

LICENCE

Chapter 357 GENERAL BUILDING TRADES

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WHEREAS section 150 of the *Municipal Act, 2001* permits municipalities to license, regulate and govern any business wholly or partly carried on within the municipality;

AND WHEREAS except as otherwise provided, a municipality may only exercise its licensing powers under this section, including imposing conditions, for the primary purpose of consumer protection and the secondary purpose for nuisance control;

AND WHEREAS a by-law licensing or imposing any condition shall include an explanation as to the reason the municipality is licensing it or imposing the conditions and how that reason relates to the purposes under the *Municipal Act, 2001*, s. 150 (2);

AND WHEREAS notice of a public meeting was provided to licensees and advertised in a local newspaper;

AND WHEREAS a public meeting was held on August 9, 2006 to allow any person attending to make representations with respect to this by-law.

**Article 1
INTERPRETATION**

357.1.1 Building trade - defined

“building trade” means any one of the following trades, whether performed as new construction or as repairs or reconstruction: roofing, eavestrough, fascia, and soffits, siding installation, window and door installation, driveway paving and driveway sealing.

Article 2
GENERAL PROVISIONS

357.2.1 Application - Chapter 326

The provisions of Chapter 326 of the City of Brantford Municipal Code apply to this Chapter.

357.2.2 Fees - Chapter 326

The fees for a licence issued under this Chapter shall be set out in Chapter 326 Schedule 'B' of the City of Brantford Municipal Code.

Article 3
REQUIREMENT FOR LICENCE

357.3.1 Building trade - licence - required - contractor

No person shall carry on business as a building trade within the City of Brantford without first obtaining a General Trades Contractor's Licence under this Chapter.

357.3.2 Building trade - licence - worker - contractor

An individual who is a natural person and not a body corporate who carries on business as a building trade within the City of Brantford shall obtain a General Trades Contractor's Licence, but the natural person shall only be required to pay the fee applicable to the General Trades Contractor's Licence and no more.

Article 4
EXCEPTIONS

357.4.1 Requirement for licence - exception - ONHWP

Persons carrying on a building trade who hold a valid registration under the Ontario New Home Warranty Program and provide proof of same to the Issuer of Licences shall not be required to obtain a General Trades Contractor's Licence in respect of new construction to which such warranty is applicable.

357.4.2 Requirement for licence - exception

Persons engaged in commercial, institutional or industrial construction or asphalt paving and sealing shall not be required to obtain a General Trades Contractor's Licence in respect of such commercial, institutional or industrial construction.

357.4.3 Requirement for licence - exception - subcontractor

Persons hired as subcontractors of persons who have been relieved of any requirement to obtain a General Trades Contractor's Licence through the operations of Section 357.4.1 or 357.4.2 shall not be required to obtain a General Trades Contractor's Licence in respect of their duties for such exempt person.

Article 5**ISSUE OF LICENCE****357.5.1 Application for licence - requirements**

Applicants for licences pursuant to this Chapter shall submit a licence application in a format as may be prescribed from time to time by the Issuer of Licences. Such application form shall at least require each applicant to submit their full name, their complete address, details of any business name under which they operate which is other than their own legal name, and the address of any business premises from which they operate.

357.5.2 Licence - duration

Each General Trades Contractor's Licence shall have effect for the remainder of the calendar year in which they were issued, and shall terminate at midnight on December 31 of that year.

357.5.3 Contractor - individual - photo identification

If required by the Issuer of Licences, an applicant for a General Trades Contractor's Licence who is a natural person and not a body corporate shall be photographed by the Issuer of Licences, or his or her designate.

357.5.4 Contractor - individual - photo identification

Where a natural person has been issued a General Trades Contractor's Licence, the Issuer of Licences shall issue to that natural person an identification card.

Article 6**REGULATIONS****357.6.1 Display - photo identification card**

Every person to whom an identification card is issued pursuant to this Chapter shall display their identification card upon request by any Provincial Offences Officer or upon request by the owner, operator, or person in charge of any premises at which that person is carrying on his or her building trade.

357.6.2 Contractor - insurance - exception

Every person licensed as a General Trades Contractor shall maintain public liability and property damage insurance with a policy limit of not less than \$2,000,000 per occurrence. Proof of such insurance shall be provided to the Issuer of Licences prior to the issuance of a General Trades Contractor's Licence to a General Trades Contractor.

357.6.3 Contractor - insurance - driveway pavers/sealers only

Every person licensed under a General Trades Contractor Licence as a driveway paver/sealer shall maintain public liability and property damage insurance with a policy limit of not less than \$2,000,000 per occurrence. Proof of such insurance shall be provided to the Issuer of Licences prior to the issuance of a General Trades Contractor's Licence with the City of Brantford to be included as additionally insured on the policy. By-law 134-2006, 25 September, 2006.