

(First published in The Sabetha Herald on _____, 2002)

ORDINANCE _____

AN ORDINANCE AMENDING IN PART PORTIONS OF THE CURRENT CODE OF THE CITY OF SABETHA, KANSAS, REGULATING BUILDINGS AND CONSTRUCTION TO PROVIDE FOR LICENSING OF CONTRACTORS AND ESTABLISHING FEES FOR ISSUANCE OF LICENSES.

Be it ordained by the Governing Body of the City of Sabetha, Kansas:

Section 1. That Sections 4-221 and 4-222, in ARTICLE 2. BUILDING CODE, Chapter IV of the Code of the City of Sabetha are hereby repealed and the following adopted in their place and stead, including any other provisions of said City Code which are inconsistent with the provisions herein; and, that Section 4-221 and 4-222, of the Code of the City of Sabetha shall read as follows:

4-221. SAME; LICENSE ISSUANCE; CONDITIONS; RENEWAL; UNLAWFUL ACTS.

(a) Each applicant for a license shall appear personally at the city office and shall satisfy the city administrator or his designee of the applicant's qualification for the issuance of a license by demonstration of the applicant's knowledge of the city's building code. This requirement shall be met by the applicant's appearance and review of the city code with the city administrator or his designee.

(b) Each such license shall set forth the kind of contract work in which the licensee may engage. The licensee shall display his or her license at any place where he or she may be engaged in contract work or produce the same on demand of any city officer. All licenses shall be renewable annually as in the case of an original license on or before the first day of January of the year for which issued.

(c) It shall be unlawful for any person, firm or corporation to contract for any kind of work covered by this article without having a valid license issued by the city to perform such contracts.

4-222. BUILDER'S OR BUILDING CONTRACTOR'S BOND REQUIRED CONDITIONS; APPROVAL; RIGHTS RESERVED. (a) Before any license shall be issued to any builder or building contractor required by this article to obtain a license and pay a fee to the city, the builder or building contractor shall secure and file with the city clerk a good and sufficient corporate surety bond in the principal sum of \$50,000 conditioned that the principal named therein shall faithfully and fully observe all laws of the city relating to the business or occupation for which a license is desired and further conditioned to hold and save the city harmless and free of claims for loss or damage to persons or property or from damage, injury or destruction of property belonging to the city, resulting from, or arising out of, the negligence or failure of the principal or any of his, her or its employees, agents, servants to use due care or diligence respecting any opening or excavation made in, or adjacent to any street, alley or public ground in the city, or any materials stored, placed or used in any such places, or the operation or use of any vehicle, machinery or equipment in the streets, alleys or public grounds in connection with the business or occupation licensed. Each such bond shall be issued by a company authorized to do business in the State of Kansas

and shall be executed by an agent of the company residing in the County of Brown or Nemaha, Kansas and further conditioned that in the event of cancellation or expiration that the company or agent will give 10 days notice of such fact to the city clerk. Each such bond shall be approved as to the form by the city attorney and approved as to surety by the city clerk and the approval thereof shall be endorsed on the bond by the city attorney and by the chairperson of the governing body over their signatures.

(b) Each bond shall be dated to run from the first day of any license issued by the city to the principal for each successive period following the renewal thereof. The city reserves the right to furnish the form of all surety bonds as may be required by this article.

(c) The city administrator shall waive the requirement of bonding and/or insurance pursuant to Paragraph 4-223 for those builders and/or building contractors who regularly work in the City of Sabetha and who demonstrate reasonable care for city property.

Section 2. That this ordinance shall take effect and be in force from and after its publication once in the official city newspaper.

Passed and Approved by the Governing Body this _____ day of _____, 2002.

Norman D. Schmitt, Jr., Mayor

ATTEST: _____
Linda Lehman, City Clerk