

# ***Building Code Board of Appeals***

## ***Agenda***

**May 16, 2013**

**City Hall, Council Chambers**

**749 Main Street**

**6:30 PM**

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Approval of Minutes
  - March 21, 2013
- V. Public Comments on Items Not on the Agenda
- VI. Regular Business
- VII. Discussion – Direction
  - Projects for 2013 Building Code Board of Appeals
    - 2012 Building Codes
    - Review of the Louisville Municipal Code pertaining to Contractor Licensing
  - Goals and projects for 2013 Building Safety Division Staff
    - Software Update
    - Updating Inspection Cards
- VIII. Update
  - Building Safety Division
    - On-Going and Up-Coming Developments and Permits
- IX. Staff Comments
- X. Board Comments
- XI. Date of next meeting
  - July 18, 2013
- XII. Discussion Items for Next Meeting
- XIII. Adjourn

# ***Building Code Board of Appeals***

## ***Meeting Minutes***

**March 21, 2013**  
**City Hall, Spruce Room**  
**749 Main Street**  
**6:30 PM**

**CALL TO ORDER** – Chairperson Geise called the meeting to order at 6:33 PM.

**ROLL CALL** was taken and the following members were present:

Board Members Present: Peter Geise, Chairman  
Matthew Berry, Vice Chair  
Robert Van Pelt  
Gary Mancuso  
Christopher Tew

Staff Members Present: Ken Swanson, Chief Building Official  
Troy Russ, Director of Planning & Building Safety  
Monica Garland, Permit Technician

Others Present: Andy Johnson, Sustainability Advisory Board

### **APPROVAL OF AGENDA**

Berry moved and Van Pelt seconded the motion to approve the agenda. Motion passed by all members present.

### **APPROVAL OF MINUTES**

Van Pelt moved and Berry seconded the motion to approve the January 17, 2013 minutes. Motion passed by all members present.

### **PUBLIC COMMENTS**

Andy Johnson feels the Board should fully consider the IgCC, but the codes still need to be vetted and might not be best to adopt in their entirety. The 2015 IgCC code should have all of the issues worked out. Even if the City doesn't adopt the 2012 IgCC, Johnson feels discussions should begin regarding the Energy codes to get a feel for public and other Boards input. Van Pelt added Boulder has adopted the code for new buildings over 25,000 sqft and there may be issues with other departments codes. Swanson reviewed how he had researched other jurisdictions and how they

have reviewed and adopted the codes. He discussed the process used by Ft. Collins and stated he was impressed with how they had handled it. Their process started in 2007 with consultants. It also included public meetings and an adoption process. Ft. Collins views the IgCC as more of a maintenance code for the community instead of life safety. Swanson also stated training and the education of all involved is a major part of the discussion. Johnson added this is a good time to start to take small steps toward discussing the codes and what everyone would like to see come out of adopting them. Swanson feels the codes might be able to work more like a checklist. Van Pelt stressed these codes effect more than just the Building Division, therefore other Divisions need to be involved in the process. Russ feels Staff and the Board need to make sure there is public involvement to ensure how these codes fit in with Louisville.

## **REGULAR BUSINESS**

### **Open Government Training**

Staff informed the Board of the Spring Open Government Training date of Thursday, April 25<sup>th</sup> at 6:30 pm in City Council Chambers. Geise, Van Pelt and Tew are to be in attendance.

### **Comprehensive Plan Update – Energy Chapter**

Russ led the discussion on the Comp Plan Update. The Comp Plan has been reviewed by the Planning Commission and is scheduled for the April 2<sup>nd</sup> City Council meeting with possible adoption on April 16<sup>th</sup>. The Comp Plan will not be a regulator tool of codes, but will serve as a guide. The Plan is different than previous Comp Plans. The Comp Plan's Energy Chapter focuses on what the City should strive to accomplish with new and updated codes. It calls for the City to stay current with the codes as they are adopted by the ICC. This Plan will set a framework for other Boards to follow. Johnson added he was impressed with Staff and the City with the work that has been done on the Plan and stressed to the Board they should review the Plan. Berry and Van Pelt both added this has been a great process to watch.

## **DISCUSSION**

### **Projects for 2013 Building Code Board of Appeals**

- I. 2012 Building Codes
  - Swanson stated he is reviewing the *Significant Changes* to the 2012 codes and will bring comments to the next meeting. Van Pelt asked if there was an urgency to adopt the 2012 codes. Russ replied the Board shouldn't wait too long to adopt the 2012 codes because if not adopted it will affect the Cities Insurance ISO rating which will be raised if the City chooses to not adopt the codes. Russ feels adopting the IgCC may be premature, but the rest of the 2012 codes should be brought up for further discussion.

### **Other Discussion Items**

- I. Updating Inspection Cards, Permit Cards & Handouts
  - Staff mentioned the changes which have been made to the applications and handouts and have given copies to the Board members. Staff also mentioned finding in the Louisville

Municipal Code where it states the \$30 application fee shall be charged if a contractor's license expires. This brought up a discussion regarding the possible changes to the LMC and Mancuso asked why a penalty should be charged to the contractors who may not have jobs continuously in the area. Geise requested this discussion be tabled and added to the May 16<sup>th</sup> agenda. Mancuso also asked Staff to continue to inform the Board of changes being made to handouts and inspections. Geise asked Staff how close the Division is to receiving the new permitting software. Staff stated the RFP continues to be on hold until the completion of the consultant's review of the IT Department. Once there is a determination and Building Safety has been given the go ahead, Staff will continue the process of finding a new permitting software. Geise asked Staff to give further updating at the May 16<sup>th</sup> meeting.

**UPDATE**

None heard.

**STAFF COMMENTS**

None heard.

**BOARD COMMENTS**

None heard.

**NEXT MEETING**

The next meeting is scheduled for Thursday, May 16, 2013.

**DISCUSSION ITEMS FOR NEXT MEETING**

- Update of the Inspection Cards and process
- Contractor License fees as part of the Louisville Municipal Code
- Permit Software update
- 2012 Code Adoption/Review

**ADJOURN**

The meeting adjourned at 8:05 PM.

## MEMORANDUM

**To:** Honorable Chair and Members of the Building Code Board of Appeals

**From:** Planning and Building Safety Division

**Subject:** Goals and Projects for 2013 Building Code Board of Appeals

**Date:** May 16, 2013

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Staff will lead a discussion of the 2012 International Building Code (IBC) and will look toward the Board for input. This will include coming up with a timeframe for other discussions with the public and other Boards and a goal for possible implementation of the 2012 codes.

The Board has asked Staff to provide them with a copy of the Louisville Municipal Code pertaining to Contractor Licensing for review and discussion for possible suggestion to changes to the fees required at time of renewal after expiration of contractor's licenses. See attached LMC 5.12.

## TITLE 5 - BUSINESS LICENSES AND REGULATIONS

### Chapter 5.12 - CONTRACTOR'S LICENSES

#### **Chapter 5.12 - CONTRACTOR'S LICENSES** <sup>[31]</sup>

[Sec. 5.12.010. - Licenses or registration required.](#)

[Sec. 5.12.020. - Application and fee.](#)

[Sec. 5.12.030. - Term and renewal.](#)

[Sec. 5.12.040. - Certificates.](#)

[Sec. 5.12.050. - Certified supervisors.](#)

[Sec. 5.12.060. - Certified supervisor required.](#)

[Sec. 5.12.070. - Classification of licenses and registration.](#)

[Sec. 5.12.080. - License and registration changes.](#)

[Sec. 5.12.090. - Responsibility for contracted work.](#)

[Sec. 5.12.100. - Safety standards generally.](#)

[Sec. 5.12.110. - Permits issued only to licensed contractor.](#)

[Sec. 5.12.120. - Failure to obtain required permit or inspection.](#)

[Sec. 5.12.130. - Abandoning contract or departing from specifications prohibited.](#)

[Sec. 5.12.140. - Suspension and revocation.](#)

[Sec. 5.12.150. - Violation; penalty.](#)

#### **Sec. 5.12.010. - Licenses or registration required.**

- A. Licenses shall be required for all types of work described in this chapter. Plumbing contractors shall be licensed by the city and shall have a master plumber license issued by the State of Colorado as the licensee or a full time employee of the contractor shall be registered as a master plumber. Electrical contractors registered by the State of Colorado shall also register with the city. Electrical registrants are required to comply with all the requirements of this Code.
- B. Exceptions:
1. Public utility companies will not be required to obtain licenses 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. Work performed by owners of one and two family dwelling unit buildings, townhouses, and U Occupancies when work is performed under a building permit issued by the city.

(Ord. No. 1492-2006, § 1, 6-6-2006)

#### **Sec. 5.12.020. - Application and fee.**

- A. Every applicant for a license shall fill out a form provided by the city and shall pay an application fee for each license at the time of filing. This fee shall be as established by resolution of the city council. This fee shall not be refundable and shall not apply to the license fee. The name of the certified supervisor shall appear on the license application.

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### Chapter 5.12 - CONTRACTOR'S LICENSES

- B. The building official shall review applications and notify the applicant of the action taken on the license application. If the license is disapproved, the applicant may appeal to the board of appeals as set forth in [Chapter 15.56](#) of this Code.
- C. The annual license fees to be paid for the licenses and registrations required by and enumerated in this chapter shall be as established by resolution of the city council.  
(Ord. No. 1492-2006, § 1, 6-6-2006; Ord. No. 1594-2011, § 10, 6-7-2011)

#### **Sec. 5.12.030. - Term and renewal.**

- A. Each license or registration shall be valid for one year from the date of issuance.
- B. All licenses are subject to annual renewal. If not renewed prior to the expiration date, a new application must be filed and the application fee must be paid in addition to annual license fee.  
(Ord. No. 1492-2006, § 1, 6-6-2006)

#### **Sec. 5.12.040. - Certificates.**

- A. *Definition.* A certificate of qualification ("certificate") is authority to perform certain skills and is issued by the city upon receipt of the successful completion of an examination administered by the International Code Council covering the 2000 Edition or later codes. This certificate is not transferable.
- B. *Temporary certificate.* The building official may issue a temporary certificate when the applicant has previously exhibited his skills to the satisfaction of the city and the applicant's qualifications are acceptable. The building official shall determine the period of the validity of the temporary certificate.
- C. *Certificate application.* Every applicant for a certificate shall be required to complete a form provided by the city and to pay an application fee of \$15.00 at the time of filing. The fee shall not be refundable and shall not apply to the annual license fee. The applicant shall pay all fees for examination, including re-examination when required, directly to the International Code Council.
- D. *Examinations.* All applicants for a certificate shall have a written examination except for class D building contractors, plumbing contractors, heating and ventilating contractors.  
(Ord. No. 1492-2006, § 1, 6-6-2006)

#### **Sec. 5.12.050. - Certified supervisors.**

- A. Every supervisor required for a particular license in [section 5.12.070](#) shall, upon demonstrating successful completion of an examination administered by the International Code Council covering the 2000 Edition or later codes, be issued a supervisor certificate of qualification. The certificate holder shall be entitled to perform and supervise the work in the particular skill for which he is qualified and certified. This certificate is personal to that holder and shall not be construed to be a license.
- B. The certificate holder shall actively supervise the workmen of the licensee for whom he is employed in accordance with this chapter.  
(Ord. No. 1492-2006, § 1, 6-6-2006)

## TITLE 5 - BUSINESS LICENSES AND REGULATIONS

### Chapter 5.12 - CONTRACTOR'S LICENSES

#### **Sec. 5.12.060. - Certified supervisor required.**

- A. Where required by [section 5.12.070](#), each licensee shall have in his employ a supervisor who holds a supervisor certificate of qualification for that particular license. A plumbing contractor, class A or B, shall be required to have in his employ a holder of a State of Colorado Master Plumbers License as the required supervisor.
- B. The license shall be valid only as long as the named supervisor remains in the employ of the licensee in an active, full-time capacity. "Active, full-time capacity" shall mean that the supervisor shall be available at the local office of the company, at home, or at the job site within a reasonable period of time.
- C. The supervisor shall take an active role in supervising and reviewing all work performed and materials used by the company in the process of construction. If the supervisor leaves the employ of the licensee, the licensee shall notify the city within three working days. Failure of the licensee to so notify the city shall be cause for suspension or revocation of the license. The licensee shall be required to obtain a certified supervisor within 30 working days after the date the supervisor leaves the employ of the licensee. If a supervisor is not obtained within the 30-working-day period, the license shall be deemed suspended until the supervisor is obtained and the city notified.
- D. If the licensee is an individual, the licensee also may qualify as the supervisor for that license, after any required examination.
- E. Electrical registration shall not require a certified supervisor.

(Ord. No. 1492-2006, § 1, 6-6-2006)

#### **Sec. 5.12.070. - Classification of licenses and registration.**

- A. *Building contractor class A (General contractor ICC classification)*. To erect, add to, alter, demolish, or repair any building or structure. All work shall be performed under the supervision of the holder of a class A construction supervisor certificate.
- B. *Building contractor class B (Building contractor ICC classification)*. To erect, add to, alter, or repair any building or structure of the following construction types:
  - 1. Types I or II limited in height to less than a high rise and in area to that allowed for a type III building.
  - 2. Type III, IV, or V buildings.

The demolition of any one- and two-dwelling unit buildings or one-story building or structure is permitted. The contractor may install nonbearing partitions or do interior finish work in any type of building or structure. All work shall be performed under the supervision of the holder of a class A or B construction supervisor certificate.

- C. *Building contractor class C (Residential contractor ICC classification)*. To erect, add to, alter, or repair one and two family dwellings, U Occupancy buildings, or tenant improvements in townhouses. The demolition of any one- and two-dwelling unit building or U Occupancy building or structure is permitted. All work shall be performed under the supervision of the holder of a class A, B, or C construction supervisor certificate.
- D. *Building contractor class D*. To perform building construction work that is covered by the building codes as adopted by the city in [title 15](#) of this Code, but not assigned to any other license listed in this section.
- E. *Plumbing contractor class A*. To install, add to, alter, or repair sanitary plumbing, potable water supply piping, and appliances connected thereto, storm sewer, gas piping, water heaters, gas

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ranges, domestic gas incinerators, swimming pool and spa piping, solar plumbing utilized for potable water, and all medical gas and vacuum systems in health care facilities. All work shall be performed under the supervision of the holder of a State of Colorado Master Plumbers License.

- F. *Plumbing contractor class B.* To install, add to, alter, or repair, in one- or two-family dwellings, townhomes, and Group U Occupancies only, sanitary plumbing, potable water supply piping and appliances connected thereto, storm sewer, gas piping, water heaters not exceeding 100 Mbtu input, gas ranges, domestic gas incinerators and gas dryers, swimming pool and spa piping. All work shall be performed under the supervision of the holder of a State of Colorado Master Plumbers License.
- G. *Heating and ventilating contractor class A.* To install, add to, alter, or repair warm air heating, venting, ventilation, evaporative cooling, exhaust systems and their appurtenances, ductwork, dust collection systems, domestic and commercial range hoods, water heaters not exceeding 100 Mbtu input, gas piping; burners, controls and venting, trash and laundry chutes; exterior sheet metal, duct insulation, low voltage wiring that does not exceed 48 volts and is not enclosed in a conduit or raceway and maximum of 10 tons of refrigeration when it is utilized for comfort cooling and the refrigerating system is self-contained. This refrigeration shall not include systems with precharged lines or separate air-cooled condenser or chilled water systems.
- H. *Heating and ventilating contractor class B.* To install, add to, alter, or repair, in one or two-family dwellings, townhomes, or U Occupancies only, warm air heating systems and their appurtenances, ductwork, ventilation, evaporative cooling, duct insulation, exterior sheet metal, gas piping; burners, venting and controls, water heaters not exceeding 100 Mbtu input and low voltage wiring that does not exceed 48 volts and is not enclosed in a conduit or raceway.
- I. *Electrical registration.* Performs all work authorized by the registration issued by the State of Colorado.

(Ord. No. 1492-2006, § 1, 6-6-2006)

#### **Sec. 5.12.080. - License and registration changes.**

- A. *Change of name.* The change of name by a licensee or registrant shall be reported to the city within 15 days after making the change, on a form provided by the city.
- B. *Change of address.* A change of address of a licensee or registrant shall be reported to the city within 15 days after making the change.
- C. *New license or registration required.* A new license or registration shall be obtained within 30 days after the creation of a new legal entity, even when one or more of the members, officers, or directors have a license or are registered.
- D. *Dissolution.* The dissolution of a corporation, partnership, or other legal entity that has been licensed or registered terminates the license or registration and no person may operate under that license or registration.

(Ord. No. 1492-2006, § 1, 6-6-2006)

#### **Sec. 5.12.090. - Responsibility for contracted work.**

A contractor shall be responsible for all work included in his contract whether or not such work is done by him directly or by a subcontractor. A contractor shall be responsible for all funds or property received by him for prosecution, for completion of a specific contract, or for a specific purpose.

(Ord. No. 1492-2006, § 1, 6-6-2006)

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**Sec. 5.12.100. - Safety standards generally.**

- A. All state laws, provisions of this Code, or other city ordinances addressing measures for the safety of workers and the public shall be observed by contractors and registrants within the city, in addition to any requirements contained within this chapter.
- B. It shall be unlawful for a contractor to be careless or negligent in obtaining minimum safety measures, including appliances, apparatus, and equipment, to protect workmen and the public.

(Ord. No. 1492-2006, § 1, 6-6-2006)

**Sec. 5.12.110. - Permits issued only to licensed contractor.**

- A. For any work requiring a licensed or registered contractor, permits under this chapter shall only be issued to the contractor or registrant or their authorized representative.
- B. It shall be unlawful for any person to fraudulently use a license or registration issued to a contractor or registrant under this chapter to obtain permits for another person.

(Ord. No. 1492-2006, § 1, 6-6-2006)

**Sec. 5.12.120. - Failure to obtain required permit or inspection.**

It shall be unlawful for a contractor to fail to obtain inspection services when required, or to fail to obtain a permit when it is required.

(Ord. No. 1492-2006, § 1, 6-6-2006)

**Sec. 5.12.130. - Abandoning contract or departing from specifications prohibited.**

It shall be unlawful for any contractor licensed or registered under this chapter to without good cause abandon any contract or undertaking, or to make material departure from the city-approved plans and specifications for any contract or undertaking.

(Ord. No. 1492-2006, § 1, 6-6-2006)

**Sec. 5.12.140. - Suspension and revocation.**

- A. The building official may upon his own motion, and shall upon the verified complaint in writing of any person, require any person licensed or registered under this chapter to appear before the building code board of appeals for a hearing upon five days written notice, mailed to his last known address or served to him personally.
- B. The building code board of appeals shall have the power to temporarily suspend or permanently revoke a license or registration if the holder thereof, after a hearing, is found guilty of or commits one or more acts prohibited in this chapter.

(Ord. No. 1492-2006, § 1, 6-6-2006)

**Sec. 5.12.150. - Violation; penalty.**

- A. It shall be unlawful for any contractor licensed or registered under the provisions of this chapter to violate any provision of this chapter; or to refuse to obey any order issued, or neglect to pay any fee assessed, under authority of this chapter.

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- B. It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, convert, demolish, equip, use, occupy, or maintain any building or structure in the city, or to cause such work to be done, contrary to or in violation of any provision of this chapter.
- C. Any person violating any provisions of this chapter shall be deemed guilty of a violation of this chapter and shall be subject to the penalty provided in [section 1.28.010](#) of this Code.
- D. The suspension or revocation of any license, permit, or privilege conferred by the city shall not be deemed a penalty for the purposes of this section.

(Ord. No. 1492-2006, § 1, 6-6-2006)

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FOOTNOTE(S):

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<sup>(31)</sup> **Editor's note**— Ord. No. 1492-2006, § 1, adopted June 6, 2006, repealed the former Chapter 5.12, §§ 5.12.010—5.12.350, and enacted a new Chapter 5.12 as set out herein. The former Chapter 5.12 pertained to similar subject matter and derived from Code 1962, §§ 22A-1—22A-10, 22A-12—22A-31, 22A-33—22A-35; Ord. No. 405-1973, § 1; Ord. No. 494-1976, §§ 1—3; Code 1977, §§ 5.12.010—5.12.350; Ord. No. 514-1977, §§ 5, 12; Ord. No. 517-1977, §§ 4—6; Ord. No. 579-1978, § 11; Ord. No. 580-1978, § 2; Ord. No. 603-1978, § 2; Ord. No. 718-1981, § 2; Ord. No. 807-1983, § 2; Ord. No. 1316-1999, § 2, adopted Nov. 16, 1999; Ord. No. 1348-2000, § 3, adopted Nov. 21, 2000. [\(Back\)](#)

<sup>(31)</sup> **Cross reference**— Buildings and construction, tit. 15. [\(Back\)](#)

## MEMORANDUM

**To:** Honorable Chair and Members of the Building Code Board of Appeals

**From:** Building Safety Division

**Subject:** Goals and Projects for 2013 Building Safety Division Staff

**Date:** **May 16, 2013**

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Part of Staff's goals in 2013 is to update the handouts, applications and inspection cards pertaining to permits in regards to the before, during and after process.

Staff has made great strides in updating the inspection card and inspection types to be more user friendly.