



CITY OF BUFFALO
DEPARTMENT OF PERMIT & INSPECTION SERVICES
OFFICE OF LICENSES
65 Niagara Square City Hall 301
Buffalo, NY 14202



BYRON W. BROWN
 Mayor

(716) 851-4078 / (716) 851-6583 FAX: (716) 851-4952

JAMES COMERFORD, Jr.
 Commissioner

CONTRACTOR APPLICATION

Chapter 144 of the City of Buffalo Ordinance requires persons engaged in a home improvement business (i.e. painting, siding, roofing) or doing construction work in the City of Buffalo to obtain a City of Buffalo Contractor license. This license does not allow for plumbing, heating, cooling or electrical work. Conducting a home improvement business or doing construction work in Buffalo without a license is an unclassified misdemeanor and shall be punishable by a fine or penalty of not more than \$1,000 or by imprisonment for not more than 60 days, or by both such fine and imprisonment.

Application with fee and required documentation must be mailed into our office where the Construction & Home Improvement Advisory Board will review and any questions will contact applicant. If Application is missing any documentation it will be sent back.

Application can be mailed to City Hall
Office of Licenses 65 Niagara Sq. Room 301 Buffalo, NY 14202

Use this checklist to insure you submit correct documentation with your application.

| | |
|---|--|
| A. ALL APPLICANTS see page 3 <input type="checkbox"/> General Liability Insurance Certificate - ACORD forms - NO PO BOX for your address <input type="checkbox"/> Proof of Business Name <input type="checkbox"/> 2 passport-size photographs <input type="checkbox"/> Application - pages 7-8 <input type="checkbox"/> RRP (Renovation, Repair & Painting) certification <input type="checkbox"/> COPY OF DRIVERS LICENSE REQUIRED | D. WORK ON RESIDENTIAL PROPERTIES see page 6 <input type="checkbox"/> City of Buffalo Home Improvement Contract |
| B. APPLICANTS WITH EMPLOYEES <input type="checkbox"/> Proof of workers' compensation insurance No PO BOX address on insurance <input type="checkbox"/> Use acceptable forms - page 3 | E. SPECIALTY TRADE APPLICANTS see page 4 <input type="checkbox"/> Copies of specific certifications for trade |
| C. APPLICANTS WITHOUT EMPLOYEES <input type="checkbox"/> Exemption form (CE-200) attesting you do not require Workers' Compensation Insurance <input type="checkbox"/> If a Partnership with no employees - page 3 | F. DEMOLITION APPLICANTS see page 4 <input type="checkbox"/> List of industry-standard demolition equipment <input type="checkbox"/> Résumé of applicant showing demolition-related work <input type="checkbox"/> Letters of reference |

CATEGORIES FOR CONTRACTOR LICENSES

ONE MAN OPERATIONS WHETHER CORPORATION, LLC, OR DBA which cannot show proof of Workers' Compensation Insurance qualify for these:

HANDYMAN CONTRACTOR

- To perform normal maintenance and minor repairs on residential structures. Includes all minor interior and exterior improvements, repairs, installations and replacements.
- License does not include roofing, siding, large renovations or any other construction projects which the Department of Permit & Inspection and/or any industry standards dictate be completed by two (2) or more people.
- License is limited to only one person, valid solely to the individual named on said license.

CONSTRUCTION MANAGER

- To contract for a fee the oversight and direction of construction elements of a building project.
- Includes the hiring and scheduling of all licensed contractors to perform said construction elements.
- Cannot perform construction work

CORPORATIONS, LLC, DBA with Proof of Workers' Compensation Insurance

SPECIALTY CONTRACTOR

- To perform construction work as so designated on the license, which involves the use of a specialized skill, trade, or craft on residential, commercial or mixed structures. All work is limited to that of the specialized field on the license. **Copies of specific certifications for trade**

LIGHT COMMERCIAL CONTRACTOR

- To perform repairs, remodeling, alterations, conversions or modernization of commercial property.
- To construct additions on and build new and accessory structures (**maximum of three (3) stories in height**) on commercial property. Includes all interior and exterior improvements, repairs, installations, replacements.
- License shall include residential work *only* when so designated on this license.
- License does not include the construction of new housing, or the construction of infrastructure like, but not limited to, roads, roadways, bridges and underground utilities.

DEMOLITION

- This license is valid for demolition work only: Construction work may not be performed with this license.
 - Grade 1:** To perform demolition on structures with no basement limited to one & one-half (1½) stories to a maximum of 20 ft.
 - Grade 2:** To perform demolition on structures three (3) stories in height to a maximum of 30 feet.
 - Grade 3:** To perform demolition, without the use of explosives, with no restrictions to number of stories or height.
 - Grade 4:** To perform demolition, including the use of explosives, with no restrictions to number of stories or height.

SUB-CONTRACTOR: License does not allow the licensee to obtain permits. Licensee must also work under a primary contractor who will obtain the necessary construction permits.

- To perform construction work for, and contract directly with, a prime contractor.
- Said construction work to involve the use of a specialized skill, trade or craft on residential, commercial or mixed structures.

NEW HOUSING CONTRACTOR

- To perform construction of new residential and commercial structures (maximum of three (3) stories) in addition to performing repairs, remodeling, alterations and conversions or modernizations of residential and commercial structures. Includes interior and exterior improvements, repairs, installations, replacements.
- License does not include the construction of infrastructure like, but not limited to, roads, roadways, bridges, underground utilities.

GENERAL CONTRACTOR

- **Companies with extensive experience in major construction work will qualify.** To perform construction of new residential and commercial structures without limitations, in addition to performing repairs, remodeling, alterations, conversions or modernizations of residential and commercial structures. Includes infrastructures and interior and exterior improvements, repairs, installations, replacements.

GENERAL LIABILITY AND WORKERS' COMPENSATION INSURANCE

The address and name of business must be on all insurance certificates. City of Buffalo Office of Licenses 301 City Hall Buffalo, NY 14202 must be listed as certificate holder. Certificates with a PO Box address will not be accepted.

1. General Liability Insurance must be no less than the amount specified for your category.

| | | |
|-----------------------------|------------------------------|--------------------------------|
| \$50,000 aggregate coverage | \$500,000 aggregate coverage | \$2,000,000 aggregate coverage |
| Handyman | Light Commercial | All Demolition grades |
| Construction Manager | Specialty | General Contractor |
| | Subcontractor | |
| | New Housing | |

2. Workers' Compensation Insurance must be in form C105.2, U-26.3, SI-12, or GSI-105.2 per New York State Workers' Compensation Board requirements. Companies who will have paid employees must submit proof of workers' compensation insurance. Contact your insurance carrier to obtain these forms.

EXEMPTION from NYS WORKERS' COMPENSATION/DISABILITY INSURANCE

This form attests that your company carries no workers' compensation insurance and does not have employees, day labor, leased employees, borrowed employees, part-time employees, unpaid volunteers (including family members) or subcontractors.

File **Form CE-200** with New York State at www.ny.gov/agencies. Specify the license category you are applying for. As licensing agent, state 'City of Buffalo Office of Licenses'. State your exact business name and address as it appears on your certificate of liability insurance. For further assistance contact NYS Workers' Compensation Board at 866.211.2171. The local district office in Buffalo is at 295 Main Street.

- 1. Applicants working alone** as a DBA, Corporation or Limited Liability Company (LLC) qualifies for the Handyman or Construction Manager category. File a compensation/disability exemption affidavit (form CE-200) with NYS Workers' Compensation Board at www.ny.gov/agencies. You may not hire subcontractors with exemption CE-200.
- 2. Partners who have equal ownership of the company** qualify for a limited Home Improvement, Light Commercial, or Specialty category. Name all partners of the business on form CE-200. Only you and your partners may be on the work site. You may not hire subcontractors with exemption CE-200.

PROOF OF BUSINESS NAME (submit one)

- 1. Certificate of registration** to do business under an assumed name. Register your business name at Erie County clerk's office 25 Delaware Buffalo, NY 14202. Contact them at 716.858.8865. If you are a business registered outside Erie County, you still must register in Erie County.
- 2. Certificate of registration of partnership** to do business under an assumed name. See information for certificate of registration. Both partners must carry a 50/50 ownership of the company.
- 3. Corporate or LLC filing receipt.** For information, visit New York State Department of State at dos.state.ny.us. If a business outside of NYS, apply with NYS as a foreign business entity.

REQUIRED PHOTOS

Applicant provides two (2) passport-size photos. If a partnership or an LLC, all partners and members must submit these photos. If a corporation, submit photos of the corporate officer applying for the license.

RRP CERTIFICATION

Contractors that are exempt from Federal Statute such as landscapers, fence installers, & contractors who only do flatwork, etc, do not need to provide their firm's RRP Certification. All others are required to submit copy of RRP Certification.

APPLICATION (last 2 pages of the packet) The **applicant must be a corporate officer of the company.**
Attach list of all members of corporation, LLC or partnership. The application must be notarized if the applicant will not attend the Board meeting. If the owner, partner and/or a major officer of the corporation cannot attend the Board Meeting, a notarized letter from the applicant must be submitted granting permission to their representative.

SPECIALTY CONTRACTOR

Asbestos Abatement

Submit a copy of your company's New York State Department of Labor Asbestos License.
Contact Department of Labor Division of Safety & Health Asbestos Control Bureau License and Certification Unit State Office Campus Room 161A Albany, NY 12240. For information call 518.457.2735.

Lead Abatement

Submit a copy of your United States Environmental Protection Agency Certification for lead abatement.
The company being licensed must be certified to do lead abatement.
For more information contact 1-800-424-LEAD or visit www.epa.gov.

Installation of Water-Based and/or Chemical-Based Fire Suppression Systems.

Provide copies of any certifications that allow your company or its employees to install these systems.
Provide a detailed résumé of work performed by your company in this capacity. **Must have approval from Chief of Fire Prevention.**

DEMOLITION

All Grades: Submit a list of equipment you own or a copy of an agreement with the business from whom you will be renting industry-standard demolition equipment. Provide a résumé detailing the applicant's demolition work experience.

Grades 2, 3: Letters of reference from at least two townships where demolition work has been performed. These letters can be waived if an extensive résumé can be provided by the company showing at least 10 years of demolition experience.

Grade 4: Major Officer of the corporation must be licensed by New York State in explosives use.

NEW HOUSING

Provide copy of express, limited, and other warranties' given to all new home buyers.

City of Buffalo Ordinances

| | |
|------------------|---|
| Chapter 103 | BUILDING CONSTRUCTION AND DEMOLITION; FIRE PREVENTION |
| Chapter 144 | CONTRACTORS |
| Chapter 263-23 | WORK COMMENCED WITHOUT LICENSE OR PERMIT |
| Chapter 263-26 | COLLECTOR LICENSE |
| Chapter 265 | PROPERTY MANAGERS |
| Chapter 293, 1-7 | NOISE |

New York State General Business Law

NEW YORK STATE GENERAL BUSINESS LAW ARTICLE 36-A HOME IMPROVEMENT CONTRACTS

New York State Lien

The following is a brief summary of important requirements applicable to home improvement contractors. Do not consider this a substitute for your responsibility to be familiar with all applicable laws and requirements.

- 1) Conduct business without history of failure to perform your contracts.
- 2) Adhere to the health laws of Erie County.
- 3) Secure all proper permits and comply with the ordinances of the City of Buffalo.
- 4) Notify in writing the Commissioner of Permit and Inspection Services of any change or control in the ownership, management or business name or location of the home-improvement business.
- 5) Perform any contract or project engaged in or undertaken by the licensee. If a contract or project is abandoned you must have proper justification.
- 6) Adhere to plans or building specifications in any material without deviation.
- 7) Your license can be revoked if any fraud in the execution or in the material alteration of any contract, mortgage, promissory note or other document incident to a construction or home improvement transaction.
- 8) Your license can be revoked if you prepare or accept any mortgage, promissory note or other evidence of indebtedness upon the obligations of a construction or home-improvement transaction with the knowledge that it recites a greater monetary obligation than the agreed consideration for the work.
- 9) All work or installation will only be commenced once all required licenses have been issued by all contractors on the work site.
- 10) All work or installation can only begin once contractor has obtained all required permits. After three infractions where the contractor has failed to do so, the license is revoked immediately.
- 11) **City of Buffalo Noise Ordinance prohibits the performance or engagement in construction work, building, excavating, hoisting, grading, demolishing, dredging or pneumatic hammering within the limits of the City between the hours of 9 pm and 7 am that causes sound which annoys or disturbs a reasonable person of normal sensitivities in a residential real property zone, except for emergency work of public service utilities or as otherwise provided in Subsection I(b) herein.**
- 12) The EPA requires any contractor performing renovation, repair and/or painting projects that disturb lead-based paint in homes built before 1978 must be certified and must follow lead-safe work practices to prevent lead contamination. **CONTACT THE EPA AT 1-800-424-LEAD (5323) for more information.**
- 13) As a licensed contractor you must maintain insurances specific to the license issued you by City of Buffalo Office of Licenses.
- 14) For any business also engaged in landscape or snow removal a separate license is required.
- 15) Failure to comply with any of these instructions is a violation of the laws of City of Buffalo and/or New York State and may result in legal action being taken.
- 16) Individuals who engage in property management of three (3) or more rental units must obtain a Property Manager License.
- 17) Construction debris removal service companies must have a City of Buffalo Collector License.

***You can locate the City of Buffalo Ordinances online at city-buffalo.com**

***Other laws can be found on their respective agency web sites.**

Contractors performing work on residential properties in the City of Buffalo must use a City of Buffalo Home Improvement Contract. Licensed contractors must use this contract at all times when performing work on residential properties in Buffalo. In the event that any contract without these provisions is signed and dated with a City of Buffalo resident for home improvement work after the date the applicant has been licensed, the Construction & Home Improvement Advisory Board may revoke the license or subject the licensee to possible monetary or criminal penalties. These contracts will ensure that licensed Home Improvement Contractors comply with all State and Federal regulations.

City of Buffalo Contracts must be printed by a professional printer. Several local printers are:

Royal Printing

351 Grant St

Buffalo, NY 14213

716.885.7692

Vilardo Printing

326 Connecticut St

Buffalo, NY 14213

716.884-2892

Please note. The City of Buffalo does not in any way endorse nor advertise for any of the listed printers. This list is only to assist the applicant in finding a local printer. Any printer will be able to print these contracts. You can also contact a printer in your area to have these contracts printed.

You must submit with your application a blank 5 part contract with the following provisions.
If doing work on One & Two Family Dwellings

- Date of transaction
- Five (5) part contract on legal size paper (8 ½ x 14)
- Description of work to be performed
- A notice to the owner purchasing the home improvement that the contractor or subcontractor who performs on the contract and is not paid may have a claim against the owner which may be enforced against the property in accordance with applicable lien laws.
- Contract letterhead must have a physical address and company name. The address must be the same as in your insurances.
- The new State Law concerning monies to be put in an Escrow account.
- Compliant with all State and Federal regulations.
- Federal Trade Commission Regulation rule concerning a cooling-off period for door-to-door sales.

Note: In immediate proximity to the space reserved in the contract for the signature of the buyer, in bold face and a minimum size of 10 POINTS, a statement in the following form:

YOU, THE BUYER, MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AFTER THE DATE OF THIS TRANSACTION.

IF YOU CANCEL, ANY PROPERTY TRADED IN, ANY PAYMENTS MADE BY YOU UNDER THE CONTRACT OR SALE, AND ANY NEGOTIABLE INSTRUMENT EXECUTED BY YOU WILL BE RETURNED WITHIN 10 BUSINESS DAYS FOLLOWING RECEIPT BY THE SELLER OF YOUR CANCELLATION NOTICE, AND ANY SECURITY INTEREST ARISING OUT OF THE TRANSACTION WILL BE CANCELLED.

IF YOU CANCEL, YOU MUST MAKE AVAILABLE TO SELLER AT YOUR RESIDENCE, IN SUBSTANTIALLY AS GOOD CONDITION AS WHEN RECEIVED, ANY GOODS DELIVERED TO YOU UNDER THIS CONTRACT OR SALE; OR YOU MAY, IF YOU WISH, COMPLY WITH THE INSTRUCTIONS OF THE SELLER REGARDING THE RETURN SHIPMENT OF THE GOODS AT THE SELLER'S EXPENSE AND RISK.

IF YOU DO MAKE THE GOODS AVAILABLE TO THE SELLER AND THE SELLER DOES NOT PICK THEM UP WITHIN 20 DAYS OF THE DATE OF YOUR NOTICE OF CANCELLATION, YOU MAY RETURN OR DISPOSE OF THE GOODS WITHOUT ANY FURTHER OBLIGATION. IF YOU FAIL TO MAKE THE GOODS TO THE SELLER AND FAIL TO DO SO, THEN YOU REMAIN LIABLE FOR PERFORMANCE OF ALL OBLIGATIONS UNDER THE CONTRACT.

TO CANCEL THIS TRANSACTION, MAIL OR DELIVER A SIGNED AND DATED COPY OF THIS CANCELLATION NOTICE OR ANY OTHER WRITTEN NOTICE, OR SEND A TELEGRAM, TO [Name of Seller] AT [address of seller's place of business] NOT LATER THAN MIDNIGHT OF _____.

(Date)

I HEREBY CANCEL THIS TRANSACTION. _____ (Date)

1. I have had at least _____ years of experience in the home improvement/construction business. Are you doing Roofing/Siding? () Yes () No **If yes your certificate of Liability Insurance must say "Covers Roofing/Siding" in the description**
2. Were you previously licensed in the City of Buffalo to perform construction work? () Yes () No

If YES, list the name of the company or companies that were licensed.

3. Describe your construction experience below. Type of work you have done. Attach additional pages if necessary. You may attach a résumé with your application.

4. Name corporations or individuals for whom you have performed work and can be contacted for references.

| Company Name | Type work | Contact Information |
|--------------|-----------|---------------------|
| | | |
| | | |
| | | |

5. Does any applicant have any open and/or outstanding City of Buffalo Housing Court Action Pending? () Yes () No **If Yes** list property addresses or explain the pending action _____

6. Has any person on this application been found guilty of any crime or offense, criminal or civil, punishable with a term of imprisonment or a fine by a governmental agent or agency? () Yes () No **If YES**, provide a police background check.

7. Is there a criminal or civil charge pending against any person named on this application? () Yes () No **If YES**, provide a police background check.

8. Has any license issued to an individual, partner, corporate officer been denied, suspended or revoked by any agency? () Yes () No **If YES**, list agency and reason for action.

9. Have you ever been cited for OSHA violations? () Yes () No **If YES**, attach supporting documentation showing type of citation and settlement papers.

10. Are there any outstanding unsatisfied business-related Judgment(s) against the company? () Yes () No **If YES**, give dates and location of filings.

AFFIRMATION – PLEASE READ, CHECK BOX, AND SIGN BELOW.

I have reviewed and understand all the information contained on the "LAWS GOVERNING THE LICENSING OF CONTRACTORS IN THE CITY OF BUFFALO" Form included in this application. The specific Sections of rules, regulations and Laws have been provided, however, the laws included on said Form may not include all applicable rules, regulations or laws governing contractors. I am aware that it is my responsibility to know and comply with any and all laws governing contractors. The signature on the application attests to the fact that the license applicant is aware of and will operate this contracting business in compliance with any and all applicable rules and regulations.

Signature: _____

Date _____.

False statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law.

SWORN BEFORE ME THIS

____ day of _____ 20____

Commissioner of Deeds or Notary Public

Mailed applications must be notarized