

MUNICIPALITY OF NORRISTOWN  
A HOME RULE MUNICIPALITY  
MONTGOMERY COUNTY, PENNSYLVANIA

**ORDINANCE NO. 21-12**

**AN ORDINANCE OF THE MUNICIPALITY OF NORRISTOWN, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE NORRISTOWN MUNICIPAL ORDINANCES BY RENAMING CHAPTER 251 “BUILDING CONTRACTORS” TO “CONTRACTOR LICENSING” AND REPLACING IT ENTIRELY; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL INCONSISTENT ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Municipality of Norristown is a Home Rule Municipality organized operating in accordance with the Charter of the Municipality of Norristown as permitted by the Home Rule Charter and Optional Plans Law, 53 Pa. C.S. 2901 *et seq.*; and

**WHEREAS**, in accordance with the Charter and Pennsylvania law, the Municipal Council has the authority to enact and amend at any time it deems proper the provisions of the Municipality’s General Laws including those provisions relating to the licensing and requirements of building contractors within the Municipality; and

**WHEREAS**, after review of Chapter 251 “Building Contractors”, the Code Enforcement Manager and Building Code Official identified a need to update it since it is 22 years old, has never been updated, and does not protect Norristown’s property owners, contractors, construction workers, nor does it promote health, safety, and welfare; and

**WHEREAS**, the current Chapter 251, permits any building contractor to conduct specialized work, specifically demolition, HVAC, electrical, plumbing without any proven expertise in those highly technical area; and

**WHEREAS**, the recommended updates include creating multiple contractor licensing types, an appropriate fee schedule, a licensing process, permitting processing requirements, and exceptions for property owners working on their own property; and

**WHEREAS**, Municipal Council agrees with the Code Enforcement Manager and Building Code Official’s analysis and recommendation and desires to update Chapter 251 “Building Contractors” as indicated below.

**NOW, THEREFORE**, be it **ORDAINED** that Norristown Municipal Council amends its General Laws as follows:

**SECTION I:** Chapter 251 entitled “Building Contractor,” is hereby rescinded entirely, renamed as “Contractor Licensing”, and replaced with the language below.

**ARTICLE I: ADMINISTRATION**

## **§ 251-1 DEFINITIONS.**

As used in this Chapter, certain terms are defined as follows:

**CONSTRUCTION.** The demolition, erection, addition, conversion, improvement, modernization, rehabilitation, renovation, remodeling, repair or other alteration of any building, structure, real property or appurtenance thereto.

**CONSTRUCTION MANAGER.** A person or business entity that uses specialized, project management techniques to oversee the planning, design, and construction of a project, from its beginning to its end.

**DEMOLITION CONTRACTOR.** A person or business entity engaged in the business of the removal or partial removal of structural elements for purposes of removal of an entire structure.

**ELECTRICAL CONTRACTOR.** A person or business entity engaged in the business of installing systems, or parts of systems, used to transmit, generate or distribute electricity.

**FIRE SUPPRESSION SYSTEM.** An automatic or manual system designed to protect buildings and their occupants from fire. Such systems include, but are not limited to, water sprinkler, water spray, foam-water, foam-water spray, carbon dioxide, foam extinguishing, dry chemical, wet chemical, halogenated and other chemical systems used for fire protection; the supply mains, yard hydrants, standpipes and hose connections to sprinkler systems; and tank heaters, air lines and thermal systems used in connection with sprinklers, tanks and pumps dedicated for fire suppression use.

**FIRE SAFETY CONTRACTOR.** A person or business entity who performs or offers to perform the installation, alteration, repair, testing, servicing, maintenance, inspection and/or certification of fire suppression systems, or any part of such systems. Also, may include a person or business entity who inspects and installs fire-alarm systems.

**GENERAL CONTRACTOR.** A person or business entity who contracts with an owner or lessee to provide, directly or indirectly through contracts with subcontractors, suppliers, or laborers, substantially all of the improvements to the property described in the contract.

**INSIGNIA.** Any tag, plate, badge, emblem, sticker or any other similar device which may be required for any use in connection with any license.

**LICENSEE.** A license holder for any use or period of time of any special privilege granted relevant to any provision of this Chapter.

**LICENSE OFFICER.** The Code Enforcement Manager and Building Code Official who manages the Department of Buildings & Code Compliance (“Department”) who is hereby empowered to delegate any authority granted him or her or any other officer or employee of the Department. Any duty prescribed herein to be performed by the Code Enforcement Manager and Building Code Official may be performed by the Code Enforcement Manager and Building Code

Official or other officer or employee of the Department assigned such duty by the Code Enforcement Manager and Building Code Official.

**MECHANICAL CONTRACTOR.** A person or business entity who may conduct, carry on or engage in the business of heating, air conditioning, ventilation, refrigeration and associated sheet metal work, as identified by the International Mechanical Code, latest edition.

**OSHA 30.** The 30-hour program designed by the United States Occupational, Safety and Health Administration ("OSHA") under its Outreach Training Program for Construction Industry for additional training of supervisors and workers with some safety responsibilities.

**PLUMBING CONTRACTOR.** A person or business entity engaged in the business of drainage, water piping, or the construction, alteration and repairing of any drainage, cesspools, trap, waste vent or water piping, and fixtures attached thereto, except gas or electric heaters.

**PRIMARY RESIDENCE.** The dwelling where the owner of the property usually lives. A person can only have one primary residence at any given time, though the person may share the residence with other people. A primary residence is considered to be a legal residence for income tax purposes.

**RESIDENTIAL CONTRACTOR.** A person or business entity who owns and operates a home improvement business or who undertakes, offers to undertake or agrees to perform any home improvement as defined under the Home Improvement Consumer Protection Act, 73 P.S. §517.1, *et seq.* The term includes a subcontractor or independent contractor who has contracted with a home improvement retailer, regardless of the retailer's net worth, to provide home improvement services to the retailer's customers.

**SITE SAFETY MANAGER.** Must be 18 years old, able to read and write the English language, and possess an OSHA 30 card. For Demolition Contractors, the Site Safety Manager must be on the demolition site at all times, for all other contractors, the site safety manager need not be present on the job site at all times.

#### **§ 251-2 LICENSE APPLICABILITY, TYPE, AND SCOPE.**

A. Compliance required. No person, either directly or indirectly, shall conduct any construction activities for which a license is required by any law or ordinance, without first obtaining the license and keeping it in effect at all times as required by law or ordinance. No person under eighteen (18) years of age shall be entitled to a license.

B. License required for obtaining permits. Other than property owners who are performing construction activities on their primary residence, a license issued under this Chapter shall be required in order to obtain a permit for construction activities.

C. Agents responsible for obtaining license. The agents or other representatives of nonresidents who are doing business in the Municipality shall be personally responsible for the compliance of their principals and of the businesses they represent with this Chapter.

D. Property Owners performing construction activities on their primary residence without the assistance of a non-resident of the primary residence, are exempt from the licensing requirements of this chapter. The property owner must intend on occupying the residence, upon on completion of the activity which would require the license. Work exempt from this section does not include structural work or the construction or removal of any walls or partitions. All property owner-completed work must apply for permits and comply with applicable codes dealing with fire safety and other safety issues.

E. Types of Licenses and Scope of Work:

(1) Construction Manager (CM). Not a contractor but may oversee construction projects. Allowed to pull permits only if licensed as a GC, MC, EC, PC, FSC, or DC.

(2) Demolition Contractor (DC). Can perform work on residential or commercial buildings. Term includes individuals doing both selective demolition (interior or exterior) or full building demolition.

(3) Electrical Contractor (EC). Can perform work on residential, commercial, or industrial buildings.

(4) Fire Safety Contractor (FSC). Can perform work on residential, commercial, or industrial buildings.

(5) General Contractor (GC). Can perform work on residential, commercial, or industrial buildings.

(6) Mechanical Contractor (MC). Can perform work on residential, commercial, or industrial buildings.

(7) Plumbing Contractor (PC). Can perform work on residential, commercial, or industrial buildings.

(8) Residential Contractor. Only permitted to work on single family dwellings and duplexes. Limited to perform work allowed by their PA Attorney General's issued Home Improvement Contractor License.

### **§ 251-3 DUTIES OF LICENSE OFFICER.**

A. Duties. The License Officer shall collect all license fees and issue all licenses in the name of the Municipality to all persons qualified under the provisions of this Chapter and shall do the following:

(1) Make rules. Promulgate and enforce all reasonable rules and regulations necessary to the operation and enforcement of this Chapter.

(2) Adopt forms. Adopt all forms and prescribe the information to be given therein, as well as the manner of submission of forms.

(3) Require affidavits. Require applicants to submit all affidavits and oaths necessary to the administration of this Chapter.

(4) Obtain endorsement. Submit all applications, in proper cases, to interested Municipality officials for their endorsements thereon as to compliance by the applicant with all laws, ordinances or regulations which they have the duty of enforcing.

(5) Investigate. Investigate and determine the eligibility of any applicant for a license as prescribed herein.

(6) Examine records. Examine the books and records of any applicant or licensee when reasonably necessary to the administration and enforcement of this Chapter.

(7) Give notice. Notify any applicant of the acceptance or rejection of his or her application and deliver written reasons for denial at the applicant's request.

B. Information confidential. The License Officer shall keep all information furnished or obtained under the authority of this Chapter in strict confidence. The information shall not be subject to public inspection and shall be kept so that the contents thereof shall not become known except to the persons charged with the administration of this Chapter.

#### **§ 251-4 QUALIFICATION OF APPLICANTS.**

A. General standards to be applied. The general standards herein apply to every applicant for a Contractor License under this Chapter and shall be considered and applied by the License Officer.

(1) Good standing. Each shall be of good standing. In making the determination, the License Officer shall consider only:

(a) License history. The license history of the applicant; whether the person, in previously operating in this or another state under a license has had a license revoked or suspended and the reasons thereof,

(b) Payment history. Whether the applicant accrued unpaid fee(s) or nonpayment of a returned check required for related or different license(s) issued by the Municipality.

(c) Any other reason expressly provided for in this Chapter.

(2) Tax compliance. Applicants must be current or in a payment plan for all applicable tax obligations for the Municipality. Applicant shall submit proof of compliance to the License Officer from the Department of Finance office when applying for license.

(3) No Municipal obligations. Each applicant shall not be in default under the provisions of this Chapter nor indebted nor obligated in any manner to the Municipality except for current taxes.

(4) Compliance with building and zoning laws. Each applicant must be in compliance with all Municipality building or zoning laws for any business they operate located within the Municipality.

(5) Insurance. Maintain proof of insurance(s). Each licensee shall maintain general liability insurance, and workers compensation insurance (if applicable). Licensees shall maintain vehicle insurance(s), where vehicles are used to carry on licensed business. Insurances shall include a signed statement that the licensee shall hold harmless the Municipality of Norristown, its officers and employees and shall indemnify the Municipality of Norristown, its officers and employees for any claims or damage to property or injury to persons, which may be occasioned by any activity carried on under the terms of the license. Licensee shall furnish and maintain such public liability and property damage insurance as will protect the licensee and the Municipality from all claims for damage to property or bodily injury, including death which may arise from operations under the permit or in connection therewith. Such insurance shall provide coverage for bodily injury for each person in amount of \$1,000,000; bodily injury for each occurrence in the amount of \$1,000,000; and for property damage per occurrence in the amount of \$1,000,000. For Demolition Contractors, each coverage amount shall be doubled. These limits may be adjusted by resolution of Municipal Council. Such insurance shall be without prejudice to coverage otherwise existing therein and shall name as additional insured the Municipality of Norristown, its officers and employees, and shall further provide that the policy shall not terminate or be cancelled prior to the expiration date of the permit without thirty (30) days' written notice to the License Officer.

B. Additional licensing requirements for each type of contractor are listed in Article II of this Chapter.

#### **§ 251-5 LICENSE ISSUANCE PROCEDURE.**

Unless otherwise specifically provided for, when any license is mandated by any provision of this Code, the procedure for issuance shall be as follows:

A. Formal application required. Each person or business entity required to obtain a license shall submit an application to the License Officer.

(1) Form of application. The application shall be upon forms provided by the License Officer and such forms may include a sworn affidavit. Forms furnished by the department which require electronic submission shall contain electronic authorization(s) that are binding.

(2) Content of application. The application shall require the disclosure of all information to be reasonably necessary for a fair determination of whether to issue the license. Each applicant shall provide the following:

(a) a passport sized color photograph of the applicant.

(b) a copy of the applicant's commercial activity license and tax identification number.

(c) proof that the applicant has obtained the insurance required by this Chapter.

(d) a certification that all Municipal tax obligations are satisfied, and that the applicant is in compliance with all applicable laws of the Commonwealth relating to the operation of its business.

(e) a certification that all businesses they operate within the Municipality are not in violation of any building or zoning laws.

(f) the name of at least one site safety manager employed by the company who will supervise construction projects and provides documentation with respect to their required qualifications.

(3) Payment of fees. The application shall be accompanied by fees due for such license. Fees at application may include the administrative fee or the full amount of fees due for such license. The License Officer shall determine the time of payment and schedule of fees. The full fee for any license or permit shall be remitted prior to issuance of such license.

B. Receipt issuance conditional. Whenever a license cannot be issued at the time an application is made, the License Officer shall issue a receipt to the applicant for the money paid in advance, subject to the following conditions: the receipt shall not be construed as approval of the License Officer for the issuance of the license; nor shall it entitle or authorize the applicant to commence, maintain or conduct any business or activity contrary to the provisions of this Chapter.

C. Duplicate license procedure. A duplicate license shall be issued by the License Officer to replace any previously issued license which has been lost, stolen, defaced or destroyed, without any willful conduct on the part of the licensee. The licensee shall file an affidavit sworn to before a notary public of the Commonwealth attesting to such fact and pay to the License Officer of an amount prescribed in the fee schedule posted.

D. Application denial and fee refund. The License Officer, upon disapproving any application submitted under the provisions of this Chapter, shall create a refund policy where applicable. This refund would not include the administrative fee which is nonrefundable.

E. Compliance pending legal action. When the issuance of a license is denied and an action is instituted by the applicant to compel its issuance, such applicant shall not commence, maintain or conduct any activity for which the license was refused unless such is issued to the applicant pursuant to a court judgment ordering the same.

## **§ 251-6 LICENSE FEE.**

A. Amount of licensing related fees.

1. Residential contractor, none.
2. All other contractors:
  - (a) \$35.00 Admin Fee, paid at the time the application is submitted. Non-refundable.
  - (b) Once application is approved, the licensee will pay \$160.00 for the first license type (total license fee of \$195.00). For each additional license type, the licensee will pay \$25.00 per type.

3. Testing fee. If an examination is required to be administered before issuing license, the licensee is responsible for all testing fees. If the test is administered by the Municipality, a testing fee of \$75.00 shall be required.

B. Adjustment. The License Officer shall require an increase in fee when the status of a licensee changes to place him or her in a classification imposing the increase in fee.

C. Prorated Fee. If an applicant applies for a license after March 31 of each year, the annual license fee of \$160.00 will be prorated. If applying between April 1 and June 30, the fee will be reduced to \$120.00, between July 1 and September 30 to \$80.00, and after October 1 to \$40.00. The administrative fee of \$35.00 or additional license type fee of \$25.00 will not be prorated.

D. Rebate. No rebate or refund of any license fee or part thereof shall be made for any reason except if the fee or any part thereof was collected through an error. The License Officer may adopt a refund policy when it is deemed applicable by Municipal Council.

E. Renewal penalty. A renewal penalty shall be assessed for each license not renewed by the due date.

F. Failure to apply penalty. Any business or individual that fails to appropriately apply for a license herein and operates without a license for any period of time will be subject to a penalty fee of \$300.

G. License Fees shall be posted by the Building and Codes Compliance Department each year. All fees may be adjusted by Municipal Council via Resolution.

#### **§ 251-7 LICENSE INFORMATION.**

Each license issued shall state upon its face:

- A. The name of the licensee and any other name under which the business is to be conducted.
- B. The type of license endorsement, i.e., CM, GC, MC, EC, PC, FSC, or DC.
- C. The dates of issuance and expiration.

- D. Passport photo of the licensee.
- E. Other information as the License Officer determines is necessary.

**§ 251-8 DUTIES OF LICENSEE.**

- A. General standards of conduct. Every licensee under this Chapter shall:

- (1) Permit inspection. Permit all reasonable inspections of his or her business and examinations of his or her books by public authorities authorized by law.

- (2) Comply with governing law. Ascertain and at all times comply with all laws, ordinances and regulations applicable to the licensed business.

- (3) Operate properly. Avoid all forbidden, improper or unnecessary practices or conditions which do or may affect the public health, morals or welfare.

- (4) Cease business. Refrain from operating the licensed businesses on premises after license expiration and during any period of revocation or suspension.

- (5) Municipality tax compliance. All applicants must be current in their tax obligations.

- B. Display of license and insignia. Every licensee under this Chapter shall:

- (1) Premises. Post and maintain the license or insignia upon the licensed premises if located within the Municipality.

- (2) Vehicles. If the contractor has an ad for their business on their vehicle, the ad must include their license number in a prominent place on the outside thereof.

- (3) Persons. Carry the license on his or her person when conducting business inside the Municipality.

- (4) Contracts, estimates, and proposals. Licensees must include their license number clearly and conspicuously displayed on any contract, estimate, or proposal provided for any property within the Municipality.

- (5) Inoperative licenses, special permits and insignia. Not allow any license, permit or insignia to remain posted, displayed or used, after the period for which it was issued has expired; or when it has been suspended or revoked, or for any reason become ineffective. The licensee shall promptly return the inoperative license, special permit or insignia to the License Officer.

- (6) Unlawful possession. Not loan, sell, give or assign, to any other person to use or display, or to destroy, damage or remove, or to have in his or her possession, except as authorized by the License Officer or by law, any license, or insignia which has been issued to the licensee.

C. Keep records. Keep all records and books necessary to the computation of his or her license fee and to the enforcement of this Chapter. The License Officer shall make his or her own determination as to the requirements of a financial statement for any business where the licensee has failed to keep books and records as required herein.

D. Workers compensation insurance update within 10 days. If self-employed or a sole-proprietor who is not required to have workers compensation insurance and an employee is hired thus requiring a workers compensation insurance policy, the person or business entity has 10 days from the date of hiring the employee to present an updated workers compensation insurance policy to the License Officer.

#### **§ 251-9 TRANSFER OF LICENSE.**

A license is not transferable to another person and is not otherwise transferable except as may be expressly provided elsewhere in this Chapter.

#### **§ 251-10 TERM OF LICENSE.**

All licenses issued by the License Officer shall expire on December 31 of each year. This section shall take effect on January 1 2022 and shall not alter the term of existing registrations under the former Chapter 251. The license must be renewed annually.

#### **§ 251-11 ENFORCEMENT AND INSPECTIONS.**

A. Inspections. The following persons hereinafter called "inspectors" are authorized to conduct inspections in the manner prescribed herein:

(1) License Officer. The License Officer shall make all investigations necessary to the enforcement of this Chapter.

(2) Authorized officials. The License Officer shall have the authority to order the inspection of licensees, their businesses and premises, by all Municipality officials having duties to perform with reference to licensees or businesses.

(3) Police Officers. All police officers shall inspect and examine businesses located within their respective jurisdictions to enforce compliance with this Chapter.

B. Authority of inspectors. All inspectors shall have the authority to enter premises to inspect for violation of any provision of this Chapter. Persons inspecting licensees, their businesses or premises as herein authorized shall report all violations of this Chapter or of other laws or ordinances to the License Officer and shall submit other reports as the License Officer may require.

#### **§ 251-12 LIABILITY FOR FEES.**

When a person knowingly allows another person, who has not obtained a license to use his or her premises for an activity requiring a license under this Chapter, the person who allowed his premises to be so used shall be liable for any applicable fees required herein.

### **§ 251-13 LICENSE REVOCATION OR SUSPENSION.**

A. Any license issued pursuant to the provisions of this Chapter may be revoked or suspended at the discretion of the License Officer, based on the severity and/or frequency including and not limited to any of the following reasons:

- (1) Fraud, misrepresentation or false statement contained in the license application.
- (2) Fraud, misrepresentation or false statement made in the course of carrying on the business.
- (3) Violation of any provision of this Chapter or rules or regulations duly made in accordance therewith.
- (4) Conviction of any crime or misdemeanor involving moral turpitude.
- (5) Conducting the business or using any vehicle, premises, machine or other device in connection therewith in an unlawful manner or in such a manner as to constitute a breach of peace or a menace to the health, safety or general welfare of the public.
- (6) Obstruction of or denial of entry for authorized inspections.
- (7) Violation of any Municipality building or zoning laws, or rules or regulations duly made in accordance therewith.

### **§ 251-14 RIGHT OF APPEAL.**

A. Any person aggrieved by any action of the License Officer related to the issuance, transfer, renewal, refusal, suspension, revocation, or cancellation of any license issued pursuant to this Chapter shall have the right to appeal to the Board of Code Appeals.

B. Appeals shall be filed in writing in a form and manner prescribed by the License Officer. Each appeal shall be accompanied by a copy of the notice, order, or other official document, which is the subject of the appeal, as applicable. Each appeal shall be filed within thirty (30) days of the date of the action being appealed.

C. All appeals considered by the Board of Code Appeals shall be heard in a public forum at a publicly advertised time as determined by the Board of Code Appeals.

D. The Board of Code Appeals shall maintain an official record of all hearings and such hearings shall be conducted in compliance with all applicable laws.

## **§ 251-15 ACTION PENDING APPEAL.**

Whenever an appeal is filed pursuant to this Chapter is pending, the appellant is not permitted to conduct any business or activity that requires the license being appealed may occur.

## **§ 251-16 PENALTY.**

Any person or persons, corporation, partnership or other entity whatsoever violating any of the provisions of this Chapter shall, upon conviction, be sentenced to pay a fine not to exceed the maximum fine of one thousand dollars (\$1,000.00), plus costs of prosecution, and in default of payment of such costs and prosecution, shall be sentenced to imprisonment for a term not exceeding thirty (30) days; provided, however, that if the District Justice determines that the defendant is without the financial means to pay the fines and costs immediately or in a single remittance, such defendant shall be permitted to pay the fines or costs in installments and over such periods of time as the District Justices deems to be just.

## **ARTICLE II: LICENSING REQUIREMENTS BY CONTRACTOR TYPE**

No person shall act, engage, advertise or otherwise represent to be a contractor, of any type, without first obtaining a license from the License Officer.

## **§ 251-17 DEMOLITION CONTRACTOR.**

### **A. License and Required Conduct.**

1. No person or business entity shall act as a Demolition Contractor unless that entity possesses a current and valid license issued under this Section.

2. A license will not be issued unless the Demolition Contractor provides proof of a license from Philadelphia or another jurisdiction acceptable to the License Officer. If not in possession of an acceptable license, licensees will be required to pass a Norristown demolition exam, or an exam issued by another jurisdiction acceptable to the License Officer before a license is issued.

3. No person or business entity shall act as a Demolition Contractor without site safety manager with the required qualifications on site at all times. Required qualifications shall mean the qualifications necessary for the contractor to be licensed to perform such work. Site safety manager may not be concurrently employed by another licensed Demolition Contractor.

4. Every demolition contractor employee on site will possess their own OSHA 10 card.

5. If a Demolition Contractor changes its site safety manager, the contractor shall notify the Department within ten (10) days of employment of the new site safety manager and provide any necessary documentation with respect to their required qualifications.

6. If the demolition project potentially contains lead or asbestos removal, the demolition contract must provide a Commonwealth of PA certificate for lead and asbestos removal when applying for a permit.

B. A Demolition Contractor shall abide by:

1. all regulations issued by the Municipality regarding the control of dust at demolition sites, including but not limited to:

- (a) Dust control during demolition activity;
- (b) The proper storage and removal of demolition debris;
- (c) Cleaning dust from surrounding streets and sidewalks; and
- (d) Controlling dust during the transportation of debris from demolition sites.

2. the Municipality's Storm Water Erosion and Sediment Control Regulations.

3. the EPA's National Emission Standards for Hazardous Air Pollutants (NESHAP) for Lead and Asbestos.

4. Before demolition work is commenced, every sidewalk or public thoroughfare adjacent to the site shall be closed or protected as specified in 34 Pa. Code 5.34. Such thoroughfares shall be kept clear and unobstructed at all times.

5. all other applicable requirements of law.

## **§ 251-18 ELECTRICAL CONTRACTOR.**

A. License and Required Conduct.

1. No person or business entity shall act as an Electrical Contractor unless that entity possesses a current and valid license issued under this Section.

2. A license will not be issued unless the Electrical Contractor provides proof of a license from Philadelphia or another jurisdiction acceptable to the License Officer. If not in possession of an acceptable license, licensees will be required to pass the ICC Master Electrician exam before a license is issued.

3. No person or business entity shall act as an Electrical Contractor without either the licensee or a member of the management team being a qualified site safety manager. Required qualifications shall include possessing an OSHA 30 card and possessing the qualifications necessary for the contractor to be licensed to perform such work.

B. This Section shall not prohibit a helper or laborer performing ordinary unskilled labor (such as excavating, drilling, cleaning and moving) under the direction of a licensed contractor.

### **§ 251-19 FIRE SAFETY CONTRACTOR.**

A. License and Required Conduct.

1. No person or business entity shall act as a Fire Safety Contractor unless that entity possesses a current and valid license issued under this Section.

2. A license will not be issued unless the Fire Safety Contractor provides proof of a license from Philadelphia or another jurisdiction acceptable to the License Officer. If not in possession of an acceptable license, licensees will be required to pass the ICC Fire Suppression Installation Contractor exam before a license is issued.

3. No person or business entity shall act as a Fire Safety Contractor without either the licensee or a member of the management team being a qualified site safety manager. Required qualifications shall include possessing an OSHA 30 card and possessing the qualifications necessary for the contractor to be licensed to perform such work.

B. This Section shall not prohibit a helper or laborer performing ordinary unskilled labor (such as excavating, drilling, cleaning and moving) under the direction of a licensed contractor.

### **§ 251-20 GENERAL CONTRACTOR.**

A. License and Required Conduct.

1. No person or business entity shall act as a General Contractor unless that entity possesses a current and valid license issued under this Section.

2. If a General Contractor has a license issued from Philadelphia or another jurisdiction, they shall submit proof of that license with their application.

3. No person or business entity shall act as a General Contractor without either the licensee or a member of the management team being a qualified site safety manager. Required qualifications shall include possessing an OSHA 30 card and possessing the qualifications necessary for the contractor to be licensed to perform such work.

B. This Section shall not prohibit a helper or laborer performing ordinary unskilled labor (such as excavating, drilling, cleaning and moving) under the direction of a licensed contractor.

C. A General Contractor license shall not be required for the following:

(1) Persons who have obtained licenses as a Demolition Contractor, Fire Safety Contractor, Electrical Contractor, Mechanical Contractor or Plumbing Contractor under this section for work that requires a license.

(2) Owner(s) of single-or two-family dwellings who personally perform work upon their primary residence, provided that the owner(s) occupy or, upon completion of the activity which would require the general contractor license, shall occupy the dwelling.

(3) Governmental entities for work upon premises owned by that governmental entity and performed by the employees of that governmental entity.

(4) Work subject to the Pennsylvania Home Improvement Contractor (HIC) registration requirements.

## **§ 251-21 MECHANICAL CONTRACTOR.**

### **A. License and Required Conduct.**

1. No person or business entity shall act as a Mechanical Contractor unless that entity possesses a current and valid license issued under this Section.

2. A license will not be issued unless the Mechanical Contractor provides proof of a license from Philadelphia or another jurisdiction acceptable to the License Officer. If not in possession of an acceptable license, licensees will be required to pass the ICC National Standard Mechanical exam before a license is issued.

3. No person or business entity shall act as a Mechanical Contractor without either the licensee or a member of the management team being a qualified site safety manager. Required qualifications shall include possessing an OSHA 30 card and possessing the qualifications necessary for the contractor to be licensed to perform such work.

B. This Section shall not prohibit a helper or laborer performing ordinary unskilled labor (such as excavating, drilling, cleaning and moving) under the direction of a licensed contractor.

## **§ 251-22 PLUMBING CONTRACTOR.**

### **A. License and Required Conduct.**

1. No person or business entity shall act as a Plumbing Contractor unless that entity possesses a current and valid license issued under this Section.

2. A license will not be issued unless the Plumbing Contractor provides proof of a license from Philadelphia or another jurisdiction acceptable to the License Officer. If not in possession of an acceptable license, licensees will be required to pass the ICC National Standard Master Plumber exam before a license is issued.

3. No person or business entity shall act as a Plumbing Contractor without either the licensee or a member of the management team being a qualified site safety manager. Required qualifications shall include possessing an OSHA 30 card and possessing the qualifications necessary for the contractor to be licensed to perform such work.

B. This Section shall not prohibit a helper or laborer performing ordinary unskilled labor (such as excavating, drilling, cleaning and moving) under the direction of a licensed contractor.

**§ 251-23 RESIDENTIAL CONTRACTOR.**

A. License and Required Conduct.

1. No person or business entity shall act as a Residential Contractor unless that entity possesses a current and valid license issued under this Section.

2. A license will be issued upon providing the License Officer a copy of a current Home Improvement Contractor Registration issued by the Commonwealth of Pennsylvania.

3. Residential Contractors are only permitted to work on private residences which is defined as: single family dwellings; multifamily dwellings consisting of not more than two units; and single units located within any multifamily dwelling, including condominiums and cooperative units.

B. This Section shall not prohibit a helper or laborer performing ordinary unskilled labor (such as excavating, drilling, cleaning and moving) under the direction of a licensed contractor.

**§ 251-24 CONSTRUCTION MANAGER**

A. No person or business entity shall act as a Construction Manager unless that entity possesses a current and valid license issued under this Section.

B. Construction Managers who meet the requirements of § 251-4, Qualifications of Applicants, shall be issued a license.

**SECTION II: SEVERABILITY**

In the event that any section, sentence, clause, or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose the validity of the remaining portions of this Ordinance.

**SECTION III: REPEALER**

All ordinances or resolutions or parts thereof inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specially repealed.

**SECTION IV: EFFECTIVE DATE**

This Ordinance shall take effect and be in force from and after its approval as required by the law.

**ENACTED AND ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

Seal:

**Municipality of Norristown  
Municipal Council**

Attest: \_\_\_\_\_  
Crandall O. Jones  
Municipal Administrator

By: \_\_\_\_\_  
Derrick Perry  
Council President