

R-24-91

**RESOLUTION ADOPTING A CONTRACTOR LICENSING PROGRAM
FOR CLEAR CREEK COUNTY**

WHEREAS, C.R.S § 30-11-125 grants county boards of county commissioners with authority to license building contractors who operate within their respective county; and

WHEREAS, the Building Department has recommended the licensing of building contractors to safeguard the public safety and welfare by requiring contractor licensure to provide contractor accountability during the application process for licensing, each contractor's an annual review, and demonstrate contractor code knowledge by requiring ICC contractor exams and continuing education, and

WHEREAS, the Contractor Licensing program is a valuable and complimentary addition to the Building Code intended to safeguard the public safety and welfare by ensuring professionals engaged in construction activities requiring a permit such as building, altering, repairing, demolishing, or those performing trade work, possess the necessary qualifications and expertise to perform that work; and

WHEREAS, the licensing process involves verifying technical knowledge, adherence to minimum insurance requirements, and a demonstration of minimum experience. By requiring contractors to meet specific qualifications alongside the building code, the program helps prevent substandard work, reduces risk to property and life, and maintains the integrity of the construction projects, supporting efficiency during the enforcement of the building code. It ensures a base level of knowledge and expertise which supports effective communication, first-time compliance of the building code, manages expectations, and limits the need for re-inspections by staff; and

WHEREAS, on November 19, 2024, the Board of County Commissioners for Clear Creek County held a work session to discuss the requirements for a contractor licensing program, and

WHEREAS, the Board of County Commissioners for Clear Creek County ("Board") desires to adopt a Contractor Licensing Program to require contractors operating within Clear Creek County to be licensed through Clear Creek County in order to protect the public safety and welfare of the County's residents and visitors; and

WHEREAS, licenses issued by Clear Creek County pursuant to the Contractor Licensing Program will be subject to fees to cover the administrative cost of this program.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners for Clear Creek County that the attached Contractor Licensing Program Guidelines, attached hereto as Exhibit A, are hereby adopted and which guidelines shall be effective January 1, 2025.

NOW, THEREFORE BE IT FURTHER RESOLVED, that a fee schedule for licenses issued by Clear Creek County pursuant to the Contractor Licensing Program shall be adopted by resolution separately to allow for review and adjustments to the fees, however adoption of the fee schedule must occur contemporaneously with the adoption of this resolution.



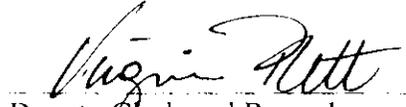
ADOPTED this 17th day of December, 2024, at a regularly scheduled meeting of the Clear Creek County Board of County Commissioners.


George Marlin, Chair


Randall P. Wheelock, Commissioner


Mitch Houston, Commissioner

ATTEST:


Deputy Clerk and Recorder
for Brenda L. Corbett
Clear Creek County Clerk and Recorder

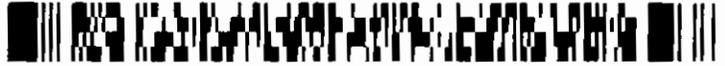
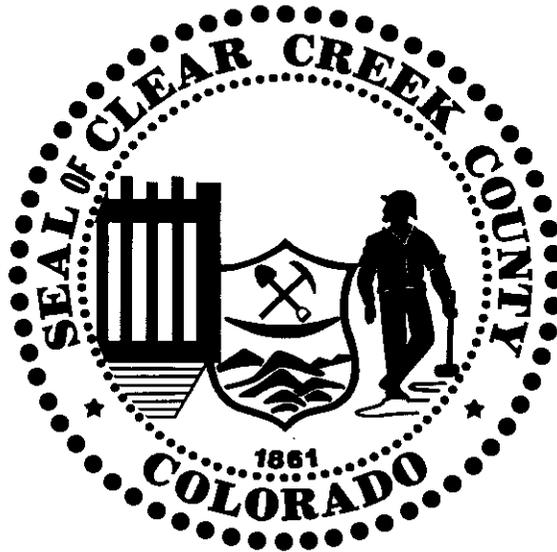
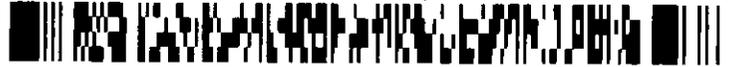


EXHIBIT A

CLEAR CREEK COUNTY CONTRACTOR LICENSING PROGRAM



CLEAR CREEK COUNTY CONTRACTOR LICENSING PROGRAM

GUIDELINES AND REQUIREMENTS



CLEAR CREEK COUNTY CONTRACTOR LICENSING GUIDELINES AND REQUIREMENTS

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SECTION 1. – GENERAL

1.1 - Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Contractor means any person or firm that undertakes with or for another to construct, alter, repair, or demolish any structure or any portion thereof including every: (1) Plumbing contractor; (2) Electrical contractor; (3) Mechanical heating, ventilation, and air conditioning (HVAC) contractor; and (4) General contractor, building contractor, and residential contractor.

Unless provided otherwise by this chapter, only a contractor licensed under the provisions of this article may obtain a building permit.

Firm means any sole proprietorship, partnership, association, limited liability company, or corporation.

1.2 - Scope and Purpose

The purpose of the Clear Creek County Contractor Licensing Requirements is to protect the public welfare by ensuring that those undertaking the construction, alteration, repair, or demolition of structures are qualified to perform such services. It is further the intent that owner-occupants of single-family residential structures be permitted, without first obtaining a contractor's license, to perform minor work on such homeowner's residence as determined by the Building Official.

1.3 – Multijurisdictional cooperation

It is contemplated that the board of county commissioners and several municipalities within the county shall enter into one or more agreements to establish uniform or compatible contractor licensing regulations and to allow Clear Creek County Planning and Building Services Department to oversee the licensing and regulation of contractors in such municipalities.

1.4- Extraterritorial agreements

Notwithstanding anything to the contrary expressed or implied in this article, the chairperson may, on behalf of the board of county commissioners, enter into agreements for the provision of contractor licensing services with the governing body of any city or county so long as such agreement is substantially in the form previously approved by the board of county commissioners by this article.

1.5 - Exclusions

It is the intent of this article that the contractor that obtains a building permit shall be responsible, within the scope of such permit, for the completion of the construction, alteration, repair, or demolition in



accordance with all applicable building, electrical, plumbing and HVAC codes. However, the following persons are not contractors within the meaning of this article:

1. An employee or agent working for and under the supervision of a contractor licensed under this article for the type of construction, alteration, repair or demolition being undertaken; and
2. A homeowner who personally occupies or will occupy and undertakes the construction, alteration, repair, or maintenance of such homeowner's single-family residence or an accessory structure thereto.

1.5.1- Owner Contractors

For purposes of this section and notwithstanding section 1.5, any homeowner who undertakes the construction of a new residence for such homeowner's personal occupancy more than three times in any five-year period shall be deemed to be a contractor under this article.

1.6 - Contractor responsible for all work

Upon issuance of a building permit the contractor of such work shall be responsible for all work undertaken pursuant to such building permit, including work done by the contractor's employees, agents and subcontractors.

1.7- Contractor insurance

Every contractor except a contractor who has an inactive license shall keep in force a policy of general liability insurance including completed operations coverage. Such insurance policy shall be written with an insurance company licensed to do business in the state. All contractors shall maintain general liability coverage in an amount not less than \$1,000,000.00 per occurrence. In addition, every such contractor shall procure and maintain workers compensation insurance as required by law. A contractor, at the time of licensing under this article, shall provide the Planning and Building Services Department with a certificate of insurance or other satisfactory evidence of the insurance coverage required by this section.

SECTION 2. – Rules and Regulations

2.1 - Purpose

The purpose of these rules and regulations is to guide the Clear Creek County Planning and Building Services Department in carrying out its obligations and duties under the contractor licensing regulations adopted by the Board of County Commissioners by the resolution from which this article is derived. A Contractor Licensing Review Board (CLRB) shall be created to hear appeals of judgements made by the Planning and Building Services Department. The CLRB shall not be required to hold regular meetings, can be established and disbanded as required to hear appeals, and shall consist of three (3) actively licensed contractors.



2.2 – Appeals

Decisions regarding contractor license issuance, revocation, or disciplinary actions made by the Planning and Building Services Department may be appealed to the contractor licensing review board within ten (10) days of receipt of written notice of such judgments. Appeals may be filed by an affected party and must be submitted in writing to the Planning and Building Services Operations Manager. The appeal shall state with specificity 1) the ground on which the objector asserts to be an affected party and 2) the issue to which the objection is made. The appeal will be heard by the contractor licensing review board (CLRB).

- a. The CLRB shall first determine, during the public hearing, whether the objector is an affected party.
- b. One (1) public hearing shall be scheduled to hear all objections regardless of the number of objections filed.

Fees for appeals shall be applicable as adopted in the Contractor License Fee Schedule.

2.3 - Complaints

Any person may file a written complaint with the Planning and Building Services Department on forms provided for that purpose. Every complaint shall set forth with particularity one or more of the following violations:

- (1) A serious or repeated violation of the provisions of the contractor licensing regulations, any applicable building, electrical, plumbing, or mechanical safety code (code), or the failure to comply within a reasonable time to any lawful written order of a building code official;
- (2) A knowing and intentional misrepresentation of a material fact made in connection with obtaining a contractor's license or a building permit;
- (3) A fraudulent or deceitful use of a contractor's license to obtain a building permit;
- (4) A failure to obtain a building permit or to obtain a required inspection of an ongoing project for which the contractor has obtained a building permit;
- (5) A failure to exercise regular, routine control and supervision over a construction project for which the contractor has obtained a building permit;
- (6) A failure to timely obtain a certificate of occupancy for a structure as required by applicable building safety code;
- (7) A failure to hire a licensed electrical, plumbing, or HVAC contractor to supervise any electrical, plumbing, or HVAC work on the job site for which the contractor obtained a building permit; or
- (8) A failure to pay any required application or licensing fees for a building permit, contractor's license, or inspection fee.

A complaint shall include any written material or document then available to the complaining party.



2.4- Consumer complaints

Consumer complaints relating to the quality of materials, workmanship, untimely construction, contract disputes, and similar matters are not within the purview and beyond the jurisdiction of the Clear Creek County Contractor Licensing Requirements and the Planning and Building Services Department. No complaint shall be considered by the Planning and Building Services Department unless it meets the requirements of this article.

2.5 – Action on Complaints

Upon an investigation finding that a contractor has violated one or more of the provisions of the contractor licensing regulations, the Planning and Building Services Department may admonish, reprimand, or take other appropriate disciplinary action against such contractor.

2.6 - Suspension

A contractor's license may be suspended for code-related violation of this article until such time that the code related violation is corrected.

2.7– Revocation

A contractor's license may be revoked for non-code related violation of this article.

2.8 – Notification

Written notice shall be made to contractors which have been found in violation of the contractor licensing requirements. The notice shall contain 1) the portion of the contractor licensing requirements which have been violated with supporting documentation and 2) the resulting action taken by the Planning and Building Services Operation Manager.

SECTION 3 – LICENSES

3.1 - Licenses authorized

There shall be five separate classes of licenses authorized for contractors as provided in this article. The Planning and Building Services Department is hereby given the express authority to establish, from time to time, license subclassifications for trade and specialty contractors and may issue licenses to those individuals or firms who qualify for such licenses by testing, education, experience, or other uniform criteria established by the Chief Building Official. Notwithstanding anything contained in this article to the contrary, the Chief Building Official may establish appropriate experience qualifications and criteria in connection with the any such license subclassifications and the issuance of licenses for trade and specialty contractors.



3.2 - Class A, general contractor

A class A license shall entitle the holder thereof to construct, remodel, repair, and demolish any structure.

3.3 - Class B, building contractor

A class B license shall entitle the holder thereof to construct, remodel, repair, and demolish all structures not exceeding three stories in height. A class B license shall also entitle the license holder to perform nonstructural remodeling, tenant-finish, and repairs of all structures.

3.4 - Class C, residential contractor

A class C license shall entitle the holder thereof to construct, remodel, repair, and demolish single-family or duplex residences and buildings accessory thereto.

3.5 - Class D, miscellaneous contractor

A class D license shall entitle the holder thereof to perform a limited scope of work pertaining to a niche service. Class D licenses shall specify the specific scope of work which the license holder is limited to perform. The class D license may include services such as roofing, windows, siding, deck construction, or other niche services.

3.6– Class M, mechanical

A Class M license shall entitle the holder to perform HVAC services. A class A through D license shall not entitle the license holder to perform HVAC services, plumbing services, or electrical services.

3.7– State Licensure

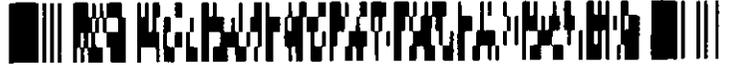
Licenses for trades which are regulated by the State of Colorado Department of Regulatory Agencies for Electrical and Plumbing contractors shall be recognized as valid and meeting the requirement of this article. No licensing fees shall be required as part of this article for these trades.

3.8 - Application form and fee

The Planning and Building Services Department shall receive and process contractor license applications. No contractor's license may be transferred or re-assigned. Fees as established in the Contractor License Fee Schedule shall be applicable.

3.9 - Renewal or reinstatement of license

(a) Every contractor's license shall be issued for a period of one year from the date of issuance. A contractor shall be entitled to renew such contractor's license upon satisfaction of the requirements of this article. A license renewal application may be submitted to the county thirty (30) days prior to expiration. Unless an expired license is renewed within one year of its expiration, the contractor shall be required to make a new application and satisfy all of the then-existing contractor licensing requirements.



(b) During the annual renewal period, a licensed contractor that has completed the annual requirement for continuing education may have the contractor's license declared inactive. No building permit shall be issued to a contractor with an inactive license. The holder of an inactive license may annually renew the inactive license upon the completion of all continuing code education requirements and the payment of the annual renewal fee. The holder of an inactive license may obtain an active contractor's license at any time upon the payment of the required license fee.

(c) Any contractor whose license is suspended for any code-related violation must provide satisfactory evidence to the Planning and Building Services Department that the violation has been corrected in accordance with the applicable code. Failure to provide such evidence may result in the revocation of the contractor's license. The holder of a suspended license will be subject to renewal fees as adopted in the Contractor License Fee Schedule.

(d) When a contractor's license is revoked, a new license shall not be granted until the contractor has first passed an examination as required by section 3.10 and has provided the Planning and Building Services Department with satisfactory evidence that a new license should be issued. If the contractor's license was revoked as the result of a code-related violation, such contractor may not be relicensed unless the Chief Building Official determines that the violation has been corrected. The holder of a revoked license will be subject to renewal fees as adopted in the Contractor License Fee Schedule.

3.10 - Examinations, license approval, and issuance

Contractor applicants shall be licensed by satisfying one of the following provisions: One item from (1) and one item from (2), satisfy (3) and one item from (1), meet requirements of (4) or (5).

(1) Obtain a certificate of competency from a nationally recognized testing institution as contemplated by C.R.S 30-11-125. Passing grades for other exams shall be considered if it can be demonstrated the exam provided is substantially equivalent to the designated exam for the license type applied.

a. Class A license: ICC exam ID G11-N General Building Contractor (A)

b. Class B license: ICC exam ID G12-N General Building Contractor (B)

c. Class C license: ICC exam ID G13-N Residential Building Contractor (C)

d. Class D license: Passing exams for niche contractors shall be considered when performing a limited scope of work.

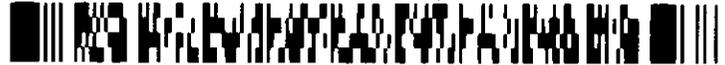
e. Class M license: ICC exam ID G31-N Journeyman Mechanical

(2) Until December 31, 2025, a license may be obtained upon verification that a person or a firm's designated representative has the required number of years of fulltime experience in the building construction industry for that license:

a. Class A license: 10 years or more experience;

b. Class B license: 5 years or more experience;

c. Class C, D, and M licenses: 2 years or more experience;



(3) Hold a bachelor's degree in engineering, architecture, or construction science from an accredited college or university for class A and B licenses; or an associate's degree of science or technology for a related field applicable to a class C, D, or M license.

(4) The holder of a probationary license may obtain a regular license upon the completion of not less than 16 hours of codes-related education prior the expiration of such probationary license.

(5) Holders of equivalent licenses in other jurisdictions shall be granted a license via reciprocity to allow persons and firms from other jurisdictions to obtain a contractor's license based upon such person's or firm's licensure in such other jurisdiction. Minimum insurance requirements of section 1.7 shall first be demonstrated.

The contractor-applicant shall disclose, at the time of application, any current or previous contractor's license held in the state or any other state and any disciplinary actions taken against such contractor-applicant. If the contractor-applicant is employed by or a principal of a firm, the application shall disclose whether the firm or the firm's employees or principals have had any contractor-related disciplinary action taken against them in the state or any other state. No license shall be issued to any contractor-applicant who has had a license suspended or revoked for disciplinary reasons, or who has surrendered a license during any disciplinary proceeding or investigation, within the immediately preceding five years. Any contractor-applicant denied a license under the provisions of this section may appeal such denial to the Contractor Licensing Review Board.

3.11 - Provisional license

Provisional licenses shall be issued within seven business days after the contractor has submitted a complete application, a nonprovisional license shall be issued within forty-five (45) days after submission of a complete application who has otherwise satisfied all other requirements for obtaining a non-provisional license.

3.12 – Probationary License

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Fulltime means a minimum of 30 hours a week carrying out the work of a contractor.

Until December 31, 2025, any person or firm that has obtained a building permit during 2024 may obtain a probationary contractor's license if all of the following conditions are met:

(1) At the time of the license application, the applicant, if an individual, or the designated representative, if a firm, is working fulltime in the construction industry for the license class requested;

(2) The applicant for a class A license shall have not less than seven years of fulltime experience in planning, supervising, and undertaking class A type construction;

(3) The applicant for a class B license shall have not less than four years of fulltime experience in planning, supervising, and undertaking class B type construction;



(4) The applicant for a class C license shall have not less than two years of fulltime experience in planning, supervising, and undertaking class C type construction;

(5) The applicant for a class D license shall have not less than one years of fulltime experience in planning, layout, and installation in class D type construction;

(6) The applicant provides evidence of insurance coverage as required by section 1.7; and

(7) All application and license fees are paid.

(8) For the purposes of this section, 24 credit hours of post-secondary education in the courses of engineering, architecture, plumbing, electrical, building trades, or HVAC systems shall be deemed equivalent to one year of fulltime experience.

3.13 - Renewal of probationary license

The holder of a probationary license may renew the license once for an additional 365 days following its expiration. Upon the expiration of a probationary license, a contractor licensed under the probationary licensing provisions of section 3.12 shall be required to satisfy the licensing requirements of section 3.10

3.14 - Firms/designated representatives

Under this article, a firm may obtain, in the firm's name, a contractor's license provided that such firm has at least one fulltime employee who is designated by the firm as its representative and such designated representative satisfies one of the requirements of section 3.10 or 3.12. A designated representative must spend a minimum of 30 hours a week carrying out the work of the firm. Whenever a building permit is issued in the name of a firm, the firm shall be subject to these regulations and the jurisdiction of Clear Creek County.

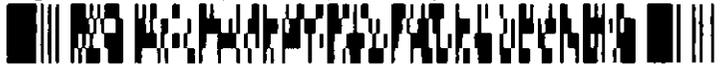
A contractor, including firms, may appoint, on forms provided by the county planning department, one or more individuals who shall be authorized to obtain building permits on behalf of the contractor. Such individuals are not required to be a licensed contractor.

3.15 - Continuing education

Every contractor shall complete at least eight hours of continuing education as required by the Planning and Building Services Department each calendar year. The Planning and Building Services Department shall provide for the recognition of codes-related education provided by governmental entities, trade associations, contractor education providers, and others for courses and instruction directly related to those codes adopted within the county.

3.16 - Contractor discipline

The Planning and Building Services Department shall have the authority to admonish, reprimand, and otherwise discipline any contractor subject to the requirements of this article including the suspension or revocation of the contractor's license issued under the provisions of this article. Before a contractor is disciplined, written notice shall be provided demonstrating just cause for the suspension or revocation.



The Planning and Building Services Operations Manager may suspend or revoke a contractor's license if the Planning and Building Services Department concludes, that the contractor's action or inaction is:

- (1) A serious or repeated violation of the provisions of this article, any applicable code, or the failure to comply within a reasonable time to any lawful written order of a building code official;
- (2) A knowing and intentional misrepresentation of a material fact made in connection with obtaining a contractor's license or a building permit;
- (3) A fraudulent or deceitful use of a contractor's license to obtain a building permit;
- (4) A failure to obtain a building permit or to obtain a required inspection of an on-going project as required by any applicable code;
- (5) A failure to exercise regular, routine control and supervision over an on-going project for which the contractor has obtained a building permit;
- (6) A failure to timely obtain a certificate of occupancy for a completed structure as required by applicable building safety code;
- (7) A failure to hire a licensed electrical, plumbing, or HVAC contractor to supervise any electrical, plumbing, or HVAC work on the job site for which the contractor obtained a building permit; or
- (8) A failure by a contractor to pay the required application or licensing fees for a building permit, contractor's license, or inspection fee.

3.17 - Action

Upon a finding by the Chief Building Official and Planning and Building Services Operations Manager that a contractor has violated one or more of the provisions of section 3.16, the Planning and Building Services Department may admonish, reprimand, or take other appropriate disciplinary action against such contractor including, but not limited to:

- (1) Suspension of the contractor's license for a fixed period not to exceed 90 days.
- (2) Suspension of the contractor's license for a fixed period exceeding 90 days; provided, however, the contractor shall have the right to have the suspension and the terms thereof reconsidered by the Planning and Building Service Department at the expiration of the first 90 days and every 90 days thereafter to determine if just cause exists to modify or terminate the suspension. Such reconsideration may, include a hearing by the Contractor Licensing Review Board.
- (3) Revocation of the contractor's license for a period not less than 12 months from the date of revocation. A contractor's license shall be revoked if the contractor has been suspended five times during any 36-month period.
- (4) The Planning and Building Services Operations Manager or the Chief Building Official are authorized to set conditions for reinstatement.



3.18 - Safe harbor provision

A contractor shall not be found in violation of this article, nor disciplined by the Planning and Building Services Department for a violation of an applicable building safety code provision if the contractor performs the work in accordance with and reliance upon duly certified plans and specifications prepared or approved by an architect or engineer licensed in the state without knowledge by the contractor that such plans and specifications, or pertinent parts thereof, are in violation of applicable codes.

3.19 - Hearings

All contested matters pertaining to the approval, issuance, suspension, revocation, renewal, and reinstatement of licenses, including examinations, shall be heard by the Contractor Licensing Review Board.