

2011 BUSINESS LICENSE APPLICATION



THE CITY OF NEW CASTLE
900 WILMINGTON ROAD
NEW CASTLE, DE 19720-3638

To obtain a business licenses for the City of New Castle for Calendar 2011, please complete the following information and return it to the City at the address above, along with your payment. Incomplete applications will not be processed, so please fill in all information required. Skilled trade numbers are required of all trades licensed by the State (e.g. plumbers, electricians, etc.) Please note that annual license fees are:

\$ 40.00 per year for 1 - 3 employees
\$ 75.00 per year for 4 - 8 employees
\$ 175.00 per year for 9 - 20 employees
\$ 300.00 per year for 21 or more employees

Certain occupations require surety bonds as a condition of licensing, and copies of the applicable regulations are included with this renewal application. Any questions about the operation of your business in the City, or with other permit requirements can be answered by stopping in, between 8:30 and 4:30 weekdays at the Building Department Office located at 900 Wilmington Road, or by calling 322-9813.

PLEASE SIGN AND DATE THIS APPLICATION AND RETURN IT WITH YOUR
CHECK MADE PAYABLE TO: THE MAYOR & COUNCIL OF NEW CASTLE.

Name of Business: _____
Name of business owner: _____
Type of business: _____
Actual location of business: _____
Mailing address of business: _____
Federal Tax No. (E.I.N. or S.S.) _____
Business phone number: _____
Business fax number: _____
E-MAIL address: _____
Delaware Skilled Trade No. (if applicable): _____
Number of Years at present location: _____
Number of employees (including owner): _____
License fee due (for employee(s) above): _____
Applicant Signature: _____
Date: _____

FOR OFFICE USE ONLY:

License fee due for employee(s) above: _____
License Number Issued: _____



IMPORTANT NOTICE

2011 BUSINESS LICENSE APPLICANTS -

The City of New Castle has adopted an ordinance requiring compliance bonds as a condition of licensing for certain business occupations located or performed in the City. A copy of the ordinance for your use has been provided on the back of this notice.

A waiver of the bonding requirement may be granted by the City Building Department Code Official, upon written application, when in the opinion of the Code Official, the nature of the particular business activity itself does not have a reasonable potential for danger to the health and safety of the community, or the value of the particular business activity is so small as to pose an insignificant risk to the health and safety of the community. When a waiver is granted for any construction activity, each subsequent building permit applied for will require approval of an additional written application for a waiver of the bonding requirement, or the submission of an acceptable bond.

The Building Department Code Official policy has been determined that requests for business licenses for construction activities for work valued under \$1,000 during calendar 2011 will generally be exempt from the bonding requirement, but that *each application for a business license will be individually reviewed for potential risks to the health and safety of the community.*

Any form of application for a waiver of the bonding requirement will be considered, but signing and returning a copy of this notice will be sufficient to allow consideration for a waiver.

If you have any questions, including a list of surety companies authorized to transact business in the State of Delaware, or wish the details of your particular business operations in the City, please feel free to contact the Building Department at (302) 322-9813, or to fax questions to (302) 323-2144. The Building Department anticipates that many businesses will be exempt from this requirement. Thank you for your help.

Name of Applicant: _____

The applicant listed above requests a waiver of the bonding requirement as a condition of a 2011 Business License Application for the following reason: (Please check one)

- The particular business activity itself does not have a reasonable potential for danger to the health and safety of the community.
- The value of the particular business activity is so small as to pose an insignificant risk to the health and safety of the community.

Authorized signature: _____

Date: _____

**AN ORDINANCE AMENDING THE CODE OF THE
CITY OF NEW CASTLE BY REQUIRING
COMPLIANCE BONDS AS A CONDITION OF
LICENSING FOR CERTAIN BUSINESS OCCUPATIONS.**

WHEREAS, the Mayor and Council of New Castle have determined that there is a need to ensure that laws, ordinances, and regulations are complied with by license or permit holders; and

WHEREAS, the Mayor and Council of New Castle have determined that there is a need to aid city revenues by ensuring that fees and charges are paid on time; and

WHEREAS, the Mayor and Council of New Castle have determined that there is a need to protect consumers by allowing them to make a claim directly to the surety company if the license or permit holder acts contrary to the city's ordinances or regulations; and

WHEREAS, the Mayor and Council of New Castle have determined that requiring compliance bonds as a condition of licensing for certain business occupations located or performed in the city;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF NEW CASTLE that the Code of City of New Castle, as amended, revised, and reenacted, is further amended as follows:

Amend Chapter 156, LICENSES as follows:

1. Amend present Section 156-2. Definitions by adding following to the existing section:

BONDED OCCUPATION—Occupations which in the opinion of the City Building Department Director have a reasonable potential for danger to the health and safety of the community, by virtue of their regulation/licensing by the State and/or the nature of the business activity occurring in the city. Such occupations shall include, but not be limited to: Cesspool or Septic Tank Installation or Maintenance Contractor, Drain layer, Electrical Contractor, Excavation Contractor, Fire Sprinkler or Fire Alarm Installation Contractor, Fumigator, Fitter, Gas Appliance Installation, Refrigeration Contractor, General Contractor, House Wrecker/Demolition Contractor, Roofing, Siding or Insulation Contractor, Heating/Sheet Metal or Air Conditioning Installation or Repair Contractor, Painting Contractor, Plumber, Sewer and Water and other Utility Contractors, Sidewalk or Cement/Masonry Installation Contractor, Highway Permit/Street Obstruction, Sign Contractors, Tree Trimmer, Well Drilling Contractors. Other occupations also determined to require bonding include Solicitor, Transient Merchant, Insurance Claim Adjustor or Investigator, Auctioneer, Junk Dealer/Second Hand Dealer, Peddler, Pawnbroker, Garbage Disposal, Public Mover, Insurance Broker.

2. Amend present Section 156-3. License required by adding following to the existing section:

Applications for bonded occupations shall be accompanied by a bond in a form acceptable to the Building Department in the amount of ten thousand dollars (\$ 10,000.00) and executed by a surety company authorized to transact business in the State of Delaware, as surety with the applicant as Principal Obligor, and the City of New Castle as Obligee, conditioned that the applicant shall faithfully perform the duties and in all things comply with the Code of the City of New Castle, including all amendments and regulations adopted thereto pertaining to the license or permit applied for, then this obligation to be void, otherwise to remain in full force and effect. The aggregate liability of the surety to any and all persons, regardless of the number of claims made against the bond or the number of years the bond remains in force, shall in no event exceed the amount of the bond. The bond may be terminated at any time by the surety upon sending notice in writing to the Obligee and to the Principal, and at the expiration of 30 days from the mailing of said notice, this bond shall terminate and the surety shall thereupon be relieved from any liability for any acts or omissions of the Principal subsequent to that date. A waiver of the bonding requirement may be granted by the city Building Department Code Official, upon written application, when in the opinion of the Code Official, the nature of the particular business activity itself does not have a reasonable potential for danger to the health and safety of the community, or the value of the particular business activity is so small as to pose an insignificant risk to the health and safety of the community. When a waiver is granted for any construction activity, each subsequent building permit applied for will require approval of an additional written application for a waiver of the bonding requirement, or the submission of an acceptable bond.