

1 **CITY OF LITTLETON, COLORADO**
2 **ORDINANCE NO. 02**

3
4 **Series, 2025**

5
6 **AN ORDINANCE OF THE CITY OF LITTLETON, COLORADO,**
7 **REPEALING AND REENACTING TITLE 3, BUSINESS REGULATIONS,**
8 **CHAPTER 16, LICENSING AND REGISTRATION OF CONSTRUCTION**
9 **SUPERVISORS OR INDIVIDUALS**

10
11 **WHEREAS** the City of Littleton, Colorado (“City”) is a home-rule municipal
12 corporation created and organized pursuant to Article XX of the Colorado Constitution and the
13 Home Rule Charter of the City; and

14
15 **WHEREAS** pursuant to Section 31-15-501(1)(c) of the Colorado Revised Statutes,
16 the City has the authority to license and to regulate any lawful occupation within the City and to
17 determine the amount, terms, and manner of issuing and revoking a licensed issued; and

18
19 **WHEREAS** the City Council of the City of Littleton, Colorado enacted an
20 ordinance in 1985 to regulate the licensing and registration of construction supervisors or
21 individuals; and

22
23 **WHEREAS** in further of the public health, safety, and welfare of the inhabitants
24 of the City, the City Council desires to amend its contractor licensing regulations to modernize the
25 City’s requirements for licensing and registration; to eliminate inconsistencies in the current code
26 language; and to provide a streamlined process for staff and applicants from the issuance and
27 renewal of a license, as well as the revocation or suspension of a license.

28
29 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF**
30 **THE CITY OF LITTLETON, COLORADO, THAT:**

31
32 **Section 1:** Title 3, Business Regulations, Chapter 16, Licensing and Registration of
33 Construction Supervisors or Individuals, is hereby repealed and reenacted as follows:

34 **3-16-1: DEFINITIONS**

35
36 **BUILDING CODE:** All building codes adopted by the City Council within Title 4, as amended by
37 the City of Littleton from time to time.

38
39 **COMMISSION:** Appeals and adjustment commission.

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41 **CONTRACTOR:** Any person, firm, partnership, corporation, association, or organization, or any
42 combination thereof, who undertakes for themselves, or with or for another, to build, construct,
43 alter, repair, add to, demolish or move any building or structure, or any portion thereof, or do any
44 work or supervise any work for which a license or registration is required under the provisions of
45 this Chapter for a fixed sum, price, fee percentage, trade-in-kind, or other compensation, including

the cost of materials or labor or any combination thereof. For the purpose of this definition, *subcontractor* has the same meaning as *contractor*.

DIVISION: Building Inspection Division of the City of Littleton Community Development Department.

LICENSE OR CERTIFICATE OF REGISTRATION: The authority granted to the Contractor, as that term is defined herein, to whom it is issued to perform work authorized under the applicable provisions herein.

REVOCATION: The license or registration certificate shall become null and void.

SUSPENSION: The authority of the licensee or registration certificate holder to perform or supervise work as authorized by the license or registration certificate, is temporarily withdrawn for any period of time from twenty-four (24) hours, up to and including, but not to exceed, six (6) months.

3-16-2: AUTHORITY OF BUILDING INSPECTION DIVISION:

A. Licenses: The Building Inspection Division of the Department of Community Development, the "Division," is hereby vested with the authority to establish licensing procedures, to qualify applicants for licenses and administer examinations, and to authorize, issue, and renew licenses. The Division may recommend the suspension or revocation of licenses to the Appeals and Adjustment Commission ("Commission") or recommend summary suspension of such license as provided for in this Chapter.

B. Registration of Electrical and Plumbing Contractors: The Division is hereby vested with the authority to establish registration procedures for electrical and plumbing contractors, to qualify applicants for certificates of registration, and to authorize the issuance or renewal of such certificates. The Division may recommend the suspension or revocation of registration certificates to the Commission or recommend summary suspension of such certificates as provided for in this Chapter.

3-16-3 LICENSING AND REGISTRATION OF CONTRACTORS:

A. Required.

1. A license or certificate of registration is required for any Contractor, as that term is defined in Section 3-16-1, which undertakes to perform any of work for which the license or certificate of registration is authorized in this Chapter with the following exceptions:

- i. Public utility companies and water and sanitation districts engaged in the installation, operation, maintenance of equipment used in the production, general, or distribution of a utility product or service, when such installation, operation, and maintenance is performed on facilities owned

and operated by the utility. This exemption shall not apply to buildings owned or used by a public utility company.

ii. A homeowner shall not be required to obtain the licenses or registration certificates described in this Chapter to build, construct, alter, repair, add to, or demolish a GROUP R-3, or Group U occupancy, as the same are defined in the International Building Codes as adopted in this Code, provided:

1. That said person owns, occupies, and uses said building for his own living purposes; and

2. That building construction, alteration, repair, addition, or demolition are performed by the owner, who shall be subject to the permit requirements of those model codes as adopted in this Code.

2. All contractor's licenses and certificates of registration issued pursuant to this chapter shall expire on the December 31st occurring after the date of issuance. A contractor seeking to renew a license or certificate of registration shall apply for a renewal no fewer than ninety (90) days prior to expiration.

3. Licenses and certificates of registration are not transferable.

B. Application. Every applicant for a license or registration certificate shall apply in accordance with the requirements listed in this Chapter. Applications for certificates of registration shall require the name of the appropriate qualified master/journeyman electrician or master/journeyman plumber. Additional information may be required by the Chief Building Official, or their authorized designee, for purposes of verifying the qualifications of any applicant.

1. Proof Of State License or Certification Required:

i. Applicants for an electrical or plumbing contractor certificate of registration shall be required to submit with the city application proof of valid and current master/journeyman's license issued by the state for the licensee or employee named on the applicant form.

ii. Applicants for a mobile home contractor license shall be required to submit with the city application proof of a valid state mobile home certification.

2. Proof Of Insurance Required:

i. Applicants for license or certificates of registration shall submit, prior to issuance, and shall continuously maintain for the term of their license or certificate of registration, insurance coverage in the kind and in the minimum amounts specified as follows:

1. Worker's Compensation Insurance as required by state law and in the statutory required amounts; and

2. General Liability Insurance with minimum limits of \$1,000,000 per occurrence and a \$2,000,000 aggregate limit.

ii. Insurance shall: i) provide primary coverage; ii) carry limits as provided for in this section; and iii) issue from a company licensed to do business in Colorado, having at least an A.M. Best Company financial strength rating of at least B++;

iii. License and certificates of registration holders shall provide the city with documentation evidencing the existence of valid and effective policy, and

shall name the City of Littleton, Colorado as additional insured as to the limits required herein.

iv. The certificate of insurance shall show the following:

1. The limits of each policy, the name of insurer, the effective date and expiration date of each policy, the policy number, and the names of each additional insured.
2. A statement that the city shall be notified of any cancellation or reduction in coverage within seven (7) days of receipt of insurer's notification to that effect.
3. "City of Littleton, Colorado, 2255 W. Berry Avenue, Littleton, Colorado 80120" shall be listed as the certificate holder and additional insured.

v. The City Attorney's Office may modify or waive the requirements of this section if the City Attorney finds that adequate insurance coverage is provided to protect the interests of the city, its employees, and officials. The City Attorney's Office may further require insurance coverage in addition to or in excess of the requirements of this section if additional coverage is necessary to protect the interests of the city, its employees, and officials.

vi. The city's acceptance of a certificate of insurance or other proof of insurance that does not comply with all insurance requirements set forth herein shall not act as a waiver of license or certificate of registration holder's breach or any of the city's rights or remedies as allowed by law.

C. Proof of Competency or Examination. An applicant shall prove competency and shall be determined by means of a written test created or approved by the Chief Building Official, testing or certification by a recognized model code agency, previous work experience in a related field, references, and letters of recommendation confirming level of experience or any combination thereof.

D. Changes to License or Certificate of Registration

1. *Change of name or address.* A change of name or address of the license or certificate holder shall be reported to the Division within seven (7) days after making the change.

2. *New Legal Entity.* The creation of a new legal entity, even though one or more of the members, officers, directors may have a license or certificate of registration, shall require that a new license or certificate of registration be obtained within thirty (30) days after the entity is created.

3. *Dissolution.* The dissolution of an entity shall terminate the license or certificate of registration being held in that entity's name and no individual may operate under that license or certificate of registration.

4. *Upgrading Classification.* License or certificate of registration holders may elect to upgrade to a higher classification by submitting a new application, successfully completing an exam, and paying any differential between the fees paid and the new classification fee if less than six (6) months from issuance of the license or certificate of registration.

3-16-4: CLASSIFICATION

A. Contractor License. There are hereby established the following contractor licenses classifications with respective descriptions of the types of work authorized to be performed:

- a. Class A. Unlimited General Contractor. This License shall entitle the holder to contract for the erection, construction, alteration, or repair of any type of building or structure.
- b. Class B. Limited General Contractor. This License shall entitle the holder to contract for the erection, construction, alteration, or repair of any type of building or structure not of Type I or Type II construction, and for the nonstructural interior finish or remodel of any type of building.
- c. Class C. Residential Contractor. This License shall entitle the holder to contract for the erection, construction, alteration, or repair of any building classified as Group R-3 or Group U occupancy and for the nonstructural interior finish or remodel of any type of building.
- d. Class D Contractor. This License shall entitle the holder to engage in contractor for labor, or for labor and material, involving one trade, or group of related trades, as enumerated below:
 - i. D1 Wood Framing. The fabrication and erection of wood framing for all types of buildings or structures.
 - ii. D2 Concrete. Forming and pouring for concrete buildings and structures including footings, foundations. Flatwork in ROW requires Class M contractor license.
 - iii. D3 Masonry. Placement and forming of all types of masonry.
 - iv. D4 Siding. Installation of wood, metal, vinyl or other siding.
 - v. D5 Roofing. Installation of roofing coverings including valleys, gutters, and downspouts and installation of wood, metal, vinyl or other siding.
 - vi. D7. Swimming Pools. Installation of swimming pools, with exception of utilities.
 - vii. D8. Fire protection systems. Installation and repair of fire extinguishing and protection of systems of all types.
 - viii. D9 Structural Metal. The fabrication and erection of structural steel and metal for all types of buildings and structures.
 - ix. D10 Drywall. Installation of all lathing, plastering, and dry wall including the installation of nonbearing partitions and stucco.
 - x. D11. HVAC Contractor. The installation, alteration, addition to or repair of warm air heating, ventilation, evaporative and refrigeration cooling, hot water heater (including water heaters), solar heating, natural gas piping, wood burning stove, prefabricated fireplace and exhaust systems and related appurtenances.
 - xi. D12 Patio Covers, Decks, Carports, Siding, and Awnings. Installation, repair and maintenance of patio covers, decks, carports, siding, and awnings.
 - xii. D13. Windows/Glazing.

- xiii. D14 Demolition contractor. This license shall entitle the holder to engage in the work of razing, demolishing or destroying building and structures of all types.
- xiv. D15 Other Miscellaneous. This License shall entitle the holder to contract for any trades not specifically classified elsewhere in this Chapter but which involve work specifically associated with the construction industry (i.e. satellite dish installation, installation of underground flammable liquid storage tanks etc.).
- xv. D16. Elevator contractor. The installation, alteration, repair, and maintenance of elevators, escalators, moving walks, and other similar equipment.
- xvi. D17. Mobile homes. Installation of mobile homes including leveling, blocking, skirting, gas, water, and sewage connections and permitted accessory items.
- xvii. D18. Fences. Installation of all types of fences except masonry.
- xviii. D19. Sign contractor. The fabrication, installation, erection, repair, or maintenance of all types of signs.
- xix. D20. Solar PV. The installation, alteration, and addition of solar photoelectric panels.
- xx. D21. Retaining wall.

B. Registration Certificates. The following classes of registration certificates and the holders thereof shall be authorized to perform the work as outlined herein:

- a. Electrical Contractor. Install, alter, repair, renovate, maintain or add to electrical wiring, appliances, or apparatus for the purpose of electrical light, heat, power, or signal systems or other similar purposes within or affixed to any building or structure.
- b. Plumbing Contractor. Install, alter, repair, renovate, or maintain plumbing fixtures, potable water distribution systems, sewer systems, natural gas piping, automatic water heaters, and solar heating equipment within or affixed to any building or structure, or treating equipment connected to public or private potable water distribution system or any public or private sewer system.
- c. Arborist/Tree Trimming Contractor. Please refer to Title 8, Section 4 for licensure requirements.
- d. Group M. Contractors who work in the right-of-way (ROW).

3-16-5: LICENSEE AND REGISTRATION CERTIFICATE HOLDERS' RESPONSIBILITIES:

A. All licensees and registration certificate holders shall be responsible for performing the work under the provisions of this Chapter including, but not limited to, the following items:

- 1. Responsible for all work performed under each contract executed pursuant to such license, whether the contractor, an employee or a subcontractor performs the work.
- 2. To obtain permits prior to any work being performed on-site;
- 3. To provide minimum health and safety measures and equipment to protect workmen and the public;

4. To present the license(s) or registration certificate(s) when requested by the Division or any peace officer;
5. In the case of a registration certificate holder, to employ an appropriate qualified supervisor as required by the State of Colorado;
6. To faithfully construct, without departure from the drawings and specifications filed and approved by the Division and permit issued for same, unless any such departure is previously approved by the Division in writing;
7. To obtain inspection services when required by this Code or any model codes adopted herein;
8. To obey any order or notice issued under the authority of this Code or any model codes adopted herein;
9. To pay any fees assessed under the authority of this Code or any model codes adopted herein; and

3-16-6 - LICENSE AND EXAMINATION FEES.

Contractor and examination fees shall be established and from time to time revised by resolution of the city council.

3-16-7 DENIAL OF LICENSE OR CERTIFICATE OF REGISTRATION

- A. The Chief Building Official, or authorized designee, may deny an application or renewal for a license or certificate of registration under this Chapter upon determination that:
 - a. The applicant has failed to provide information or provided false information on the application form;
 - b. The applicant has failed to obtain required insurance;
 - c. The applicant has failed to pay the required fee;
 - d. The applicant is not qualified by education, training, or experience to perform the work authorized under the license; or
 - e. The applicant has failed to pass an examination designed to test the applicant's qualifications for the license or registration certificate requested;
 - f. The applicant has previously failed to comply with the ordinances or regulations of the City relating to conducting any contracting business licensed herein.
 - g. The applicant has previously had a contractor's license or registration certificate revoked or suspended in another jurisdiction;
- B. If the Chief Building Official denies an application under this section, such official shall notify the applicant in writing stating the specific grounds for the denial. The applicant may thereafter appeal the denial of the application under the procedures outlined in Section 3-16-8.
- C. Reapplication. If a license or certificate of registration is denied or revoked by the building official, and in case of an appeal, if the denial has been affirmed by the Commission, the applicant may reapply, but not sooner than ninety (90) days after the denial, or in case of an appeal, ninety (90) days after the order of the Commission affirming the denial.

3-16-8: SUSPENSION OR REVOCATION:

- 1 A. Verified Complaint: The Chief Building Official, upon the verified complaint in writing of
2 any person, charging a licensee or registration certificate holder with the violation of any
3 provision of this Chapter, shall require the contractor to appear before the appeals and
4 adjustment commission for hearing on suspension or revocation of a license or certificate
5 of registration. The Chief Building Official shall issue and cause to be served upon such
6 licensee or registration certificate holder a copy of the Division's complaint and a written
7 notice of hearing and order to show cause, either by personal delivery or by first class mail,
8 why their license or registration certificate should not be suspended or revoked.
- 9 B. Hearing: A hearing shall be held at a place and time designated on the day stated in the
10 notice or upon such other day as may be set for good cause shown. Evidence in support of
11 the charges shall be given first, followed by cross-examination of those testifying thereto.
12 The licensee or registration certificate holder, in person or by counsel, shall then be
13 permitted to give evidence in defense, explanation, or mitigation. In the event the licensee
14 is found to have committed the violation charged, or any other violation, evidence in
15 aggravation of the offense shall also be permitted.
- 16 C. Suspension/Revocation Criteria: Notwithstanding Section 3-1-3 of this Title, the appeals
17 and adjustment commission and as referenced to in the City's International Building
18 Codes, may suspend or revoke a license or registration certificate when the licensee or
19 registration certificate holder commits one or more of the following acts or omissions:
20
- 21 a. Fails to meet or maintain the qualifications required herein of an applicant; or
 - 22 b. Violates any provision of City Code, including adopted international or model
23 codes adopted by reference, as may be in effect or other ordinance of the city
24 governing activities permitted by the license or certificate of registration; or
 - 25 c. Obtains the license or certificate of registration by fraud or misrepresentation; or
 - 26 d. Knowingly, wilfully, or repeatedly issues payment of building permits and fees
27 which are dishonored for any reason;
 - 28 e. Fails to comply with any lawful order, including stop work or correction orders,
29 of the building official or any other authorized representative of the city
30 pertaining to the administration of building codes;
- 31
- 32 D. Further Charges Against Licensee: If the evidence presented at the hearing does not support
33 the charges stated in the notice and order served upon the licensee or registration certificate
34 holder, but standing alone establishes the guilt of the licensee or registration certificate
35 holder of a violation of some other pertinent law, the licensee or registration certificate
36 holder shall be permitted to give evidence in defense, explanation, or mitigation if then
37 prepared to do so. If such evidence is not then available, but can be obtained by the licensee
38 or registration certificate holder, the licensee or registration certificate holder shall state the
39 substance thereof and upon his request the hearing may be recessed for not more than ten
40 (10) days, and shall then continue under the same procedure as though no recess had
41 occurred.
- 42 E. Disposition Of Charges:
- 43 a. In the event the licensee or registration certificate holder is found not to have
44 violated any provision of this Chapter, the charges against them will be dismissed.

If the licensee is found to have violated some provision of this Chapter, the license may be suspended or revoked in the discretion of the commission.

- b. In the event of a revocation, the licensee or registration certificate holder may not reapply for a new license or registration certificate until one year from the date of revocation.

F. Emergency Suspension. If the Chief Building Official finds that an imminent hazard to life, health, property, or public welfare exists, such official may enter an order for immediate suspension or revocation of the license or registration certificate pending further investigation or hearing as specified in this section hereof. The Chief Building Official shall, with reasonable speed, notify the party in writing by personal delivery or by first class mail of the details, facts and reasons on which the immediate suspension or revocation is based. The license or registration certificate shall be suspended during the pendency of the hearing before the Commission. The Chief Building Official may vacate an immediate suspension or revocation order should the party satisfactorily show, in writing, to the Chief Building Official that no imminent hazard to life, health, property, or the public welfare exists.

3-16-9: LIABILITY:

A. Employer Liability

- a. In addition to those penalties which may be imposed against individual licensees or registration certificate holders pursuant to this Chapter, the employer of any licensee or registration certificate holder, whose license or registration certificate is suspended, shall lose its privilege of doing any business in the City for which a permit is required by those model codes adopted in Section 4-1-1 of this Code, for the same amount of time as the suspension imposed against its employee.
- b. In addition to those penalties which may be imposed against individual licensees or registration certificate holders pursuant to this Chapter, the employer of any licensee or registration certificate holder whose license or registration certificate is revoked, shall be ineligible to do any business in the City which requires a permit pursuant to those model codes adopted in Section 4-1-1 of this Code, for a period of one year.
- c. An employer shall be given notice of the hearing concerning the possible suspension or revocation of its employee's license or registration certificate and an opportunity to be heard in the same manner as provided by subsections 3-16-8(C), (D), (E) and (F) of this Chapter.
- d. In addition to those penalties which may be imposed for violations of Section 4-1-8 of this Code, it shall be a separate and distinct criminal offense for any employer to do any work within the City which requires a permit when its privilege to do work in the City has been suspended or revoked pursuant to subsection (A) or (B) of this Section.

B. Non-Liability

- a. The adoption of the ordinance codified in this <TITLE> shall not create any duty to any person with regard to the enforcement or non-enforcement of this Article. No person shall have any civil liability remedy against the City or its officers,

employees or agents, for any damage arising out of or in any way connected with the adoption, enforcement or non-enforcement of this Article. Nothing in this Article shall be construed to create any liability, or to waive any of the immunities, limitations of liability or other provisions of the Governmental Immunity Act, Section 24-10-101, et seq., C.R.S., or to waive any immunities or limitations on liability otherwise available to the City or its officers, employees or agents.

3-16-9 VIOLATIONS; PENALTIES

- A. Performing work which requires a license or registration certificate, without having such a license or registration certificate, is hereby declared to be a criminal offense subject to the general penalty provisions under Section 1-4-1 of this Code. No building permit(s) shall be issued until a proper license(s) or registration certificate(s) is presented to the Division for the work to be done. Any building permit(s) issued shall be suspended if there are no current licenses or registration certificate holders.
- B. Nothing in this title shall be deemed to prohibit the city from imposing other penalties authorized by this code or other ordinance of the city, including filing a complaint in the municipal court for a violation of this code or other ordinance of the city.

Section 2: Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, including each part, section, subsection, sentence, clause or phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases may be declared invalid.

Section 3: Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council of the City of Littleton on the 1st day of April 2025, passed on first reading by a vote of 7 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

PUBLIC HEARING on the Ordinance to take place on the 15th day of April 2025, in the Council Chamber, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

PASSED on second and final reading, following public hearing, by a vote of __FOR
and ___ AGAINST on the 15th day of April 2025 and ordered published by posting at Littleton
Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

ATTEST:

Colleen L. Norton
CITY CLERK

Kyle Schlachter
MAYOR

APPROVED AS TO FORM:

Reid Betzing
CITY ATTORNEY

