

**Town of Erie
Ordinance No. 044-2024**

**An Ordinance of the Town Council of the Town of Erie Repealing
and Reenacting Chapter 5 of Title 4 of the Erie Municipal Code
Regarding Contractor Licenses**

**Now Therefore be it Ordained by the Town Council of the Town of Erie,
Colorado, as follows:**

Section 1. Chapter 5 of Title 4 of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

Chapter 5 – Contractor Licensing

4-5-1 – Applicability.

A. All contractors involved in the following activities shall be licensed under this Chapter:

1. The erection, construction, enlargement, alteration, repair, movement, removal or conversion of buildings and structures;
2. The performance of work in the installation of underground utilities or construction of roads, streets and bridges in the Town; or
3. The performance of work on any Town-owned water, sewer and storm drainage facilities.

B. No permit shall be issued for any work to be performed by a contractor who is not licensed as required by this Chapter.

C. *Exceptions:* The following do not require a license under this Chapter:

1. Public utility companies when engaged in the installation, operation and maintenance of their equipment used for the production, generation, or distribution of the utility, product, or service through the facilities owned or operated by the utility company to the point of customer service.
2. Construction trades, other than mechanical, electrical, and plumbing, performing work under the supervision of a licensed contractor.
3. Employees working for and under the supervision of a contractor licensed under this Chapter.
4. A homeowner who constructs, alters or demolishes any structure or portion thereof that constitutes the owner's personal, primary residence, or a structure accessory thereto intended for the owner's personal use, but excluding an accessory dwelling unit; provided that this

does not occur for more than one (1) detached single-family dwelling within each three (3) year period.

4-5-2 –Definitions.

For purposes of this Chapter, the following term shall have the following meaning:

Building Official means the Town's Chief Building Official or designee.

Contractor means any person, firm, partnership, corporation, limited liability company, association or organization, entity of any type, or any combination thereof, who undertakes within the Town to erect, construct, enlarge, alter, repair, move, remove or convert any building or structure or a portion thereof for a fixed fee, sum, price, percentage, bonus or other compensation.

4-5-3 – Application and fee.

A. An application for a contractor license shall be on forms as provided by the Town, accompanied by the fee established by resolution of the Town Council.

B. The application shall include evidence of general liability insurance of not less than one million dollars (\$1,000,000) combined single limit.

C. An applicant for a Class A, B, or C contractor license shall provide evidence of passing the designated ICC national standard examination for the type of license requested.

D. The Building Official may deny a license application upon a finding of one or more of the following:

1. The applicant failed to provide any information required on the application;

2. The applicant failed to provide proof of the required insurance;

3. The applicant failed to pay the appropriate license fee;

4. The applicant failed the designated ICC national standard examination for determination of their qualifications and code competency for the type of license requested;

5. The applicant had a previous contractor license suspended or revoked by the Town or another jurisdiction; or

6. The applicant previously failed to comply with the ordinances and regulations of the Town including without limitation the contractor responsibilities outlined in Section 4-5-9 of this Chapter.

E. If the Building Official denies a license application, the Building Official shall notify the applicant in writing, including the specific grounds for the denial. Within ten (10) days of the written denial, the applicant may file an appeal with the Board of Appeals, as set forth in Chapter 7 of Title 3 of this Code.

4-5-4 – Term and renewal.

A. Each license issued under this Chapter shall be valid for one (1) year from the date of issuance.

B. A licensee shall file an application for renewal at least thirty (30) days prior to expiration of a license. The renewal application shall include the same information as the original application.

4-5-5 – License classification.

The following classifications of contractor licenses are established:

1. *Class A:* This class entitles the license holder to contract for the construction, addition, alteration, tenant improvement or repair of any type of construction or size of building or structure permitted by the adopted building codes except electrical, plumbing, and mechanical, unless licensed to do such work. A Class A license holder can demolish any building, structure, or portion thereof when rebuilding on-site.

2. *Class B:* This class entitles the license holder to contract for the construction, addition, alteration, tenant improvement or repair of any size of building or structure of Type II-B or V-B construction, except electrical, plumbing, and mechanical, unless licensed to do such work. A Class B license holder can demolish any building, structure, or portion thereof when rebuilding on-site.

3. *Class C:* This class entitles the licensee to contract for the construction of, or addition to, one- and two-family dwellings or townhouse dwellings three stories or less in height permitted by the adopted building codes, including accessory dwelling units. A class C license holder can demolish any building, structure, or portion thereof when rebuilding on-site.

4. *Specialty:* This class entitles the licensee to contract for the construction, alteration or repair of awnings, a basement finish, carport, covered porch/patio, deck, fence, detached private garage, pergola, shed, retaining wall, swimming pool or spa, sign, radon mitigation system, roof covering repair/replacement, window replacement, or the demolition or moving of a building or structure.

5. *Mechanical:* This class entitles the licensee to install, add to, alter, or repair warm air heating, venting, evaporative and refrigeration cooling, exhaust systems and their appurtenances, hot water systems, process piping, refrigeration systems and related appurtenances.

6. *Electrical:* This class entitles the licensee to engage in the installation, alteration, or repair of electrical wiring, appliances, or apparatus of any kind, nature, or description for the purpose of transmitting or utilizing current for light, heat, power, or electrical signal systems, or other purposes inside of, or in connection with any building or structure, so long as the licensee has secured a master electrician license and electrical contractor license from the State.

7. *Plumbing:* This class entitles the licensee to engage in the installation, alteration, or repair of plumbing fixtures or apparatus of any kind, nature, or description for the purpose of potable water supply and distribution, fixtures and traps, drainage and vent piping, water conditioning appliances, or other purposes inside of, or in connection with any building or structure, so long as the licensee has secured a master plumber license and plumbing contractor license from the State.

4-5-6 – Contractor responsibilities.

A. Each contractor shall be responsible for all work performed under their contract, whether the contractor, an employee or a subcontractor performs the work.

B. A contractor shall be responsible for obtaining a permit prior to commencing any construction work, and the permit shall list all mechanical, electrical, and plumbing subcontractors who will be performing work.

C. A contractor shall not deviate from the approved construction documents without prior approval from the Building Official.

D. Each contractor shall be responsible for scheduling required inspections of work that shall remain accessible and exposed until approved.

4-5-7 – Suspension or revocation.

A. The Building Official may require a licensee to appear for a hearing on the suspension or revocation of a license. Notice of the hearing shall be sent to the licensee at least ten (10) days prior to the hearing via first-class U.S. mail to the licensee's address on file with the Town. The notice shall contain a brief statement of the alleged violation that is the basis for the suspension or revocation.

B. At the hearing, the licensee shall have an opportunity to be heard on the violation alleged in the notice. The Building Official may suspend or revoke the license for good cause, including without limitation any violation of this Chapter.

C. Within ten (10) days after the hearing, the Building Official shall issue a written order, including findings of fact. A copy of the order shall be

mailed by first-class U.S. mail to the licensee's address on file with the Town.

D. Within ten (10) days after the date of the written order, the licensee may file an appeal with the Board of Appeals, as set forth in Chapter 7 of Title 3 of this Code.

4-5-8 – Violation and penalty.

It is unlawful for any person to violate this Chapter. Violations of this Chapter shall be subject to the civil penalties set forth in Section 1-4-4 of this Code. Each day of violation shall constitute a separate offense.

Section 2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

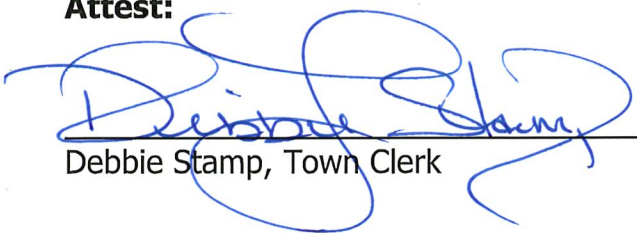
Section 3. Safety. The Town Council finds that the adoption of this Ordinance is necessary for the protection of public health, safety and welfare.

Section 4. Effective Date. This Ordinance shall take effect 10 days after publication following adoption.

Introduced, read, passed and ordered published this 10th day of December, 2024.

Attest:


Justin Brooks, Mayor


Debbie Stamp, Town Clerk

