



City of Omaha  
Jim Suttle, Mayor

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OMAHA, NEBRASKA

February 28, 2012

**Planning Department**

Omaha/Douglas Civic Center  
1819 Farnam Street, Suite 1100  
Omaha, Nebraska 68183  
(402) 444-5150  
Telefax (402) 444-6140

**R. E. Cunningham, RA, F.SAME**  
Director

Honorable President

and Members of the City Council,

The Ordinance attached hereto is to amend Ordinance No. 39090. The purpose of the amendment is to change the effective date of the contractor licensing requirement from March 1, 2012, to September 1, 2012. We are requesting this change due to inability of licensing applicants to complete the testing requirement by March 1, 2012.

Your favorable consideration of this Resolution is respectfully requested.

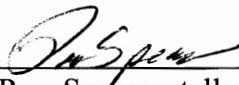
Respectfully submitted,

Referred to City Council for Consideration

  
R.E. Cunningham, RA, F. SAME  
Planning Director  
Date 2/16/12

  
Mayor's Office/Title  
Date 2/16/12

Approved

  
Pam Spaccarotella  
Finance Director  
Date 2-16-12

Amended by CCIS No. 259  
of 3-13-12<sup>ste</sup>

ORDINANCE NO. 39269

1 AN ORDINANCE to amend Section 43-272 of the Omaha Municipal Code entitled “Licensing  
2 required.” and Section 43-278 of the Omaha Municipal Code entitled “Issuance or  
3 denial.”; repealing Sections 43-272 and 43-278 as heretofore existing; and providing for  
4 the effective date hereof.

5 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

6 Section 1. That Section 43-272 of the Omaha Municipal Code is hereby amended to read  
7 as follows:

8 **Sec. 43-272. License required.**

9  
10 (a) It shall be unlawful for any person to act as a contractor, as  
11 defined in this article, in the city or within the three-mile  
12 extraterritorial jurisdiction of the city, without having first obtained  
13 a license to do so from the permits and inspections division. The  
14 prohibition contained in this subsection shall become effective  
15 ~~commencing six months from the effective date of this ordinance~~  
16 September 1, 2012.

17  
18 (b) In the case of a corporation, partnership, or other entity  
19 doing business as a contractor, at least one executive officer or  
20 designated full-time employee shall be required to hold the  
21 requisite license. Such officer or designated full-time employee  
22 shall be liable to service of regular process, and shall be  
23 responsible for such entity’s compliance with applicable laws.

24  
25 Section 2. That Section 43-278 of the Omaha Municipal Code is hereby amended to read  
26 as follows:

27 **Sec. 43-278. Issuance or denial.**

28  
29 (a) The permits and inspections division shall issue a license,  
30 of the class applied for, to a qualified applicant who has  
31 successfully passed the examination for such class of license.

32  
33 (b) A person may apply for a “grandfather” license without  
34 taking the exam, by September 1, 2012, subject to the following  
35 conditions:  
36

- 1           (1)    An applicant for a grandfathered E Class license shall  
2           provide an application on a form provided by the permits  
3           and inspection division. The applicant shall provide proof  
4           of one year of completed projects including contact  
5           information, job address, permit history and the applicant's  
6           scope of responsibility. The application shall also include a  
7           \$500.00 non-refundable application fee.
  
- 8  
9           (2)    An applicant for a grandfathered B, C, or D Class license  
10          shall provide an application on a form provided by the  
11          permits and inspection division. The applicant shall  
12          provide proof of projects completed within the past five  
13          years, with the project name, address, owner's name and  
14          contact information, designer's name, permit history and  
15          scope of work performed. The application shall also  
16          include a \$2,500.00 non-refundable application fee to cover  
17          the cost of investigation, research and verification of the  
18          information.
  
- 19  
20          (3)    No Class A license will be issued without the applicant  
21          passing the Class A test.
  
- 22  
23          (4)    The planning director and/or his/her designated  
24          representative shall decide whether a grandfathered license  
25          should be issued, and make the final determination of the  
26          class of license to be issued, after reviewing the facts above  
27          and a face-to-face interview with the applicant. The class of  
28          license issued may or may not be the class applied for.
  
- 29  
30          (5)    If approved, the grandfathered contractor shall perform  
31          only the work permitted under that class of license under  
32          which he/she is authorized.
  
- 33

34           Section 3. This Ordinance shall be in full force and take effect fifteen days from and  
35 after its passage.

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INTRODUCED BY COUNCILMEMBER

Thomas Mulligan

APPROVED BY:

Jim Smith 3/15/12  
MAYOR OF THE CITY OF OMAHA Date

PASSED MAR 13 2012 as amended 6-1  
Nay: Thompson

ATTEST:

Buster Brown 3/15/12  
CITY CLERK OF THE CITY OF OMAHA Date

APPROVED AS TO FORM:

David L. Krenzel 3/2/12  
CITY ATTORNEY Date

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ORDINANCE NO. 392109

AN ORDINANCE to amend Section 43-272 of the Omaha Municipal Code entitled "Licensing required." and Section 43-278 of the Omaha Municipal Code entitled "Issuance or denial."; repealing Sections 43-272 and 43-278 as heretofore existing; and providing for the effective date hereof.  
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**PRESENTED TO COUNCIL**

1st Reading FEB 28 2012 - Hearing  
3/6/12

Hearing MAR - 6 2012 - Over to  
3/3/12

Final Reading MAR 13 2012

*Ordinance read  
Amendment of the whole "1" - Passed as amended 7-0 "yes" vote to  
Councilmember Thompson requested to change his "yes" vote to  
a "No" vote. No objection was raised  
Ordinance passed as amended 10-1  
Nay: Thompson  
BUSTER BROWN  
City Clerk*

**PUBLICATIONS**

PUBLICATION OF HEARING

Date \_\_\_\_\_  
PUBLICATION OF ORDINANCE

Date \_\_\_\_\_