

ORDINANCE NO. 22-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO AMENDING SECTIONS 6-1-30, 6-7-30, AND 6-7-40 OF THE MUNICIPAL CODE OF CASTLE PINES, COLORADO RELATING TO LICENSING REQUIREMENTS FOR CONTRACTORS

WHEREAS, pursuant to Section 10.1 of the City of Castle Pines (the "City") Home Rule Charter, and C.R.S. § 31-15-501(1), the City has the power to regulate businesses by licensing, regulating, and taxing any lawful occupation; and

WHEREAS, the City requires any person who wishes to perform work as a contractor within the City to first obtain a contractor license; and

WHEREAS, the City wishes to change the licensing requirements of all contractors, to (i) make the license expire one (1) year from the date of issuance, (ii) require annual renewal of the license; (iii) to increase the insurance requirements for obtaining a contractor license, and (iv) create new categories of contractor licenses; and

WHEREAS, the City Council finds that these changes are necessary for the protection of health, safety, and welfare of the public.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Castle Pines, Colorado:

Section 1. Section 6-1-30 of the Castle Pines Municipal Code is hereby amended as follows with deletions shown in ~~strike through~~ and additions shown in underline text:

Sec. 6-1-30. – License Term and Renewal.

- (a) Upon application approval, the license officer shall issue an appropriate license for a term of up to two (2) years. All licenses expire no later than December 31 of the succeeding calendar year following the first calendar year covered by the license. This subsection shall not apply to contractor licenses, as required in Section 6-7-30 of this Code, which may be issued only for a term of one (1) year.

* * *

Section 2. Section 6-7-30 of the Castle Pines Municipal Code is hereby amended as follows with deletions shown in ~~strike through~~ and additions shown in underline text:

Sec. 6-7-30. – General Licensing Requirements and Terms.

- (a) Expiration of license terms. All licenses issued under this Section shall expire one (1) year from the date of issuance, unless otherwise provided. An applicant for a license renewal shall meet all the requirements as an applicant for a new license. A license may not be renewed if expired permits exist under the previous license.

~~(a)~~(b) Proof of competency. In order to obtain a contractor license, an applicant shall prove competency in the specific areas as defined in Section 6-7-40 below. Such proof of competency shall be determined by testing or certification by a recognized model code agency as determined by the license officer through equivalent licensure from another jurisdiction within the State in which attest or certification form by a recognized model code agency is required. Each class of contractor license requires a separate contractor license and fee.

~~(b)~~(c) In addition to the information required by subsection (a) above, the applicant for a contractor license must provide the license officer with the class of contractor license desired, in addition to all other information as may be required on preapproved forms by the license officer, including, but not limited to, the street address, if any, where the work is to be carried on or a general description of the work to be performed by the applicant within the boundaries of the City. All work done pursuant to a contractor license shall be in conformance with the building code as adopted by the City, all laws, ordinances and regulations of the City and all state or federal laws.

~~(e)~~(d) Insurance Requirements.

(1) Insurance required. Every contractor granted a license under the terms of this Article shall be required to maintain at all times workers' compensation insurance in the statutorily required amounts in conformance with the Worker's Compensation Act of Colorado, and comprehensive general liability insurance with minimum limits of not less than one hundred fifty thousand dollars (\$150,000.00) (each person) and ~~six hundred thousand dollars (\$600,000.00)~~ one million dollars (\$1,000,000.00) (each occurrence).

(2) Certificate of insurance. At the time the application is made, and before a license can be issued, the contractor shall file with the license officer a certificate, naming the City as certificate holder, signed by a qualified agent of an insurance company. The certificate shall contain the following items, together with a statement and a copy of an endorsement placed on each policy requiring ten (10) days' written notice to the license officer if it becomes necessary to cancel the policy for any reason:

A. The policies required by this Section have been issued to the licensee for workers' compensation insurance and general liability insurance;

B. The minimum limits of each policy;

C. The policy numbers;

D. The name of the company;

E. The effective dates of the policies; and

F. The expiration dates of the policies.

- (3) Cancellation. In the event of a cancellation of a policy, the licensee shall be required to furnish a new certificate in full compliance with the terms of this Section within ten (10) days; otherwise the license or registration shall be automatically revoked. The license shall be reinstated when the licensee has furnished a certificate of insurance in compliance with this Section unless such license is suspended for reasons other than the failure to file a proper certificate of insurance.

~~(d)~~(e) The provisions of Article 1 of this Chapter shall apply to contractor licenses except as may be otherwise specified in this Article

Section 3. Section 6-7-40 of the Castle Pines Municipal Code is hereby amended as follows with deletions shown in ~~strike through~~ and additions shown in underline text:

Sec. 6-7-40. – Classification of Contractor Licenses.

(a) The following classes of contractor licenses are hereby established:

- (1) Class A Contractor. Entitles the licensee to contract for and/or perform the work of building, altering or adding to buildings, structures or portions thereof of Types I, II, III, IV or V construction in any and all occupancy group classifications, where such work requires a permit. Requires proof of testing or copies of current licenses from one testing jurisdiction.
- (2) Class B General Contractor (Residential). Entitles the licensee to contract for and/or perform the work of altering or adding to buildings, structures and portions thereof of Types III, IV and V construction in occupancy groups A, B, M, R, S and U. Requires proof of testing or copies of current licenses from one testing jurisdiction.
- (3) Class C General Contractor (Basements/Remodels/Decks). Entitles the licensee to contract for and/or perform the work of altering or adding to buildings, structures and portions thereof, of Types III, IV and V construction in Group R, Division 3, and Group U for residential purposes. Work includes steam and hot water, asphalt paving, concrete and form, demolition, excavating, house and building movers, masonry, mobile home installer, special inspectors and utility. Requires proof of testing or copies of current licenses from one testing jurisdiction.
- ~~(4) Class D Single Trade. Entitles the licensee to contract for and perform the work of a particular trade or job connected with the building industry, including, but not limited to, carpenter, drywall, framing, insulation, painting, roofing, siding, windows, doors, flooring, cabinets, counter tops, fencing, structural steel, welding, fire protection, access control, security systems, landscaping, lawn sprinkler systems, retaining walls, signs, swimming pools, elevators and escalators, caulking, and waterproofing.~~

- (4) Class D-1: Roofing Contractor. Entitles the Licensee to contract to do the work of a particular trade or job connected with the building industry related to roofing. Requires proof of testing or copies of current licenses from one testing jurisdiction.
- (5) Class D-2: Single Trade Contractor. Entitles the Licensee to contract for and to do the work of a particular trade or job connected with the building industry, e.g., carpenter, drywall, framing, insulation, painting, roofing, siding, windows, doors, flooring, cabinets, counter tops, fencing, structural steel, welding, fire protection, access control, security systems, landscaping, lawn sprinkler systems, retaining walls, signs, swimming pools, elevators and escalators, caulking, waterproofing, etc. Requires proof of testing or copies of current licenses from one testing jurisdiction.
- ~~(5)~~(6) Class E Electrical. Entitles the licensee to perform any functions as permitted under the licensure of the Colorado Electrical Board, and such licensee shall be licensed by the Colorado Electrical Board. Requires proof of testing or copies of current licenses from one testing jurisdiction.
- ~~(6)~~(7) Class F Plumbing. Entitles the licensee to contract for and install all sanitary plumbing and potable water supply piping for which a permit is required. Master plumbers must provide a copy of a current master plumber license issued by the Colorado Plumbing Board. Requires proof of testing or copies of current licenses from one testing jurisdiction.
- ~~(7)~~(8) Class G Mechanical/HVAC/Heating, Warm Air and Ventilation. Entitles the licensee to contract for and install warm-air heating and ventilation and their appurtenances. All electric work shall be performed by a holder of an electrical license. Requires proof of testing or copies of current licenses from one testing jurisdiction.
- (9) Class H: Asphalt Paving Contractor. Entitles the Licensee to contract for and perform work as an asphalt paving contractor in the public right-of-way and on private property within the City, and is required in order to perform asphalt placement, patching, sealing, and other similar asphalt related work. Copies of current licenses from two other jurisdictions.
- (10) Class I: Concrete & Form. Entitles the licensee to contract for the install forms for concrete products, pour and finish concrete products and mix concrete products. All concrete and form work on types I, II, III, IV and V structures, right-of-way and private property. Copies of current licenses from two other jurisdictions.
- (11) Class J: Demolition. Entitles the licensee to contract and engage in the demolition and wrecking of existing structures. Copies of current licenses from two other jurisdictions.

(12) Class K: Excavating. Entitles the licensee to contract for and to do the work of cutting into public rights-of-way and excavating into the public right-of-way and on private property within the City. Copies of current licenses from two other jurisdictions.

(13) Class L: Utility Contractor. Entitles the licensee to contract for and perform work as a utility contractor in the public right-of-way and on private property with the City; utilities shall include, but are not limited to sewer, water, cable, gas, electricity, communications and phone. Copies of current licenses from two other jurisdictions.

* * *

Section 4. Severability. If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect, in accordance with Section 6.8 of the Charter.

Section 5. No Existing Violation Affected. Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any ordinance hereby repealed or amended by this Ordinance, or any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 6. Publication and Effective Date. The City Clerk is hereby directed to cause publication of this Ordinance in accordance with Section 6.5 of the Charter. This Ordinance shall be effective thirty (30) days after final publication on the City’s official website and posting at the City Clerk’s office pursuant to Section 1-3-40 of the Municipal Code.

INTRODUCED, READ, AND PASSED ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, the 26th DAY OF JULY, 2022.

READ, PASSED, AND ADOPTED ON SECOND READING, FOLLOWING A PUBLIC HEARING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 9th day of AUGUST, 2022.

DocuSigned by:

10362128594646A...
Tracy Engerman, Mayor



ATTEST:

DocuSigned by:
Tobi Duffey
AD63A2B02032400...
Tobi Duffey, MMC, City Clerk

Approved as to form:

DocuSigned by:
Linda C. Michow
5241DE99B8FE444...
Linda C. Michow, City Attorney

CERTIFICATION OF PUBLICATION

I hereby attest and certify that the within and foregoing Ordinance was introduced and read on first reading on July 26, 2022; published by title only in the Douglas County News-Press, together with the statement that “[t]he complete text of the ordinance is available through the City Clerk’s office and on the City’s official website with second reading and public hearing to be held on August 9, 2022”; and finally passed and adopted by the City Council on August 9, 2022, following a duly noticed public hearing and published on the City’s official website and posted at the City Clerk’s office on July 27, 2022.

ATTEST:

DocuSigned by:
Tobi Duffey
AD63A2B02032400...
Tobi Duffey, MMC, City Clerk