AN ORDINANCE introduced by Mayor James A. McClinton relating to fees and specifically amending Sections 6, 7, and 12 of City of Topeka Ordinance No. 18292 and specifically repealing said original sections of Ordinance No. 18292.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That Section 6 of City of Topeka Ordinance No. 18292 is hereby amended to read as follows:

License qualifications and responsibilities--Contractor.

a. All commercial, residential, trade, excavation, elevator, concrete, demolition, swimming pool, roofing, fire alarm, and fire sprinkler contractors shall show proof of broad form comprehensive commercial general liability insurance, including independent contractor's coverage and product/completed operations, in the amount of three hundred thousand dollars ($300,000.00) per occurrence. As a precondition to the issuance of a contractor’s license, all of the aforementioned contractors shall carry worker’s compensation insurance as required by state law. The required insurance shall be in effect during the duration of the contractor's license. Failure to renew such insurance or cancellation of such insurance shall be cause for the immediate cancellation of the contractor's license. If the contractor renews his required insurance, he may obtain a new contractor's license by providing evidence of current insurance coverage and paying the license fee.

b. Any license issued after December 14, 2004, will be a provisional license contingent upon the qualifying party passing prior to December 14, 2005, the appropriate examination selected by the development services director from a
recognized testing agency. The provisional license designation will allow the individual
to obtain building permits until December 14, 2005. The provisional contractor shall not
be allowed to pull any permit after December 14, 2005, unless the contractor shall have
achieved a passing score on the appropriate examination.

c. Commercial Contractor Type I, Commercial Contractor Type II, and
Residential Contractors must provide documentation of having earned eight (8)
continuing education units in a calendar year to maintain said license. Continuing
education courses must be directly relevant to the contractors' licensed field and must
be approved by the development services director.

d. A licensed trade contractor shall be a master or have in his employ and so
designate a master on a full-time basis. Before issuance of a trade contractor's license,
the applicant shall submit the address of his place of business, business telephone
number, name of the designated master and other information as may be required on
forms provided by the development services division and pay all relevant fees. The
contractor shall be ultimately responsible for the work done.

e. If a designated master is employed by more than one (1) trade contractor,
it shall be deemed that he is loaning his license and this shall be cause for the board to
revoke such master's license. If the designated master for a contractor is terminated,
resigns, retires, expires or changes employers, such licensed contractor shall secure
the services of another master no later than ninety (90) days after the departure of the
first master. Any work in progress during the absence of a master may continue for such
period of ninety (90) days; however, no new permits shall be issued. Failure to secure
the services of another master within such ninety (90) days shall be cause for
revocation of the contractor's license and all work in progress shall cease until the 
services of a master are acquired and a new contractor's license is issued.

Section 2. That Section 7 of City of Topeka Ordinance No. 18292, is hereby 
amended to read as follows:

Definitions.

In addition to those terms defined in the plumbing code adopted by section 26- 
409, for the purposes of this division, the following terms shall have the meanings 
ascribed to them in this section:

Approved device means devices tested and accepted by a recognized testing 
laboratory approved by the state department of health and environment and the city.

AWWA means the American Water Works Association. AWWA Manual M14 
shall be used as a reference in enforcement of this Code.

Backflow license means a document issued by the development services 
division to a certified backflow tester/technician.

Certified tester/repair technicians are those who have successfully completed a 
Kansas Department of Health and Environment approved training course. The initial 
certification requires forty (40) hours in an accredited training session and a passing 
score on a written examination. A sixteen (16) hour minimum re-certification course at 
an accredited training session is required every three years. The development services 
division shall license the tester/repair technicians after ascertaining the technician 
meets the above qualifications.

CEU means one (1) continuing education unit which shall be earned for each one 
(1) hour of actual classroom instruction.
Containment means a backflow prevention device installed at the service connection to the property.

Degree of hazard shall mean either a low hazard (pollutant) or high hazard (contaminate). The assessment for the "degree of hazard" shall be derived from the evaluation of conditions within a system.

Dual check valve means a device consisting of two internally loaded soft-seated check valves. This device does not contain test ports and is acceptable for use only at the meter of residential customers. Dual check valves are not approved for installation as backflow prevention devices.

Free water surface means a water surface at atmospheric pressure.

High hazard is a type of cross connection or potential cross connection involving any substance that could, if introduced into the potable water supply, cause death, illness, spread disease, or have a high probability of causing such effects.

Hold harmless agreement is a document filed with the development services division to permit installation of lawn irrigation systems in an easement or right-of-way.

Isolation shall mean the appropriate method of backflow prevention within the consumer's potable water system at the point of use.

KDHE means the Kansas Department of Health and Environment.

Low hazard is a type of cross connection or potential cross connection involving any substance that generally would not be a health hazard, but would constitute a nuisance, or be aesthetically objectionable, if introduced into the domestic water supply.

USEPA means the United States Environmental Protection Agency. The "Cross Connection Manual," current edition, published by the USEPA shall be used as a
reference in enforcement of this Code.

USC means the current edition of the University of Southern California, Foundation for Cross Connection Control and Hydraulic Research. The USC Manual of Cross Connection Control shall be used as a reference in the enforcement of this Code.

Vacuum means any absolute pressure less than that exerted by the atmosphere.

Section 3. That Section 12 of City of Topeka Ordinance No. 18292 is hereby amended to read as follows:

Contractors, masters, journeymen and apprentices.

a. Definitions.

Commercial contractor type I shall entitle the holder of this license to contract for and to perform any act as a contractor to erect, construct, enlarge, or remodel any commercial, single or multiple dwelling residential buildings not exceeding three (3) stories in height and to perform non-structural remodeling, and tenant finishes.

Commercial contractor type II shall entitle the holder of this license to contract for and to perform any act as a contractor for any structure.

Concrete contractor shall entitle the holder thereof to contract for and perform any act as a contractor to pour and finish any floor, driveway, parking area, street, or sidewalk or to pour and finish any footer, basement, wall, or other structural building element.

Demolition contractor shall entitle the holder thereof to demolish any building.

Elevator contractor shall entitle the holder thereof to contract for and perform any act as a contractor to install, repair and maintain any elevator, dumbwaiter, escalator, or moving walk.
Excavation contractor shall entitle the holder thereof to contract for and perform any act as a contractor to grade, excavate, fill, clear, and construct earth works.

Fire alarm contractor shall entitle the holder thereof to contract for and perform any act to install, maintain, repair, or alter any fire alarm system.

Fire sprinkler contractor shall entitle the holder to install, maintain, repair, alter or extend all piping for fire sprinkler systems, including the connection to the water service outlet provided for fire sprinkler systems.

Framing Contractor shall entitle the holder to fabricate and install any wood product in a structure including, but not limited to rough framing, structural and nonstructural work, trusses, sheathing, paneling, trim, cabinetry, doors and windows and all hardware incidental thereto. A framing contractor may not contract for or install, maintain, repair or alter any concrete, masonry, roofing, dry wall or other work not specifically mentioned above. Further, the framing contractor may not act as a residential or commercial contractor, type I or II or secure permits to build any structure; however, a framing contractor may obtain permits to construct decks and accessory structures.

Residential contractor shall entitle the holder thereof to contract for and to perform any act as a contractor to erect, construct, enlarge, or remodel any one (1) or two (2) family residence and accessory buildings thereto.

Roofing contractor shall entitle the holder thereof to contract for and to install, repair and replace roofs. Work may include roof deck insulation, roof coating, painting and covering, and may include use of sheet metal and installation of other sheet metal products incidental to roofing work or other material in connection therewith, or any
combination thereof.

Swimming pool contractor shall entitle the holder thereof to contract for and to excavate, construct, fabricate, install and equip all swimming pools, including the pumps, pool heaters, solar pool heaters, filters and chlorinators and that piping incidental to the recirculating system. A swimming pool contractor may do concrete work such as a patio incidental to the pool.

Trade contractor shall entitle the holder thereof to contract for and to perform any act as a contractor to construct, remodel, repair, or remove the plumbing, electrical, or mechanical facilities for which the contractor has passed the required examination or has in its employed the appropriate master.

b. The original annual license or registration fees for contractors, masters, journeymen and apprentices in the electrical, mechanical, plumbing and gas fitting trades are:

1. Contractor

   a. Commercial contractor type I $250.00
   b. Commercial contractor type II $450.00
   c. Concrete contractor $150.00
   d. Demolition contractor $150.00
   e. Elevator contractor $150.00
   f. Excavation contractor $150.00
   g. Fire alarm contractor $150.00
   h. Fire sprinkler contractor $150.00
   i. Framing contractor $150.00
167. i. Residential contractor $200.00
168. jk. Roofing contractor $150.00
169. kl. Swimming pool contractor $150.00
170. lm. Trade contractors $250.00
171. 1. Master $100.00
172. 2. Journeyman $50.00
173. 3. Apprentice registration $30.00
174. c. Annual renewal of license for the trades listed in this section:
175. 1. Contractor
176. a. Commercial contractor type I $200.00
177. b. Commercial contractor type II $400.00
178. c. Concrete contractor $100.00
179. d. Demolition contractor $100.00
180. e. Elevator contractor $100.00
181. f. Excavation contractor $100.00
182. g. Fire alarm contractor $100.00
183. h. Fire sprinkler contractor $100.00
184. i. Framing contractor $100.00
185. ij. Residential contractor $150.00
186. jk. Roofing contractor $100.00
187. kl. Swimming pool contractor $100.00
188. 1. Master $75.00
189. 2. Journeyman $30.00
3. Apprentice registration $20.00

d. Registration for out-of-city licenses for the trade contractors listed in this section:

1. Master $100.00
2. Journeyman $50.00

e. In addition to the foregoing license or registration fees the following fees or charges shall also apply to all contractors' licenses.

   Change of designated master for trade contractors: $50.00
   Reinstatement fee: $30.00
   Change of address: $30.00
   Duplicate license: $30.00
   Exam application: $50.00
   Exam re-test: $50.00
   Grade verification letter: $50.00

Section 4. That Section 6, 7, and 12 of City of Topeka Ordinance No. 18292 are hereby specifically repealed.

Section 5. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

PASSED and APPROVED by the City Council ___________________________ Nov 23 2004

James A. McClinton, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 11/9/04
TO BE CODIFIED X
NOT TO BE CODIFIED

VYORD/LICENSE 11/09/04