

**ORDINANCE TO ESTABLISH AND CLARIFY THE QUALIFICATIONS
REQUIRED FOR THE ISSUANCE OF BUSINESS LICENSES TO
VARIOUS PROFESSIONAL CONTRACTORS**

ELECTRICAL CONTRACTORS

Qualifications and licensing of electrical contractors.

(a) *Certification required.* Any person desiring to engage in or enter into the electrical contracting business and to be licensed in the City of Brookwood or its police jurisdiction shall first be certified as a master electrician as required by the Alabama Electrical Contractors Board. Any firm or corporation other than a natural person, desiring to be licensed to engage in such electrical contracting business, shall have one or more persons in its direct employment who also shall be certified as a master electrician by the Alabama Electrical Board. All persons performing work under a license issued by the Alabama Electrical Board must abide by all state and local laws and ordinances.

(b) *License required.* Before any person, firm or corporation shall engage in the electrical contracting business in the City of Brookwood or its police jurisdiction, it shall be qualified as set forth herein, and shall have obtained a business license from the City of Brookwood.

(c) *Allowing one's name or license to be used to obtain permits fraudulently.* It shall be unlawful for any person, firm or corporation who has qualified under this article to take out a permit for electrical construction to take out a permit knowing that the electrical construction authorized in such permit will be done by another person, firm or corporation not permitted to do such work and to allow its name to be used to obtain a permit for electrical construction to be done by persons not authorized under this ordinance to do such work.

Exemptions from an electrical certificate.

(a) No person shall engage in the electrical contracting business or the act of performing electrical installations and electrical construction work within the City of Brookwood or its police jurisdiction unless such person has received a license to perform such works from the State of Alabama and from the City of Brookwood; however, the above provisions shall not apply to the following pursuant to section Ala. Code § 34-36-13 (1975):

- (1) To the installation, construction or maintenance of power systems for the generation and secondary distribution of electric current constructed under the provisions of the national electrical safety code which regulates the safety requirements of utilities;
- (2) To the installation, construction or maintenance or repair of telephone, signal systems by or for public utilities and/or their corporate affiliates, when such work pertains to the services furnished by such utilities;
- (3) To any technician employed by a municipal franchised CATV system;

- (4) To the owner of any premises or employee of such owner when performing electrical work or installing, constructing, maintaining, altering or repairing electrical wiring, equipment or apparatus on such premises;
- (5) To an employee of an electric utility when installing or repairing electric appliances and equipment for a customer;
- (6) To any retail merchant or its employees making the installation of, the repair or maintenance on any appliance that the merchant has sold; or to any manufacturer of the housing industry within the state which is regulated by the state and federal governments;
- (7) To the installation, construction or maintenance of systems that operate on twenty-five (25) volts or less.
- (8) Nothing in this Code shall prevent any homeowner (including owners of modular or manufacturer homes) from installing or maintaining electrical systems in or on premises in which he or she owns.

(b) Such privileges do not convey the right to violate any of the provisions of this code or the terms of any State statute or any other applicable ordinance of the City of Brookwood, nor is it to be construed as exempting any property owner from obtaining a permit with the applicable inspections and paying the required fees.

MECHANICAL CONTRACTORS

Qualifications and licensing of mechanical contractors.

(a) *Certification required.* Any person desiring to engage into or enter in the mechanical HVAC contracting business and to be licensed in the City of Brookwood or its police jurisdiction shall first be certified by the State of Alabama "Board of Heating and Air Conditioning Contractors," hereinafter the board. All certified contractors shall have and maintain a current license issued by the board. A license is current only during the calendar year in which it is issued and shall expire on December 31 of each year. Unless renewed, a license shall automatically lapse at the end of the calendar year in which it was issued. Certification by the board is required for all persons employed by realty management companies who manage property owned by others if they perform heating and air conditioning installation, service, or repair work. Certification by the board is also required for work involving air duct cleaning services, filter changing services test and balance services, replacement of air filters or filter media, and the cleaning of heating and air condition equipment or systems. Certification by the board is also required for heating and air conditioning installation, service, or repair work performed on site in manufactured or modular homes.

(b) *Licenses required.* Before any person, firm or corporation shall engage in the mechanical HVAC contracting business in the City of Brookwood or its police jurisdiction, he shall be qualified as set forth herein, and shall have obtained an HVAC license from the State of Alabama and a business license from the City of Brookwood.

Exemptions from State of Alabama HVAC certificate.

The licensing requirements for certified contractors do not apply to the following:

- (1) Acts, works and conduct permitted without license or certificate by the State of Alabama, pursuant to section 34-31-18, Code of Alabama, 1975.
- (2) Retail sellers of heating and air conditioning systems who do not provide installation of said systems, or provide for the contracting for the service, repair or installation of said systems;
- (3) Heating and air conditioning installation, service or repair work performed by an owner on a building or said building owned by him or her;
- (4) Heating and air conditioning installation, service or repair work performed by anyone who is regularly employed as a maintenance person for a certified contractor, provided that the work is performed under the supervision, direction, management, and control of the certified contractor as the person in responsible charge. This exemption does not apply to work performed by a maintenance person not under the supervision, direction, management or control of the certified contractor in responsible charge for third parties.
- (5) In instances where a certified contractor bid installation work and is responsible for obtaining all necessary and required permits, the certified contractor may subcontract the installation of duct work to an uncertified person who is performing the work under the supervision of the certified contractor as the person in responsible charge. The certified contractor is responsible for all such work performed and is considered by the board as the person in responsible charge for such work should the work fail to meet the minimum standards under these rules. This exemption does not apply to design and installation of ductwork not performed under the responsible supervision of a certified contractor.

Qualifications and licensing of gas fitters.

(a) *Certification required.* Any person desiring to engage in or enter in the gas fitting contracting business and to be licensed in the City of Brookwood or its police jurisdiction shall first be certified as a state master gas fitter as required by the Alabama Plumbers and Gas Fitters Examining Board. Any firm or corporation other than a natural person desiring to be licensed to engage in the gas fitting contracting business shall have one or more persons in its direct employment who shall be state certified as a master gas fitter, as required by the Alabama Plumbers and Gas Fitters Examining Board.

(b) *Licenses required* Before any person, firm or corporation shall engage in the gas fitting contracting business in the City of Brookwood or its police jurisdiction, he shall be qualified as set forth herein, and shall have obtained a master gas fitters license from the State of Alabama and a business license from the City of Brookwood.

Exemptions from a gas fitter's certificate.

The following acts, work, and conduct may be performed by anyone, without license or certificate, provided, however, that all work and services herein named or referred to shall be subject to an inspection and approval in accordance with the terms of all state laws and applicable municipal ordinances:

- (1) Acts, works and conduct permitted, without a license or certificate from the State of Alabama.
- (2) Gas fitting work performed by anyone who is regularly employed or acting as a maintenance employee acting under the supervision of a maintenance engineer or maintenance engineer incidental to and in connection with the business in which he is employed and engaged, provided said gas fitting work is performed on the premises of said employer, and the maintenance employee does not engage in the occupation of a gas fitter for the general public.
- (3) Maintenance and reinstallation work performed upon the premises or equipment of a railroad, other businesses or industry, by an employee thereof who does not engage in the occupation of a gas fitter for the general public.
- (4) Gas fitting work performed by persons engaged by any public utility company in the laying, maintenance and operation of its service mains or lines and the installation, alteration, adjustment, repair, removal, and renovation of all types of appurtenances, equipment, and appliances, provided such plumbing work does not alter gas piping on the consumer side of meter.
- (5) Appliances or fixture installations and service work performed in connecting appliances or fixtures to existing piping installations.

PLUMBING CONTRACTORS

Qualifications and licensing of plumbing contractors.

(a) *Certification required.* Any person desiring to engage in or enter in the plumbing contracting business and to be licensed in the city or its police jurisdiction shall first be certified as a state master plumber as required by the Alabama Plumbers and Gas Fitters Examining Board. Any firm or corporation other than a natural person desiring to be licensed to engage in such plumbing contracting business, shall have one or more persons in its direct employment who shall be state certified as a master plumber, also as required by the Alabama Plumbers and Gas Fitters Examining Board.

(b) *License required* Before any person, firm or corporation shall engage in the plumbing contracting business in the city or its police jurisdiction, he shall be qualified as set forth herein, and shall have obtained a master plumbing license from the State of Alabama and a business license from the city.

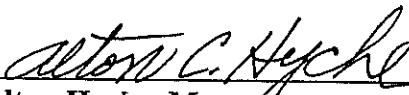
Exemptions from a plumber's certificate.

The following acts, work, and conduct may be performed by anyone, without license or certificate, provided, however, that all work and services herein named or referred to shall be subject to an inspection and approval in accordance with the terms of all state laws and applicable municipal ordinances:

- (1) Acts, works and conduct permitted, without license or certificate pursuant to Code of Ala. 1975, § 34-37-15.
- (2) Plumbing work performed by a property owner in or about a building owned or occupied by him or her.
- (3) Plumbing work performed by anyone who is regularly employed or acting as a maintenance employee acting under the supervision of a maintenance engineer or maintenance engineer incidental to and in connection with the business in which he is employed and engaged, provided said plumbing or gas fitting work is performed on the premises of said employer and the maintenance employee does not engage in the occupation of a plumber for the general public.
- (4) Maintenance and reinstallation work performed upon the premises or equipment of a railroad, other businesses or industry, by an employee thereof who does not engage in the occupation of a plumber for the general public.
- (5) Plumbing work performed by persons engaged by any public utility company in the laying, maintenance and operation of its service mains or lines and the installation, alteration, adjustment, repair, removal, and renovation of all types of appurtenances, equipment, and appliances, provided such plumbing work does not necessitate tying into waste or sewer lines on the outlet side of a trap.
- (6) Appliances or fixture installations and service work performed in connecting appliances or fixtures to existing piping installations.
- (7) Installation of washing machines to existing piping installation or waste lines, provided such plumbing work does not necessitate tying into waste or sewer lines on the outlet side of the trap.

ORDAINED this the 20 day of may 2008.

TOWN OF BROOKWOOD



Alton Hyché, Mayor


ATTEST 

Linda Barger
Town Clerk

CERTIFICATE OF POSTING

I hereby certify that the above and foregoing Resolution was posted on the 2 day of June 2008 at the following locations:

1. Brookwood Town Hall
2. Ken's (C) Store
3. Brookwood Shell
4. Hometown Grocery


Linda Barger, Town Clerk