



**APPLICATION
CONTRACTOR'S REGISTRATION**
include check with application and mail to:

Office Use Only Registration No. _____ Check No. _____ Date _____

**WEST WINDSOR TOWNSHIP
271 CLARKSVILLE RD.
P.O. BOX 38
WEST WINDSOR, NJ 08550**

APPLICATION FEE \$125.00

PHONE #609-799-8490

Class of Registration requested: _____

1. Applicant's Name _____
(Officer of Corporation, Partner or Sole Proprietor)

2. Home Address _____
(Street, City, State & Zip Code)

3. Home Phone _____ Business Phone _____

4. Firm or Corporation Name _____

5. Address of Principal Office _____

6. State in which Chartered _____ Telephone _____

7. Names and Addresses of all Officers and Partners:

8. Names and Addresses of all Directors:

(Use reverse of application to list all managerial employees and stockholders owning 5% or more of the outstanding stock.)

9. Number of years engaged in the contracting business in the current location or prior locations, list all:
Current location _____ yrs. Firm Name _____
Address _____

Below list all other prior locations, firm names, officers and directors as in questions 7, 8, 9 above and nature of construction activities:

10. Personal references - list 3

	<u>Name</u>	<u>Address</u>	<u>Telephone No.</u>
1.	_____		
2.	_____		
3.	_____		

11. Business references - list 3 (If subcontractor is working in West Windsor Township, general contractor must give a reference) **Attach a copy of at least 2 signed business references from entities for whom construction work has been performed.**

	<u>Name</u>	<u>Address</u>	<u>Telephone No.</u>
1.	_____		
2.	_____		
3.	_____		

12. Municipalities in which contracting business has been conducted prior to this application - list 3:

	<u>Name</u>	<u>Address</u>	<u>Telephone No.</u>
1.	_____		
2.	_____		
3.	_____		

13. If you are registered or licensed in any other municipality, submit a copy of same.

14. Is the applicant familiar with the N.J. Uniform Construction Code and the latest edition of ICC Codes?
___ Yes ___ No.

15. Is the applicant familiar with West Windsor Township Code, Chapter 66, "Contractors, Registration of" building contractors, its requirements and penalties?
___ Yes ___ No.

16. List construction activities engaged in during the past 10 years and title that will qualify you for the class of registration requested.

****Please Note** This application will not be considered unless filled out in its entirety. NO BLANK LINES. Please obtain a copy of Chapter 66 pursuant to this registration application. In addition to TWO LETTERS OF REFERENCE mentioned in No. 11 a CERTIFICATE OF INSURANCE showing general liability coverage in an amount not less than \$25,000 must accompany this application.**

This will certify that I/we have read and understand the ordinance to provide for the registration of building in the Township of West Windsor, County of Mercer, State of New Jersey, and all statements made on this application are true and correct.

APPROVED BY:

Construction Official Date

Applicant's Signature Date

Chapter 66. Contractors, Registration of

[HISTORY: Adopted by the Township Committee (now Township Council) of the Township of West Windsor 12-27-1988 by Ord. No. 88-41 (Sec. 4-2 of the Revised General Ordinances). Amendments noted where applicable.]

GENERAL REFERENCES

Uniform construction codes — See Ch. **63**.

Development names — See Ch. **70**.

Fees — See Ch. **82**.

Land use — See Ch. **200**.

§ 66-1. Registration requirements.

- A. Except for entities required to register pursuant to the New Home Warranty and Builders' Registration Act,^[1] every person and entity engaged in the business of constructing, erecting, altering, renovating, repairing, restoring, re-roofing, re-siding, moving or demolishing the whole or any part of buildings or structures; or providing carpentry, masonry, HVAC or other work typically provided by subcontractors (other than plumbers and electricians) therefor; or engaged in the construction or installation of swimming pools; or engaged in the business of erecting or altering signs, for any of which a building permit is required, shall be required to register the name of such person or firm or corporation with the Division of Code Enforcement.^[2]

[1] *Editor's Note: See N.J.S.A. 46:3B-1 et seq.*

[2] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

- B. The owner or occupant of a building or structure applying for a building permit required herein shall not be required to register, provided that the owner or occupant does his or her own work without use of any contractor or subcontractor and executes a sworn statement to this effect on forms supplied by the Construction Official.
- C. A construction contractor, corporation or partnership needs to register only once, so long as the work is performed solely by that entity. Work performed for the contractor, corporation or partnership by a subcontractor requires registration of each subcontractor for each relevant class listed in § **66-5**. Hereinafter in this chapter, all references to "contractor" shall also refer to "subcontractor."

§ 66-2. Application procedures.

- A. Applications for the registration of contractors shall be submitted to the Construction Official on forms supplied by the Construction Official and shall include, in addition to any other pertinent information the Construction Official may reasonably deem necessary:
- (1) A statement giving the name or corporate or firm name of the contractor.
 - (2) In the case of a firm, corporation or partnership, the name and address of the principal office of the firm or corporation, the names and addresses of all officers, directors, managerial

employees and stockholders owning, of record or beneficially, 5% or more of the outstanding stock of any class of the corporation.

- (3) In the case of a partnership, the names and addresses of all partners, whether general, special or limited.

B. Additional information.

- (1) This application shall also contain the number of years such person, firm or corporation has been in the contracting business at the current location or any prior locations, including the address of any such prior location, if any.
- (2) The application shall indicate, for both the current and any prior periods of time or locations at which a contracting business has been conducted, all other former trade names, if any, by which any such contracting business was conducted or in which any of the persons listed in answer to Subsection **A(2)** above participated in any manner and shall likewise furnish all the information required in Subsection **A(2)** above for each such prior business.
- (3) The applicant shall state in which class the applicant desires to be registered, choosing one or more of the classes designated in § **66-5** of this chapter.
- (4) The applicant shall furnish proof, to the satisfaction of the Construction Official, of sufficient training or experience in the relevant class designated in § **66-5**. Each such application shall include at least two signed personal references, indicating the training received or the location of the work performed by the applicant and stating that the applicant is, in their opinion, sufficiently qualified to be registered.
- (5) A certificate of insurance, in an amount not less than \$25,000 but in any event sufficient in the Construction Official's opinion to provide coverage for all acts for which the applicant may be held liable in the conduct of the applicant's business, must be furnished with the application. Such policy shall remain in effect at all times that such contractor is licensed, and failure to maintain the required policy in effect at all times shall be grounds for suspension or revocation of the license.

C. The registration shall be approved or disapproved within 10 days after filing.

§ 66-3. Fee.

- A. No person or entity shall be registered under this section or be reregistered after revocation of registration under § **66-7** unless and until there has been a determination by the Construction Official that the applicant is capable of compliance with the requirements hereof and has demonstrated sufficient capability and proficiency in past business history to justify a reasonable belief that such compliance will occur and unless and until there is paid to the Construction Official, to the order of the township, a fee as established in Chapter **82**, Fees.
- B. After registration and for so long as the registration is not revoked under § **66-7**, no subsequent fee shall be required.
- C. Any person or entity whose registration has been revoked three times shall be presumed not capable or proficient in this trade and shall not be permitted to reregister under this section.

§ 66-4. Work standards.

- A. All work performed by registered persons or entities shall be done in accordance with the Uniform Construction Code^[1] and other codes and ordinances applicable to the construction activities

described in § 66-1A and shall be done in a good and workmanlike manner in accordance with applicable plans and specifications under accepted practice prevailing in the Mercer County area.

[1] *Editor's Note: See Ch. 63, Construction Codes, Uniform.*

- B. After obtaining a building permit, the person or persons doing the work shall notify the Construction Official within the twenty-four-hour period prior to commencing any work.
- C. On each building permit, the contractor shall designate a person to be in charge of the work who shall be responsible for:
 - (1) Review and approval of all shop drawings, documents and details pertaining to the construction phase.
 - (2) Verification of all controlled materials per building subcode requirements of testing, certification and identification.
 - (3) Special inspection of critical construction components.
- D. The responsible person in charge of work shall perform the necessary services and be present on the construction site on a regular and periodic basis to determine that, generally, the work is proceeding in accordance with the documents approved for the construction permit.
- E. At the completion of the construction, the responsible person in charge of the work shall submit to the Construction Official a report as to the satisfactory completion and the readiness of the project for occupancy. Major deviations from the approved permit documents shall be listed in the report; minor exceptions to the permit documents not endangering occupancy need not be included.

§ 66-5. Classes of registration.

An applicant may apply for registration in one or more classes. For the purpose of this chapter, there shall be the following classes for registration:

- A. General contractor: a contractor who is proficient in the construction of a building or structure from start to finish and the alteration, addition to or repair of any building or structure. This class of contractor shall be equipped to handle such work either by and through the contractor's own organization or through appropriate subcontractors and, in the latter event, must be completely responsible for the subcontractor's work as if performed or to be performed directly by the general contractor.
- B. Contractor: a contractor who is proficient in the construction of a building or structure from start to finish and the alteration, addition to or repair of any building or structure. This class of contractor shall be equipped to handle such work by and through the contractor's own work or his or her own organization of employees.
- C. Subcontractor: a skilled tradesperson other than a plumber or electrician who furnishes specific construction services.
- D. Carpenter: a contractor who is engaged in the business of or who is proficient in building or repairing wooden structures or fixtures.
- E. Mason: a contractor who is engaged in the business of or who is proficient in working in stone, brick, block, concrete, plastering or stucco.
- F. Roofing and siding contractor: a contractor who is engaged in the business of or who is proficient in applying roofing and siding materials to existing or new buildings or structures.

- G. Demolition contractor: a contractor who is engaged in the business of and who is proficient in the demolishing of any building or structure in the whole or in part.
- H. Moving contractor: a contractor who is engaged in the business of and who is proficient in the moving of any building or structure.
- I. Swimming pool contractor: a contractor who is engaged in the business of or who is proficient in the installation of swimming pools, their equipment and appurtenances.
- J. Sign or billboard contractor: a contractor who is engaged in the business of or who is proficient in the erection, alteration or maintenance of signs or billboards.
- K. Miscellaneous contractor: a contractor who is proficient in work of a special character as determined by the Construction Official.

§ 66-6. Issuance of building permits.

No building permit shall be issued by the Construction Official of the township for the erection, construction, reconstruction, alteration or removal of any building or structure or any subcontracting work with respect to a building or structure to anyone except a duly registered person or entity or duly authorized agent of such person or entity, under the provisions of this chapter; provided, however, that this provision shall not apply to plumbers and electricians or those entities registered with the State of New Jersey pursuant to the New Home Warranty and Builders' Registration Act.^[1]

[1] *Editor's Note: See N.J.S.A. 46:3B-1 et seq.*

§ 66-7. Grounds for revocation of registration.

The Construction Official of the township shall revoke the registration of any person or entity registered hereunder who shall be guilty of any one or more of the following acts or omissions:

- A. Fraud or misrepresentation or concealment of a material fact in the information given upon initial registration or upon registration after revocation.
- B. Violation of the building, plumbing and fire protection codes of the township or of any other ordinance or statute which governs the activities or nature of work performed by the contractor.
- C. Material and substantial breach of contract with the owner or purchaser.
- D. Filing of a voluntary or involuntary petition in a bankruptcy or insolvency proceeding.
- E. Violation of any federal or state law or local ordinance which is shown to be prejudicial to the public health, safety or welfare.

§ 66-8. Procedure for revocation.

- A. The Construction Official, on said Construction Official's own initiative and on forms to be prescribed by said Construction Official or any person, firm or corporation which has entered into an agreement for work, either verbal or written, with any contractor registered hereunder may file a complaint against any registered contractor by the filing of the same with the Building Department. Such complaint shall be in writing and signed by the person filing the same. The complaint shall contain a statement of facts setting forth the specific facts relating to the violation of this chapter or of the township building, plumbing, fire prevention or health codes or any other township ordinance or statute pertaining to building, construction or the registered contractor's activities.

- B. Upon a complaint being filed in the manner and form herein prescribed, the Construction Official shall forthwith issue a notice, in writing, directing the contractor in question to file a written answer within 10 days after the service of notice, answering to the charges or showing cause, if any, why the registration should not be revoked. A copy of the complaint shall be served with said notice.
- C. Failure of the contractor in question to file a written answer within the 10 days may be deemed an admission by the contractor of the commission of the act or violations cited in the complaint, and the contractor's license thereupon may be revoked forthwith by the Construction Official without further evidence.
- D. In the event that the contractor in question shall file a written answer within the time period prescribed in the notice, a hearing shall be scheduled, notice of which shall be served no less than 10 days prior to the date fixed for the hearing. The hearing shall be held by and before the Construction Official of the township, who shall thereafter make all decisions as to fact and law concerning revocation of the registration. At the hearing, the contractor and licensee shall each have the right to appear personally or by counsel and cross-examine witnesses and produce witnesses and evidence in the contractor's and licensee's behalf. Counsel is required if the licensee is a corporation. A certified Court Reporter shall be present at the contractor's expense, and a complete transcript shall be presented to the Mayor or designee at no cost if an appeal is taken.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 66-9. Appeals.

Any person aggrieved by any action of the Construction Official taken pursuant to this chapter shall have the right of appeal to the Mayor or designee. Such appeal shall be taken by filing with the Business Administrator, within 10 days after notice of revocation or other action complained of, a written statement setting forth fully the grounds for appeal. The Mayor or designee shall thereafter set a time and place for hearing the appeal upon at least 10 days' prior written notice to the appellant. The decision and order of the Mayor or designee on such appeal shall be final and conclusive and shall be based on the evidence presented at the hearing before the Construction Official, with no further evidence to be permitted.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 66-10. Service of notices.

Whenever notice is required or permitted to be given by this chapter, such notice may be effected by personal service upon the licensee if an individual or any general partner, if a partnership, or upon any corporate officer, if a corporation, or, alternatively, to any of the foregoing, by certified mail, return receipt requested, to the last address listed in the Construction Official's office in conjunction with the registration information. It shall be the duty of each registered contractor to keep the township advised of any subsequent change of address. Upon failure of a contractor to comply with this requirement, any notice returned with the notation "unknown," "moved" or "not claimed" shall be deemed proper service of all notices required by this section.

§ 66-11. Reregistration after revocation.

Any person whose registration has been revoked under the provisions of § 66-7 may apply to reregister and be re-entered upon the registration list upon filing the following:

- A. Certification by the Construction Official to the effect that all violations with reference to which the revocation was secured have been corrected.

- B. Proof that all loss caused by the act or omissions for which the registration was revoked has been fully satisfied and that all conditions imposed by the decision of the revocation have been complied with.
- C. Payment of a registration fee as established in Chapter **82**, Fees.

§ 66-12. Violations and penalties.

Penalties for violation of this chapter shall be as provided in Chapter **1**, General Provisions, Article **II**, Penalty, § **1-3**.

[1] *Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*