

**BOARD OF COUNTY COMMISSIONERS
PARK COUNTY COLORADO**

RESOLUTION 2022-__

**A RESOLUTION PERTAINING TO THE LICENSING OF
CONTRACTORS DOING BUSINESS IN PARK COUNTY**

WHEREAS, the Park County Board of Commissioners has deemed it to be in the best interest of the residents of Park County to provide for the licensing of individuals, who function as contractors in the County; and

WHEREAS, in the past previous Boards of County Commissioners have passed resolutions for the same purpose; and

WHEREAS, the Park County Board of County Commissioners finds that there is a need to update the provisions of the previously enacted resolutions; and

WHEREAS, after review of the proposed licensing provisions at a duly noticed public meeting, the Park County Board of County Commissioners has determined that the proposed resolution is reasonable and is in the best interests of Park County residents.

NOW THEREFORE, BE IT RESOLVED THAT:

Resolution 2005-78 regarding contractor licensing be hereby repealed and the following adopted as the Contractor Licensing requirements for Park County, Colorado:

Park County Contractor License Certificate Requirements

Section 1. Purpose

The purpose of contractor licensing is to help assure the citizens and officials of Park County that licensed contractors possess a minimum amount of knowledge necessary to contract for the type of work for which a license is held.

Licensing also provides an avenue in which to investigate citizen complaints concerning contractors and upon finding of sufficient cause, revocation or suspension of the contractor's license.

Section 2. Definitions

Contractor – any person, firm, or corporation who undertakes with or for another to perform any operation involving the construction, alteration, remodeling, repairing, decorating and equipping of buildings and other structures; improving of any lot;

construction and repair of roads and streets, curbs and gutters for compensation other than wages or salary.

Owner/Builder – A person performing building operations on their own property to be used as their permanent residence or the permanent residence of their immediate family shall not be considered a contractor. The residence is not allowed to be built for commercial or residential development or sale and the permit shall be limited to a maximum of two extensions. Homeowner builders are not allowed to obtain another permit within two years of the issuance of the certificate of occupancy (C.O.). Special circumstances will be considered if any alteration to the two-year waiting period is requested and the Board of Appeals would be responsible for any decision to alter the waiting period. Accessory structures are not affected by this paragraph.

Immediate Family – persons related by blood and parents in law.

Permanent Residence – one to be occupied by the builder or their immediate family for not less than one (1) year.

License Holder – the individual responsible for the successful completion of the examination that may or may not represent a firm, company or corporation in the business of construction contracting.

Licensed Contractor – a firm, company or corporation who has in their employ a license holder.

Section 3. Authority to prescribe additional regulations

The Chief Building Official is hereby authorized to promulgate rules and regulations regarding the procedure and information required for application for a license and regarding the enforcement of this resolution.

Section 4. License Required

All persons, firms, or corporations engaged as a contractor within the unincorporated areas of Park County shall be licensed, in accordance with this resolution, prior to undertaking any work or applying for any type of permit as required by Park County. All firms, companies, and corporations shall maintain in their employ a license holder for the duration of all projects in unincorporated Park County.

Licensed contractors shall not exceed the limitations of any license issued by Park County.

Section 5. Contractor License Classes

The following classes of contractor licenses shall be established. Fees for each license shall be established. Fees for each license shall be set by resolution of the Board of County Commissioners, upon recommendation of the Chief Building Official:

1. **Class A Contractor License:** entitles the holder to contract for the construction, alteration, addition or repair of commercial structures.
2. **Class B Contractor License:** entitles the holder to contract for the construction alteration, addition, or repair of single-family, residential structures as well as related accessory structures.
3. **Class C Contractor/License:** entitles the holder to contract for the installation or repair of roofing covering.
4. **Class D Contractor Licenses:** entitles the holder to contract for the installation or repair of solar photovoltaic systems.
5. **Class E Contractor/License:** entitles the holder to contract for the excavation and grading of construction projects.
6. **Class F Contractor License:** entitles the holder to contract for labor and materials involving heating, ventilating, air conditioning and solar thermal systems.
7. **Class G Contractor License:** entitles the holder to contract for the installation of manufactured homes including permanent foundation systems. Class G license holders are required to be certified by the State of Colorado as licensed installer of manufactured homes.
8. **Class Septic Contractor:** entitles the holder to contract for the installation, renovation, and repair of On-site Wastewater Treatment Systems.
9. **Class Septic Cleaner:** entitles the holder to contract for the cleaning and pumping of On-site Wastewater Treatment Systems and removal of the residues deposited in the operation thereof.

Section 6 Application and Examination

Applications for contractor license shall be made on forms provided by the Park County Building Department Applicants for a Class A, B, C and F license shall be required to provide a copy of a current, equivalent ICC certification on the 2012 edition of the IRC, IBC, or IMC.

Contractor License shall expire December 31, each year and must be renewed on an annual basis. Expired Contractor License will require the applicant to resubmit an application and provide a copy of a current, equivalent ICC certification on the 2012 edition of the IRC, IBC, or IMC to obtain a license.

Section 7 Responsibility and Insurance

The license holder shall be responsible for all work performed under their license whether performed by the contractor or a subcontractor. All contractors shall have in their employ at all times a contractor license holder.

All applicants granted a license under the provisions of this resolution shall be required to maintain appropriate liability insurance coverage and workman's compensation coverage at all times during the licensing period. Proof of such coverage shall be required to accompany the license application.

Section 8 Revocation, Denial or Suspension

The following shall constitute grounds for the revocation, denial or suspension of a contractor license:

1. Failure to obtain proper permits prior to start of construction.
2. Failure to obtain the proper inspections during construction.
3. Failure to maintain the minimum insurance requirements of Park County.
4. Violation of Park County Building Codes, OSWTS Regulations, Land Use Regulations, resolutions, ordinances, state law or any other law on similar subjects.
5. Repeated failure to complete construction to issuance of a certificate of occupancy.
6. Filing of false information on the application.
7. Failure to comply with any lawful order of the Building Official or authorized representative.
8. Using a contractor license to obtain a permit that will not be supervised by the contractor holding the license.
9. Failure by a company to regain a license holder in their employ.
10. Conviction by a court having competent jurisdiction of a contractor and/or license holder of Civil or criminal fraud for work related to any license.
11. Failure to maintain construction site grounds in a clean, safe, and sanitary condition.
12. Causing an unclean, unsafe, or unsanitary condition on adjoining property.

Applicants must wait a minimum of one year to apply for a license following revocation or denial of a license the Chief Building Official shall determine the length of a license suspension.

Section 9 Appeals Board

The Park County Board of Appeals shall serve as a board of appeals, to hear any matter regarding the revocation, denial, or suspension of a contractor's license. Any person, firm, or corporation aggrieved by any decision or order of the Chief Building Official may, within ten (10) days, file an appeal of the decision or order with the Board of Appeals for review.

Appeals shall be filed on forms provided by the Building Department and shall contain all appropriate information and data in reference to the decision or order being appealed.

The filing of an appeal shall require a fee of \$50.00 to cover the costs associated with the appeal.

Decisions of the Board shall be final with no further appeal allowed.