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1. [Chapter 10 Virgin Islands Board of Contractors, Trades, and Crafts](#)

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2. [§ 330. Virgin Islands Board of Contractors, Trades, and Crafts](#)

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Client/Matter: -None-

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Client/Matter: -None-

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Statutes current through Act 8813 of the 2023 session of the 35th Legislature, including all code changes through March 28, 2024

Virgin Islands Code Annotated > **TITLE TWENTY-SEVEN Professions and Occupations (Chs. 1 — 20)** > **Chapter 10. Virgin Islands Board of Contractors, Trades, and Crafts (§§ 330 — 345)**

Chapter 10. Virgin Islands Board of Contractors, Trades, and Crafts

Annotations

Notes

HISTORY

Revision notes.

This chapter is set out to amend the section designations within the chapter. Act Dec. 30, 1999, No. 6337, § 34, Sess. L. 1999, p. 243, originally designated the Sections within Chapter 10 as §§ 321 through 335. Due to the enactment of Act Nov. 23, 1999, No. 6333, § 34, Sess. L. 1999, p. 206 and the codification of Subchapter III of Chapter 9 of this Title, consisting of Sections 321 through 328, the sections of Chapter 10 have been redesignated as set out.

Amendments

—2022.

Act 8554, § 1(a), rewrote the chapter heading.

Research References & Practice Aids

Hierarchy Notes:

[27 V.I.C.](#)

Virgin Islands Code Annotated
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27 V.I.C. § 330

Statutes current through Act 8813 of the 2023 session of the 35th Legislature, including all code changes through March 28, 2024

Virgin Islands Code Annotated > **TITLE TWENTY-SEVEN Professions and Occupations (Chs. 1 — 20)** > **Chapter 10. Virgin Islands Board of Contractors, Trades, and Crafts (§§ 330 — 345)**

§ 330. Virgin Islands Board of Contractors, Trades, and Crafts

(a) The Virgin Islands Board of Contractors, Trades, and Crafts (Board) is hereby established within the Department of Licensing and Consumer Affairs. The Board is composed of nine members, including the Commissioner of the Department of Licensing and Consumer Affairs or the Commissioner's designee, as an ex officio member; three general construction contractors; two electrical contractors; two plumbing contractors; and one mechanical contractor appointed by the Governor with the advice and consent of the Legislature. Each appointed member shall be a resident of the Virgin Islands and shall have been a licensed general construction contractor in good standing for at least three years prior to the date of appointment. Four members shall be residents of the District of St. Croix, and four members shall be residents of the District of St. Thomas/St. John, one of whom shall be a resident of St. John.

(b) All members shall serve terms of three years, except that any person appointed to fill a vacancy occurring on the Board prior to the expiration of the term for which his predecessor was appointed, shall be appointed only for the remainder of such term. Each member of the Board shall continue to serve until his successor is appointed by the Governor and confirmed by the Legislature. Five members of the Board shall constitute a quorum. However, until the Governor has appointed at least four members of the Board and the members are confirmed by the Legislature, the Commissioner shall assume the powers and duties of the Board and act on its behalf.

(c) The Board shall elect at its first meeting in each calendar year one of its members to serve as Chairman and another member to serve as Vice Chairman.

(d) The Board, under the hand of its Chairman and the seal of the Board, may subpoena witnesses and compel their attendance and require the production of papers, records or documents in any inquiry, proceeding or for discovery that may be instituted by it or be pending before it. Any member of the Board may administer oaths or affirmations to witnesses appearing before the Board.

(e) Each member of the Board shall receive \$75 per diem for each day or part thereof spent in the work of the Board, plus actual travel expenses.

(f) A member of the Board may be removed by the Governor for cause.

History

—Added Dec. 30, 1999, [No. 6337, § 1\(a\), Sess. L. 1999](#), p. 243; amended Feb. 1, 2001, [No. 6391, § 2\(o\)\(1\), Sess. L. 2000](#), p. 454; amended Apr. 11, 2022, No. 8564, § 1(a)–(e), Sess. L. 2022, p. 137, 138.

Annotations

Notes

HISTORY

Revision notes.

“Virgin Islands” was substituted for “United States Virgin Islands” pursuant to the Revised Organic Act of 1954.

Amendments

—2022.

Act 8564, § 1(a), rewrote the section catchline.

Act 8564, § 1(b)(1), substituted “Virgin Islands Board of Contractors, Trades, and Crafts (“Board”)” for “Virgin Islands Board of General Construction Contractors” in subsection (a).

Act 8564, § 1(b)(2), rewrote the second sentence in subsection (a).

Act 8564, § 1(b)(3), substituted “actively engaged in their trade” for “a licensed general construction contractor” in the third sentence of subsection (a).

Act 8564, § 1(b)(4), in the fourth sentence of subsection (a), substituted “Four” for “Three” in both occurrences, and deleted “; provided, however, that at least two members from each district shall be member designees of the Association of General Contractors or a similar organization in the district in which he resides” following “resident of St. John”.

Act 8564, § 1(c)(A), deleted “The Governor shall appoint the Board as follows: two members shall be appointed for one year; two members shall be appointed for two years, and two members shall be appointed for three years.” in subsection (b).

Act 8564, § 1(c)(B), substituted “All” for “Thereafter, all” at the beginning of the second sentence of subsection (b).

Act 8564, § 1(c)(C), substituted “Five” for “Four” in the fourth sentence of subsection (b).

Act 8564, § 1(d), in subsection (e), substituted “\$75 per diem” for “\$50” and deleted “including meals and lodging” following “expenses”.

Act 8564, § 1(e), deleted subsection (g).

—2000.

Subsection (b): Added the last sentence.

Research References & Practice Aids

Hierarchy Notes:

[27 V.I.C.](#)

[27 V.I.C. Ch. 10](#)

[27 V.I.C. § 331](#)

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Virgin Islands Code Annotated > **TITLE TWENTY-SEVEN Professions and Occupations (Chs. 1 — 20)** > **Chapter 10. Virgin Islands Board of Contractors, Trades, and Crafts (§§ 330 — 345)**

§ 331. Definitions

As used in this chapter, unless the context requires a different construction, application, or meaning—

- (1) “Board” means the Virgin Islands Board of Contractors, Trades, and Crafts.
- (2) “Commissioner” means the Commissioner of the Department of Licensing and Consumer Affairs.
- (3) “Contractor” means any person contracting or undertaking as prime contractor, subcontractor, or sub-subcontractor of any tier to do any erection, building, construction, reconstruction, demolition, repair, maintenance, or related work on any public or private project; however, the term, “contractor” does not include any owner of a dwelling or other structure to be constructed, altered, repaired, or improved and not for sale, lease public use or assembly.
- (4) “Electrical Contractor” means a person licensed under this chapter as an electrical contractor qualified by education, training, experience, and knowledge to perform the fabrication, construction, and installation of generators, transformers, conduits, raceways, panels, switch gear, electrical wires, fixtures, appliance, or apparatus that uses electrical energy.
- (5) “General Construction Contractor” means a person or business that contracts to oversee a building project usually involving the use of subcontractors and manages all aspects of the day-to-day activities at the jobsite.
- (6) “Mechanical Contractor” means a person that contracts to oversee mechanical projects such as heating or cooling systems, refrigeration, piping and plumbing.
- (7) “Master Electrician” means a person licensed under this chapter as a master electrician having the qualification, training, experience, and knowledge to properly plan, layout and supervise the wiring installation, and repair of electrical apparatus and equipment for light, heat, power and other purposes.
- (8) “Master Mechanic” means a person licensed under this chapter as a master mechanic having the qualifications and proficiency to repair and maintain specific equipment, supervise the work of installation and repair, and utilize a working knowledge in compliance with building and other applicable codes.
- (9) “Master Plumber” means a person licensed under this chapter as a master plumber having the qualifications, training, experience, and knowledge to properly plan and layout projects and supervise persons in the plumbing trade.
- (10) “Person” means any individual firm, corporation, joint venture or partnership, association, or other type of business entity.
- (11) “Plumbing Contractor” means a person licensed under this chapter as a plumbing contractor qualified by education, training, experience, and knowledge to perform the fabrication or installation of material and fixtures to create and maintain sanitary conditions in a building by providing permanent means for a supply of safe and pure water, means for the timely and complete removal from the premises of all used or contaminated water, fluid and semi-fluid organic wastes and other impurities incidental to life and the occupation of such premises.

§ 331. Definitions

(12) “Private project” means any project for erection, building, construction, reconstruction, repair, maintenance, or related work which is not funded in whole or in part with public funds.

(13) “Public funds” means monies of public agencies, whether obtained from taxation, donation or otherwise; or monies being expended by public agencies for the purposes for which such public agencies exist.

(14) “Public project” means any project for erection, building, construction, reconstruction, repair, maintenance, or related work which is funded in whole or in party with public funds.

History

—Added Apr. 11, 2022, [No. 8554, § 1\(c\), Sess. L. 2022](#), p. 104, 105.

Annotations

Research References & Practice Aids

Hierarchy Notes:

[27 V.I.C.](#)

[27 V.I.C. Ch. 10](#)

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27 V.I.C. § 331a

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Virgin Islands Code Annotated > **TITLE TWENTY-SEVEN Professions and Occupations (Chs. 1 — 20)** > **Chapter 10. Virgin Islands Board of Contractors, Trades, and Crafts (§§ 330 — 345)**

§ 331a. Unlawful practice of general construction

(a) It shall be unlawful for any person to operate as or use the title of contractor or the titles of the following professions within the Virgin Islands unless the person is licensed as provided for in this chapter:

- (1) General Construction Contractor
- (2) Plumber Contractor
- (3) Electrician Contractor
- (4) Mechanic Contractor
- (5) Master Plumber
- (6) Master Electrician
- (7) Master Mechanic
- (8) Fiber Optic Technician.

(b) Any person who uses the titles in (a)(1)-(4) without having obtained a license as provided for in this chapter is guilty of a misdemeanor punishable by a fine of not less than \$1,000 and not more than \$10,000.

History

—Added Dec. 30, 1999, [No. 6337, § 1\(a\), Sess. L. 1999](#), p. 243; Former 27 V.I.C. § 331 was renumbered to be § 331a, by Act No. 8554, § 1(b)(1), (2), effective April 11, 2022.

Annotations

Notes

HISTORY

Amendments

—2022.

Act 8554, § 1(b)(1), rewrote the section.

Act 8554, § 1(b)(2), redesignated section 331 as section 331a.

Research References & Practice Aids

§ 331a. Unlawful practice of general construction

Hierarchy Notes:

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[27 V.I.C. Ch. 10](#)

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[27 V.I.C. § 332](#)

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Virgin Islands Code Annotated > TITLE TWENTY-SEVEN Professions and Occupations (Chs. 1 — 20) > Chapter 10. Virgin Islands Board of Contractors, Trades, and Crafts (§§ 330 — 345)

§ 332. License required

Any person wishing to practice as any of the professions listed in section 331(a) in the Virgin Islands or to engage in any construction trade as a business shall obtain a license to do so in accordance with the provisions of this chapter.

History

—Added Dec. 30, 1999, [No. 6337, § 1\(a\), Sess. L. 1999](#), p. 243; amended Feb. 1, 2001, [No. 6391, § 2\(o\)\(2\), Sess. L. 2000](#), p. 455; amended Apr. 11, 2022, [No. 8554, § 1\(d\), Sess. L. 2022](#), p. 105.

Annotations

Notes

HISTORY

Amendments

—2022.

Act 8554, § 1(c), substituted “practice as any of the professions listed in section 331(a)” for “become a general construction contractor”.

—2000.

Subsection (b): Deleted.

Research References & Practice Aids

Hierarchy Notes:

[27 V.I.C.](#)

[27 V.I.C. Ch. 10](#)

§ 332. License required

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27 V.I.C. § 333

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Virgin Islands Code Annotated > **TITLE TWENTY-SEVEN Professions and Occupations (Chs. 1 — 20)** > **Chapter 10. Virgin Islands Board of Contractors, Trades, and Crafts (§§ 330 — 345)**

§ 333. Powers and duties of the board

- (a) The Board shall have the power and duty to:
- (1) adopt an official seal;
 - (2) examine, issue, suspend and revoke licenses issued under this chapter;
 - (3) establish fees to be charged and collected;
 - (4) adopt, amend and repeal rules and regulations and bylaws, not inconsistent with the provisions of this chapter, upon finding that such are necessary for the furtherance of the provisions of this chapter, which rules, regulations or bylaws, when approved by the Governor, shall be deemed to be a part of and of the same effect as this chapter;
 - (5) employ counsel, subpoena witnesses, and administer oaths;
 - (6) submit to the Governor and to the Legislature, through the Commissioner, annual reports containing a summary of its work, and any other data, which the Governor, the Commissioner or the Legislature may request;
 - (7) develop and administer the criteria, standards and testing for examination and determining the competency and qualifications of contractors;
 - (8) determine the types and classes of licenses and the qualifications for each applicable license;
 - (9) investigate acts of negligence, wrongdoing, and official complaints filed through the Department of Licensing and Consumer Affairs; and
 - (10) establish and set the rate basis for contractors fees.
 - (11) award compensatory damages where a complainant has proved his case against a contractor.
 - (12) establish the amount of public liability insurance general construction contractors are required to carry.
- (b) The Commissioner of the Department of Licensing and Consumer Affairs may exercise the powers granted to the Board in subsection (a), paragraph (2) whenever the Board is unable to perform.

History

—Added Dec. 30, 1999, [No. 6337, § 1\(a\), Sess. L. 1999](#), p. 243; amended Feb. 1, 2001, [No. 6391, § 2\(o\)\(3\), Sess. L. 2000](#), p. 455; amended July 9, 2018, No. 8063, § 10(1)–(3), Sess. L. 2018, p. 123.

Annotations

Notes

§ 333. Powers and duties of the board

HISTORY**Amendments****—2018.**

Act 8063, § 10(1), redesignated the introductory paragraph as subsection (a).

Act 8063, § 10(2), redesignated subsections (a) through (l) as paragraphs (1) through (12).

Act 8063, § 10(3), added subsection (b).

—2000.

Deleted “recommend” following “examine” in subsection (b), inserted “contractors” following “basis for” in subsection (j) and added subsections (k) and (l).

Research References & Practice Aids

Hierarchy Notes:

[27 V.I.C.](#)

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[27 V.I.C. § 334](#)

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Virgin Islands Code Annotated > **TITLE TWENTY-SEVEN Professions and Occupations (Chs. 1 — 20)** > **Chapter 10. Virgin Islands Board of Contractors, Trades, and Crafts (§§ 330 — 345)**

§ 334. Applications for licenses; qualifications

Applications for licenses under this chapter shall be forwarded to the Chairman of the Board and shall be accompanied by satisfactory proof in writing that the applicant —

- (1) is of good moral character as shown by at least three letters of favorable character testimony; and
- (2) has had a previous valid license in any other Jurisdiction or prior experience in the field of construction.

History

—Added Dec. 30, 1999, [No. 6337, § 1\(a\), Sess. L. 1999](#), p. 243; amended Feb. 1, 2001, [No. 6391, § 2\(o\)\(4\), Sess. L. 2000](#), p. 455.

Annotations

Notes

HISTORY

Amendments

—2000.

Deleted subsections (a)(1) and (b) and redesignated subsections (a)(2) and (a)(3) as paragraphs (1) and (2).

Research References & Practice Aids

Hierarchy Notes:

[27 V.I.C.](#)

[27 V.I.C. Ch. 10](#)

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27 V.I.C. § 335

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Virgin Islands Code Annotated > **TITLE TWENTY-SEVEN Professions and Occupations (Chs. 1 — 20)** > **Chapter 10. Virgin Islands Board of Contractors, Trades, and Crafts (§§ 330 — 345)**

§ 335. Examinations and issuance of licenses

- (a) Every applicant for a license pursuant to this chapter shall be required to be tested in writing and by practical examination issued and administered by the Board to show that the applicant has sufficient knowledge, technical training and administrative ability to perform, supervise and manage the practice of any of the professions in section 331(a). The Board shall administer examinations three times each year on each island. To become a licensed contractor, candidates must pass the appropriate accredited national exam and local exam. The Board shall also conduct such investigations as may be proper to determine the character, fitness, and knowledge of applicants.
- (b) Within 15 days after an applicable examination, the Board shall notify the Commissioner of the names and addresses of all persons who have passed the examination and of the particular licenses they are entitled to receive.
- (c) Any person who fails to pass an examination may apply for reexamination after the expiration of 60 days upon payment of the regular examination fee. No person shall be allowed to sit for the examination more than two times in any calendar year.
- (d) All examinations and any accompanying information issued by the Board, to carry out the provisions of the chapter, shall be issued in English and in Spanish.
- (e) Notwithstanding subsection (a), the Board may grant competency examination reciprocity to any contractor, or endorse any specialty licensee under section 335a, who is licensed by another state, without imposing any further competency examination requirements if the applicant:
- (1) furnishes evidence that the contractor has a license issued on the basis of a competency examination administered in a state that has an examining board that regularly gives a written examination which has been approved by that state's Board;
 - (2) furnishes evidence of passing the written examination that qualified the applicant for such license;
 - (3) has been actively engaging in the business for which the applicant is licensed for two years or more; and
 - (4) has held a license for this business for one year or more.
- (f) For purposes of this section, "endorse" means the process of granting a license to an applicant who is licensed in good standing at the equivalent designation in another jurisdiction.

History

—Added Dec. 30, 1999, [No. 6337, § 1\(a\), Sess. L. 1999](#), p. 243; amended Feb. 1, 2001, [No. 6391, § 2\(o\)\(5\), Sess. L. 2000](#), p. 455; amended Apr. 11, 2022, No. 8554, § 1(d)(1)(A), (B), 2, Sess. L. 2022, p. 105.

Annotations

Notes

HISTORY

Amendments

—2022.

Act 8554, § 1(d)(1)(A), substituted “any of the professions listed in section 331(a)” for “general construction” in the first sentence of subsection (a).

Act 8554, § 1(d)(1)(B), inserted “To become a licensed contractor, candidates must pass the appropriate national exam and local exam” following the second sentence.

Act 8554, § 1(d)(2), added subsections (e) and (f).

—2000.

Deleted “or orally” following “in writing” in the first sentence in subsection (a) and deleted the last sentence in subsection (b).

Research References & Practice Aids

Hierarchy Notes:

[27 V.I.C.](#)

[27 V.I.C. Ch. 10](#)

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[27 V.I.C. § 335a](#)

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Virgin Islands Code Annotated > TITLE TWENTY-SEVEN Professions and Occupations (Chs. 1 — 20) > Chapter 10. Virgin Islands Board of Contractors, Trades, and Crafts (§§ 330 — 345)

§ 335a. Specialty licenses

In order to protect the public health, comfort and safety, the Board may, by regulation, establish specialty licenses and the requirements for the issuance of those licenses, in the following occupations:

- (1) Alarm systems, access systems, and security equipment
- (2) Air conditioner repair
- (3) Asphalt paving
- (4) Carpentry
- (5) Communication equipment installer
- (6) Communication systems and low voltage electrical
- (7) Concrete/concrete paving
- (8) Construction cleaning
- (9) Construction management
- (10) Demolition
- (11) Ductwork for heating, air conditioning and ventilation
- (12) Excavation, grading and drainage
- (13) Fencing
- (14) Fiber Optic Technician (Low Voltage)
- (15) Fueling systems
- (16) Heat, a/c, ventilation, (HVAC)
- (17) Instrumentation, controls and energy management - mechanical
- (18) Insulation - pipes and duct work
- (19) Irrigation systems
- (20) Landfill construction
- (21) Landscaping, grading and beautification
- (22) Lathing, plastering and stucco
- (23) Marine construction
- (24) Masonry, brick and stone
- (25) Paint and wall covering
- (26) Refrigeration repair

§ 335a. Specialty licenses

- (27) Remodeling
- (28) Roofing
- (29) Sewer pipe cleaning
- (30) Solar construction
- (31) Swimming pools
- (32) Telecommunications
- (33) Tiling
- (34) Transmission and distribution lines (electrical)
- (35) Waste disposal
- (36) Welding

History

—Added Apr. 11, 2022, [No. 8554, § 1\(f\), Sess. L. 2022](#), p. 106, 107.

Annotations

Research References & Practice Aids

Hierarchy Notes:

[27 V.I.C.](#)

[27 V.I.C. Ch. 10](#)

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27 V.I.C. § 336

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Virgin Islands Code Annotated > **TITLE TWENTY-SEVEN Professions and Occupations (Chs. 1 — 20)** > **Chapter 10. Virgin Islands Board of Contractors, Trades, and Crafts (§§ 330 — 345)**

§ 336. Requirements for licensure

(a) Applicants for licenses pursuant to this chapter shall:

(1) file with the Board proof that he carries all insurance require by law including, but not limited to, Worker's Compensation and automobile insurance, as well as public liability insurance in an amount as established by the Board.

(2) show that he maintains a regular place of business at a physical address in the Virgin Islands.

(b)

(1) A license that is issued for any of the professions in section 331(a) or 335a to a person representing a business operating under a trade, partnership or corporation name, is valid only as long as the name or names appearing on such license are the same as the name or names of the person or persons operating such business. If there is any change in the status of either the person representing such business or in the business name, a new license is required.

(2) A person serving as the representative under the license shall devote full time to the business for which the license is issued and shall personally sign applications for certificates of electrical, fiber optic or plumbing inspection, as the case may be.

(c) If any qualifier ceases to be connected with the licensee or business, then the license remains in full force for a period of 90 days. After 90 days, the license is invalidated, but the licensee is entitled to return to active status pursuant to all relevant statutes and rules promulgated by the Board. During the 90-day period described in this subsection, the licensee may not bid on or undertake any additional contracts to be connected with the licensee until the license is reinstated as provided in this chapter.

(d) For purposes of this section, “qualifier” means any person who has passed a competency examination administered by the Board and is representing a business.

History

—Added Dec. 30, 1999, [No. 6337, § 1\(a\), Sess. L. 1999](#), p. 243; amended Feb. 1, 2001, [No. 6391, § 2\(o\)\(6\), Sess. L. 2000](#), p. 455; amended Apr. 11, 2022, No. 8554, § 1(g)(1)–(3), Sess. L. 2022, p. 107, 108.

Annotations

Notes

HISTORY

Amendments

§ 336. Requirements for licensure

—2022.

Act 8554, § 1(f)(1), designated the existing language as subsection (a).

Act 8554, § 1(f)(2), designated existing subsections (a) and (b) as paragraphs (1) and (2) and added subsection (b).

Act 8554, § 1(f)(3), added subsections (c) and (d).

—2000.

Rewrote subsection (a).

Research References & Practice Aids

Hierarchy Notes:

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§ 337. Use of licensee's name by another

No person who has obtained a license pursuant to this chapter shall allow his name or the business in whose name the license was issued to be used by another person or company either for the purpose of obtaining required permits or for doing business or work under such license.

History

—Added Dec. 30, 1999, [No. 6337, § 1\(a\), Sess. L. 1999](#), p. 243.

Annotations

Research References & Practice Aids

Hierarchy Notes:

[27 V.I.C.](#)

[27 V.I.C. Ch. 10](#)

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27 V.I.C. § 338

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§ 338. Bonds

- (a) Every person licensed in any of the professions under section 331(a)(1)-(4) shall execute and deposit with the Commissioner a bond in a sum of not less than \$100,000 and with such number of U.S. Treasury listed and rated sureties as the Board may determine, to be conditioned upon:
- (1) the faithful performance of all work in accordance with applicable building codes and regulations;
 - (2) the licensee's paying all compensatory awards to consumers in whose favor such awards are rendered by the Board, as well as all fines and penalties properly imposed upon him for violation of the provisions of this chapter and any other applicable law; and
 - (3) the licensee's indemnifying the Government of the Virgin Islands, or the Board, as being held harmless from the consequences of any and all acts of said licensee during the period covered by such bond.
- (b) Every person licensed in any of the professions under section 331(a)(5)-(8) and 335a, shall execute and deposit with the Commissioner a bond in a sum of not less than \$2,000 and with such number of sureties as the Board may determine, to be conditioned upon:
- (1) the faithful performance of all work in accordance with applicable electrical or plumbing codes and regulations, as the case may be;
 - (2) the licensee paying all compensatory awards to consumers in whose favor the awards are rendered by the Board, as well as all fines and penalties properly imposed upon him for violation of the provisions of this chapter and any other applicable law; and
 - (3) the licensee indemnifying the Government of the Virgin Islands, or the Board, as being held harmless from the consequences of any and all acts of the licensee during the period covered by the bond.
- (c) No license issued pursuant to this chapter shall be valid unless a bond is executed and deposited as provided by this section. Pursuant to the powers granted by section 324 of this chapter, the Board may, by rules and regulations, uniformly increase the amount of any bond required by this section.

History

—Added Dec. 30, 1999, [No. 6337, § 1\(a\), Sess. L. 1999](#), p. 243; amended Feb. 1, 2001, [No. 6391, § 2\(o\)\(7\), Sess. L. 2000](#), p. 456; amended Apr. 11, 2022, [No. 8554, § 1\(h\)\(1\), \(2\), Sess. L. 2022](#), p. 108.

Annotations

Notes

HISTORY

Amendments

—2022.

Act 8554, § 1(g)(1), substituted “licensed in any of the professions under section 331(a)(1)-(4)” for “licensed under the provisions of this chapter” in subsection (a).

Act 8554, § 1(g)(2), added present subsection (b) and redesignated former subsection (b) as present subsection (c).

—2000.

Substituted “\$100,000” for “\$10,000” in subsection (a), inserted “all compensatory awards to consumers in whose favor such awards are rendered by the Board, as well as” following “paying” in subsection (a)(2) and inserted “or the Board” following “Virgin Islands” in subsection (a)(3).

Research References & Practice Aids

Hierarchy Notes:

[27 V.I.C.](#)

[27 V.I.C. Ch. 10](#)

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27 V.I.C. § 339

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Virgin Islands Code Annotated > TITLE TWENTY-SEVEN Professions and Occupations (Chs. 1 — 20) > Chapter 10. Virgin Islands Board of Contractors, Trades, and Crafts (§§ 330 — 345)

§ 339. Fees

The fee for taking each examination to be licensed under this chapter shall be set by the Board but shall not exceed \$500. Such fee shall be paid to the Department of Licensing and Consumer Affairs prior to the examination.

History

—Added Dec. 30, 1999, [No. 6337, § 1\(a\), Sess. L. 1999](#), p. 243; amended Feb. 1, 2001, [No. 6391, § 2\(o\)\(8\), Sess. L. 2000](#), p. 456; amended Apr. 11, 2022, [No. 8554, § 1\(i\), Sess. L. 2022](#), p. 109.

Annotations

Notes

HISTORY

Amendments

—2022.

Act 8554, § 1(h), substituted “under this chapter” for “as a general construction contractor” and substituted “exceed \$500” for “be less than \$100”.

—2000.

Substituted “\$100” for “\$50” in the first sentence.

Research References & Practice Aids

Hierarchy Notes:

[27 V.I.C.](#)

[27 V.I.C. Ch. 10](#)

§ 339. Fees

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27 V.I.C. § 340

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§ 340. Revocation or suspension of licenses

(a) The Board may refuse to grant, or may suspend, revoke or refuse to renew any license if the holder has—

- (1) secured such license by any misrepresentation;
- (2) demonstrated a level of competence manifestly inconsistent with the retention of the license in question;
- (3) engaged in fraudulent business activities or in misleading advertising practices;
- (4) violated a provision of this chapter;
- (5) committed an act of gross negligence or condoned such an act by an employee of his;
- (6) failed to adequately and properly supervise employees in compliance with recognized safety standards as applicable to local and federal agencies having oversight and jurisdiction;
- (7) For a General Construction Contractor:
 - (A) failed to secure any inspection of building construction required in order to ascertain compliance with the Uniform Building Code, the CABO Building Code, or any other rules, regulations, applicable provisions or standards as they may now apply or are amended hereafter; or
 - (B) failed to perform construction in conformance with standards established by the Uniform Building Code, the CABO Building Code and any other rules; regulations, applicable provisions and standards as they may apply or are amended hereafter.
- (8) For any of the professions in section 331(2)-(8):
 - (A) failed to secure inspection of electrical or plumbing projects by an inspection authority provided by law; or
 - (B) failed to perform electrical projects or plumbing projects in conformance with standards of the National Electrical Code Telecommunications Industry Association/Electronic Industry Association, Optical Fiber Cabling Components Standards, Uniform Plumbing Code, Uniform Mechanical Code, Uniform Swimming Pool, Spa and Hot Tub Code, and Uniform Solar Energy Code.

History

—Added Dec. 30, 1999, [No. 6337, § 1\(a\), Sess. L. 1999](#), p. 243; amended Feb. 1, 2001, [No. 6391, § 2\(o\)\(9\), Sess. L. 2000](#), p. 456; amended Apr. 11, 2022, [No. 8554, § 1\(j\), Sess. L. 2022](#), p. 109.

Annotations

Notes

HISTORY

Amendments

—2022.

Act 8554, § 1(i), rewrote paragraphs (a)(7) and (8).

—2000.

Rewrote subsection (a)(7) and, in subsection (a)(8), inserted “the” preceding “CABO Building Code” and substituted “are” for “is” following “as they may apply or.”

Research References & Practice Aids

Hierarchy Notes:

[27 V.I.C.](#)

[27 V.I.C. Ch. 10](#)

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27 V.I.C. § 341

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§ 341. Charges against licensee; hearing

(a) Any person aggrieved by an action of a licensee may file charges against the licensee as set forth in this section. Such charges shall be in writing and shall be sworn to by the person making them and shall be filed with the secretary of the Board. The Board, unless dismissed by the Board as unfounded or frivolous, shall hear all charges, after completing any necessary investigation.

(b) The time and place for the hearing shall be fixed by the Board and a copy of the charges together with a notice of the time and place of hearing shall be personally served on or sent by certified mail to the last known address of the licensee at least 15 days before the date fixed for the hearing.

(c) At any hearing the accused licensee shall have the right to appear personally and by counsel to cross-examine witnesses appearing against him and to produce evidence and witnesses in his own defense.

(d) No license shall be suspended or revoked except upon the agreement of at least five members of the Board.

(e) The losing party shall reimburse the prevailing party for all reasonable costs, expenses and attorney's fees. The Board shall promulgate rules and regulations establishing reasonable costs, expenses and attorneys' fees.

History

—Added Dec. 30, 1999, [No. 6337, § 1\(a\), Sess. L. 1999](#), p. 243; amended Feb. 1, 2001, [No. 6391, § 2\(o\)\(10\), Sess. L. 2000](#), p. 456; amended Apr. 11, 2022, [No. 8564, § 2, Sess. L. 2022](#), p. 138.

Annotations

Notes

HISTORY

Amendments

—2022.

Act 8564, § 2, in subsection (d), substituted “be” for “he” and substituted “five” for “four”.

—2000.

Subsection (a): Substituted “frivolous” for “trivial” in the last sentence.

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[27 V.I.C.](#)

[27 V.I.C. Ch. 10](#)

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§ 342. Revocation and reapplication

A person whose license has been revoked may become eligible not earlier than three years from the date of the revocation for a new license, upon meeting all of the requirements of this chapter.

History

—Added Dec. 30, 1999, [No. 6337, § 1\(a\), Sess. L. 1999](#), p. 243; amended Feb. 1, 2001, [No. 6391, § 2\(o\)\(11\), Sess. L. 2000](#), p. 456.

Annotations

Notes

HISTORY

Amendments

—2000.

Substituted “three years” for “one year.”

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§ 343. Appeal

(a) Any person aggrieved by an action of the Board in revoking, suspending, or refusing to issue his or its license may appeal such action to any court of competent jurisdiction in the Virgin Islands within 30 days after the date of such action. The filing of an appeal shall not stay the action complained of, unless specifically ordered by the court. If the aggrieved party fails to file an appeal with the court within thirty days of the date of the relevant action of the Board, the Board's findings and ruling shall be final.

(b) Upon appeal, every finding, decision and determination by the Board, as to questions of fact, shall be deemed final in the absence of conclusive evidence showing to the court fraud or that the decision of the Board was not based on substantial evidence in the record.

History

—Added Dec. 30, 1999, [No. 6337, § 1\(a\), Sess. L. 1999](#), p. 243; amended Feb. 1, 2001, [No. 6391, § 2\(o\)\(12\), Sess. L. 2000](#), p. 456.

Annotations

Notes

HISTORY

Amendments

—2000.

Subsection (a): Inserted “of the date of the relevant action of the Board” following “with the court within thirty days” in the third sentence.

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Hierarchy Notes:

[27 V.I.C.](#)

[27 V.I.C. Ch. 10](#)

§ 343. Appeal

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Virgin Islands Code Annotated > TITLE TWENTY-SEVEN Professions and Occupations (Chs. 1 — 20) > Chapter 10. Virgin Islands Board of Contractors, Trades, and Crafts (§§ 330 — 345)

§ 344. Penalties

Whoever violates any provisions of this chapter or any rule or regulation thereunder shall be fined not less than \$1,000 for each violation or act of non-compliance; but failure to renew a license under this chapter is punishable by a monthly \$100 fine for up to a maximum of 12 months.

History

—Added Dec. 30, 1999, [No. 6337, § 1\(a\), Sess. L. 1999](#), p. 243; amended Apr. 11, 2022, [No. 8554, § 1\(k\), Sess. L. 2022](#), p. 109.

Annotations

Notes

HISTORY

Amendments

—2022.

Act 8554, § 1(j), added “; but failure to renew a license under this chapter is punishable by a monthly \$100 fine for up to a maximum of 12 months” at the end of the section.

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[27 V.I.C. Ch. 10](#)

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[27 V.I.C. § 345](#)

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§ 345. Exception

The bona fide owner and occupier of a single-family dwelling used exclusively for living purposes, including the usual accessories and quarters in connection with the dwelling, may perform general contracting, electrical, plumbing, fiber optic and mechanical work on the dwelling, without obtaining a license under this chapter, if the person complies with all applicable building, plumbing, electrical, and fiber optic codes.

History

—Added Apr. 11, 2022, [No. 8554, § 1\(l\), Sess. L. 2022](#), p. 109.

Annotations

Research References & Practice Aids

Hierarchy Notes:

[27 V.I.C.](#)

[27 V.I.C. Ch. 10](#)

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