

## SECTION 116 CONTRACTOR LICENSING

**116.1 General.** This section shall regulate the rules and procedures for licensing general building contractors and limited trade contractors in the unincorporated portions of Fremont County, Colorado, consistent with §30-11-125 Colorado Revised Statutes, as amended.

**116.2 Definitions.** As used in this section:

- 1) “Board of Appeals” means the Fremont County Building Code Board of Appeals. A Board created pursuant to the International Building Code and appointed by the Board of County Commissioners to hear and decide appeals of orders, decisions or determinations made by the Building Official.
- 2) “Contractor” means any person, firm or corporation, who, for compensation, directs, supervises or undertakes any work for which a county building permit is required. This definition excludes any person whose sole function in the work for which a County Building Permit is required is to perform labor under the supervision or direction of a Contractor.
- 3) “County” means the unincorporated areas of Fremont County, Colorado, which excludes any statutory or home rule city or town.
- 4) “General Contractor” means any contractor who undertakes, directs or supervises any construction work requiring the services of a person or persons engaged in two or more specific trades.
- 5) “Limited Trade Contractor” means any contractor who undertakes, directs or supervises any construction work requiring the services of a person or persons engaged in one specific trade.
- 6) “Person” means any individual, firm, corporation, limited liability company, partnership, association, or other legal entity.
- 7) “Trade” means any occupation, vocation or profession performed in the course of any construction, alteration, repair or demolition of a building or structure.

**116.3 License – Required.** Subject to the requirements of this section, no person shall engage in the business of being a contractor within the county jurisdiction without first obtaining a license from the county building department prior to engaging in the business. Nothing in this section shall be construed to require any individual to hold a license to perform any work on his or her own property, nor shall it prevent a person from employing an individual who is not licensed under the provisions of this section, to perform repair or maintenance work on his or her own property. For the purposes of this section, repair or maintenance work is any work which would not require a county building permit.

**116.4 Qualifications and Testing.** In an effort to assure the citizens of Fremont County that those individuals licensed in the construction trades have essential knowledge regarding building safety codes and standards adopted by the county, all contractors, prior to being issued a license, shall successfully complete a written examination designed to demonstrate competency in the appropriate construction field.

General Contractor

Any person able to show evidence of having achieved a passing grade on a nationally recognized examination promulgated by the International Code Council that is commonly used and accepted in the industry may qualify for county licensing.

Alternatively, general contractor candidates may achieve eligibility by successfully completing a written examination prepared and administered by the Building Official.

**Exception:** Additional testing will not be required for manufactured home installers.

Limited Trade Contractor

All limited trade licensing examinations shall be prepared and administered by the Building Official.

Examinations administered by the Building Official shall be subject to a fee. (See section 116.7)

**116.5 License Classifications.**

Class A General- Any person holding a Class A General Contractor's license shall be eligible to contract all or any phase of a residential or commercial construction project. Examination questions for this license are derived from the International Building Code, the International Residential Code and the International Energy Conservation Code in the currently adopted editions

Class B General- Any person holding a Class B General Contractor's license shall be eligible to contract all or any phase of a commercial or multi-family construction project. Examination questions for this license are derived from the International Building Code and the International Energy Conservation Code in the currently adopted edition.

Class C General- Any person holding a Class C General Contractor's license shall be eligible to contract all or any phase of a one- or two-family residential construction project. Examination questions for this license are derived from the International Residential Code in the currently adopted edition.

Class D General- Any person holding a Class D General Contractor's license shall be eligible to install manufactured housing. In lieu of additional examination, applicants for a Class D General Contractor's license shall be required to produce evidence of a current Registered Installer Certificate issued by the Colorado State Division of Housing.

Limited Trade Class E- Any person holding a Limited Trade Class E license shall be eligible to contract residential or commercial construction projects only in the trade for which the license was issued. Examination questions for these licenses are derived from the International Building Code, the International Residential Code and/or the International Energy Conservation Code in

the currently adopted editions. Limited Trade Class E licenses are offered for (but not limited to) the following trades:

- 1) Foundations and concrete
- 2) Framing and Carpentry
- 3) Roofing
- 4) Solar Installation

Limited Trade Class F- Any person holding a Limited Trade Class F license shall be eligible to contract residential or commercial construction projects only in the trade for which the license was issued. Examination questions for these licenses are derived from the International Building Code, the International Residential Code and/or the International Energy Conservation Code in the currently adopted editions. Limited Trade Class F licenses are offered for (but not limited to) the following trades:

- 1) Masonry
- 2) Siding and exterior trim
- 3) Stucco and plastering
- 4) Insulation
- 5) Drywall

**116.6 Application Procedure.** All applicants for a contractor’s license shall submit a complete, accurate and legible written application on a form provided by the Building Department. To be considered complete, the application form shall be accompanied by evidence that the applicant has successfully completed the appropriate ICC examination (when applicable); any required additional or alternative examination; insurance certificate; and payment of any required licensing fees. (See section 116.7.)

The county shall issue a provisional license to a contractor no later than seven business days after the contractor has submitted a complete application. A contractor who has satisfied all other requirements for obtaining a license shall be issued a nonprovisional license no later than 45 days after submission of a complete application.

**116.7 Fees.**

Annual License Fees

Class A- General Contractor	\$75
Class B- General Contractor	\$60
Class C- General Contractor	\$60
Class D- General Contractor	\$50
Class E- Limited Trade Contractor (All Categories)	\$40
Class F- Limited Trade Contractor (All Categories)	\$30
Additional Limited Trade Categories	\$15

**Examination Fees**

General Contractors- (Class A)	\$120
General Contractors- (Class B or Class C)	\$100
Limited Trade Contractors- (Class E- All Categories)	\$35
Limited Trade Contractors- (Class F- All Categories)	\$25
Re-examination (as a result of adoption of an updated code edition)	\$25

**116.8 Expiration.** All licenses shall expire on the last day of the twelfth (12<sup>th</sup>) month following the date of issuance. Regardless of the actual renewal date, the licensing period shall be as established by the original issue date. Early or late renewal shall not serve to change the license period. Licenses may be renewed upon payment of the fees required by Section 116.7 without re-examination provided that the license has not been revoked or suspended and provided that the renewal is completed within 45 days after the expiration date of the license. Each licensee will receive expiration notification by mail approximately 30 days prior to the expiration date.

**Exception:** Re-examination may be required at the time of renewal when an updated code edition is adopted.

**116.9 Insurance Requirements.** Upon application for a contractor’s license, the applicant shall submit to the Department a certificate, signed by a licensed agent of an insurance company, stating that a general liability policy has been issued to the applicant. The certification shall include the insured party’s name, the policy number, the name of the company, the effective date, the expiration date and the limits of the policy. Minimum required insurance coverage shall be in accordance with the table below. Each general liability insurance policy shall contain an endorsement to the effect that the insurance carrier shall notify the building department at least ten (10) calendar days in advance of the effective date of any reduction in coverage or cancellation of the policy.

License Category	Bodily Injury	Property Damage	C.S.L.*
General (Class A, B, C or D)	100,000/300,000	100,000	500,000
Limited Trade (Class E or F)	50,000/100,000	100,000	300,000

\* Combined Single Limit

Worker’s Compensation Insurance shall be provided in accordance with Colorado Revised Statutes and compliance shall be the sole responsibility of the licensed contractor.

**116.10 Critical Violations.** Critical violations, which may result in immediate suspension of a contractor’s license, shall include, but may not be limited to, the following:

- 1) Performing any work which requires a building permit without first obtaining the permit;

- 2) Using a contractor's license to obtain a permit for work which will not be performed or supervised by the contractor;
- 3) Willfully providing false or misleading information on a permit application;
- 4) Failure or inability to provide a current and valid Registered Installer Certificate issued by the Colorado State Division of Housing (applies to Class D General Contractors only);
- 5) Allowing a lapse, cancellation or reduction in general liability insurance coverage below the minimum amounts required in Section 116.9;
- 6) Conviction of the contractor, by a court having competent jurisdiction, for civil or criminal fraud related to construction activity regulated by the building code;
- 7) Accumulation of three (3) letters of reprimand in any twelve (12) month period.

**116.11 Letter of Reprimand.** As used in this section, a letter of reprimand is an admonishment issued to a licensed contractor by the Building Official for minor violations. Letters of reprimand are not intended for standard corrections resulting from inspection. Violations which may result in a letter of reprimand shall include, but may not be limited to, the following:

- 1) Failure to request a required inspection;
- 2) Failure to renew an expired permit;
- 3) Performing work that is beyond the scope of the specific permit;
- 4) Performing work that is beyond the scope of the individual's license classification;
- 5) Verified complaint of abandonment of a project;
- 6) Multiple incidents of the same corrections being issued as a result of inspection.

**116.12 Suspension of Licenses.** Any contractor's license issued by the County shall be subject to suspension for repeated violations of any Federal, State or County laws, rules, codes or resolutions. Critical violations may result in immediate suspension by the Building Official. A critical violation is any violation specifically listed in section 116.10 or any other act which causes or has the potential to cause harm or damage to any person or any person's property. Minor violations shall result in an official letter of reprimand to be placed in the contractor's permanent file. Suspension of a license shall remain in effect until the violation(s) is (are) corrected to the satisfaction of the Building Official but not to exceed ninety (90) days. Work being performed under any active building permit, issued to a licensee whose license has been suspended, shall cease and desist until the license is reinstated or until the permit is transferred to

another licensed contractor. Permit transfer may only be initiated by written consent of the owner of the subject property.

**116.13 Appeal of Suspension.** Any license suspension issued by the Building Official may be appealed to the Fremont County Board of Appeals pursuant to the Department's appeals process. The decision of the Board of Appeals shall constitute final county action, subject to judicial review at the option of the licensee.

**116.14 Revocation.** Any contractor's license issued by the County shall be subject to revocation. Upon issuance of a third suspension of a license, the Building Official is authorized to summon the licensee to a hearing before the Board of Appeals. As a result of that hearing, the Board of Appeals shall vote on the outcome and may decide to grant reinstatement of the license, grant an extension of the suspension period or order revocation of the license. The final decision shall be by majority vote of the Board. Revocation shall remain in effect for minimum of one (1) year. Work being performed under any active building permit, issued to a licensee whose license has been revoked, shall cease and desist until the permit is transferred to another licensed contractor. Permit transfer may only be initiated by written consent of the owner of the subject property. Any contractor wishing to reinstate a license following the one year revocation must reapply for a new license and the application must then be approved by the Board of Appeals prior to the new license being issued by the Building Official.