



# City of Gahanna

200 South Hamilton  
Road  
Gahanna, Ohio 43230

## Signature

Ordinance: ORD-0042-2023

File Number: ORD-0042-2023

### AN ORDINANCE TO REPEAL THE CITY OF GAHANNA CODE PART THIRTEEN BUILDING CODE CHAPTER 1311 - REGISTRATION - Removing Requirements of Certain Contractors to Register with the City

**WHEREAS**, the Department of Planning considered a series of changes to sections of the Codified Ordinances of the City of Gahanna to clarify requirements and streamline the permitting experience for internal and external customers; and

**WHEREAS**, the Planning Commission held a public hearing on April 12, 2023, during a regular meeting session, to consider the Department's recommended changes; said meeting held pursuant to notice and according to law; and

**WHEREAS**, the Planning Commission recommended repealing Chapter 1311 in its entirety to delete the requirement that certain contractors register with the City now that the state of Ohio has licensing requirements for contractors.

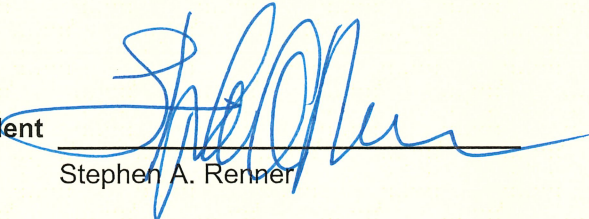
**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, COUNTY OF FRANKLIN, STATE OF OHIO:**

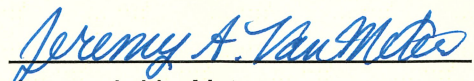
**Section 1.** That City Code Chapter 1311 - Registration - is hereby repealed in its entirety as set forth in EXHIBIT A, attached hereto and made a part herein.

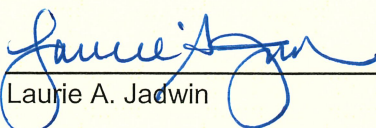
**Section 2.** That this Ordinance shall be in full force and effect after passage by this Council and 30 days after date of signature of approval by the Mayor.

At a regular meeting of the City Council on August 7, 2023, a motion was made by Schnetzer, seconded by Padova, that this Ordinance be Adopted. The vote was as follows:

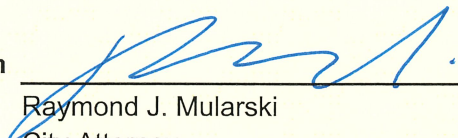
Ms. Angelou, yes; Ms. Bowers, no; Ms. McGregor, yes; Ms. Padova, yes; Mr. Renner, no; Mr. Schnetzer, yes; Mr. Weaver, absent

President  Date 8/10/2023  
Stephen A. Renner

Attest by  Date 8/8/2023  
Jeremy A. VanMeter  
Clerk of Council

Approved by the Mayor   
Laurie A. Jadwin

Date 8-7-2023

Approved as to Form   
Raymond J. Mularski  
City Attorney

Date 8-7-23

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## CHAPTER 1311 Registration<sup>1</sup>

Sections:

### 1311.01 DEFINITIONS.

- (a) ~~Person means only a natural person.~~
- (b) ~~Registered contractor means a person or a corporation, partnership, proprietorship, firm or other such business organization which has as its employee, partner or principal, a person who has been registered to perform work in this City, pursuant to this chapter. For purposes of this chapter, a contractor is not thereby a registered contractor if he/she contracts with a subcontractor who is registered, nor is a subcontractor registered if he/she contracts with a registered contractor to perform work in this City pursuant to this chapter.~~
- (c) ~~Registered heating and air conditioning contractor means a contractor registered to perform heating and air conditioning work.~~
- (d) ~~Heating and air conditioning work means the installation, maintenance, alteration or repair of air conditioning and refrigeration systems, or heating systems.~~
- (e) ~~"Plumbing contractor" means a contractor registered to perform plumbing work.~~
- (f) ~~"Plumbing work" means the construction, installation, alteration or repairing of any plumbing drain, vent, sump, water closet, sink, lavatory or other plumbing fixture, but shall not include repairs not affecting sanitation, such as mending leaks in faucets, valves or water supply pipes, mending of broken fixtures, tanks, water heaters, releasing frozen pipes or rodding and flushing of any house sewer or drain.~~
- (g) ~~Registered electrical contractor means a contractor registered to perform electrical work.~~
- (h) ~~Electrical work means the installation, maintenance, alteration, or repair of electrical equipment, except repairing flush and snap switches, replacing fuses, changing lamp sockets and receptacles, taping bare joints, repairing drop cords, repairing electrical parts or any appliance or electrical equipment.~~
- (i) ~~Gas piping contractor means a contractor registered to perform gas piping work.~~
- (j) ~~Registered remodeling contractor means a contractor registered to perform remodeling work.~~
- (k) ~~Remodeling work means the repair, replacement, remodeling, alteration, conversion, modernization or improvement (for which requires a permit from the city) of the land and building used as a commercial building and/or as a residence and a dwelling place, including, but not limited to: driveways, swimming pools, porches, garages and fallout shelters attached to a commercial building and/or a residence and a dwelling place, but shall not include new homes or landscaping.~~
- (l) ~~Sign means the definition as stated within Chapter 1165 of these Codified Ordinances.~~
- (m) ~~General contractor means an individual, partnership, corporation, joint venture, or other entity which builds, constructs, remodels, alters, or otherwise improves any land or building or portion thereof (for which~~

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<sup>1</sup>Cross reference(s) — Power to license — see Ohio R.C. 715.27; Duties of Chief Building Official — see BLDG-1307.03(b)(9).

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requires a permit from the city) and/or coordinates other contractors or subcontractors working on the same project.

~~(Ord. 0186-2014, Passed 1-2-15; Ord. No. 0088-2017, § 1(Exh. A), 11-20-17)~~

### **~~1311.02 CONTRACTOR REGISTRATION REQUIRED.~~**

- ~~(a) No person or entity shall engage in the business of building, constructing, remodeling, alteration of or otherwise improving any land or building or portion thereof in the city unless the person or entity has a valid general contractor registration certificate issued by the City.~~
- ~~(b) No person shall permit another person or entity to act as a general contractor in the city unless the person or entity has a valid general contractor registration certificate issued by the City.~~
- ~~(c) No person or entity shall act as or claim to be a general contractor in the city (for which requires a permit from the city), unless that person or entity has a valid general contractor registration certificate issued by the City.~~
- ~~(d) No owner/resident shall engage in any work as a general contractor on their property that requires a building permit, unless such owner/resident currently resides at the property:
  - ~~(1) They are the owner/resident of the property;~~
  - ~~(2) They currently reside at the property or intend to reside at the property upon completion of the project;~~
  - ~~(3) They will be performing the permitted work; and~~
  - ~~(4) They will comply with all codes and ordinances.~~~~
- ~~(e) No person, or entity shall perform HVAC, electrical, plumbing, gas piping, remodeling work, sign or fence erection unless he/she is a registered contractor in each phase of the work. Fence erection registration is not required if the contractor holds a current general or remodeling contractor registration. Gas piping registration may be included under plumbing or HVAC registration.~~
- ~~(f) Homeowners shall not be required to be registered for performing work for the dwelling which they occupy or intend to occupy. Homeowners shall obtain required permits and inspections for each phase of the work.~~

~~(Ord. 0186-2014, Passed 1-2-15; Ord. No. 0088-2017, § 1(Exh. A), 11-20-17; Ord. No. 0096-2018, § 1(Exh. A), 12-3-18)~~

### **~~1311.03 APPLICATION FEE AND INSURABILITY.~~**

- ~~(a) Any person seeking to perform building improvements, remodeling, alterations, heating and air conditioning, electrical, plumbing, gas piping, or sign construction, shall make application to the Chief Building Official and enclose therewith an application fee as established in the Building and Zoning Fee Schedule set forth in Section 135.10 in Part One of these Codified Ordinances and proof of insurability for the faithful performance of his work in a reasonable amount of liability insurance as determined by the Chief Building Official.~~
- ~~(b) The applicant seeking to perform HVAC, plumbing, gas piping, electrical or remodeling work shall have relevant experience, or be a journeyman in the trade in which he seeks to perform, or be a registered contractor to perform such work in the City of Columbus or the County of Franklin, Ohio.~~

~~(Ord. 0186-2014, Passed 1-2-15; Ord. No. 0088-2017, § 1(Exh. A), 11-20-17)~~

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### **~~1311.04 QUALIFICATIONS OF APPLICANTS.~~**

- (a) ~~In determining whether to issue the registration for an applicant, the Chief Building Official shall consider the following factors:~~
- ~~(1) The applicant's training and other licenses and registrations granted applicant.~~
  - ~~(2) The applicant's insurability to perform work faithfully.~~
  - ~~(3) The applicant's reputation as to honesty, and competent and qualified work.~~
  - ~~(4) The applicant's Ohio License(s) for performing the work when constructing under the requirements of the Ohio Revised Code.~~
- (b) ~~If the Chief Building Official determines that the applicant is unqualified, the Chief Building Official shall so notify the applicant in writing and shall state the reasons therefor.~~
- (c) ~~If the Chief Building Official determines that the applicant is qualified, the Chief Building Official shall so notify the applicant, who within 45 days of the date of such notice, shall present proof of adequate liability insurance in the amount determined sufficient by the Chief Building Official and Ohio License when applicable to the Chief Building Official, who shall then issue the registration, which shall be valid for 365 days, so long as the registered contractor retains his/her liability insurance and applicable Ohio License.~~
- (d) ~~The Chief Building Official shall determine the qualifications of the applicant within 60 days of the filing of the application.~~

~~(Ord. 0186-2014, Passed 1-2-15; Ord. No. 0088-2017, § 1(Exh. A), 11-20-17; Ord. No. 0096-2018, § 1(Exh. A), 12-3-18.)~~

### **~~1311.05 REGISTRATION RENEWAL.~~**

- (a) ~~A registered contractor may renew his/her registration by filing within 30 days after the expiration of his/her existing valid registration an application for renewal and enclosing therewith a filing fee as established in the Building and Zoning Fee Schedule set forth in Section 135.10 in Part One of these Codified Ordinances and his/her liability insurance in a reasonable amount as determined by the Chief Building Official and any applicable Ohio Licenses.~~
- (b) ~~Unless the Chief Building Official notifies the applicants within 30 days of the filing of the application that the renewal is denied, the Chief Building Official shall issue the applicant their registration.~~

~~(Ord. 0186-2014, Passed 1-2-15; Ord. No. 0088-2017, § 1(Exh. A), 11-20-17.)~~

### **~~1311.06 APPEAL TO DIRECTOR OF PUBLIC SERVICE.~~**

- (a) ~~An applicant whose application has been denied pursuant to Sections 1311.04 or 1311.05 may appeal that decision within 15 days of receipt of notice of denial to the Director of Public Service, who shall re-determine the application, taking into account the decision of the Chief Building Official and the factors described in Section 1311.04(a).~~
- (b) ~~Within sixty days from the filing of the appeal, the Director of Public Service shall notify both the applicant and the Chief Building Official of his/her decision which shall be final. If the Director of Public Service determines that the applicant is qualified, he/she shall order the Chief Building Official to issue a registration upon the applicant's presenting the Chief Building Official with proof of adequate liability insurance and a bond as required.~~

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~~{Ord. 0186-2014. Passed 1-2-15; Ord. No. 0034-2016, § 1(Exh. A), 4-18-16}~~

**~~1311.99 PENALTY.~~**

~~Any person violating any provision of this chapter shall be charged with a minor misdemeanor on the first offense and for each subsequent offense shall be charged with a misdemeanor of the fourth degree.~~

~~{Ord. 0186-2014. Passed 1-2-15.}~~