

AN ORDINANCE AMENDING CHAPTER 7 OF THE CODE OF ORDINANCES OF THE CITY OF MARSHALLTOWN, IOWA RELATIVE TO LICENSING OF CONTRACTORS ASSISTING WITH RECOVERY FOLLOWING JULY 19, 2018, TORNADO

Whereas substantial damage has occurred to structures throughout the City of Marshalltown as a result of a tornado which occurred on July 19, 2018; and

Whereas there exists a need for qualified, reputable contractors to perform labor in the City to repair, demolish, and re-construct both private and public property; and

Whereas the City Council desires to ensure contractors are properly registered State of Iowa Contractors and insured, so as to protect the citizens of Marshalltown from predatory and dishonest individuals and firms.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. Purpose. The purpose of this Ordinance is to amend Chapter 7 of the Code of Ordinances so as to require licensure of all contractors performing work in Marshalltown for the purpose of repairing and/or remediating damage caused by the tornado on July 19, 2018.

Section 2. Amendment. The Code of Ordinances of the City of Marshalltown, Iowa is amended by adding the following new Sec. 7-38 to Chapter 7:

7-38. Emergency Repair Businesses

From the date of adoption of this ordinance through and including June 30, 2019, the following licensing requirements shall apply to all individuals and companies purporting to offer services for the repair, demolition, and/or reconstruction of property in the City of Marshalltown which work is necessitated by damage done by the July 19, 2018 tornado.

a) The City Clerk shall prepare a short and plain application form for use in granting all qualified contractors licenses to perform work in the City;

b) Said application shall require at least the following information:

- 1) name, address, telephone number, and email address of the individual proprietors or the principal owners of the company;
- 2) submission of a Certificate of Insurance demonstrating Commercial General Liability Insurance in the amount of at least \$1,000,000.00;
- 3) proof of current registration as a State of Iowa Construction Contractor with the Iowa Division of Labor.

c) The City Clerk shall issue licenses only to qualified contractors who complete the required application and provide the required documentation specified in this section. Further, licenses shall not be issued to contractors who have on prior occasions been identified by City officials as unresponsive or irresponsible bidders in the public bidding process.

d) The City Clerk shall issue laminated license cards to all contractors which must be worn at all times and plainly visible on the person of anyone who, on behalf of the contractor, solicits work from the City of Marshalltown or any resident of the City of Marshalltown requiring

the repair of, demolition of, and/or reconstruction of property in the City of Marshalltown which work is necessitated as a result of damage done by the July 19, 2018 tornado.

e) There is no fee required to cover the cost of the licensing program.

f) Any person who performs work which is the subject of this section without said license, or who fails to observe any portion of this section, commits a simple misdemeanor. In addition, or in the alternative, at the City's sole option, the City may seek relief in the District Court in the form of a municipal infraction seeking fines and/or other appropriate injunctive relief against any such person.

Section 3. Repealer. All other sections of this Ordinance in conflict with these provisions shall be repealed.

Section 4. Severability. If any section, provisions or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall have no effect on the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 5. Effective Date. This Ordinance shall be in full force and effect from and after its adoption and publication as provided by law.

Pass this 30th day of July, 2018, and signed this 31st day of July, 2018.

CITY OF MARSHALLTOWN, IOWA


Joel Greer, Mayor

ATTEST:


Shari L. Coughenour, CMC, City Clerk

I, Shari L. Coughenour, CMC, City Clerk of the City of Marshalltown, Iowa, do hereby certify that the foregoing ORDINANCE was passed and approved by the City Council of the City of Marshalltown, Iowa, on the 30th day of July, 2018, and was published in the Marshalltown Times-Republican, a newspaper of general circulation in the City of Marshalltown, Iowa, on the _____ day of _____, 2018.

Shari L. Coughenour, CMC, City Clerk