

## **SUBJECT**

First Reading of Ordinance No. 122, 2012, Amending Chapter 15 of the City Code Pertaining to Contractor Licenses.

## **EXECUTIVE SUMMARY**

Community Development and Neighborhood Services is responsible for the enforcement of the contractor licensing requirements found in Chapter 15 of the City Code. The changes proposed will update the current Code by:

- clarifying minimum experience and qualification requirements at the application stage
- creating license categories that better align with the adopted residential and commercial building codes
- streamlining the application and project verification process
- establishing registration requirements for the currently non-licensed category of workers
- increasing minimum liability amounts to recognized industry levels.

## **BACKGROUND / DISCUSSION**

Since 1981, the City of Fort Collins has mandated that contractors are licensed before performing work which requires a building permit. The purpose of this requirement is to establish minimum qualifications, set liability insurance limits, and develop conduct standards for persons engaged in construction, alteration, or repair of buildings, including persons performing specialized trades. The requirement has been amended four times to improve the City's enforcement abilities and to address the needs of a changing construction industry.

Over the past few years the construction industry continued to evolve to where individual contractors have become more specialized in the services they provide their customers. Some contractors only provide repair and restoration services on residential properties while other contractors repair and restore only commercial properties. The City's current licensing ordinance does not have license categories that easily fit the specialized work being performed. To address this shift, several sub-categories of licenses were developed administratively and are in need of incorporation into the City Code. Additionally, the International Code Consultants (ICC), the code writing body that publishes the adopted building codes, has developed national contractor license exams based around the International Codes. Staff wished to evaluate the ICC exams and move away from being a testing agency.

As a result of these changes, staff recognized the need to re-evaluate the Code on several levels. A committee of licensed general contractors, familiar with all aspects of construction was convened for the purpose of reviewing the City's licensing ordinance and make recommendations for amendments. See Attachment 1 for the list of committee members involved in the review.

### **Purposes for the Review**

1. Identify which current licenses do not easily fit within the specialized work being offered, and develop appropriate new classes of licenses.
2. Align all classes of license with the ICC's exams using the residential and/or commercial building codes.
3. Streamline the application, review, and renewal processes.
4. Develop registration requirements for the specialty trades subcontractors which are currently exempt from licensing.
5. Review the responsibilities of property owner/builders who certify that they will be performing the work and establish enforcement criteria for violations.

### **Key Changes Proposed (Attachment 2)**

1. During the next building code review process (currently underway) the review committee will discuss "deconstruction" of buildings, possibly in lieu of demolition. Staff proposes to provide a definition of deconstruction in the contractor license ordinance in order to clarify that licensed contractors only can construct and deconstruct buildings. Deconstruction is really construction in reverse and requires a level of expertise and experience that the license requirement will assure.

2. Staff wanted to re-examine the “exempt specialized trade subcontractor” license classification during this review. For certain types of specialized work, such as roofing or framing, an individual can be classified as an exempt specialized trade subcontractor and would not need to be licensed, provided his work is under direct supervision of a licensed specialized trade contractor. The changes proposed will establish a registration program for this classification of workers and clarify that one exempt specialized trade subcontractor cannot sub-contract to another exempt specialized trade subcontractor. The changes will improve the City’s ability to provide better oversight of this construction group.
3. Owners of commercial buildings can perform limited work on their buildings without a contractor’s license. The proposed changes clarify the type of work that an owner cannot do without a license. Additionally, owners can perform all work on their own primary residence; the proposed changes would specify that owners who hire unlicensed contractors are in violation of the ordinance and subject to penalties of a misdemeanor.
4. Holders of currently active contractor licenses are responsible for keeping informed and knowledgeable on any new adopted codes and local amendments. Staff proposes to eliminate the requirement that contractors must register and attend a City sponsored code amendment training in order to renew a license after the adoption of a new code. The City will continue to provide and film a half-day seminar on new local amendments. Contractors will be allowed to attend the live presentation or view the taping on the City’s website.
5. Applications for contractor licenses require documentation supporting three projects under the direct supervision of the applicant, signed by an individual directly involved in the project. The changes proposed will stipulate that one individual cannot sign all three references.
6. Staff proposes to codify license categories with the DR suffix indicating an individual’s specialty of repairing damaged buildings and structures rather than constructing new buildings. These new categories were added administratively over the past few years and staff proposes to include these categories in the ordinance.
7. Electrical and plumbing contractors are licensed at the state level and are currently addressed in different sections of the City Code. Staff proposes to move these two trades under this section of the code in order to clarify that these trades are subject to the same responsibilities and violations of other contractor license categories.
8. In cases of contractor violations, the building official may bring the contractor before a hearing by the Building Review Board for the purpose of reviewing the contractor’s license. The building official may temporarily revoke the contractor’s license fifteen days prior to the hearing. Staff proposes to increase the revocation time to 45 days prior to the hearing.
9. Owners may perform any work on their own primary residence without needing a contractor’s license. Owners will sign an affidavit that they are acting as their own contractor and agree to hire only licensed tradesmen. The proposed changes clarify that an owner who signs the affidavit and then hires unlicensed contractors is subject the same penalties as contractors, which is considered a misdemeanor with fines of up to \$1,000/day/violation.
10. Staff proposes to increase the general liability minimum from \$300,000/\$600,000 to the industry standard minimum of \$1,000,000/\$2,000,000.

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## **FINANCIAL / ECONOMIC IMPACTS**

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The proposed changes streamline and clarify the application process and align contractor testing with the National ICC exams. The application and testing review performed by staff remains unchanged. Staff’s involvement with licensing renewal after a code adoption will be reduced to administering only the one live presentation of the new adopted codes and amendments. The registration fees of the “exempt specialty trade subcontractors” are proposed to be \$200, valid for two years per company. These fees are the same as currently charged other license categories and are anticipated to cover the cost of administering the registration program. No other impacts are expected.

The proposal to streamline the application process by reducing the number of references from five to three may result in a slight benefit to the applicant in terms of time needed to document his work history. The proposal is not anticipated to have any impact on development or construction.

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**ENVIRONMENTAL IMPACTS**

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The proposal to define “deconstruction”, and the resulting requirement that licensed contractors perform deconstruction, reaffirms the City’s goal of promoting sustainability in the built environment. Deconstruction verses demolition will be discussed further with the Code Review Committee.

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**STAFF RECOMMENDATION**

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Staff recommends adoption of the Ordinance on First Reading.

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**BOARD / COMMISSION RECOMMENDATION**

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**Affordable Housing Board**

The City’s liaison to the Affordable Housing Board reviewed and discussed the proposed changes with the Board’s chair and vice-chair. Due to the board’s schedule, there was no need for a formal presentation of the changes as it was agreed that the changes were administrative in nature and had no impact on affordable housing.

**Building Review Board**

On August 30, 2012, staff presented the proposed changes to the Board. No concerns were raised during discussion or questions. The Board agreed that the changes were administrative in nature and would have no impact on the construction industry. The Board voted unanimously to support the proposed changes.

**Fort Collins Housing Authority**

On September 5, 2012, staff presented the proposed changes to the Housing Authority. No concerns were raised during discussion or questions. The Authority agreed that the changes were administrative in nature and would have no impact on the construction industry. The Authority voted unanimously to support the proposed changes.

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**PUBLIC OUTREACH**

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**Home Builders Association (HBA) Northern Colorado**

On August 14, 2012, staff presented the proposed changes to the HBA. No concerns were raised during discussion or questions. The HBA agreed that the changes were administrative in nature and would have no impact on the construction industry. However, the HBA requested to review the Draft Ordinance Legal Review Pending and received copies on August 16th. No negative feedback has been received from the HBA.

**Board of Realtors**

In early August, the Board of Realtors was contacted and asked if it wished to hear a presentation regarding proposed changes to the ordinance. The Board reviewed the significant changes outlined in Attachment 2 and determined that the changes were administrative in nature and would not have any impact on the construction industry. Due to the Board’s schedule, it declined a staff presentation but supported the proposed changes.

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**ATTACHMENTS**

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1. Contractor License Review Committee members list
2. Key changes proposed
3. Building Review Board minutes from August 30, 2012

## Policy, Planning &amp; Transportation Services



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 281 North College Avenue  
 P.O. Box 580  
 Fort Collins, CO 80522.0580

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Contractor License Committee 2012  
 Review of City of Fort Collins Code Chapter 15, Article V

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## Policy, Planning &amp; Transportation Services



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### 2012 Contractor License Overview

Proposed updates to the City of Fort Collins Municipal Code  
 Chapter 15, Article V, Contractors

#### Key Changes

##### Section 15-151- Intent

No change

##### Section 15-152- General

No change

##### Section 15-153- Definitions

- A new definition for **Deconstruction**; *In the world of sustainability, projects are likely to be deconstructed, which requires a level of experience in construction in order to safely deconstruct. Only contractors that have the appropriate level of experience will be allowed to deconstruct.*
- Under definition of Exempt Specialized Trade Subcontractor, added a registration requirement for this group. *An Exempt Specialized Trade Subcontractor is an unlicensed worker or company that performs specialized work such as roofing. They can be unlicensed because they work directly under the full time supervision of a licensed specialized trade contractor. The City proposes that Exempt Specialized Trade Subcontractors now register with the City, showing proof of all required insurance and workman's comp.*

##### Section 15-154- License and registration required

- Included the **registration** portion as a requirement. *In order to require and obtain registration of the Exempt Specialized Trade Subcontractor.*
- Cleaned-up duplication sections. *Now reference one code section that addresses general liability and workers compensation requirements.*
- Specific new requirements for registration of an Exempt Specialized Trade Subcontractor. *Details of the requirements needed in order to register as an Exempt Specialized Trade Subcontractor.*

##### Section 15-155- Exemptions

- Clarified and removed confusing wording. *The change addresses what work, an owner and his unpaid volunteers, can not do without an approved general contractor or specialized trade license. This section is intended for work on the owner's commercial or rental properties*
- Clarified that an owner can perform any work on his own detached personal primary residence.

##### Section 15-156- Duties of the Building Review Board

No change

##### Section 15-157- Supervisor certificates: fees; examination; renewals

- Clarified that holders of currently active licenses are responsible for keeping informed and knowledgeable on any new adopted codes and local amendments. *The City will continue to offer one "live presentation" of the local amendments which will be videotaped when new codes are adopted. No longer require, as part of renewing an active license, attendance at a City sponsored class or video presentation. Contractors that are not knowledgeable of amendments will most likely fail inspections.*

**Section 15-158- Applications; review; issuance**

- Clarified the (3) references documents required for a contractor license application. *No longer can the experience reference be signed by just one individual.*

**Section 15-159- Minimum experience, and Section 15-160- License classifications; fees; renewals**

- Describes experience needed for various levels of licenses classification and includes new license types. *For general contractors; these sections now codify license types that were created administratively over the years. For each major general contractor license type there is a corresponding DR (Damage Repair/Restoration) classification that limits the license holder to only repairs.*

*For the specialized trade contractors licenses such as roofing, HVAC, and non-structural tenant finish work, they are now separated out into sub-sections for residential or commercial.*

*Electricians and Plumbers were brought over to this section in order to be under the same general requirements as other contractors.*

**Section 15-161- Responsibilities of contractor; supervisor**

- Clarifies contract limits of the Exempt Specialized Trade Subcontractor. A specialized trade contractor can contract with one level of exempt specialized trade contractors and that the exempt specialized trade contractors can not contract with other exempt specialized trade contractors. *This is intended to stop exempt workers from sub-contracting to unknown or non-registered workers.*

**Section 15-162- Disciplinary procedures; violation and penalties**

- Increased the number of days for a license suspension to 45 days. *This allows enough time for the next regular scheduled Building Review Board meeting to hear the case; otherwise a special meeting could be needed.*
- Clarifies penalties for owners. *Specifies that owners who obtain owner permits and then use unlicensed contractors are subject to the full violation and penalties under the law.*

**Section 15-163- Safety and insurance requirements**

- Increased general liability limits. *To the basic industry standards of \$1,000,000/\$2,000,000*

**Section 15-164- Transition provisions**

- Deleted outdated provisions. *Deleted items that were needed only for an earlier code adoption and are no longer applicable.*

**ATTACHMENT 3**

FORT COLLINS BUILDING REVIEW BOARD Regular Meeting – August 30, 2012 1:00 p.m.	
Council Liaison: Kelly Ohlson	Staff Liaison: Mike Gebo (416-2618)
Chairperson: Alan Cram	

A regular meeting of the Building Review Board was held on Thursday, August 30, 2012 at 1:00 p.m. in the Council Chambers of the Fort Collins Municipal Building at 300 Laporte Avenue, Fort Collins, Colorado.

**BOARD MEMBERS PRESENT:**

Alan Cram  
Andrea Dunlap  
Justin Montgomery  
Torey Lenocho  
Rick Reider  
Jeffrey Schneider  
George Smith

**EXCUSED ABSENCES:**

None

**STAFF MEMBERS PRESENT:**

Delynn Coldiron, Customer & Administrative Services Manager  
Mike Gebo, Chief Building Official  
Paul Eckman, Deputy City Attorney

**ROLL CALL**

The meeting was called to order and roll call was taken.

**1. APPROVAL OF JULY 26, 2012 MINUTES:**

**A motion was made by Schneider to approve the July 26, 2012 minutes as written. Smith seconded the motion.**

Vote:

Yeas: Smith, Dunlap, Schneider, Cram, Reider, Lenocho

Nays: None

Abstain: None

**2. CONTRACTOR LICENSING ORDINANCE CHANGES**

Mike Gebo, Chief Building Official, noted that the Contractor Licensing Ordinance revisions would be going before City Council and described the public outreach aspects of the process. Gebo then proceeded to review the proposed changes with the Board.

There was a question as to whether a building owner has the option to deconstruct a building rather than demolish it. Gebo replied that this is currently an option; however, he expects that Council will continue to raise the bar in terms of the sustainability and recycling aspects of the new International Codes. It was noted by a board member that deconstruction costs are much higher and ultimately get passed on to the end user.

Gebo noted a change requiring a licensed professional to complete deconstruction on any project. He added that the aspects of what and how much deconstruction will be required are part of another code section.

Smith asked if the exemption portion would apply to homeowners, allowing them to deconstruct anything related to their personal residence and associated buildings. Gebo replied in the affirmative.

Smith asked if these changes would have any impact on the National Center for Craftsmanship. Gebo replied that a company deconstructing a building would need to be licensed. Smith stated this group is a non-profit and provides a valuable service. Gebo replied that the licensing would ensure that the party in charge of deconstruction has the necessary knowledge base for deconstruction and would require this organization to get a license if they were performing this type of work.

Gebo discussed the nominal registration fee for an exempt specialized trade worker and noted the language changes relating to the list of items which cannot be completed except by a licensed contractor.

Schneider asked why stairs and landings are included in the exemptions. Gebo replied this section refers to the exterior steps and landings, which are typically poured concrete. He explained that a stair or landing system within a building would require a permit to be pulled by a licensed contractor. Gebo stated he could make that clarification in the language.

Gebo discussed the renewal process changes for licensed contractors, which include eliminating the requirement that applicants seeking a renewal must attend a live or taped review of the code changes. He added that it will now be the responsibility of the contractor to ensure that they are up to date on current codes and that this would be apparent by City staff based on inspection results.

Gebo stated electricians and plumbers licensed through the State have now been brought under the contractor license ordinance. He noted that these requirements had been in separate portions of the City Code. Additionally, he reviewed a change to increase the time prior to a Building Review Board meeting that a contractor license can be suspended, when necessary.

Gebo discussed the proposed insurance requirement changes, which increased liability amounts from \$300,000 per person to \$1,000,000 per person, and from \$600,000 per accident to \$2,000,000 per accident. Schneider suggested the language be changed from “per person” to “per occurrence” and suggested “per accident” be changed to “aggregate” to be more in keeping with common insurance industry language.

Schneider asked if staff is of the opinion that additional applications will come before the Building Review Board as a result of the proposed changes. Gebo replied most applications will be handled administratively; however, any questions will be taken to the Board as is done currently. He did not feel that the changes would increase cases coming before the Board.

Dunlap asked if accidents occurring in another jurisdiction are registered with the City of Fort Collins and used as additional information when screening contractors. Gebo stated that this is

not done; however, staff does personally contact references provided for contractors to determine if there were issues or concerns on the job they completed. This information is used as part of the approval process.

**Lenoch made a motion to support the proposed contractor licensing changes. Schneider seconded the motion.**

Vote:

Yeas: Smith, Dunlap, Schneider, Cram, Reider, Lenocho, Montgomery

Nays: None

Abstain: None

ORDINANCE NO. 122, 2012,  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AMENDING CHAPTER 15 OF THE CODE OF THE  
CITY OF FORT COLLINS PERTAINING TO  
CONTRACTOR LICENSES

WHEREAS, since 1981, the City has required that contractors be licensed before performing work for which a building permit must be issued, the purpose of which requirement is to establish minimum qualifications, set liability insurance limits and develop standards of conduct for persons engaged in construction, alteration or repair of buildings, including persons performing specialized trades; and

WHEREAS, in recent years the construction industry has evolved such that contractors have become more specialized in the services they provide, and the City's current licensing ordinance does not have license categories that easily fit the specialized work being performed; and

WHEREAS, in order to address this evolution, several subcategories of licenses were developed administratively and should be incorporated into the City Code; and

WHEREAS, the International Code Consultants has developed national contractor license examinations based on the International Codes which the City desires to utilize for license examination purposes; and

WHEREAS, among other things, the purpose of this Ordinance is to help clarify the minimum experience and qualification requirements of an applicant, create license categories that better align with the adopted residential and commercial building codes, streamline the application and project verification process, establish registration requirements for the currently non-licensed category of workers and increase minimum liability amounts to recognized industry levels; and

WHEREAS, in pursuance of these proposed changes, City staff organized a committee of licensed general contractors to act as a "Code Review Committee"; and

WHEREAS, City staff conducted significant public outreach, particularly with the Homebuilders Association of Northern Colorado and the Board of Realtors without receiving negative feedback from either agency; and

WHEREAS, the Code Review Committee has unanimously supported the proposed changes; and

WHEREAS, the Affordable Housing Board, Building Review Board and Fort Collins Housing Authority have all supported the proposed changes; and

WHEREAS, the City Council has determined that the proposed changes to Chapter 15, Article V regarding contractor licenses are in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That Section 15-153 of the Code of the City of Fort Collins is hereby amended by the addition of a new definition "*Deconstruction*" which reads in its entirety as follows:

*Deconstruction shall mean the systematic total removal of building components for the purpose of recycling or re-use.*

Section 2. That the definition "*Exempt specialized trade subcontractor*" contained in Section 15-153 of the Code of the City of Fort Collins is hereby amended to read as follows:

*Exempt specialized trade subcontractor shall mean any person, ~~firm, partnership, corporation, association, other organization or any combination thereof~~ who is registered with the City as an exempt specialized trade subcontractor, which subcontractor is not an employee as defined in this Section, and which subcontractor is paid or otherwise compensated to perform construction or a trade for which a specialized trade contractor license as specified in this Article is required, except that any such subcontractor may perform such work without obtaining a license when such work is exclusively performed pursuant to a direct subcontract with a licensed specialized trade contractor. No subcontractor shall be exempt from the licensing requirements of this Article as an *exempt specialized trade subcontractor* when such subcontractor works pursuant to a direct subcontract with any of the Classes A, B, C-1, C-2, D-1, D-2 or E general contractors to perform construction regulated under this Article.*

Section 3. That Section 15-154 of the Code of the City of Fort Collins is hereby amended to read as follows:

**Sec. 15-154. License and registration required.**

(a) Except as otherwise permitted in this Article, no person may perform construction work or trade as a contractor, **including deconstruction work**, named in this Article within the City without first obtaining a license and designating an approved supervisor, **or register** as specified in this Article. No building permits shall be issued to any contractor who has not obtained a license, does not have valid insurance as set forth herein, is delinquent in the payment of the biennial license fee or whose license is expired or has been suspended or revoked.

(b) For any construction requiring a licensed contractor, permits shall be issued only to the property owner; **or to a licensed contractor or to an authorized representative of such owner or contractor** **or to the contractor's authorized representative**. Should a contractor be released from or abandon such construction project, said contractor shall immediately notify the Building Official, in writing, of

such action. No further work shall be done on such project until the Building Official is notified in writing of such intended resumption of work by a licensed contractor.

(c) No person shall engage in the business of contracting for the installation of electrical work in the City without registering as an electrical contractor with the Department of Community Development and Neighborhood Services. In order to register as required herein, the person must perform the following:

- (1) Be licensed as a master electrician by the State Electrical Board or have an employee so licensed. The registration required herein shall be valid only as long as the registrant is licensed or employs a person so licensed;
- (2) Provide worker's compensation and general liability insurance as specified in Section 15-163;
- (3) Provide supervision and maintain licenses as required by the State Electrical Board for all apprentice and journeyman electricians.

(d) No person shall engage in the plumbing trade or business in the City without registering as a plumber with the Department of Community Development and Neighborhood Services, and no person shall engage in the business of a plumbing contractor in the City without registering as a plumbing contractor with the Department of Community Development and Neighborhood Services. For the purpose of this Section, *plumbing contractor* means any person who undertakes or offers to undertake for another the planning, laying out, supervising and installing or the making of additions, alterations and repairs to potable water supply and distribution pipes and piping, plumbing fixtures, drainage and vent pipes and building drains, including their respective joints and connections, devices, receptacles and appurtenances. A registered professional engineer who plans or designs plumbing installations shall not be classified as a *plumbing contractor*. In order to register as a plumbing contractor, the person desiring to engage in such business must do the following:

- (1) Be licensed as a master plumber by the State Examining Board of Plumbers or have an employee so licensed and registered. The registration as a plumbing contractor shall be valid only so long as the person registered is so licensed and registered or employs a person so licensed and registered;
- (2) Provide worker's compensation and general liability insurance as specified in Section 15-163;
- (3) Pay a registration fee of two hundred dollars (\$200) to the City, valid for a period of two years from the date of payment; and

- (4) Provide supervision and maintain licenses as required by the State Examining Board of Plumbers for all apprentice and journeyman plumbers.

(e) No person shall engage in the business of an Exempt Specialized Trade Subcontractor in the City without registering as an Exempt Specialized Trade Subcontractor with the Department of Community Development and Neighborhood Services. In order to register as an Exempt Specialized Trade Subcontractor, the person desiring to engage in such business must do the following:

- (1) Register as an individual or as a company listing all employees to be recognized by the registration.
- (2) List all Specialized Trade Contractors that are under contract with the Exempt Specialized Trade Subcontractor.
- (3) Pay a registration fee of two hundred (\$200.) to the City, valid for a period of two (2) years from the date of payment.
- (4) Provide worker's compensation and general liability insurance as specified in Section 15-163.

Section 4. That Section 15-155 of the Code of the City of Fort Collins is hereby amended to read as follows:

**Sec. 15-155. Exemptions.**

The parties and conditions described herein shall be exempt from the general requirements specified in this Article:

(1) A building owner and any unpaid volunteers or paid workers employed by said owner who perform only minor alterations and repairs to such building, provided that all such work is under the continuous personal supervision of said owner, ~~For the purposes of this Section, minor alterations and repairs shall not include:~~ and further provided that no building owner, or unpaid volunteer or paid worker employed by said owner, may engage in the following types of work without obtaining the appropriate contractor license:

- a. ~~Significant structural alterations~~Alterations to the primary or secondary structural frame work (except for the repair and replacement of existing windows and doors, provided that such repair or replacement does not create larger openings or greater spans for headers);

- b. Alterations to fire-resistive assemblies as defined in the building code;
- c. Alterations to or the installation of electrical, plumbing or mechanical systems, except for fixture replacement and emergency repairs, ~~and except as otherwise permitted in this Article;~~
- d. Replacement of more than a total of one (1) square (100 square feet) of roofing; or
- e. ~~Any n~~Nonstructural construction, alterations or repairs to a building ~~or buildings~~ performed by the building owner(s) ~~and which alterations or repairs are otherwise exempted pursuant to this Section and which involve such elements as concrete slab-on-grade floors, masonry walls that are seventy-two (72) inches or less in height, wood or steel frame systems, and wallboard~~ or by his or her unpaid volunteers or paid workers,; when the total construction value of all work (including the related work done on the project by licensed specialized trade contractors), ~~within any twelve-month period exceeds five thousand dollars (\$5,000.) for any one (1) such building or collectively exceeds ten thousand dollars (\$10,000.) for all such buildings combined~~exceeds two thousand dollars (\$2,000.).

(2) ~~An owner of a detached single-family dwelling and associated accessory buildings or any unpaid volunteer under the continuous personal supervision of the owner of such buildings who personally performs any construction on the owner's personal residence and associated accessory buildings,~~An owner of a detached single-family dwelling, and his or her unpaid volunteers working under the continuous personal supervision of the owner, may perform construction work on such dwelling and any associated accessory buildings, provided that the dwelling is the owner's personal primary residence, and further provided that the owner commences construction of no more than one (1) such new dwelling within any twenty-four-month period. In the event such dwelling is destroyed or damaged, reconstruction thereof shall be exempt from the foregoing time period. Prior to performing any such construction, ~~demolition, or deconstruction~~ the owner must demonstrate sufficient knowledge and proficiency required to perform said construction as determined by the Building Official.

(3) ~~An owner or any unpaid volunteer under the continuous personal supervision of the owner of such building who personally demolishes any detached building housing an R-3 occupancy, as defined in the building code, or any building no larger than one thousand (1,000) square feet.~~

(43) An employee of a contractor who is not otherwise regulated under this Article.

(54) A partner, owner, or other company official of a licensed contractor who performs on-site construction under the direction of a qualified supervisor.

(65) An exempt specialized trade subcontractor **registered with the City and under a direct contract with a licensed specialized trade contractor** as defined in this Article.

(76) Any person, firm, partnership, **or** corporation, ~~association, other organization or any combination thereof performing specialized construction related to a particular trade which is not otherwise regulated by this Article, including any such trade engaged in one (1) of the following types of construction or installations: plumbing and electrical work regulated elsewhere in this Code;~~ wallboard; **nonstructural** masonry; nonstructural wood frame systems; finish and trim carpentry; nonstructural concrete floors, sidewalks, stairs, landings, and drives; ~~structural and nonstructural~~ steel systems; siding; ceramic and synthetic tile; counter surfaces and cabinets; flooring and carpet; wall and ceiling finishes; insulation; glazing; windows and doors and associated hardware; rain gutters; fences; **above ground manufactured** swimming pools and spas; entertainment, data, and communication systems within any building including related wiring supplying not more than fifty (50) volts and which does not require a state electrical license; excavation and grading; landscaping; irrigation systems excluding back-flow prevention devices; sewer lines downstream of any building drain as defined in the Colorado Plumbing Code; elevators and escalators; and radon piping systems.

(87) Any person who is, without pay or compensation of any kind, performing construction ~~or a specialized trade regulated under this Article~~ and who is supervised directly by a licensed contractor and supervisor as specified in this Article ~~to ensure that such work conforms to the applicable code(s).~~

Section 5. That Section 15-157 of the Code of the City of Fort Collins is hereby amended to read as follows:

**Sec. 15-157. Supervisor certificate; fees; examinations; renewals.**

(a) No contractor as defined in this Article shall perform construction, **demolition or deconstruction** that requires a permit without designating a supervisor to supervise such construction, **demolition or deconstruction** pursuant to this Article.

(b) Prior to issuance of a building permit to the holder of any contractor license specified in this Article, the holder of said license shall possess a supervisor certificate or shall have employed at least one (1) supervisor who has obtained a certificate for the specific class or specialized trade specified in this Article required to perform the scope of construction described on said permit. A supervisor certificate is valid for a period of two (2) years from the date of issuance and the biennial fee for such certificate is twenty-five dollars (\$25.). Supervisors shall observe reasonable standards of attendance on construction sites as necessary to

perform adequate supervision of such construction as further specified in § 15-161 of this Article.

(c) Prior to obtaining a supervisor certificate, except as provided otherwise in this Article, an applicant for such certificate shall have passed a written examination administered **or approved** by the City or the equivalent of such examination as ~~specified herein~~ **determined by the Building Official**. Every applicant who undergoes a written examination administered by the City shall pay a nonrefundable examination fee of seventy-five dollars (\$75.) prior to such examination. Any applicant who fails to achieve a minimum score of seventy-five (75) percent shall be entitled to another examination covering the same license class or specialized trade, provided that the applicant shall not be permitted more than two (2) such examinations within any six-month period unless otherwise approved by the Board. Alternatively, an applicant may be granted a third such examination within any six-month period upon the applicant demonstrating to the satisfaction of the Building Official adequate preparation for the examination by successfully completing a class or coursework covering the building code or other code as applicable, or the equivalent thereof as approved by the Building Official. The applicant shall pay a nonrefundable re-examination fee of fifty dollars (\$50.) for each subsequent examination covering the same license class or specialized trade. Examinations shall be given at a time and place designated by the Building Official. The written examination for a supervisor certificate may be waived by the Building Official provided that the applicant can prove that he or she has passed a satisfactory written examination equivalent in scope to that administered by the City.

(d) A supervisor certificate may be renewed provided that the biennial fee is paid and renewal occurs within sixty (60) days following the anniversary date such certificate was issued, and further provided that the adopted building code or other applicable code over which an examination was administered remains in effect at the time of renewal. When such adopted code over which the renewing certificate holder passed an examination has been substantially revised prior to the time of such renewal, the certificate holder must ~~either pass a renewal examination administered by the Building Official for which no fee shall be assessed for such examination, or provide proof of having successfully completed training covering the current adopted applicable code or the equivalent thereof as approved by the Building Official~~ **attest and certify, on a form provided by the City, that he has received and reviewed a copy of the City's latest amendments, or has attended a City-provided training class**. The holder of an expired certificate may be reissued such certificate by submitting a new application and paying all applicable fees as set forth in § 15-158. Such applicant shall not be required to pass an examination as prescribed in Subsection (c) above, provided that the adopted building code or other applicable code over which such applicant passed an examination remains in effect at the time the renewed certificate is obtained.

(e) The Building Official may grant a temporary supervisor certificate valid for thirty (30) days without an examination based upon individual extraordinary circumstances and upon finding that any petitioner for such certificate is otherwise qualified. Any person seeking such temporary certificate must submit a written request describing in detail the justification for such certificate and a completed application for a supervisor certificate, including all necessary fees as provided in § 15-158.

Section 6. That Section 15-158 of the Code of the City of Fort Collins is hereby amended to read as follows:

**Sec. 15-158. Applications; review; issuance.**

(a) Prior to being issued any license or certificate specified in this Article, all applicants for such license or certificate shall complete and submit to the Building Official an application containing the following information:

- (1) The individual applicant's name, the contractor's business name under which license the applicant is associated or will be working, a current mailing address and telephone number, **email address** and one (1) form of photographic identification of the applicant;
- (2) ~~A written summary documenting the applicant's relevant experience with at least three (3) separate construction projects and identifying an owner, general contractor, architect, professional engineer or other person involved in each particular construction project who has personal knowledge of the applicant's responsibilities on said projects;~~ **Documents verifying that the applicant has acted in the principal role of contractor or primary project supervisor on no less than three (3) separate completed building construction or specialized trade projects. A person other than the applicant must sign such documents, and the same person cannot be the signatory on all three (3) documents. Said signatory shall be a project owner, contractor, architect, or professional engineer directly involved in the construction of said project, and said person shall have worked directly with the applicant. Additionally, said documents shall contain the following information where applicable to the license or contractor certificate sought:**
  - a. The total floor area and number of stories (as defined in the building code) of each building in the project;
  - b. The building construction type as defined in the building code;
  - c. The building occupancy classification as defined in the building code;

- d. The date the project was completed;
- e. The address, contractor of record and permit number (when applicable) for the project;
- f. A description of the project which the applicant directly supervised or for which the applicant was the contractor of record, whichever is applicable, in sufficient detail to fully describe the extent of the construction or alteration or specialized trade work. Such description must describe all relevant work, such as that involving the foundation, the exterior structural elements, the interior bearing walls, the nonbearing walls and elements, the electrical systems, the plumbing systems, the mechanical systems, roofing, and any other specialized trade work that may be applicable to the license or certificate sought;
- g. A complete description of the applicant's position and responsibilities on the project; and
- h. The signatory's role in the project.

(3) The applicant's disclosure of any disciplinary action (whether by the City or any other ~~contractor licensing agency or jurisdiction~~) taken against ~~any contractor~~ **the applicant or against any** licenses currently or previously held by the applicant; and

(4) A signed statement by the applicant acknowledging the obligations associated with such license or certificate.

(b) All such applications shall be accompanied by a nonrefundable processing fee of seventy-five dollars (\$75.) for each such application.

(c) Subject to the qualification requirements of § 15-159 and subject to any applicable variances which may have been granted by the Board pursuant to § 15-156 and provided further that the applicant has not committed any acts described in § 15-162 of this Article without the Board having first conducted a hearing and having made a determination regarding the applicant's fitness to be granted a license or supervisor certificate, the Building Official shall issue to the applicant the license or supervisor certificate applied for upon receipt of all of the following:

- (1) Evidence of a passing score on the applicable written examination or equivalent as specified in this Article;
- (2) Payment of the applicable fee;
- (3) Written proof of general liability and workers' compensation insurance as required in this Article; and

(4) ~~All documents required to be provided in Subsection (a) above. Documents verifying that the applicant has acted in the principal role of contractor, project supervisor or other primary supervisory role on no less than three (3) separate completed building construction or specialized trade projects. A person other than the applicant must sign such documents. Said signatory shall be a project owner, a contractor, an architect, a professional engineer or other person directly involved in the construction of said project, and said person shall have worked directly with the applicant. Additionally, said documents shall contain the following information where applicable to the license or contractor certificate sought:~~

- ~~a. The total floor area and number of stories (as defined in the building code) of each building in the project;~~
- ~~b. The building construction type as defined in the building code;~~
- ~~c. The building occupancy classification as defined in the building code;~~
- ~~d. The date the project was completed;~~
- ~~e. The address, contractor of record, and permit number (when applicable) for the project;~~
- ~~f. A description of the project which the applicant directly supervised or for which the applicant was the contractor of record, whichever is applicable, in sufficient detail to fully describe the extent of the construction or alteration or specialized trade work. Such description must describe all relevant work, such as that involving the foundation, the exterior structural elements, the interior bearing walls, the nonbearing walls and elements, the electrical systems, the plumbing systems, the mechanical systems, roofing, and any other specialized trade work that may be applicable to the license or certificate sought;~~
- ~~g. A complete description of the applicant's position and responsibilities on the project; and~~
- ~~h. The signatory's role in the project.~~

Section 8. That Section 15-159 of the Code of the City of Fort Collins is hereby amended to read as follows:

**Sec. 15-159. Minimum experience qualifications.**

(a) Minimum experience requirements for Classes A, ~~A-DR~~, B, ~~B-DR~~, C-1, ~~C-1-DR~~, C-2, ~~C-2-DR~~, D-1, D-2, ~~D-DR~~, and ~~E, ER, and MM~~ general contractor licenses, specialized trade contractor licenses, and associated supervisor certificates as described in § 15-160 are as hereafter provided in this Section. In order to qualify for

such minimum experience, all construction and specialized trade installation projects are subject to the Building Official's review and approval for sufficient variety and complexity. All such projects shall have been constructed or installed primarily by the applicant or under the applicant's direct control. The particular license type and respective required minimum documented experience are described as follows:

(1) To qualify for a Class A license or supervisor certificate, the applicant must have constructed or acted principally in the role of supervisor for the construction of ~~two (2)~~ **three (3)** entire buildings for which a minimum of a Class A license or contractor supervisor certificate is required, and not less than one (1) entire building for which a minimum of a Class A or a Class B license or contractor supervisor certificate is required **each of which must have exceeded five (5) stories in height.**

(2) To qualify for a Class A-DR license or supervisor certificate, the applicant must have acted principally in the role of supervisor for the significant structural repair construction on **three (3)** buildings, each of which must have exceeded **five (5) stories in height.**

(~~2~~3) To qualify for a Class B license or supervisor certificate, the applicant must have constructed or acted principally in the role of supervisor for the construction of ~~three (3)~~ **three (3)** entire buildings for which a minimum of a Class A or Class B license or supervisor certificate is required. ~~At least one (1) such building described herein shall be classified under the building code as Type I, Type II, or Type III construction~~ **each of which must have exceeded three (3) stories in height.**

(4) To qualify for a Class B-DR license or supervisor certificate, the applicant must have acted principally in the role of supervisor for the significant structural repair construction on **three (3)** buildings, each of which must have exceeded **three (3) stories in height.**

(~~3~~5) To qualify for a Class C-1 license or supervisor certificate, the applicant must have constructed or acted principally in the role of supervisor for the construction of ~~three (3)~~ **three (3)** entire buildings for which a minimum of a Class A, Class B or Class C-1 license or supervisor certificate is required. ~~At least one (1) such building described herein shall be classified under the building code as Type I, Type II or Type III construction~~ **of type III, IV, or V construction with one (1) or more buildings being at least three (3) stories in height.**

(6) To qualify for a Class C-1-DR license or supervisor certificate, the applicant must have acted principally in the role of supervisor for the significant structural repair construction on **three (3)** buildings of Type III, IV,

or V construction, with one (1) or more buildings being at least three (3) stories in height.

(47) To qualify for a Class C-2 license or supervisor certificate, the applicant must have constructed or acted principally in the role of supervisor for the construction of three (3) entire buildings ~~for which a minimum of a Class A, Class B, Class C-1, or Class C-2 license or supervisor certificate is required~~ **classified as Type V construction and of Group R occupancy.** At least one (1) such building described herein shall not be less than three (3) stories in height as defined in the building code, ~~or at least one (1) such building shall contain not less than sixteen (16) dwelling units.~~

(8) To qualify for a Class C-2-DR license or supervisor certificate, the applicant must have acted principally in the role of supervisor for the significant structural repair construction on three (3) buildings of Type V construction, with one (1) building being at least three (3) stories in height.

(59) To qualify for a Class D-1 license or supervisor certificate, the applicant must have constructed or acted principally in the role of supervisor for the construction of three (3) ~~completed new~~ **entire buildings classified as R-3 Occupancies (single-family or townhomes)** ~~or the equivalent thereof as determined by the Building Official.~~

(610) To qualify for a Class D-2 license or supervisor certificate, the applicant must have constructed or acted principally in the role of supervisor for the construction of three (3) completed projects, ~~each with a construction value of not less than fifteen thousand dollars (\$15,000.) and each of which entails the significant structural alteration of or the addition to a single-family home or equivalent structure as determined by the Building Official~~ **classified as additions or alterations to R-3 Occupancies (single-family or townhomes) each project being at least one thousand (1,000) square feet.**

(11) To qualify for a Class D-DR license or supervisor certificate, the applicant must have acted principally in the role of supervisor for the significant structural repair construction on three (3) buildings of Type V Construction **classified as R-3 Occupancy (single-family or townhome).**

(712) To qualify for a Class E (**commercial**) license or supervisor certificate, the applicant must have constructed or acted principally in the role of supervisor for the ~~construction~~ **non-structural alteration** of three (3) entire projects, each of which shall ~~entail, at a minimum, the nonstructural alteration of a building classified by the building code as other than a "Group R or Group U occupancy."~~ **be non-residential in use.** Each such project shall exceed twenty thousand dollars (\$20,000.) in total construction value and at

least one (1) such project shall exceed fifty thousand dollars (\$50,000.) in total construction value.

(13) To qualify for a Class ER (residential) license or supervisor certificate, the applicant must have constructed or acted principally in the role of supervisor for the non-structural alteration of three (3) entire residential projects. Each such project must have exceeded fifteen thousand dollars (\$15,000.) in total construction value and at least one (1) such project must have exceeded thirty thousand dollars (\$30,000.) in total construction value.

(14) To qualify for a Class MM license or supervisor certificate, the applicant must have constructed or acted principally in the role of supervisor for the construction of three (3) entire projects, such as storage sheds, playhouses, greenhouses, gazebos, and unenclosed structures such as carports and patio covers, open porches and decks, each of which must have been associated with a detached single-family dwelling.

(815) To qualify for any of the specialized trade contractor licenses or certificates regulated under this Article, the applicant must submit to the Building Official written verification describing experience in such specialized trade as prescribed hereunder:

- a. An applicant must submit written verification to the Building Official describing not less than ~~five (5)~~ **three (3)** completed projects which demonstrate that the applicant possesses at least ~~three (3)~~ **two (2)** years of supervisor experience in the specialized trade applicable to the particular license or contractor supervisor certificate sought for the following specialized trade contractor licenses or certificates: roofing, HVAC, refrigeration, fire-sprinkler systems, special fire extinguishing, flammable fuel facilities, alarm systems, wood frame construction and cast-in-place concrete.
- b. ~~An applicant must submit written verification to the Building Official describing not less than five (5) completed projects which demonstrate that the applicant possesses at least one (1) year of supervisor experience in the specialized trade applicable to the particular license or contractor supervisor certificate sought for the following specialized trade contractor licenses or certificates: demolition, solar energy, gas piping, signs, WTS, awnings, miscellaneous and minor structures and fireplace appliances.~~

Section 9. That Section 15-160 of the Code of the City of Fort Collins is hereby amended to read as follows:

**Sec. 15-160. License classifications; fees; renewals.**

(a) The particular contractor license required and corresponding maximum scope of construction authorized under each license is described hereunder. All licenses are valid for a period of two (2) years from the date of issuance and the fee for each license is two hundred dollars (\$200.). A license may be renewed, provided that said biennial fee is paid within sixty (60) days following the anniversary date such license was issued. When the license fee is not paid within such sixty-day period, the license shall expire and is not eligible for renewal. The holder of an expired license may be reissued such license by submitting a new application and paying all applicable fees as set forth in § 15-158. ~~The Class A, B, C-1, C-2, D-1, D-2 and E general contractor licenses described in this Section do not authorize the holders thereof to perform the following specialized construction trades: electric, plumbing, HVAC, refrigeration, solar energy, alarms, fire-sprinkler systems, special fire extinguishing, gas piping, WTS, and flammable fuel facilities.~~

(b) Plumbers and Exempt Specialized Trade Subcontractors shall pay registration fees in accordance with §15-154.

(c) The Class A, A-DR, B, B-DR, C-1, C-1-DR, C-2, C-2-DR, D-1, D-2, D-DR, E, ER, and MM general contractor licenses described in this Section and their employees may perform Specialized Trade Contractor work such as roofing, demolition or deconstruction, framing, and awnings on projects for which permits have been issued to the general contractor. The listed licenses do not authorize the holders thereof or their employees to perform Specialized Trade Contractor work described to the following specialized construction trades: electric, plumbing, HVAC, refrigeration, solar energy, alarms, fire-sprinkler systems, special fire extinguishing, gas piping, WTS, and flammable fuel facilities.

(1) A Class A general contractor license holder shall be authorized to construct, ~~or demolish~~ or deconstruct any building or structure in the City that is regulated under the building code, ~~except as otherwise limited by this Article, including the installation of sidewalk, driveway, curb and gutter, provided that for said work in the public right-of-way, other requirements prescribed in this Code are met~~ including all work authorized by license types below this level.

(2) A Class A-DR Structural Damage Repair/Restoration license holder shall be authorized to make repairs or restoration to structural damage to any building or structure in the City regulated under the building code, including all work authorized by damage repair and restoration license types below this level.

(23) A Class B general contractor license holder shall be authorized to construct, ~~or demolish~~ or deconstruct any building or structure in the City regulated under the building code up to and including five (5) stories in height. ~~A Class B license holder is authorized to perform alterations on~~

buildings over five (5) stories in height, provided that such alterations do not involve the structural frame as defined in the building code and including all work authorized by license types below this level.

(4) Class B-DR Structural Damage Repair/Restoration license holder shall be authorized to make repairs or restoration to structural damage to any building in the City regulated under the building code, up to and including five (5) stories in height, and including all work authorized by damage repair and restoration license types below this level.

(35) A Class C-1 general contractor license holder shall be authorized to construct, or demolish, or deconstruct any building or structure in the City that is regulated under the building code and which does not exceed two (2) three (3) stories in height nor more than ten thousand five hundred (10,500) square feet in total floor area. When any such building is classified by the building code as Type V construction, the maximum allowable area may be that which is specified by the building code. A Class C-1 license holder is authorized to perform alterations on buildings over two (2) stories in height, when such alterations do not involve the structural frame as defined in the building code of construction types III, IV, and V, and including all work authorized by license types below this level.

(6) A Class C-1-DR Structural Damage Repair/Restoration license holder shall be authorized to make repairs or restoration to structural damage to any building or structure in the City regulated under the building code that does not exceed three (3) stories in height and limited to construction types III, IV, and V, including all work authorized by damage repair and restoration license types below this level.

(47) A Class C-2 general contractor license holder shall be authorized to construct, or demolish, or deconstruct any building or structure in the City classified by the building code as Type V construction and a Group R or a Group U, Division 1 occupancy that does not exceed three (3) stories in height, including all work authorized by license types below this level. A Class C-2 license holder is authorized to perform any work allowed under a miscellaneous and minor structure specialized trade contractor license and to construct other ancillary Type V buildings or structures not exceeding five thousand (5,000) square feet in total floor area that are associated with a particular multiple-unit housing project to be constructed by the license holder, provided that such other buildings are limited to functions such as management offices, community and recreation buildings, maintenance buildings and similar uses and including other ancillary Type V buildings or structures that are associated with a particular multi-family housing project, such as management offices, community and recreation buildings, maintenance buildings and similar uses.

(8) A Class C-2-DR Structural Damage Repair/Restoration license holder shall be authorized to make repairs or restoration to: (1) structural damage to any building or structure in the City regulated under the building code classified as Type V construction and a Group R or a Group U, Division 1 occupancy which does not exceed three (3) stories in height; and (2) structural damage to other ancillary Type V buildings or structures that are associated with a particular multiple-unit housing project, including all work authorized by damage repair and restoration license types below this level.

(59) A Class D-1 general contractor license holder shall be authorized to construct, ~~alter, repair or demolish,~~ or **deconstruct** any building or structure in the City classified by the building code as a Group R, Division 3 occupancy housing not more than two (2) dwelling units, or a Group U, Division 1 occupancy or townhomes (aka single-family attached) as regulated by the International Residential Code, including all work authorized by residential license types below this level. ~~A Class D-1 general contractor license holder is authorized to perform any work allowed under a miscellaneous and minor structure specialized trade contractor license and to perform alterations and/or repairs to any building or structure in the City classified by the building code as a Group R, Division 1 occupancy and Type V construction, provided that any such work does not alter the structural frame as defined in the building code.~~

(610) A Class D-2 general contractor license holder shall be authorized to construct, **demolish or deconstruct** residential garages of Group U, Division 1 occupancies up to one thousand (1,000) square feet; **construct, demolish or deconstruct additions to detached single family dwellings** not exceeding one thousand (1,000) square feet in total floor area; ~~to construct additions which do not exceed one thousand (1,000) square feet of floor area;~~ and perform any structural alterations, ~~demolitions and/or repairs;~~ to any building or structure in the City classified by the building code as a Group R, Division 3 occupancy housing not more than two (2) dwelling units, or a Group U, Division 1 occupancy; **and construct or repair exterior decks of any size associated with single-family and/or multi-family project, including all work authorized by residential license types below this level.** ~~A Class D-2 general contractor license holder shall be authorized to perform any work allowed under a miscellaneous and minor structure specialized trade contractor license and to perform alterations and/or repairs to any building or structure in the City classified by the building code as a Group R, Division 1 occupancy and Type V construction, provided that any such work does not alter the structural frame as defined in the building code.~~

(11) A Class D-DR Structural Damage Repair/Restoration license holder shall be authorized to make repairs or restoration to structural damage to any building or structure in the City regulated under the building code as a Group

R, Division 3 occupancy housing not more than two (2) dwelling units, or a Group U, Division 1 occupancy or townhomes (aka single-family attached) as regulated by the International Residential Code.

(712) A Class E (commercial) general contractor license holder shall be authorized to perform any non-structural alteration work ~~allowed under a miscellaneous and minor structure specialized trade contractor license and to perform alterations to any building or structure in the City, when such alterations do not include modifications to the structural frame as defined in the building code~~ to any building or structure in the City, including all work authorized by license types below this level.

(13) A Class ER (residential) general contractor license holder shall be authorized to perform any non-structural alteration work to any residential building or structure in the City regulated under the International Residential Code including single-family, duplex, and townhomes (aka attached single-family), including all work authorized by Class MM (Miscellaneous and Minor Structures).

(14) A Class MM (Miscellaneous and Minor Structures) general contractor license holder shall be authorized to construct, demolish or deconstruct the following projects associated with detached single family dwellings: detached structures such as shelters, storage sheds, playhouses, greenhouses, and gazebos, unenclosed structures such as open carports, patio covers, open porches, and decks. All such projects shall be limited to one-story buildings or structures not exceeding three hundred (300) square feet in floor area.

(b) A specialized trade contractor license and a specialized trade contractor supervisor certificate shall be required for any contractor performing any specialized trade listed herein. Prior to any specialized trade supervisor being issued a supervisor certificate, the applicant for such certificate shall successfully complete a written examination as provided in § 15-157, or the applicant shall provide proof of equivalent technical qualification as determined by the Building Official. Applicants for a specialized trade contractor license or a specialized trade contractor supervisor certificate shall submit an application and documents verifying that the applicant has acted in the principal role of contractor or primary project supervisor on no less than three (3) separate completed specialized trade projects as set forth under § 15-158 of this Article. Each specialized trade contractor license regulated under this Article is listed and described hereunder with respect to the scope of work authorized by each such license as follows:

*Alarm systems* authorizes the installation, testing, maintenance, and servicing of fire and security alarms as specified in the applicable provisions of the National Fire Alarm Code, NFPA 72 and the National Electrical Code, NFPA 70; including related

wiring supplying not more than fifty (50) volts that does not require a state electrical license.

*Awnings* authorizes the erection and attachment of awnings to buildings as regulated under the building code, including such awnings incorporating signage or graphics requiring a sign permit from the City.

~~*Cast-in-place concrete* authorizes the on-site forming and placement of structural, permanently cast-in-place concrete and reinforcement therein.~~

*Demolition* authorizes the ~~dismantling~~ or razing of entire buildings and other structures regulated by the building code, excluding such work as **deconstruction**, partial or interior demolition work associated with alterations.

***Electricians* authorizes the installation of electrical systems as regulated by the State of Colorado.**

*Fire sprinkler system* authorizes the installation of automatic fire suppression systems, including standpipes that use pressurized water as the primary extinguishing agent, and which are designed to protect entire buildings, rooms or areas and processes, other than **combination potable water**/residential fire sprinkler systems regulated under the ~~City fire~~**International Residential** code.

*Fireplace appliances* authorizes the installation of nonportable listed manufactured fuel-burning fireplace appliances and associated chimneys or vents ~~as regulated under the mechanical code adopted by the City~~, excluding equipment for industrial processes or for providing primary space heating, ventilation, cooling or water heating; and excluding any building modifications, alterations or additions.

*Flammable fuel facilities* authorizes the installation, alteration or removal of tanks, piping and dispensing equipment for petroleum fuels or other fuels as regulated by the City fire code, including related electrical wiring supplying not more than fifty (50) volts.

*Gas piping* authorizes the installation of piping and fittings for supplying fuel-gas, and the replacement of water heaters ~~as regulated under the mechanical code adopted by the City~~, when such water heater replacement does not involve alteration of water supply piping or appliance venting.

***HVAC-C (commercial)* authorizes the installation of environmental nonportable heating, ventilation, air conditioning systems **including commercial boilers** and the related piping, ducts, venting, appliances, controls and electrical wiring (supplying not more than fifty [50] volts), ~~therefor as regulated under the mechanical code adopted by the City, excluding all other electrical and plumbing work requiring a state license~~**including all work authorized by HVAC-R and HVAC-RR.****

*HVAC-R* (residential) authorizes the installation of environmental non-portable heating, ventilation, air conditioning systems, including residential boilers and replacement of equipment, for single-family dwelling units including duplex, multi-family and townhomes (aka single-family attached) and the related piping, ducts, venting, appliances, controls and electrical wiring (supplying not more than fifty [50] volts).

*HVAC-RR* (repair and replacement) authorizes the replacement installation of environmental non-portable heating, ventilation, air conditioning equipment and the related piping, ducts, venting, appliances, controls and electrical wiring (supplying not more than fifty [50] volts) associated with the repair or replacement.

~~*Miscellaneous and minor structures* authorizes the construction, repair or demolition of (a) detached structures such as shelters, storage sheds, playhouses, greenhouses, and gazebos; and (b) unenclosed structures such as open carports, patio covers, open porches, and decks. Any such work is further limited to one-story buildings or structures not exceeding two hundred (200) square feet in floor area and which contain occupancies limited to those classified by the building code as Group R, Division 3; Group S, Divisions 1 and 2; and Group U other than private garages.~~

*Plumbers* authorizes the installation of plumbing systems as regulated by the State of Colorado.

~~*Refrigeration* authorizes the installation of nonportable evaporative, absorption and mechanically operated refrigeration equipment, including piping, vessels, controls and electrical wiring (supplying not more than fifty [50] volts) therefor as regulated under the mechanical code adopted by the City, excluding all other electrical and plumbing work requiring a state license.~~

*Roofing* authorizes the application of nonstructural roof covering and materials as regulated by the building code, including the replacement or repair of sheathing on existing roofs of slopes two (2) inch in twelve (12) inch or steeper.

*Roofing Plus* authorizes the application of nonstructural roof covering and materials as regulated by the building code, including the replacement or repair of sheathing on existing roofs of slopes less than two (2) inch in twelve (12) inch.

*Signs* authorizes the installation and erection of permanent signs requiring a sign permit from the City, excluding electrical work regulated by the City electrical code requiring a state license.

*Solar energy hydronic* authorizes the installation of solar heat collectors, storage tanks and related piping, and related electrical wiring supplying not more than fifty (50) volts.

*Solar energy PV* authorizes the installation of solar heat and photovoltaic collectors, storage tanks and related piping, ~~and~~ related electrical wiring supplying not more than fifty (50) volts and nonpotable water piping, excluding all other electrical and plumbing work requiring a state license **stand alone or utility grid systems.**

~~*Special fire extinguishing* authorizes the installation of fire suppression systems for the protection of specialized hazards such as commercial kitchen equipment, paint booths, flammable liquid facilities and other special applications.~~

*Wood frame construction (framing)* authorizes the construction of Type IV and Type V structural framing systems as regulated under the building code, including the application of sheathing and siding.

*WTS* authorizes the installation of outdoor wireless telecommunication systems, including related equipment, towers, antennas and the construction of unoccupied minor related buildings housing only equipment, and associated cables and electrical wiring supplying not more than fifty (50) volts that does not require a state electrical license.

Section 10. That Section 15-161 of the Code of the City of Fort Collins is hereby amended to read as follows:

**Sec. 15-161. Responsibilities of contractor; supervisor.**

(a) The contractor of record as authorized by a building permit shall be responsible for all work performed under said permit without substantial departure from the drawings and specifications filed and approved by the City as specified on the permit issued for said construction, unless changes are approved by the City, and shall observe the following standards:

- (1) The contractor of record shall obey any order or notice issued pursuant to ~~this Article~~ **adopted codes of the City.**
- (2) The contractor of record shall observe generally accepted safety standards.
- (3) The contractor of record shall employ an approved on-site supervisor as specified in this Article.
- (4) The contractor of record shall maintain liability insurance and workers' compensation insurance as specified in this Article and provide proof of such insurance to the Building Official.

(5) The contractor of record shall provide proof of employment for employees who are performing construction work that is regulated under this Article by providing to the Building Official a copy of the signed Internal Revenue Service "Employee's Withholding Allowance Certificate (Form W-4)" for each such employee.

(6) The contractor of record shall identify all exempt specialized trade subcontractors under the contractor's supervision ~~when so requested by the Building Official.~~

(7) When the contractor of record is a specialized trade contractor that directly subcontracts work to an exempt specialized trade subcontractor, the specialized trade contractor shall employ a supervisor who, ~~in addition to any other on-site attendance requirements of this Article,~~ shall be readily available and present full-time on the project site where such subcontracted work is being performed ~~to ensure that when completed such work fully conforms to the applicable code(s).~~

(8) The contractor of record shall maintain a current mailing address, ~~and a telephone number,~~ **and email address** with the Building Official.

(9) The contractor of record may proceed with work only after all required permits have been obtained and shall obtain required inspections and authorization to proceed with the work authorized under the permit.

(b) All supervisors shall be responsible for the supervision of construction in accordance with the requirements of this Article, and shall observe the following standards:

(1) All supervisors shall be on-site ~~and in person~~ on a regular basis, **as approved by the Building Official**, throughout the entire construction or installation process to supervise the construction or installation work under the responsibility of a licensed contractor without substantial departure from the drawings and specifications filed and approved by the City as specified on the permit issued for said construction, unless changes are approved by the City. ~~Additionally, w~~**When the contractor of record is a specialized trade contractor that directly subcontracts work to an exempt specialized trade subcontractor, a supervisor employed by such specialized trade contractor shall be readily available and present full-time on the project site where such subcontracted work is being performed to ensure that when completed such work fully conforms to the applicable code(s). A specialized trade contractor shall directly contract with only one level of exempt specialized trade subcontractor. Exempt specialized trade subcontractors shall not contract with another exempt specialized trade subcontractor.**

(2) All supervisors shall obey any order or notice issued pursuant to ~~this Article~~ **adopted codes of the City.**

(3) All supervisors shall observe generally accepted safety standards.

(4) All supervisors shall present the supervisor certificate, or proof thereof, during the supervision of a project for which said certificate is required when so requested by the Building Official.

(5) All supervisors shall maintain a current mailing address, ~~and a telephone number,~~ **and email address** with the Building Official.

Section 11. That Section 15-162 of the Code of the City of Fort Collins is hereby amended to read as follows:

**Sec. 15-162. Disciplinary procedures; violations and penalties.**

(a) When the Building Official determines that a license holder or supervisor described in this Article has committed any of the acts outlined in Subsection (d) herein, or when a supervisor fails to provide adequate personal supervision on the work site, the Building Official may order a suspension of all privileges granted under such license or certificate pending a hearing by the Board. Such suspension shall not exceed a period of ~~fifteen (15)~~ **forty-five (45)** days following the first commission of any such act and shall become effective immediately or when otherwise determined by the Building Official. Such ~~fifteen-day~~ **forty-five (45) day** suspension limitation shall not apply to any subsequent commission of any such act. Notification of said suspension shall be in writing and shall be promptly delivered to the certificate holder or an authorized person listed on such license application by ~~certified-mail~~ **or email** to the last known address or by personal delivery. The notification shall state in reasonable detail the essential facts and reasons for said action and shall advise the affected license holder or supervisor of the right to appeal the decision of the Building Official to the Board. A copy of any such suspension shall be placed in the public record of the affected license holder or supervisor. Failure of any such person to receive such notification of suspension shall not invalidate any suspension imposed hereunder.

(b) The Building Official shall, upon the verified complaint in writing of any person alleging any of the acts outlined in Subsection (d), convene the Board for the purpose of determining the verity of such complaint and taking appropriate action thereon. Notification shall be served to the affected license or certificate holder as prescribed in Subsection (a) above.

(c) In the absence of a personal appearance on behalf of the licensee or certificate holder, ~~or the licensee's or certificate holder's representative,~~ the Board may take

action on the matter based on the record. Any member of the City staff or any other party in interest may appear at such meeting and present evidence to the Board.

(d) The Board shall have the power to suspend or revoke (or take other disciplinary action on) any license or certificate when the Board determines that a holder thereof has committed any of the following:

(1) Knowing or deliberate disregard of the building code or any other code adopted by the City related to a specific construction project under the responsibility of the supervisor or license holder ~~set forth in this Article;~~

(2) Failure to comply with any provision of the Code related to a specific construction project under the responsibility of the supervisor certificate holder or license holder ~~as set forth in this Article;~~

(3) Failure to comply with any lawful order of the Building Official;

(4) Misrepresentation of a material fact in obtaining a building permit, license or supervisor certificate;

(5) The authorized holder of a license or supervisor certificate lending of or consenting to the use of such credential by persons other than the holder thereof;

(6) Failure to obtain any required permit for the work performed or to be performed;

(7) Commitment of any act of negligence, incompetence or misconduct in the performance of the contractor's specific trade which results in posing a threat to public health and safety;

(8) Performance of work for which a license or supervisor certificate is required without a valid, current license or supervisor certificate;

(9) The act of employing compensated workers who are performing construction or who are working in a trade for which a license or certificate is otherwise required under this Article when such workers are neither employees nor exempt specialized trade subcontractors as defined under this Article; or

(10) The act of requesting of repeated inspections by a license holder or supervisor when such inspections are related to construction or trade regulated under this Article and which reveal that the work performed or supervised by said license holder or certificate holder failed to comply with the building code or other applicable code; and such repeated noncompliance

occurs in a manner or to an extent that demonstrates that the license holder or supervisor is either negligent, is not providing adequate supervision or is not qualified to perform or supervise the work.

(e) When a license or supervisor certificate is revoked, the holder thereof shall not be granted another license or supervisor certificate under this Article without approval of the Board. In deciding whether to approve a new such license or supervisor certificate, the Board shall determine whether the applicant has demonstrated that any disciplinary actions that have been taken against any contractor license or supervisor certificate currently or previously held by the applicant (whether with the City or any other contractor licensing agency or jurisdiction) have resulted in the rehabilitation of the applicant to good and disciplined character for lawful conduct as a licensed contractor or certified supervisor (as applicable). When the Board suspends a license or supervisor certificate, the Board shall state the period and conditions of the suspension.

(f) In addition to the suspension or revocation of a license or supervisor certificate by the Board as provided herein, any person, firm or corporation violating any of the provisions of this Article or any lawful rule or regulation of the Board, or any lawful order of the Building Official, shall be deemed guilty of a misdemeanor and subject to the penalties set forth in § 1-15 of the Code.

(g) Owners who obtain permits for work on their primary residence and hire unlicensed contractors for work which requires a licensed contractor or licensed specialty trade contractors shall be deemed to have violated the provisions of this Article and shall be subject to the penalties set forth in § 1-15 of the Code.

(gh) Any person, firm, partnership, corporation, association, other organization or any combination thereof shall pay an investigation fee to the Building Official when such party performs or causes to be performed construction or a trade for which a contractor license as specified in this Article is required without first obtaining the required license. Such fee shall be equal and in addition to the license fee and shall be paid before the applicable license may be issued.

Section 12. That Section 15-163 of the Code of the City of Fort Collins is hereby amended to read as follows:

**Sec. 15-163. Safety and insurance requirements.**

All laws relating to safety of employees and the public shall be observed at all times by any contractor or exempt specialized trade subcontractor. Every such contractor or exempt specialized trade subcontractor shall maintain workers' compensation insurance as required by state law, and ~~public~~ general liability insurance in the minimum amounts as follows: ~~three hundred thousand dollars (\$300,000.)~~ **one million dollars (\$1,000,000)** per person, ~~five hundred thousand dollars (\$500,000.)~~ **two**

million dollars (\$2,000,000) per accident and ~~five hundred thousand dollars (\$500,000).~~two million dollars (\$2,000,000) per accident involving public property.

Section 13. That Section 15-164 of the Code of the City of Fort Collins is hereby amended to read as follows:

**Sec. 15-164. Transition provisions.**

(a) Any holder of a valid contractor license or supervisor certificate prior to the effective date of this Article shall be eligible to maintain the same such license or certificate without additional application fees or examination provided that such license or certificate remains valid throughout the current annual term of such license or certificate. Thereafter, any such contractor license or supervisor certificate shall be subject to renewal provisions as prescribed in this Article.

(b) Any person holding a valid specialized trade contractor license prior to the effective date of this Article shall be eligible for the applicable specialized trade supervisor certificate without additional application fees or further written examination, provided that such person is performing the duties of a supervisor and is verified as having passed a written examination or the equivalent as approved by the Building Official. Failure of the license holder by July 1, 2001, to obtain either such supervisor certificate or employ a person who holds such supervisor certificate authorizing the performance of such specialized trades in the City, shall be grounds for imposing the penalties as prescribed under this Article.

~~(c) — Any person, firm, partnership, or other organization that holds a current valid home improvement license prior to the effective date of this Article shall be eligible for a miscellaneous and minor structures license and supervisor certificate without additional application fees or written examination throughout the current annual term of such home improvement license. Thereafter, all such licenses and supervisor certificates shall be issued as prescribed in this Article.~~

~~(d) — Any person, firm, partnership, or other organization that is performing one (1) of the specialized trades described under this Article as cast-in-place concrete, fireplace appliances, or awnings in the City shall obtain such applicable license and supervisor certificate by July 1, 2001, or be subject to the penalties prescribed under this Article.~~

Section 14. That Section 15-171 of the Code of the City of Fort Collins is hereby deleted in its entirety as follows and Section 15-172 is hereby renumbered as Section 15-171:

~~**Sec. 15-171. Definition of electrical contractors.**~~

~~For the purposes of this Article, electrical contractor means any person, firm, partnership, corporation, association or combination thereof who undertakes or offers~~

~~to undertake for another the planning, laying out, supervising and installing or the making of additions, alterations and repairs and the installation of wiring apparatus and equipment for electric light, heat and power. A registered professional engineer who plans or designs electrical installations shall not be considered an electrical contractor.~~

Section 15. That Section 15-305 of the Code of the City of Fort Collins is hereby deleted in its entirety as follows and Section 15-306 is hereby renumbered as Section 15-305:

~~Sec. 15-305. Definitions of plumbers and contractors:~~

~~As used in this Article, the terms journeyman plumber, master plumber and plumber's apprentice shall have meanings given to them by the state law providing for the licensing of plumbers.~~

Introduced, considered favorably on first reading, and ordered published this 6th day of November, A.D. 2012, and to be presented for final passage on the 20th day of November, A.D. 2012.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Passed and adopted on final reading on the 20th day of November, A.D. 2012.

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Mayor

ATTEST:

\_\_\_\_\_  
City Clerk