

RESIDENTIAL CONTRACTOR DIVISION

RESIDENTIAL CONTRACTOR DIVISION (BASIC & LIGHT COMMERCIAL)

OCGA 43-41-2 (9): Residential Contractor means any contractor who may contract for, undertake to perform, submit a bid or a proposal or otherwise offer to perform, and perform any activity or work as a contractor requiring licensure under this chapter for a fixed price, commission, fee, wage, or other compensation or who undertakes any activity or work on his or her own behalf or for any person or business organization that is not licensed as a licensed residential contractor pursuant to this chapter where such activity or work falls into the category of residential-basic contractor or residential-light commercial contractor as defined in this Code section and where the total value of the work or activity or of the compensation to be received by the contractor for such activity or work, whichever is the higher, exceeds \$2,500.00. The term 'residential contractor' shall include both a residential-basic contractor and a residential-light commercial contractor, except where otherwise expressly stated. The work or activity performed by a residential contractor may include within its scope any work requiring licensure under Chapter 14 of this title; provided, however, that any work contractually undertaken by a residential contractor in the nature of electrical contracting, plumbing, conditioned air contracting, low voltage contracting, or utility contracting which falls within the licensing requirements of Chapter 14 of this title may not be performed by the residential contractor but shall only be performed by a person who is duly licensed to perform such work under Chapter 14 of this title.

RESIDENTIAL- BASIC CONTRACTOR CATEGORY

OCGA 43-41-2 (10) Residential-basic contractor – means and encompasses a person who performs contractor work or activity relative to detached one-family and two-family residences and one-family townhouses not over three stories in height and their accessory buildings and structures;

RESIDENTIAL-LIGHT COMMERCIAL CONTRACTOR CATEGORY

OCGA 43-41-2 (9) Residential-light commercial contractor – means and encompasses a person who performs any contractor work or activity performed by a residential-basic contractor and, additionally, shall include such contractor work or activity related to multifamily and multi-use light commercial buildings and structures, and their related accessory buildings and structures, which are less than four stories in height; less than 25,000 square feet in aggregate interior floor space, except as otherwise provided in this chapter; and are constructed of wood or light gauge metal frame, brick veneer, prefabricated, or manufactured type of construction; or are preengineered steel buildings not exceeding 50,000 square feet of interior floor space; provided that such buildings or structures are not of the type of building or structure that would constitute a special hazard to property or to life and safety of persons as defined in subparagraphs (A), (C), (D), (E), (F), (G), (G.1), (H), (I), and (J) and subparagraph (B), as it applies to a building of four or more stories, of paragraph (1) of subsection (b) of Code Section 25-2-13.

OCGA 25-2-13.

(b)(1) Certain buildings and structures, because of construction or use, may constitute a special hazard to property or to the life and safety of persons on account of fire or panic from fear of fire. Buildings constructed or used in the following manner present such a special hazard:

- (A) Buildings or structures more than three stories in height; provided, however, that nothing in this Code section shall apply to any individually owned residential unit within any such building;
- (B) Any building three or more stories in height and used as a residence by three or more families, with individual cooking and bathroom facilities for each family; provided, however, that nothing in this Code section shall apply to any individually owned residential unit within any such building;
- (C) Any building in which there are more than 15 sleeping accommodations for hire, with or without meals but without individual cooking facilities, whether designated as a hotel, motel, inn, club, dormitory, rooming or boarding house, or by any other name;
- (D) Any building or group of buildings which contain schools and academies for any combination of grades one through 12 having more than 15 children or students in attendance at any given time and all state funded kindergarten programs;
- (E) Hospitals, health care centers, mental health institutions, orphanages, nursing homes, convalescent homes, old age homes, jails, prisons, reformatories, and all administrative, public assembly, and academic buildings of colleges, universities, and vocational-technical schools. As used in this subparagraph, the terms 'nursing homes,' 'convalescent homes,' and 'old age homes' mean any building used for the lodging, personal care, or nursing care on a 24 hour basis of four or more invalids, convalescents, or elderly persons who are not members of the same family;
- (F) Racetracks, stadiums, and grandstands;
- (G) Theaters, auditoriums, restaurants, bars, lounges, nightclubs, dance halls, recreation halls, and other places of public assembly having an occupant load of 300 or more persons, except that the occupant load shall be 100 or more persons in those buildings where alcoholic beverages are served;
- (G.1) Churches having an occupant load of 500 or more persons in a common area or having an occupant load greater than 1,000 persons based on total occupant load of the building or structure;
- (H) Department stores and retail mercantile establishments having a gross floor area of 25,000 square feet on any one floor or having three or more floors that are open to the public. For purposes of this subparagraph, shopping centers and malls shall be assessed upon the basis of the entire area covered by the same roof or sharing common walls; provided, however, that nothing in this Code section shall apply to single-story malls or shopping centers subdivided into areas of less than 25,000 square feet by a wall or walls with a two-hour fire resistance rating and where there are unobstructed exit doors in the front and rear of every such individual occupancy which open directly to the outside;
- (I) Group day-care homes and day-care centers required to be licensed or commissioned as such by the Department of Early Care and Learning and in which at least seven children receive care. As used in this subparagraph, the term 'group day-care home' means a day-care facility subject to licensure by the Department of Early Care and Learning where at least seven but not more than 12 children receive care; and the term 'day-care center' means a day-care facility subject to licensure or issuance of a commission by the Department of Early Care and Learning where more than 12 children receive care. Fire safety standards adopted by rules of the Commissioner pursuant to Code Section 25-2-4 which are applicable to group day-care homes and day-care centers shall not require staff-to-child ratios; and
- (J) Personal care homes required to be licensed as such by the Department of Human Resources and having at least seven beds for nonfamily adults, and the Commissioner shall, pursuant to Code Section 25-2-4, by rule adopt state minimum fire safety standards for those homes, and any structure constructed as or converted to a personal care home on or after April 15, 1986, shall be deemed to be a proposed building pursuant to subsection (d) of Code Section 25-2-14 and that structure may be required to be furnished with a sprinkler system meeting the standards established by the Commissioner if he deems this necessary for proper fire safety.

GENERAL CONTRACTOR DIVISION

GENERAL CONTRACTOR

OCGA 43-41-2 (5) General contractor - means a contractor whose services are unlimited as to the type of work which he or she may do and who may contract for, undertake to perform, submit a bid or a proposal or otherwise offer to perform, and perform any activity or work as a contractor requiring licensure under this chapter including within its scope any work requiring licensure under Chapter 14 of this title; provided, however, that any work contractually undertaken by a general contractor in the nature of electrical contracting, plumbing, conditioned air contracting, low voltage contracting, or utility contracting which falls within the licensing requirements of Chapter 14 of this title may not be performed by the general contractor but shall only be performed by a person who is duly licensed to perform such work under Chapter 14 of this title. The construction of all private, commercial, institutional, industrial, public, and other buildings and structures under contract with or engagement directly by an owner shall be undertaken by a general contractor, except as otherwise expressly set forth in or excluded from operation of this chapter.

RESIDENTIAL-BASIC

Education and/or Experience Requirements

A person shall be eligible for licensure as a residential-basic contractor by the residential contractor division if the person:

- 1) Has at least two years of proven experience working as or in the employment of a residential contractor, predominantly in the residential-basic category, or other proven experience deemed substantially similar by the division; **and**
- 2) Has had significant responsibility for the successful performance and completion of at least two projects falling within the residential-basic category in the two years immediately preceding application.

Financial and Insurance Requirements

- ♦ Applicants must have their bank submit a credit reference form
- ♦ Applicants must provide copy of an insurance certificate showing proof of workers compensation insurance as required by Georgia law and liability insurance in a minimum amount of \$300,000
- ♦ There are no individual project size limitations.

RESIDENTIAL-LIGHT COMMERCIAL

Education and/or Experience Requirements

Applicants can qualify to practice as a Residential Light-Commercial Contractor either through formal education or through practical experience, or a combination of the two.

The options are as follows:

- 1) Has received a baccalaureate degree from an accredited four-year college or university in the field of engineering, architecture, construction management, building construction, or other field acceptable to the division and has at least one year of proven experience working as or in the employment of a residential contractor, general contractor, or other proven experience deemed substantially similar by the division; **or**
- 2) Has a combination acceptable to the division of academic credits from any accredited college-level courses and proven practical experience working as or in the employment of a residential contractor, general contractor, or other proven experience deemed substantially similar by the division equaling at least four years in the aggregate. For purposes of this subparagraph, all university, college, junior college, or community college-level courses shall be considered accredited college-level courses; **or**
- 3) Has a total of at least four years of proven active experience working in a construction industry related field, at least two of which shall have been as or in the employment of a residential contractor, or other proven experience deemed acceptable by the division; **and**
- 4) The applicant must have had significant responsibility for the successful performance and completion of at least two projects falling within the residence-light commercial category in the four years immediately preceding application.

Financial and Insurance Requirements

- ♦ Applicants must have their bank submit a credit reference form
- ♦ Applicants must provide copy of an insurance certificate showing proof of workers compensation insurance as required by Georgia law and liability insurance in a minimum amount of \$500,000
- ♦ There are no individual project size limitation

GENERAL CONTRACTOR

Education and/or Experience Requirements

Applicants can qualify to practice as a general contractor either through formal education or through practical experience, or a combination of the two.

The options are as follows:

- (1) Four-year degree from an accredited college or university in engineering, architecture, construction management, building construction or related-field acceptable to the Division and one year of work experience as or in the employment of a general contractor or other proven experience deemed substantially similar by the Division; **or**
- (2) Combination of college-level academic accredited courses and proven practical experience working as or in the employment of a general contractor or other proven experience deemed substantially similar by the Division equaling at least four years in the aggregate; **or**
- (3) Total of at least four years of proven active experience working in a construction industry related field, at least two of which shall have been as or in the employment of a general contractor, or other proven experience deemed acceptable by the Division and at least one of which shall have been in or relating to administration, marketing, accounting, estimating, drafting, engineering, supervision, or project management, or functions deemed substantially similar by the Division.

Financial and Insurance Requirements

- ♦ Applicants must have a minimum net worth of \$150,000
- ♦ Applicants must have a Line of Credit minimum of \$50,000
- ♦ Applicants must have a CPA submit a reference letter/form attesting to either a review or audit
- ♦ Applicants must provide copy of an insurance certificate showing proof of workers compensation insurance as required by Georgia law and liability insurance in a minimum amount of \$500,000
- ♦ There are no individual project size limitations.

EXEMPTIONS (OCGA 43-41-17)

Repair

Construction repair work does not require the services of a licensed contractor, unless the repair impacts the structural integrity of the property. The repair work must be performed by the individual handyman or individual repair company.

Barn/Agricultural Use Buildings

Buildings that are constructed for agricultural storage use are exempt from this legislation.

Specialty Contractor

Specialty Contractors that are not licensed under 43-14 that perform a limited scope of work tied to that trade or

specialty (ex; roofing, painting, dry wall etc.) shall not be required to be licensed as residential or general contractors.

Licensed subcontractors under 43-14 (Electrical, Mechanical, Plumbing & Utility)

These specialty trades may bid as prime contractors for work outside their scope if the work outside their scope of practice

does not exceed 25% of total project cost.

DOT Pre-qualified contractors

These contractors are exempt from the licensing requirements if performing highway related/type work.