

# CITY OF WILLOW PARK

ORDINANCE NO. 657-12

**AN ORDINANCE AMENDING CHAPTER 3, "BUILDING AND CONSTRUCTION" ARTICLE 3.600 "LICENSES" OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF WILLOW PARK, TEXAS, TO REQUIRE THE PROOF OF GENERAL LIABILITY INSURANCE COVERAGE FOR A CONTRACTOR AS A CONDITION FOR REGISTRATION TO PERFORM WORK WITHIN THE CORPORATE LIMITS OF THE CITY; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE**

WHEREAS, the City of Willow Park, Texas ("City") is a municipal corporation organized under the laws of the State of Texas; and

WHEREAS, it is the intent of the City Council to protect the public health, safety and welfare and well being of its citizens; and

WHEREAS, municipalities may, under their police powers, enact reasonable regulations to promote the health, safety and welfare of citizens; and

WHEREAS, the governing body of the City has found that requiring general liability coverage by contractors as a condition precedent to performing work on any structure within the municipal limits of the City benefits the health, safety and welfare of the citizens; and

**NOW, THEREFORE: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:**

## SECTION 1. AUTHORIZATION

The Mayor, or Mayor's designee, is hereby authorized and directed to implement the applicable provisions of this Ordinance.

## SECTION 2. AMENDMENT

Chapter 3, "Building and Construction" Article 3.600 "Licenses" is amended as follows:

"Article §3.601(a) REGISTRATION OF GENERAL OF CONTRACTORS:

(a) It shall be unlawful for any person, firm or corporation to perform, or cause to be performed, for a fixed price, commission, fee, wage, or other compensation contracting work upon or in any structures within the corporate limits of the City of Willow Park, Texas, without having first registered on the form and in the manner as prescribed by the City Council. Such work shall include service, repair, installation, maintenance, improvement, alteration, or any form of such related work.

(b) Any person, firm or corporation, prior to initiating any work in the above area within the corporate limits of the City of Willow Park, shall cause to be filed with the City Secretary his or her or its application for registration and shall upon such application provide therein such information as the City Council may determine to be appropriate agencies, previous registration, address and other pertinent information. Proof of general liability insurance in an amount not less than \$300,000 must be submitted with the application. The application will be incomplete without the submittal of a valid general liability insurance certificate. In no event shall any work be performed within the corporate limits of the City of Willow Park, unless the person or entity to perform such work has all necessary licensing from the appropriate entities.

(c) There shall be issued to the applicant, his, her or its registration to perform such work within the corporate limits of the City of Willow Park provided such application has been completed in all respects and a registration fee has been paid by the applicant to the City. They shall be thereafter be charged an annual renewal fee which the applicant shall pay to the City of

Willow Park and which upon payment shall automatically cause such registration within the City to be renewed for a period of one additional year. The license fee and renewal fee shall be established and approved by the City Council from time to time.”

SECTION 3. RECITALS

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Ordinance.

SECTION 4. SAVINGS/REPEALING CLAUSE

All provisions of any Ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal not abate any pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of said Ordinances shall remain in full force and effect.

SECTION 5. SEVERABILITY

If any section, paragraph, subsection, sentence, clause, phrase or provision of this Ordinance is for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this or any other Ordinance of the City to which these rules and regulations relate. The City of Willow Park hereby declares that it would have passed this Ordinance, and each section, paragraph, subsection, sentence, clause or phrase thereof, irrespective of the

fact that any one or more section, paragraph, subsection, sentence, clause or phrase be declared invalid or unconstitutional.

SECTION 6. PUBLICATION

The City Secretary of the City of Willow Park is hereby directed to publish in the official newspaper of the City of Willow Park the caption hereof as required by Section 52.011 of the LOCAL GOVERNMENT CODE.

SECTION 7. EFFECTIVE DATE

This Ordinance shall take effect from and after its publication.

PASSED AND ADOPTED this 13<sup>th</sup> day of November, 2012.

/s/ \_\_\_\_\_  
Mayor

ATTEST:

/s/ \_\_\_\_\_  
City Secretary/Clerk

APPROVED AT TO FORM:

/s/ \_\_\_\_\_  
City Attorney

The Willow Park City Council in acting on Ordinance No. 657-12 did on the 13<sup>th</sup> day of November, 2012, vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
Richard Neverdousky, Mayor	_____	_____
Brian Thonburg, Place 1	_____	_____
Gene Martin, Place 2	_____	_____
Amy Podany, Place 3	_____	_____
Dan Stalling, Place 4	_____	_____
Bernard Suchocki, Place 5	_____	_____