



CONTRACTOR'S REGISTRATION PROGRAM

GUIDELINES

Eff. Date Jan. 1st 2022

TABLE OF CONTENTS

INTENT & PURPOSE

CONTRACTOR DEFINED

PROGRAM EXEMPTIONS

APPLICATION PROCESS | PROCEDURES

CONTRACTORS INSURANCE

REVOCAION OF CERTIFICATE OF REGISTRATION

ENFORCEMENT

REFERENCES

APPLICATION

INTENT & PURPOSE

It is the intent of this chapter (Wauconda Municipal Code Chapter 117) to provide an effective means for the Village to regulate contractors who operate within the Village, to ensure that they are insured, to monitor basic compliance with federal, state and local laws regulating their operation and to require a certain standard of conduct for the protection of property owners. This chapter is not intended as a recommendation or to guarantee workmanship of the contractors who are licensed by the State of Illinois or registered with the Village of Wauconda.

CONTRACTOR DEFINED

"**Contractor**" means any person, firm, company, corporation or other entity that, for a consideration, undertakes or offers to undertake or purports to have the capacity to undertake, or submits a bid to, or does himself or by or through employees or agents, construct, alter, repair, add to, subtract from, improve, move, wreck or demolish the whole or any part of a building or structure, or any of the appurtenances thereto, sidewalk, street or pavement or excavate for which a building or site development permit is required by Village ordinance. A person is a contractor for purposes of this chapter whether that person was hired by the owner or agent of the owner of the property on which the work was performed or by another contractor.

An **owner of property** performing work on such property that is occupied by the owner shall not be considered a contractor for purposes of this chapter; however, any person hired by such owner to perform work on such property shall be considered a contractor.

PROGRAM EXEMPTIONS

All state licensed contractors shall provide and maintain a copy of a current State-issued license with the Community Development Department. Roofing, plumbing and sprinkler contractors need to submit a copy of their State of Illinois License. The application fee is not required for roofing, plumbing or sprinkler contractors, however registration must be made and remain current.

APPLICATION PROCESS | PROCEDURES

All applications for Contractor's Registration shall be submitted to the Department of Community Development on the form attached and shall include the following information:

1. Name of person, joint venture, partnership, corporation or other legal entity making the application (hereinafter the "*applicant*");

2. Address of the applicant, telephone number of the applicant and name and title of the person responsible for the daily operation of the business;
3. Indicate the type of work to be performed and the trade or trades in which the applicant performs work;
4. By signing the application, the applicant agrees to comply with all the pertinent Village Ordinances, codes and regulations including the building code applicable to the business that the applicant is engaged in, and that the applicant agrees to comply with the same;
5. Proof of insurance meeting the criteria set forth below;
6. Payment of the registration fee in the amount of seventy-five dollars (\$75.00) for one-year, one hundred twenty-five dollars (\$125.00) for two-year; and, one hundred fifty dollars (\$150.00) for three-years; except that state-licensed plumbers, roofers or sprinkler contractors are exempt from a local registration fee pursuant to the Illinois law.

Each fee is valid for the time allotted from January 1st through December 31st. Fees may be prorated during the course of the year by months remaining, no partial months, for example, April application is $12 - 3 = 9^*$ monthly fee=prorated fee; and

The provision of any other information or documentation required by the Community Development Director at his/her discretion.

No applicant who is in violation of any federal, state or local law, regulation or ordinance, and no applicant that is indebted to the Village for any fee, fine or other amount, shall be eligible to receive a contractor registration unless and until the violation is remedied and/or the indebtedness is paid.

No contractor whose registration was revoked shall be eligible for issuance of a new registration for a minimum of one year, depending on the nature of the revocation offense.

The Community Development Department shall accept the registration of all applicants who submit applications that meet all of the application requirements and who are eligible to be registered.

The certificate of registration shall be valid for a period of not less than one-year to a maximum of three-years from the date of issuance.

CONTRACTOR'S INSURANCE

During the term of the registration, contractors shall maintain sufficient insurance to protect the interests of the property owner and the community during the performance of any work undertaken in the Village. All insurance must be placed with financially responsible companies that are authorized under the insurance laws of Illinois and to do business in the State of Illinois. Minimum coverage shall include the following types of insurance in the following amounts:

1. **Worker's compensation and employee's liability:** Not less than one hundred thousand dollars (\$100,000.00) per person;
2. **Comprehensive public liability:** Not less than two hundred fifty thousand dollars (\$250,000.00) for injuries, including accidental death to any person, and subject to the same limits for each person, in an amount of any one accident; and
3. **Property damage:** Not less than one hundred thousand dollars (\$100,000.00) for damage to property in any one accident with an aggregate limit of not less than three hundred thousand dollars (\$300,000.00).

Insurance coverage shall be verified by submittal of a valid certificate from the contractor's insurance agent listing the Village of Wauconda as certificate holder and requiring the Village to receive notice of cancellation or lapse of insurance within thirty (30) days of such cancellation or lapse.

Certificate In Good Standing from the Illinois Secretary of State is required for Corporations & LLC's. It is not necessary to purchase the actual certificate. A screenshot of the business record from the ILSCS.gov website is acceptable.

REVOCAION OF CERTIFICATE OF REGISTRATION

The commission or omission of any of the following acts shall, in addition to the violation of any applicable section of this chapter, Village ordinance or state law, constitute grounds for the suspension or revocation of a contractor's registration:

1. Performance of work without providing the permit holder a sworn contractor's statement.
2. Acceptance of final payment without issuance of waivers of lien to the permit holder.
3. Bankruptcy, transfer for the benefit of creditors or similar occurrence.

4. Abandonment of the work after payment is received and before the work is completed.
5. Allowing insurance policies listed in registration application to lapse or be cancelled without replacement of equal or greater coverage by other policies.
6. Performance of any work in the Village for which a building permit(s) is required without first having obtained said building permit(s) or continuing to work after the building permit(s) has/have expired.
7. Performance of any work without insurance in place meeting the minimum requirements of this chapter.
8. Allowing and suffering any unlicensed contractor to perform work under your registration.

Note: The Village shall not be liable for any financial loss incurred by any permit holder whose building permit(s) has/have been revoked or suspended in accordance with the terms of this chapter.

If the Community Development Director believes that grounds listed in above exist for revocation, he / she shall give notice in writing to the contractor stating the nature and details of the violation and stating that the contractor has ten (10) days from the date that notice is served to correct the violations or to show cause to the Community Development Director in writing or in person why there is no violation. If, after notice has been served and the contractor has had the opportunity to correct the violation or show cause why no violation occurred, the Community Development Director determines that a violation exists, the Community Development Director may recommend revocation of the contractor's certificate of registration to the Village Board of Trustees.

Notice of violation and pending revocation shall be given and considered served as follows:

1. By certified mail, return receipt requested, on the date that the receipt is signed or rejected;
2. By personal delivery, on the date on which the notice is delivered; or
3. By posting a copy of the notice in a conspicuous place on the site on which the contractor is working, on the date on which the notice is posted.

If a contractor opts to show cause why there is not a violation, the Community Development Director shall make a determination and recommendation in writing and serve it on the contractor and the Village Board of Trustees with a statement indicating the right to make an additional submittal of information and position statement to the board in writing within ten (10) business days.

The Village Board of Trustees shall consider the recommendation of the Community Development Director and any written submittal by the contractor and determine whether a violation exists, whether the certificate of registration should be revoked and the duration of the revocation period at a regular board meeting. The board's determination shall be final.

Insofar as they may be applicable to the administration of this chapter, the Director of Community Development is authorized and directed to promulgate rules and regulations reasonably required to administer the registration program hereby created.

ENFORCEMENT

Any contractor performing work in the Village in violation of the provisions of this chapter shall be subject to the minimum and maximum fines prescribed in this code.

Each day that a violation exists or continues shall be considered a separate violation.

In addition to any fines imposed, the Village may seek to enjoin the contractor from present or future violation of this chapter. This remedy shall not be exclusive to other legal remedies available to the Village.

REFERENCES

Municipal Code – Village of Wauconda, as amended

Chapter 117 - Contractors Registration

Chapter 150 - Building Codes



CONTRACTOR'S REGISTRATION APPLICATION

Eff. Date Jan. 1st 2022

APPLICATION FOR CONTRACTORS REGISTRATION

NAME OF BUSINESS: _____

CONTACT PERSON: _____

Business Information

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Facsimile: _____ Cellular: _____

Email: _____

Applicant is *(please check all that apply)* Type of Contractor:

- | | | |
|-------------------------------------|--------------------------------------|--|
| <input type="checkbox"/> General | <input type="checkbox"/> Excavation | <input type="checkbox"/> Plumbing* |
| <input type="checkbox"/> Carpenter | <input type="checkbox"/> Fence | <input type="checkbox"/> Pool Install |
| <input type="checkbox"/> Concrete | <input type="checkbox"/> HVAC | <input type="checkbox"/> Roofing* |
| <input type="checkbox"/> Deck Brick | <input type="checkbox"/> Insulation | <input type="checkbox"/> Sewer/Water* |
| <input type="checkbox"/> Deck Wood | <input type="checkbox"/> Irrigation* | <input type="checkbox"/> Siding/Window |
| <input type="checkbox"/> Drywall | <input type="checkbox"/> Masonry | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Electrical | <input type="checkbox"/> Paving | |

No registration shall become effective until such date as the required documentation, i.e. proof of insurance and required State licenses or other certificates have been submitted and are on file with the Village. By signing this application, you affirm that the insurance required by Village Code will remain in full force and effect until all work has been certified by the Building Commissioner or his designee. You further declare that you have a thorough knowledge of all codes, amendments, ordinances and regulations of the Village of Wauconda and agree to construct improvements in compliance with all provisions of the code and ordinances of the Village of Wauconda.

Owner or Authorized Person's Signature

Date

NON-REFUNDABLE REGISTRATION FEE

[] \$75.00 for One-Year [] \$125.00 for Two-Years [] \$150.00 for Three-Years

FOR OFFICE USE ONLY

[] Cash [] Check # _____ [] EPAY # _____ Date Paid: _____

Date & Time Received: _____ Certificate #: _____

Insurance Certificate Received: [] Yes [] No --- Date of Expiration: _____

Review Date: _____ Approved [] Denied [] reason for denial: _____