shall immediately be revoked and the general contractor or sub-contractor shall immediately 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. If the insurance is canceled during the period of registration, the registration is revoked as of the date the insurance is canceled.
- D. The general contractor or sub-contractor must immediately notify the DuPage County Building Official if his/her insurance is canceled. The Building Official must receive the notice of cancellation within seven (7) days of the insurance being canceled.

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 calendar year from January 1 to December 31 unless otherwise revoked as prescribed 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.
- 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 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.

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 who shall conduct a 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. The County Development Committee of the DuPage County Board shall serve as the Building Board of Appeals, and application for appeal shall be made to the Chairman of this Committee within ten (10) days of the Building Official's decision. Both the aggrieved party and the Building Official shall be permitted to give testimony, call witnesses and present evidence to the Building Board of Appeals. The Chairman shall administer all oaths and may, at his/her discretion, place a time limit on all testimony.

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 duty 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.