

**CITY OF WHEAT RIDGE, COLORADO**  
**INTRODUCED BY COUNCIL MEMBER REINHART**  
**Council Bill No. 05**  
**Ordinance No. 1461**  
Series 2010

**TITLE: AN ORDINANCE AMENDING CERTAIN SECTIONS OF  
CHAPTERS 5 AND 21 OF THE CODE OF LAWS OF THE  
CITY OF WHEAT RIDGE CONCERNING THE LICENSING  
OF CONTRACTORS**

**WHEREAS**, the City of Wheat Ridge ("City"), acting through its City Council, has authority pursuant to Article XX of the Colorado Constitution, C.R.S. § 31-15-501, and the City's Home Rule Charter to regulate the licensing of contractors, and has previously done so in Chapter 5, Article IV of the Code of Laws of the City of Wheat Ridge ("Code"); and

**WHEREAS**, the City acting through its City Council, has authority pursuant to Article XX of the Colorado Constitution, C.R.S. § 31-15-702, and the City's Home Rule Charter to regulate the licensing of work performed in the public way, and has previously done so in Chapter 21, Article II of the Code; and

**WHEREAS**, the City Council wishes to revise certain sections of Chapter 5, Article IV of the Code and to relocate a provision of said Article IV to Chapter 21, Article II to provide for more efficient administration and enforcement of licensing of contractors.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:**

**Section 1.** Chapter 5, Article IV, Section 5-101 of the Code, concerning the definition of "contractor," is hereby amended as follows:

- (a) **CONTRACTOR, GENERALLY.** In this article "contractor" shall mean any person who undertakes to perform any of the operations controlled by this article for any compensation whatsoever, excepting that a person performing for wages under and for another person appropriately licensed shall not be considered as a contractor.
- (b) **CLASSIFICATION OF CONTRACTORS.** NOTWITHSTANDING SUBSECTION (a) ABOVE, ANY PERSON PERFORMING WORK CLASSIFIED IN SEC. 5-117(a) SHALL BE APPROPRIATELY LICENSED AS A CONTRACTOR PURSUANT TO THIS ARTICLE; PROVIDED, HOWEVER, ANY PERSON OPERATING AS AN ELECTRICAL CONTRACTOR SHALL NOT BE REQUIRED TO BE

LICENSED, BUT SHALL BE REQUIRED TO BE REGISTERED PURSUANT TO SEC. 5-116(b).

- (c) *PROPERTY OWNERS.* An owner performing WORK on his own property shall be considered as a contractor if the performance WORK affects the structural sufficiency of a habitable structure, AND TO THAT EXTENT, SUCH OWNER MUST BE LICENSED AS A CONTRACTOR unless he is working under and for another person appropriately licensed.

**Section 2.** The first sentence of Chapter 5, Article IV, Section 5-116(b) of the Code is hereby amended as follows:

Inasmuch as electrical licensing and the examination of persons performing electrical work is HAS BEEN DECLARED BY THE COLORADO LEGISLATURE TO BE a matter of statewide concern, no examination, certification or licensing of electrical contractors or any examination, certification, licensing or registration of ELECTRICAL CONTRACTORS, master electricians, journeyman electricians, ~~or~~ residential wiremen, OR apprentices ~~or~~ trainees who are licensed, REGISTERED or certified under C.R.S. tit. 12, art. 23 paragraph 12-23-10.2 et seq. ARTICLE 23, TITLE 12, C.R.S., as amended, shall be required by the city; HOWEVER, THE CITY MAY IMPOSE REASONABLE REGISTRATION REQUIREMENTS ON ANY ELECTRICAL CONTRACTOR AS A CONDITION OF PERFORMING SERVICES WITHIN THE JURISDICTION OF ANY SUCH AUTHORITY. NO FEE SHALL BE CHARGED FOR SUCH REGISTRATION.

**Section 3.** Chapter 5, Article IV, Section 5-117(a)(3) of the Code is hereby amended as follows:

*Residential building contractor-Class 3.* A residential building contractor, class III, shall be limited to one (1) and two (2) family dwellings and multiple single-family (townhouse) residential structures not exceeding three (3) stories, AND THEIR ACCESSORY STRUCTURES.

**Section 4.** Chapter 5, Article IV, Section 5-117(a)(4) of the Code is hereby amended as follows:

*Building contractor-Class 4.* A CLASS 4 CONTRACTOR LICENSE SHALL BE REQUIRED FOR ALL WORK NOT OTHERWISE AUTHORIZED UNDER SUBSECTIONS (1) THROUGH (3) AND (5) THROUGH (15) OF THIS SUBSECTION (a). ~~A building contractor, class 4, shall be authorized to perform the following,~~

- ~~\_\_\_\_\_ Non-habitable buildings and structures~~
- ~~\_\_\_\_\_ Carport~~
- ~~\_\_\_\_\_ Private detached garage~~
- ~~\_\_\_\_\_ Storage Shed~~
- ~~\_\_\_\_\_ Swimming pools~~

- \_\_\_\_\_ Fences
- \_\_\_\_\_ Siding
- \_\_\_\_\_ Fascia
- \_\_\_\_\_ Soffit
- \_\_\_\_\_ Patio covers
- \_\_\_\_\_ Glazing/windows (installation, replacement and repair)
- \_\_\_\_\_ Framing
- \_\_\_\_\_ Drywall
- \_\_\_\_\_ Masonry (none structural veneer only)
- \_\_\_\_\_ Elevator systems

**Section 5.** Chapter 5, Article IV, Section 5-117(a)(5) of the Code is hereby amended as follows:

*Home owner building contractor – Class 5.* A home owner building contractor, class 5, shall be AUTHORIZED TO DO THE FOLLOWING: ~~issued to an individual who desires to perform work involving construction, alterations or additions including plumbing, electrical and mechanical alterations of a single-family dwelling owned and resided in by that individual.~~ FOR A PERIOD OF ONE YEAR AFTER APPROVED FINAL INSPECTION OF THE WORK. A CITY CONTRACTOR LICENSE SHALL NOT BE REQUIRED; HOWEVER, A HOME OWNER BUILDING CONTRACTOR, CLASS 5, SHALL BE REQUIRED TO BE REGISTERED IN THE CITY.

**Section 6.** Chapter 5, Article IV, Section 5-117(a)(10) of the Code is hereby amended as follows:

*Electrical contractor-Class 10.* An electrical contractor, class 10, shall be authorized to do the following: installation of electrical systems on residential and commercial properties. PURSUANT TO SEC. 5-116(b) ABOVE, AN ELECTRICAL CONTRACTOR, CLASS 10 SHALL NOT BE REQUIRED TO BE LICENSED IN THE CITY; HOWEVER, AN ELECTRICAL CONTRACTOR, CLASS 10 SHALL BE REQUIRED TO BE REGISTERED IN THE CITY AND PROVIDE PROOF OF ~~required to have~~ A VALID, CURRENT STATE OF COLORADO MASTER ELECTRICIAN'S LICENSE PURSUANT TO ARTICLE 23, TITLE 12, C.R.S. ~~a State of Colorado issued contractors masters license~~ UPON REGISTRATION. Exception: Authorized and franchised public utility companies.

**Section 7.** Chapter 5, Article IV, Section 5-117(a)(15) of the Code is hereby amended as follows:

~~*Municipal contractor-Class A.*~~ *Electrical signal contractor-Class 15.* An electrical signal contractor, class 15, shall be authorized to do the following: installation of fire detection, fire alarm, burglar alarm, pneumatic control and all signaling or control systems where the electrical voltage does not exceed ~~forty-eight (48)~~ FIFTY (50) volts. Exception: Authorized and franchised public utility companies.

**Section 8.** Chapter 5, Article IV, Section 5-117(b) of the Code is hereby amended as follows:

Holders of certain of the licenses SET FORTH IN SUBSECTION (a) ABOVE, may perform as if licensed for certain of the other functions in accordance with the following schedule:

<i>Licensed as</i>	<i>May perform as</i>
Class 1	Class 2, 3, 4
Class 2	Class 3, 4
Class 3	Class 4

**Section 9.** Chapter 5, Article IV, Section 5-119 of the Code is hereby amended as follows:

~~(a) The department of public works [is] to determine license qualifications for class A through class C licenses.~~

~~(b) There is hereby vested in the building inspection division and the department of public works, pursuant to law, the duty of determining the qualifications of applicants for the certain licenses established by this chapter.~~

**Section 10.** Chapter 5, Article IV, Section 5-121 of the Code is hereby amended as follows:

(5) Home owner building contractor, Class 5 -- \$75.00 NO FEE

**Section 11.** Chapter 21, Article II, Section 21-21 of the Code is hereby amended by the insertion of a new subsection (a) as follows, the remaining subsections to be relettered and numbered accordingly:

(a) THE DEPARTMENT OF PUBLIC WORKS SHALL DETERMINE LICENSE QUALIFICATIONS FOR CLASS A THROUGH CLASS C LICENSES.

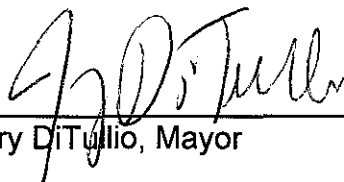
**Section 12. Severability; Conflicting Ordinances Repealed.** If any section, subsection or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 13. Effective Date.** This Ordinance shall take effect on August 1, 2010.


INTRODUCED, READ, AND ADOPTED on first reading by a vote of 8 - 0 to on the 12<sup>th</sup> day of April 2010, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge and Public Hearing and consideration on final passage set for **Monday, May 10, 2010**, at 7:00 o'clock p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

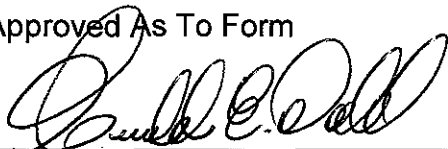
READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of  8  to  0 , this  10<sup>th</sup>  day of  May , 2010.

SIGNED by the Mayor on this  10<sup>th</sup>  day of  May , 2010.

  
\_\_\_\_\_  
Jerry DiTullio, Mayor

ATTEST:

  
\_\_\_\_\_  
Michael Snow, City Clerk

Approved As To Form  
  
\_\_\_\_\_  
Gerald E. Dahl, City Attorney

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