ORDINANCE NO. 13

AN ORDINANCE TO LICENSE INSULATION CONTRACTORS AND OTHERS WHO INSTALL MATERIALS AND EQUIPMENT DESIGNED TO MEET THE ENERGY CONSERVATION STANDARDS OF THE NORTH CAROLINA STATE BUILDING CODE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CASWELL COUNTY, NORTH CAROLINA:

Section 1 Authority

This ordinance is adopted pursuant to Chapter 703 of the North Carolina Session Laws of 1977, and North Carolina General Statute 153A-134.

Section 2 License Required

On and after January 1, 1978, no person, firm or corporation may for a consideration install, alter or restore, within any unincorporated part of Caswell County and within any city which adopts this ordinance pursuant to the authority granted in General Statute 153A-122, any insulation or other materials or energy utilization equipment designed or intended to meet the State Building Code requirements for insulation and energy utilization standards who is not either: (a) licensed as a contractor to do the proposed work under Chapter 87 of the General Statutes; (b) working under the supervision of a registered architect or professional engineer; (c) an owner working upon his own building; or (d) licensed under this ordinance.

Section 3 Applications

Every person desiring a license under this ordinance shall submit an application for such license to the Building Inspector of Caswell County conforming to the following requirements:

(1) Form of Application. Each application shall be a written statement upon forms provided by the Building Inspector of Caswell County.

(2) Contents of Application. Each application shall contain the following information:

(a) Name and home address of the applicant, if an individual, or home office address, if a corporation or partnership;

(b) Names and home addresses of the partners, if a partnership;

(c) Names and home addresses of the officers and directors, if a corporation;

(d) Place where the proposed business is to be located;

(e) Complete record of all convictions of felonies or acts involving dishonesty, fraud, or deceit by the applicant or any employee,

partner, officer, or director of the applicant, whether in this or any other state or jurisdiction;

(f) Complete record of all licenses held by the applicant or any employee, partner, officer, or director of the applicant authorizing activities of the type regulated by this ordinance or other activities involving construction, alteration, or modification of buildings and structures;

(g) Information as to the circumstances in which any local, state, or federal government or agency has refused, suspended, or revoked a license of the type described in paragraph (f) to applicant or any employee, partner, officer, or director of the applicant.

(3) License Fees. Each application shall be accompanied by a license fee in the amount of $5.00 for such license, such amount to be for the calendar year and prorated by quarters to the end of such year.

(4) False Statements. False statements on any application shall be grounds for immediate revocation or denial of such license.

Section 4 Procedure for Issuance

(a) Review by County Officers. Each application submitted by the applicant shall be promptly forwarded to the Building Inspector of Caswell County. Such office shall promptly make any comments or recommendations pertaining to the application and forward the same to the department head of said department.

(b) Licensing Agency. The application and any comments and recommendations relating thereto shall be considered by the Building Inspector of Caswell County, which shall then issue or deny the license pursuant to the following standards.

(c) Standards. The officer designated in (b) above shall issue the license unless it shall find that the applicant or any employee, partner, officer, or director of the applicant:

(1) Has been convicted within the last three years of a felony or an act involving dishonesty, fraud, or deceit, whether in this or any other state or jurisdiction;

(2) Has been refused a license to do the type of work authorized herein or has had such a license suspended or revoked by any local, state or federal government or agency and such government or agency has not subsequently granted or restored such license;

(3) Has knowingly made a false statement in the application;

(d) Appeal from Denial. Any applicant whose license is denied may appeal the denial to the Caswell County Board of County Commissioners. After reasonable notice to the applicant, the Board shall afford the applicant an opportunity to show why its license should not be denied.

Section 5 Termination and Renewal of Licenses

All licenses issued hereunder shall terminate on the last day of the calendar year for which issued. Renewal of such licenses shall be pursuant to the same procedures and requirements set forth for initial issuance.

Section 6 Suspension; Revocation; Appeal

(a) The Building Inspector of Caswell County may suspend or revoke any license issued hereunder at any time upon a showing that the applicant has: (a) knowingly made a false statement in the application for a license; or (b) violated the State Building Code requirements as to insulation or energy utilization equipment or materials, whether in this or any other jurisdiction; or (c) been convicted of an act involving dishonesty, fraud, or deceit with respect to any contract entered into for work requiring this license.

(b) Any licensee whose license is suspended or revoked may appeal the suspension or revocation to the Caswell County Board of County Commissioners. After reasonable notice to the licensee, the Board shall afford the licensee an opportunity to show why its license should not be suspended or revoked.

Section 7 Change of Location

The location of any licensed business may not be changed, provided 10 days' notice thereof is given to the (licensing agency designated in Sec. 4 (b)) and operation at such new location does not violate any applicable State or local law, ordinance, or regulation.

Section 8 Permit Required; "Insulation and Energy Utilization" Permit Fee; Persons Exempted

(a) On and after January 1, 1978, no person, firm or corporation may for a consideration install, alter or restore, within any unincorporated part of Caswell County and within any city which adopts this ordinance pursuant to the authority granted in General Statute 153A-122, any insulation or other materials or energy utilization equipment designed or intended to meet the State Building Code requirements for insulation and energy utilization standards without first securing a permit for the work to be done. Such permit shall be either:

(1) a general building permit, secured from the Building Inspector of Caswell County and evidencing full compliance with all applicable requirements of the State Building Code

and other State and local laws; or,

(2) an "insulation and energy utilization" permit, secured from the Building Inspector of Caswell County and evidencing full compliance with the insulation and energy utilization standards in the State Building Code. For each such "insulation and energy utilization" permit issued, there shall be a fee of $5.00

(b) The following are exempted from the requirement of obtaining a permit:

(1) an owner working upon his own building; and,

(2) any person working under the supervision of a registered architect or professional engineer.

Section 9 Penalties

Any person, firm or corporation violating the provisions of this ordinance shall be subject to all the applicable punishment, penalties, and equitable relief provided for by Chapter 703 of the North Carolina Session Laws of 1977, and General Statute 153A-123.

Section 10 Effective Date

This ordinance shall become effective upon adoption.

Passed this the 5th day of December, 1977 by the Caswell County Board of Commissioners at its regular meeting in the Caswell County Courthouse, Yanceyville, North Carolina.

ATTEST:

John B. Woods
John B. Woods, Chairman
Board of Commissioners

Wanda P. Nelson
Wanda P. Nelson
Clerk to the Board

North Carolina, Caswell County

Filed for registration in the office of Register of Deeds of Caswell County at 4:40 P.M. on the 6 day of December 1977 and recorded in Book – Page –,

MARY LEE CARTER
Register of Deeds

By Patsy K. Watlington
Assistant Register of Deeds