

ORDINANCE NO. 177

AN ORDINANCE: ESTABLISHING A FEE FOR THE APPLICATION FOR AND ISSUANCE OF LICENSES FOR CONTRACTORS, SUBCONTRACTORS, EXCAVATORS, ELECTRICIANS, PLUMBERS, LAWN SERVICE, TREE TRIMMERS, AND PAVERS.

BE IT ENACTED AND ORDAINED, and it is hereby ordained and enacted by the authority of Washington Township, through its Supervisors, under the Act of Assembly of July 13, 1987, P.L. 330, No. 60, Section 1, and as set forth in 53 P.S. Section 65762, as follows:

SECTION 1: Licensing. It shall be unlawful for any person, firm, corporation or other entity to engage in the business of constructing, altering, repairing, demolishing or moving buildings or in the business of installing electrical, plumbing, mechanical, including heating and ventilation equipment, without first having obtained a license therefore as provided in this Ordinance. It shall further be unlawful for any person, firm, corporation or entity to engage in the business of residential, commercial or industrial construction, either as a contractor or subcontractor, or the business of excavating, paving, plumbing, electrical, lawn service or tree trimming, or any other similar business without first having obtained a license as required in this Ordinance.

SECTION 2: Exemptions from Licensing Requirements. The requirements of obtaining a license as set forth in this Ordinance shall not apply where the work is to be performed by the owner of a residential property in which he resides.

Further, this Ordinance shall not apply to persons, entities or firms which are in the business of delivering goods to Washington Township residents on a basis not exceeding two (2) times per year.

SECTION 3: Applications for Licenses. Applications for licenses under this Ordinance shall be made to the Secretary for the Township of Washington in writing, on such printed forms as shall be prescribed and prepared by the Township from time to time. From time to time, the Board may authorize, by Resolution, other Township employees, including but not limited to, Uniformed Police Officers and the Zoning Officer, to take the application for such licenses and issue such licenses to qualified applicants. The application shall be signed by the applicant and shall contain the following, in addition to any other pertinent information to which the Township may deem reasonably necessary:

1. The name and address of the applicant.
2. The classification for which the applicant seeks to be licensed.
3. An indemnification agreement, approved by the Township Solicitor, and executed by the applicant, evidencing that the applicant indemnifies and holds the Township, its officials, agents and employees, harmless from any and all damages caused by any negligence of the applicant in the performance of his duties or any negligence in protecting his work or by any unfaithful, imperfect or inadequate work done.

4. Payment of fees required by this Ordinance.

SECTION 4: Issuance of License. Upon receipt of the application and the fee, the Township Secretary shall issue the license to the applicant, which license shall expire on December 31st of the year of issuance.

SECTION 5: License Conditions.

- A. Each license shall be issued for the calendar year during which it is issued, expiring on December 31, and the full fee shall be payable irrespective of the date of issue.
- B. No license shall be transferable.

SECTION 6: Renewals.

- A. Any license issued hereunder may be renewed without further examination or investigation, provided that application for such renewal, accompanied by the renewal fee prescribed hereinafter, shall have been filed prior to the expiration of the existing license.
- B. All licenses shall be renewed between December 1 and December 31 of each calendar year, regardless of date of original issue. Licenses not renewed by December 31 of any year shall be deemed to have expired and the holder thereof shall, at the discretion of the Township, be subject to the application and fee requirements herein provided for new applicants.

- C. If a license has expired, the licensee may renew the license upon payment of the current year's license fee and the proceeding year's license fee, assuming that all other requirements have been met.

SECTION 7: Misrepresentation; False Statements.

- A. No person, partnership, firm, corporation or other entity, not the holder of the license, shall falsely represent that he or it holds such license or shall use in any advertising the words "licensed contractor" or any words of similar meaning or import.
- B. Any person who knowingly makes a false statement or causes or procures to be made or aids or assists in the making of a false statement in an application for a license or renewal of a license, or in any application provided by this Ordinance or in any proof or instrument in writing in connection therewith, shall be in violation of this Ordinance.

SECTION 8. Grounds for Suspension or Revocation of License.

Licenses may be suspended or revoked for any one or more of the following acts or omissions:

- A. Fraud or misrepresentation in obtaining a license or renewal thereof.
- B. Violation of this Ordinance or any other applicable Code, Ordinance or Statute governing the work performed.

- C. Filing of a voluntary or involuntary petition in bankruptcy.
- D. Fraud or misrepresentation in obtaining or performing a contract for the performance of which a license is required under this chapter.
- E. Unjustified failure to perform a contract for the performance of which a license is required under this chapter.

SECTION 8: Surrender of License.

- A. Upon suspension or revocation of a license, the same shall be surrendered to the Township Secretary.
- B. Every holder of a license, upon retiring from the business, shall notify the Township Secretary of such fact and at the same time surrender the license certificate.

SECTION 9: Fees. The fee for the obtaining of a license under this Ordinance shall be TWENTY-FIVE AND 00/100 (\$25.00) DOLLARS. The fee for renewal of the license shall be TWENTY-FIVE AND 00/100 (\$25.00) DOLLARS. The fees for the issuance of a license and the renewals thereof may be amended from time to time by resolution of the Board of Supervisors of the Township of Washington.

SECTION 10: Disclaimer. The issuance of a license by the Township shall not be construed in any event as a statement or certification by the Township that the licensee is qualified to

undertake the work for which the license is issued. In no event shall the Township be held liable, jointly or severally, for the issuance of a license in accordance with this Ordinance.

SECTION 11: Violations and Penalties. Any person violating any of the provisions of this Ordinance shall, upon conviction, in a summary proceeding before a District Magistrate, be sentenced to pay a fine of not more than \$300, plus the costs of prosecution and, in default of payment of such fine and costs, to imprisonment for not more than thirty (30) days.

SECTION 12: Effective Date. This Ordinance shall become effective five (5) days after its adoption.

ORDAINED AND ENACTED by the Supervisors of the Township of Washington, County of Northampton, and Commonwealth of Pennsylvania this 12 day of February, 1992.

ATTEST:

WASHINGTON TOWNSHIP BOARD OF  
SUPERVISORS

Barbara J. Hallet  
Barbara J. Hallet, Secretary

By Ignatz Klausz, Jr.  
Ignatz Klausz, Jr., Chairman

By Clayton D. Rutt  
Clayton D. Rutt

By David Hess  
David Hess

CERTIFICATION

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 177 which was adopted at the Board of Supervisors meeting held on Wednesday, February 12, 1992.

Date: \_\_\_\_\_

2/18/92



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Stanley J. Margle, III