

CITY OF CHEYENNE

CONTRACTOR LICENSING REGULATIONS

1.0 Introduction.

1.1 Purpose.

The Purpose of these regulations is to protect the public health, safety, and welfare by regulating and controlling the practice of certain building trades within the city and by requiring that only contractors, licensed by the Contractor Licensing Board, and persons actively supervised by licensed contractors may engage in certain building trades. This is accomplished by establishing the requirements for licensing contractors and certain building trades and to prescribe the procedures, fees, and criteria for the issuance and revocation of licenses.

1.2 Overview.

- 1.2.1 The Contractor Licensing Board is established by Chapter 5.44 of the City of Cheyenne Code of Ordinances.
- 1.2.2 Building construction is regulated by the administration and enforcement of the international codes published by the International Code Council (ICC) and the National Electrical Code published by the National Fire Protection Association, as adopted by Title 15 of the City of Cheyenne Code of Ordinances, as amended. Building trades are regulated by the licensing of contractors and building construction trade individuals.
- 1.2.3 Contractor licenses are required, pursuant to Chapter 5.44 of Title 5 of the City of Cheyenne Code of Ordinances, in order to perform work in the building construction industry. In addition to passing the appropriate examination and paying license fees, the contractor must obtain worker's compensation and liability insurance, as described in detail in Section 3.4 below. For some trades, (including Plumbing, Electrical, Refrigeration, and HVAC) all employees on a job site are required to hold a master, journeyman or apprentice license or be a qualified supervisor. The holder of a contractor license must employ a person who holds a master or qualified supervisor license in the appropriate building trade. Specific kinds of contractor licenses required by the city are described in detail in Sections 15 through 22 below. Building trade licenses are described in detail in Section 12 below.
- 1.2.4 The Board shall provide the official interpretation of these regulations in cases of conflict or ambiguity in their application.
- 1.2.5 The Board shall have the authority to enforce these regulations upon written complaint of any person or upon its own initiative.

2.0 **Definitions.** When used in these regulations, the following terms shall have the meanings as indicated below or as referenced in the current adopted editions of the International Residential Code (IRC) and/or the International Building Code (IBC) by the City of Cheyenne.

- a. “Advertise” or “advertising” means providing building or construction estimates to any person, firm or entity or making representations to the public, through any printed, electronic, visual, or verbal means, that a person, firm, or entity is authorized or licensed to perform work or services pursuant to Section 5.44, Cheyenne City Code, as amended, or these regulations. This definition shall not include submission of bids to perform construction or demolition work pursuant to an invitational bidding process.
- b. “Board” means the Contractor Licensing Board provided for by the city of Cheyenne Code of Ordinances.
- c. “Building and Related Codes” means the series of codes regulating building construction as adopted pursuant to Title 15 of the City of Cheyenne Code of Ordinances.
- d. “Building Official” means the Chief Building Official, designee or authorized representative.
- e. “Compliance Division” means the Building Safety Division created by Chapter 2.36 of Title 2 of the City of Cheyenne Code of Ordinances.
- f. “City” means the City of Cheyenne, Wyoming, including any division or department representing the City of Cheyenne.
- g. “Commercial Building” means any building that is not a one-family, two-family, townhouse dwelling, or their accessory structure regulated by the current adopted edition of the International Residential Code (IRC) by the City of Cheyenne.
- h. “Construction Manager” means any person who coordinates the work of subcontractors but does not personally perform any construction activities. All construction managers must employ properly licensed qualified supervisors, general contractors, and sub-contractors.
- i. “Contractor” means any person licensed by the city to contract with another to plan, lay out and supervise any construction or building maintenance work on any building or structure. The work includes, but is not limited to, any building or structure that is erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, or demolished. "Contractor" excludes a person who only plans or designs.
- j. “Days” means calendar days, except where otherwise indicated.
- k. “HVAC” means Heating, Ventilating and Air Conditioning.
- l. “ICC” means the International Code Council.

- m. “License” means the written authorization granted by the city for a person to work as a contractor or to engage in certain building construction trades as defined in these regulations.
- n. “Ordinance(s)” means the City of Cheyenne Code of Ordinances
- o. “Person” means an individual, firm, partnership, corporation, or other legal entity and the owners, partners, officers, directors, members, and managers thereof.
- p. “Structural” means relating to or forming part of the structure of a building or other item.
- q. “Trades/Craft” employee means an individual required to be licensed under these regulations.

3.0 License Required, Application, Eligibility, Insurance, Examination, Fees, Execution and Temporary Work Authorization.

3.1 License Required.

No person may perform work, services or advertising related to the construction, erection, addition, alteration, repair, equipping, moving, removal, conversion or demolition of any building or structure within the City without having obtained the contractor and building trade licenses required by the Ordinances and the City of Cheyenne Contractor Licensing Regulations.

3.2 License, Application.

Applications, with all required supporting documentation and full license fees, will be made to the City of Cheyenne Building Safety Division. All supporting documentation must be legible (typed is preferred). Incomplete applications will not be processed. Certificates of insurance and workers compensation documentation need not be submitted until the application has been approved. No license shall be issued by the City until the required certificate of insurance and workers compensation documentation has been provided.

3.2.1 Applications for any license described in Sections 15 through 22 will be made on forms or digital media provided by the City of Cheyenne Building Safety Division and shall be accompanied by the full licensing fee, which includes a non-refundable application review fee.

3.2.2 Applications for any license described in Sections 15 through 22 shall state the education, training and experience of the applicant and shall contain the names, phone numbers, emails, and addresses of individuals that are familiar with the quality of the applicant’s work. Applicants are advised that all dates and hours requirements as outlined in the building trades licenses section 12.0 of these

regulations below, shall be documented and verified by third party verification. It is recommended that applicants utilize the Dates/Hours third party verification form provided by the City of Cheyenne Building Safety Division. The board will also consider payroll documentation or other forms of supporting documentation should it be impractical for an applicant to obtain required documentation from a previous employer. Applicants who do not provide the required third-party verification described above will not be considered by the board for licensure.

- 3.2.3 Applications for any license described in Sections 15 through 22 which are filed on behalf of a firm, partnership, corporation, or other legal entity shall state the company name, the affiliation of the applicant to the firm, partnership, corporation, or other legal entity, the telephone number(s), email, and mailing address(es) of the Company's principal officers directors, partners, owners, members, managers, and Qualified Supervisor or Master.

3.3 Eligibility.

- 3.3.1 The determination of eligibility for licensure or other matters pertaining thereto shall be made by the Contractor Licensing Board according to requirements adopted by the Board. The Contractor Licensing Board may place conditions on a license or licensee as it is deemed necessary to further protect the public's health, safety and welfare.
- 3.3.2 Reciprocity. The Board may grant reciprocity with other jurisdictions and agencies as the Board determines appropriate. The Building Official shall maintain a record of all reciprocal agreements that the Board has approved.
- 3.3.3 The Contractor Licensing Board may deny an application for licensure if:
 - a. the application is incomplete, inaccurate, or contains misleading or false information, or;
 - b. the applicant has failed to complete past construction projects, or;
 - c. the applicant has failed to demonstrate adequate experience or has failed to furnish references which are relevant to the trade for which a license is sought, or;
 - d. the applicant has performed work, services or advertising without a license and/or permit, or;
 - e. the applicant has been convicted of a felony such as, but not limited to, forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, or any conspiracy to commit any of those crimes.
- 3.3.4 Prior to the expiration of a license, a licensee may petition the Board for removal of any condition(s).

3.3.5 Upon the determination of the Building Official, a licensee may also request an appeal hearing before the Board pursuant to the procedures and timelines of Section 3.8.4.

3.4 Insurance Requirements.

A contractor license shall not be issued until a certificate of insurance has been filed and approved by the Contractor Licensing Board. The licensee shall be responsible for keeping the required insurance in force and for providing current certificates of insurance. Each certificate of insurance shall state the type(s) of insurance purchased and the limits of each type of coverage as required by these regulations. The City of Cheyenne must be named as certificate holder. Licensees must notify the Building Official within ten (10) working days after the licensee receives notification of the cancellation or non-renewal, in whole or in part, of any insurance coverage required by this section or prior to the effective date of any such cancellation or non-renewal, whichever event sooner occurs.

3.4.1 Coverage.

a. Commercial general liability, minimum limits:

	License Per Occurrence	Total Aggregate
Class A - General Contractor	\$1,000,000	\$2,000,000
Class B - Building Contractor	\$ 1,000,000	\$2,000,000
Class R/R limited Residential Contractor	\$ 1,000,000	\$2,000,000
Class C- 1 - Subcontractor	\$ 300,000	\$ 600,000
Class C-2 - Subcontractor	\$ 300,000	\$ 600,000
Class C-3 Subcontractor	\$ 300,000	\$ 600,000
Class D - Subcontractor	\$ 300,000	\$ 600,000
Class F - Fire Suppression	\$ 300,000	\$ 600,000
Class E — Educational		

b. Workers’ compensation insurance when required by applicable laws and regulations of the State of Wyoming.

3.5 Examination.

3.5.1 Examination requirements for qualified supervisors, plumbing, and mechanical licenses shall be determined by the Board. The Contractor Licensing Board shall maintain a listing of examinations for licenses of which shall be administered by the International Code Council (ICC), National Institute for Certification in Engineering Technologies (NICET), National Association of State Contractors

Licensing Agency (NASCLA), or other testing agencies approved by the Board. No license shall be issued until proof of successful completion of a **current** published exam as administered by the ICC, NICET, or other approved testing agency has been submitted and approved. In accordance with section 3.3.2 Reciprocity above, the board may approve, at its discretion, tests that exceed the current published exams outlined above for individuals who demonstrate the possession of a current equivalent license in a jurisdiction other than the city of Cheyenne.

3.5.2 The Contractor Licensing Board may approve the issuance of licenses with the approved or equivalent examination requirements adopted by the Board.

Any applicant required to take an examination that is administered by an agency is required to apply and make payment directly to that agency.

3.6 Fees.

No license will be issued, reissued, or renewed until the applicant has paid the required fees.

3.6.1 The application fee for any license shall be paid in addition to any license fees and is non-refundable.

3.6.2 No license fee paid under this section will be refunded after the license has been issued.

3.6.3 If a Licensee wishes to change or upgrade a license, no credit shall be given for fees paid on the existing license. A complete initial application and license fee shall be paid for the new license.

3.6.4 The fees shall be paid according to the following table:

Contractor License Fees:

	Application	Initial	Renewal
Class A	\$50.00	\$600.00	\$200.00
Class B	\$50.00	\$400.00	\$100.00
Class R/R Limited	\$50.00	\$400.00	\$100.00
Class C Type 1	\$50.00	\$200.00	\$ 75.00
Class C Type 2	\$50.00	\$200.00	\$ 50.00
Class C Type 3	\$50.00	\$200.00	\$ 50.00
Class D	\$50.00	\$200.00	\$ 50.00
Class F Type 1	\$50.00	\$300.00	\$ 75.00
Class E Education	\$50.00	\$300.00	\$ 75.00

Building Trade License Fees:

	Application	Initial	Renewal
Qualified Supervisor or Master	\$50.00	\$50.00	\$25.00
Journeyman	\$50.00	\$30.00	\$15.00
Low Voltage Technician	\$25.00	\$25.00	\$15.00
Limited Electrical Technician	\$25.00	\$25.00	\$15.00
Apprentice	\$10.00	\$10.00	\$ 5.00

3.7 Investigation License / Permit Fee.

Any person who performs construction or building work, or causes such work to be performed, without having first obtained the license(s) and/or permit(s) required by these regulations shall pay an investigation fee, which shall be in an amount equal to the license fee as described in Section 3.6.4 and/or permit fee described in Ordinances section 15.08.020. The investigation fee shall be paid whether a license and/or permit is subsequently obtained.

3.8 Execution.

Licenses issued under these regulations shall be signed by the Chairperson of the Contractor Licensing Board.

3.8.1 Possession of license card. While engaged in a building or trade activity, each licensee must have a current license card in their possession which is signed by the Chairperson of the Contractor Licensing Board.

3.8.2 Every applicant for any license shall submit, within thirty (30) days of approval, all required documentation required by these regulations or submit a written request for a refund of applicable fees. Any applicant who fails, within thirty (30) days, to provide the documentation required by these regulations or fails to submit a written request for a refund, shall forfeit any fees paid and the application(s) shall be deemed null and void.

3.8.3 Any applicant whose application has been denied must, within thirty (30) days of the denial, submit a written request for a refund of license fees. Any applicant that fails to comply with this section shall forfeit the fees paid.

3.8.4 Denial of License. Any applicant whose application has been denied by the Contractor Licensing Board may request a contested case hearing before the Board to reconsider the application. A request for a contested case hearing must be submitted in writing to the Contractor Licensing Board within thirty (30) days from service of the initial application denial. The matter shall be set before the Board at the next regularly scheduled meeting if the request is filed at least twenty (20) days before the meeting.

3.9 Temporary Work Authorization.

The Building Official may grant a temporary work authorization only to applicants upon receipt of proper application and payment of fees. A Temporary Work Authorization shall not be granted to persons acting as Contractors and no person shall act as a Contractor without having obtained the license required by these regulations.

- 3.9.1 Temporary work authorizations under Section 3.9 may be granted only to “Trade/Craft” employees, as defined in section 2Q of these regulations, who are applying for a license with a required testing element.
- 3.9.2 The Building Official may grant a one (1) time temporary work authorization only to an applicant who is presumably qualified to be licensed under these regulations. The authorization will be effective for a person that has documented proof of registration for the examination(s) required by these regulations not to exceed thirty (30) days from application. The Building Official may grant a one (1) time extension to a temporary work authorization for a person that has documented proof of “Failing” the examination and registration for the 2nd examination(s). The Building Official shall not extend a temporary work authorization for more than sixty (60) days.
- 3.9.3 Any person who does not obtain a valid license after being issued a temporary work authorization shall not be eligible for any fee refund.

4.0 License Duration and Renewal.

- 4.1 All licenses issued by the Contractor Licensing Board pursuant to these regulations shall expire annually, one year from the date of issuance.
 - 4.1.1 The Building Official may adjust license expiration dates for the purpose of Division requirements and/or needs.
- 4.2 Every person holding any license issued pursuant to these regulations shall renew the license prior to the annual expiration date. It is the responsibility of each licensee to renew the license prior to expiration whether or not a renewal form has been received. Licensees will be notified by the Building Official to the last physical address or email address on record approximately 60 days prior to the license expiration date. The Building Official has the authority to approve license renewals. Electrical contractors and electricians, including low voltage and limited voltage licensees, must submit a copy of their valid state license to renew their City license. If a license renewal has not been received by the Building Official prior to expiration of the current license, the license expires, and the licensee will not be eligible for renewal status and an application for a new license must be submitted to the Building Official.
 - 4.2.1 All licensees are advised that if a license expires, and the expiration date is in excess of 30 days, the licensee shall be required to provide proof of successful completion of a **current** published examination as administered by the ICC, NICET, or other approved testing agency as outlined in section 3.5.

- 4.3 Any person who continues to work after the license has expired, without renewing the license or securing a new license as required, is deemed to be operating without a license in violation of these regulations and the Ordinances.

5.0 License Transfers.

- 5.1 Change of name or address. Licensees shall report a change of name or address to the Building Official within fifteen (15) business days after making the change. There is no fee for the change.
- 5.2 Non-transferability of license. A license held by one person shall not be transferable to another person.
- 5.3 Dissolution. The dissolution of a business entity which has been licensed terminates the license and no person may operate under that license.
- 5.4 New License required. A new license is required for the creation of a new business entity and shall not entitle any person to transfer any license.

6.0 Exemption of Public Utilities.

The provisions of these regulations do not apply to work done by a public utility company or by their contractors, subcontractors, or employees, when necessary to provide the service of the utility to the public. This exemption shall not apply to buildings of a public utility.

7.0 Interpretation.

The Building Official may render reasonable interpretations of these regulations as necessary to carry out the intent and purpose of these regulations. Formal interpretations shall be made by the Board pursuant to Section 1.2.4.

8.0 Duties and Responsibilities of Licensees.

Licensees are responsible for all building and construction work subject to applicable codes adopted by Title 15 of the Ordinances, and these regulations. Licensees shall:

- 8.1 Be responsible for all work performed by the licensee, licensee's employees, and subcontractors, whether a permit is required or not.
- 8.2 Be responsible and account for all funds or property received in connection with any work performed requiring a permit.
- 8.3 Obtain all required permits before any work is performed.
- 8.4 Verify and ensure that all subcontractors and employees are properly licensed.
- 8.5 Provide safety measures and equipment to protect the public in compliance with all applicable laws and regulations.
- 8.6 Report in writing to the Chief Building Official, within three (3) working days, all accidents occurring in any construction, demolition, or undertaking which has caused damage to any building or structure.

- 8.7 Build and demolish in compliance with all current and applicable laws, codes, regulations, and manufacturer's specifications. For one (1) and two (2) family dwellings, the most recent edition of the Residential Construction Performance Guidelines published by the National Association of Home Builders of the United States, is hereby incorporated, and adopted herein.
- 8.8 Construct without substantial departure from drawings and specifications filed and approved by the Chief Building Official and permit issued for the work unless changes have been approved in writing by the Chief Building Official.
- 8.9 Construct and complete all work performed as a contractor in a workmanlike manner and in compliance with industry and local standards, and for one (1) and two (2) family dwellings, the most recent edition of the Residential Construction Performance Guidelines, published by the National Association of Home Builders of the United States.
- 8.10 Obtain inspections when required by these regulations and the codes promulgated by the International Code Council.
- 8.11 Pay any fee assessed under the authority of these regulations and the codes promulgated by the International Code Council.
- 8.13 Comply with every order or notice entered or issued by the Board or Building Official pursuant to these regulations or the codes promulgated by the International Code Council.
- 8.14 Present the license card when requested by the Building Official or other authorized agent of the city.

9.0 Suspension or Revocation of License.

The Board may suspend, revoke, or require probation of a licensee, if a licensee is proven to have violated any of the following:

- 9.1 Any provision of Title 15 of the Ordinance related to construction of buildings.
- 9.2 Allowing a license to be used, for any reason, by a person other than for whom it was issued.
- 9.3 Any provisions of these regulations.
- 9.4 Obtaining a license by fraud or misrepresentation.
- 9.5 Cancellation of an insurance policy, including workers' compensation, or reduction of coverage to an amount less than the minimum required by these regulations.
- 9.6 Hiring or subcontracting to unlicensed subcontractors.
- 9.7 Failure to obtain a Certificate of Occupancy prior to occupancy of a building or structure.

- 9.8 Failure to comply with the terms and conditions of a Temporary Certificate of Occupancy.
- 9.9 Failure to convert a Temporary Certificate of Occupancy to a Final Certificate of Occupancy within the time limits specified in the Ordinances.
- 9.10 Failure to maintain eligibility for a license as described in Section 3.3 of these regulations.

10.0 Suspension.

- 10.1 The Board may summarily suspend, by emergency action, any license pursuant to Wyoming Statute §16-3-113(c), when the licensee is in violation of any of these regulations and summary suspension is immediately necessary for the protection of the public health, safety, or welfare.
- 10.2 The Building Official may suspend a license when a licensee’s insurance policy is cancelled or for failure to provide evidence of insurance coverage, including workers’ compensation or when coverage is reduced below the minimums required by these regulations. The Building Official shall reinstate any license suspended pursuant to this subsection, when the violation has been remedied. A licensee may also request a hearing before the Board pursuant to the procedures and timelines of Section 3.8.4.
- 10.3 The Building Official may suspend a qualified supervisor or master license if the licensee is in violation of Section 13.0 of these regulations. The Building Official shall reinstate any license suspended pursuant to this subsection when the violation has been remedied. A licensee may also request a hearing before the Board pursuant to the procedures and timelines of Section 3.8.4.
- 10.4 The Building Official may suspend a license when a licensee’s qualifying supervisor is cancelled or expired required by these regulations. The Building Official shall reinstate any license suspended pursuant to this subsection when the violation has been remedied. A licensee may also request a hearing before the Board pursuant to the procedures and timelines of Section 3.8.4.

11.0 Disciplinary Proceedings.

11.1 Commencement.

Disciplinary proceedings under these regulations shall be commenced by filing a written Contractor Complaint against a licensee/respondent upon a form provided by the Board. The Contractor Complaint shall be filed within one (1) year of the date of the alleged violation or within one (1) year of the discovery of an alleged violation, whichever time period is later. However, in no case shall a contractor complaint be filed after three (3) years of work being performed that is the basis of the alleged violation. Failure to file a contractor complaint within the required time limitation shall divest the Board of jurisdiction and shall result in dismissal of the contractor complaint. The Contractor Complaint shall include:

- 11.1.1 The name, address and telephone number of each complainant;

- 11.1.2 The name, address and telephone number of the licensee/respondent;
 - 11.1.3 Allegations necessary to establish the jurisdiction of the Board;
 - 11.1.4 Allegations containing citations to the specific sections of these regulations and applicable building codes which have been violated by the licensee/respondent, if known;
 - 11.1.5 Signature of complainant verifying that the information set forth within the complaint is true and correct.
- 11.2 A current Board member who has knowledge of an alleged violation committed by a licensee shall not file a Contractor Complaint. The Board member may request that the Building Official file a Contractor Complaint related to the alleged violation. Any Board member participating in requesting that the Building Official file a Contractor Complaint shall not have ex parte communication with any other Board member or participate in the contested case hearing related to the Contractor Complaint, except as a witness.
- 11.3 Three (3) violations of the Board Regulations within a three hundred sixty-five (365) day period will constitute an automatic Contractor Complaint and will be filed by the Building Official to the Board.
- 11.4 Notice to Licensee.
- 11.4.1 If the Board has jurisdiction to consider a Contractor Complaint, a copy shall be served upon the licensee providing twenty (20) days during which the licensee may respond in writing showing compliance with all lawful requirements for the retention of the license, as required by Wyoming Statute §16- 3-113. Upon expiration of the twenty (20) day response period or upon receipt of the licensee's response, the matter may be:
- a. Administratively dismissed by the Building Official; or
 - b. Remedied by entering into a written mutual agreement between the Complainant and Licensee proposed by the Building Official and shall be reported to the Board; or
 - c. Set for a contested case hearing before the Board.
- 11.5 Hearing Notice.
- 11.5.1 A Contractor Complaint shall be set for hearing by a notice of hearing served via certified mail, return receipt requested, upon both the licensee/respondent at the address of record and complainant at the address identified upon the Contractor Complaint. The notice of hearing shall include:
- a. Date, time and place of the hearing, which shall be set no less than twenty (20) days from mailing of the notice;
 - b. An attached copy of the Contractor Complaint;

- c. Citations to authority for the Board to consider the matter;
- d. Appointment of a presiding hearing officer, if any; and
- e. Signature of the Building Official.

11.6 Conduct for Contested Case Hearing.

11.6.1 Contested case hearings before the Board shall be conducted according to provisions of the Ordinance, Title 5, Chapter 5.44, the Board's Contractor Licensing Regulations, and the Wyoming Administrative Procedure Act, §§ 16-3-101 et seq

- a. The Board may utilize a presiding hearing officer to assist in conducting and presiding over all aspects of the contested case hearing, including scheduling and preliminary matters or the Board chair or other member may serve in that capacity;
- b. The complainant shall bear the burden of proof at the hearing to prove the alleged violation(s) by presenting clear and convincing evidence which is 'that kind of proof that would persuade the trier of fact that the truth of the contention is highly probable.' Expert opinion evidence is required to prove most violations;
- c. A quorum of the Board shall hear and consider the evidence presented by the parties;
- d. Each party shall be provided the opportunity to present an opening statement, to offer witnesses and documentary evidence, to conduct cross-examination and present a closing argument;
- e. Board members shall be provided the opportunity to question any witness;
- f. Board members may view any work or property that is the subject of the Contractor Complaint, in accordance with procedures and limitations established by the hearing officer;
- g. Upon written application of any party, the Board or presiding hearing officer may issue subpoenas for the appearance of witnesses and to produce documents;
- h. Any party may conduct necessary and reasonable discovery in contested case matters;
- i. The failure of a complainant to appear and participate in a properly noticed contested case hearing may result in the dismissal of the Contractor Complaint by the Board;
- j. The failure of a licensee/respondent to appear at a properly noticed contested case hearing may result in a default order being entered;

- k. The contested case hearing shall be recorded verbatim by any manner determined by the Board;
- l. All documents filed in a contested case shall be filed originally with the Board and copied to all other parties, counsel, and the presiding hearing officer.
- m. Parties may be represented by an attorney, licensed to practice law in Wyoming, at any stage of the disciplinary proceedings.

11.7 Decision of the Board.

11.7.1 Upon the close of the evidence and presentation of closing arguments, if any, the matter will be considered and publicly deliberated by the Board. Upon a motion and second to the motion, the Board, by majority vote, may dismiss the Complaint or may enter discipline against the licensee/respondent. If discipline is entered, it is effective upon the Board's vote.

11.7.2 Following the conclusion of the contested case hearing, the Board shall issue a written finding of fact, conclusions of law and order, within forty-five (45) days which shall be served upon the parties and counsel, if any.

11.8 Appeals from Board Decisions.

Appeals from orders issued pursuant to Section 11.7.2. shall be filed within thirty (30) days after service of the Order in accordance with the Wyoming Administrative Procedure Act, §§ 16-3-101 et seq., and the Wyoming Rules of Appellate Procedure, Rule 12.

11.9 Reinstatement of License.

Any licensee that has been disciplined by order of the Board may be reinstated by the Board upon a proper application being submitted, together with evidence that the previous Board order has been fully complied with. The application shall be considered by the Board at a contested case hearing pursuant to procedures set forth herein.

11.10 Unlicensed Contractor or Workmen.

The license fee for a contractor and employee who works without first obtaining the proper license shall be as prescribed by Section 3.7 of these regulations.

12.0 Building Trade Licenses.

12.1 Requirements.

The following are the minimum experience, training and examination requirements for building trade licenses and shall be furnished in writing. Apprentices are required to be supervised. No more than two (2) apprentices are permitted to work under the direct supervision of a properly licensed journeyman or master.

- 12.1.1 Class A qualified supervisor. Seven (7) years with fourteen thousand (14,000) hours comprehensive experience and/or education acceptable to the Board. All applicants are required to successfully complete an examination as prescribed by Section 3.5 of these regulations.
- 12.1.2 Class B qualified supervisor. Five (5) years with ten thousand (10,000) hours comprehensive experience and/or education acceptable to the Board. All applicants are required to successfully complete an examination as prescribed by Section 3.5 of these regulations.
- 12.1.3 Class R qualified supervisor. Five (5) years with ten thousand (10,000) hours comprehensive experience acceptable to the Board. All applicants are required to successfully complete an examination as prescribed by Section 3.5 of these regulations.
 - 12.1.3.1 Class R limited qualified supervisor. Three (3) years with six thousand (6,000) hours comprehensive experience and/or education acceptable to the Board. All applicants are required to successfully complete an examination as prescribed by Section 3.5 of these regulations.
- 12.1.4 Class C qualified supervisor. Three (3) years with six thousand (6,000) hours comprehensive experience and/or education acceptable to the Board. All applicants are required to successfully complete an examination as prescribed by Section 3.5 of these regulations.
- 12.1.5 Class D qualified supervisor. One (1) year with two thousand (2,000) hours practical experience under the direction of a professional or licensed contractor or tradesman. Experience shall be in the field for which applicant is applying.
- 12.1.6 Class E qualified educator. Five (5) years of teaching construction or actual construction experience, an industrial Technology Teaching Certificate and a written recommendation from the Career/Tech Education Curriculum Coordinator of the school district or community college. This license is only valid if the individual in possession of the license is actively employed by an accredited school district or community college. In addition, permits issued pursuant to the provisions of this license are limited to the construction, alteration, repair, or addition of one (1) and two (2) family dwellings. Any plumbing, mechanical, or electrical work that is performed must be inspected by the local enforcement authority to ensure compliance with all applicable codes.
- 12.1.7 Class F qualified supervisor. Three (3) years with six thousand (6,000) hours comprehensive experience acceptable to the Board. Additional qualifications and requirements are outlined in 21.0 below.
- 12.1.8 Master level craft employee. Four (4) years with eight thousand (8,000) hours documented experience as an apprentice, or certified equivalent training, in

the field and three (3) years with six thousand (6,000) hours documented experience as a journeyman and possession of satisfactory examination results. Master electricians must possess a current Wyoming State license.

12.1.9 Journeyman level craft employee. Four (4) years with eight thousand (8,000) hours documented experience, in the trade, as a licensed apprentice, or certified equivalent training, and possession of satisfactory examination results. Journeyman electricians must possess a current Wyoming state license.

12.1.10 Apprentice level craft employee. A person other than a journeyman or master, who as his principal occupation, is engaged in learning and assisting in the specialty for which he is licensed and works under the direct supervision of a properly licensed journeyman or master. Levels of supervision for apprentices in all trades shall be as follows;

- a.) 1st year apprentice – 100% supervision
- b.) 2nd year apprentice – 100% supervision
- c.) 3rd year apprentice – 50% supervision
- d) 4th year apprentice - 25% supervision

12.2 Master/Contractor/Shop training programs must certify to the Board: (a) the date of hiring and termination of each apprentice; (b) that the program did not exceed a ratio of two (2) apprentices to each Journeyman/Master; and (c) that each trainee has satisfied the time and training requirements and is eligible to apply to the board for Journeyman licensing. Apprentice electricians must possess a current Wyoming state license.

12.3 Department of Labor Office of Apprenticeship (DOL/OA) Apprentices indentured in DOL/OA approved programs shall adhere to the requirements of each program. There shall be no other requirements by the Contractor Licensing Board. Certification of completion shall be made by the program director and shall make the apprentice eligible to apply to the Contractor Licensing Board for Journeyman licensing.

12.4 Experience disputes. Any dispute as to the acceptability of experience shall be resolved by the Board.

13.0 Qualified supervisor or master required.

An entity may be issued a contractor license under these regulations only if the entity always employs, in an active full-time capacity, a qualified supervisor or master. The qualified supervisor or master shall hold the license of the class corresponding to the class and specialty of the contractor's license, or greater subject to the Building Official's approval.

13.1 A qualified supervisor or master shall represent no more than one contractor.
Exception: If one or more business entities are wholly owned by the same individual(s),

those individual(s) may represent all business entities as a qualified supervisor or master if the individual holds the appropriate qualified supervisor licenses. Any violation of this subsection shall result in each of the qualified supervisor's or master's license being placed into inactive status until the violation has been abated.

a. "Individual" for purposes of this subsection, shall mean any natural person or a limited liability company having identical members.

13.2 A qualified supervisor or master shall oversee and be responsible for, all work performed by a contractor. Qualified supervisors and masters shall be present at the job site within twenty-four (24) hours after notice given by the Building Official and shall be present on the job site at any time the Building Official deems necessary.

13.3 A contractor license shall be valid, subject to the time periods set forth in this subsection, only if the qualified supervisor or master named in the application is employed by the Licensee in an active, full-time capacity and the employment is the qualified supervisors' or masters' principal employment.

13.3.1 A contractor who has lost the required qualified supervisor or master, shall notify the Building Official in writing within three (3) working days and may have up to but not more than thirty (30) days to register a new qualified supervisor or master. Failure of the Licensee to properly notify the Building Official is cause for disciplinary action in accordance with Section 11.0 of these regulations. If a qualified supervisor or master is not employed within thirty (30) days, the contractor's license shall be subject to suspension or revocation in accordance with Section 10.4 of these regulations.

14.0 Employment of Unlicensed Workers Prohibited.

No person shall employ any individual in the capacity of a qualified supervisor, master, journeyman, or apprentice who is not properly licensed in accordance with the provisions of these regulations.

15.0 Building Contractor Class A License.

This license entitles the holder to apply for permits for the construction, alteration, or repair of any type or size of structure, provided he/she employs properly licensed sub-contractors for all trades listed in Sections 18 through 22. In addition, the holder of this license may perform any or all the work under the provisions of contractor's Class C and Class D licenses except electrical, plumbing, refrigeration, HVAC, and Class F systems. Exception: A Class A contractor shall be allowed to do work, with qualified personnel, described in Section 18.12 below under Sewer and Water Main.

16.0 Building Contractor Class B License.

This license entitles the holder to apply for permits for the construction, alteration, addition, or repair of residential buildings or structures covered by the International Residential Code of two (2) stories or less, and the construction of one-story commercial buildings with 7,500 square feet

total area or less, provided he/she employs properly licensed sub-contractors for all trades listed in Sections 18 through 22 below. In addition, the holder of this license can do any or all work under the provisions of contractor Class C and Class D licenses except electrical, plumbing, refrigeration, HVAC, and Class F systems.

17.0 Building Contractor Class R License.

This license entitles the holder to apply for permits for the construction, alteration, addition, or repair of detached single-family dwellings not more than three stories above-grade in height and their accessory structures. In addition, the holder of this license can do any or all work under the provisions of contractor Class C and Class D licenses except electrical, plumbing, refrigeration, HVAC, and Class F systems.

17.1 Class R Limited License

This license entitles the holder to apply for permits to remodel areas within residential structures that are governed by the current adopted edition of the International Residential Code (IRC) provided the remodel area does not require structural work/changes to the building.

18.0 Contractor Class C License

Class C1 = tested license / Class C2 = non-tested license

Class C licenses entitle the holder to apply for permits to perform the work described in this section. If an applicant wishes to engage in more than one activity, a license must be procured for each activity. Holders of Class C1 licenses may perform the work of the Class C2 licenses within their respective categories.

Contractors in possession of a valid Class C license(s) shall not act as a General Contractor and shall not be allowed to hire subcontractors, except when the project has related minor work with express approval of the Building Official. Class C contractors may engage another Class C or D licensee to perform such work if contractor(s) is properly licensed according to the City of Cheyenne Contractor Licensing Board Regulations.

18.1 Structural masonry. (C2) The construction, alteration, repair or demolition of any structural masonry building, structure, retaining wall or any portion thereof.

18.1.1 Masonry veneer. (C2) The construction, alteration, or repair of nonstructural facing brick, precast concrete, stone, or tile. This license also includes the construction of residential masonry fireplaces.

18.2 Structural steel/Non-structural steel. (C2) The construction, alteration, repair, or demolition of the structural steel portion of a building or portions thereof. The installation and repair of ornamental ironwork and railings.

- 18.3 Manufactured housing. (C2) The installation or repair of manufactured housing (excluding structural, HVAC, electrical and plumbing).
- 18.4 Gas and Solid fuel appliance installation. (C2) The installation, alteration or repair of gas or solid fuel burning appliances (except masonry fireplaces).
- 18.5 Framing. (C1) The construction, alteration, repair, or addition of the wood framing portions of buildings or structures.
- 18.6 Dry Wall. (C2) The installation, alteration, or repair of drywall in commercial and residential buildings.
- 18.7 General roofing. (C1) Application, repair, or demolition of all types of roofing material.
- 18.7.1 Special roofing. (C2) Application, repair or demolition of roofing materials not covered under hot roofing and shingles, and which requires that the applicant(s) to submit manufacturers' certification of application to the Building Official.
- 18.7.2 Hot roofing. (C2) Application, repair or demolition of built-up roof covering which is cemented together, typically known as built-up three ply and cemented.
- 18.7.3 Shingles. (C1) Application, repair, or demolition of any manufactured or processed roofing material, and wood shingles or shakes, including metal roofing.
- 18.8 Electrical. (C1) The installation, demolition, repair or alteration of all electrical systems and equipment. Electrical contractors are required to possess a valid State of Wyoming and City of Cheyenne license for each classification.
- 18.9 Low Voltage Electrical. (C1) Licensed low voltage electrical contractors employing properly licensed low voltage technicians may install electrical equipment which falls under the scope of their low voltage license. The following low voltage licenses must comply with all the following:
- a. All persons engaged in the performance of low voltage work must have a current State of Wyoming and City of Cheyenne low voltage contractor, technician, and apprentice technician license, or equivalent, in the respective category.
 - b. A licensed low voltage technician shall provide direct supervision for not more than one (1) licensed low voltage apprentice technicians.
- 18.9.1 Low Voltage General. (C1) The wiring, rewiring, installation, demolition, repair, or alteration of any low voltage system not exceeding 90 volts, to include sound systems, burglar alarm systems, fire alarm systems, communication systems, cathodic protection systems and other low voltage systems. The holder of this license can perform work in all the following low voltage categories.

18.9.2 Low Voltage Alarms. (C1) The wiring, rewiring, installation, demolition, repair or alteration of fire alarms, burglar alarms and other alarm systems not exceeding 90 volts.

18.9.3 Low Voltage Communications. (C1) The wiring, rewiring, installation, demolition, repairing or alteration of telephone systems, intercom systems, related fiber optics, computer systems, and other communications systems not exceeding ninety (90) volts.

18.10 Limited Electrical. (C1) Any plumbing, refrigeration or HVAC licensee may perform work on the load side of the disconnect which supplies power to the electrical equipment that they are licensed to work on if they are in possession of a valid limited electrical license. Any plumbing, refrigeration or HVAC licensee that does not hold a limited electrical license is not permitted to perform electrical work on the load side of the disconnect.

Licensed limited electrical contractors employing properly licensed limited technicians or licensed limited apprentice technicians may install electrical equipment which falls under the scope of their limited license or registration. The electrical work shall only include the electrical system on the load side of the disconnect which supplies power to the electrical equipment that they are licensed to work on. The following limited electrical licenses must comply with all the following:

- a. All persons engaged in the performance of limited electrical work must have a current State of Wyoming and City of Cheyenne limited electrical contractor, technician license or apprentice technician license, or equivalent, in the respective category.
- b. A licensed limited electrical technician shall provide direct supervision for not more than two (2) licensed limited electrical apprentice technicians.

18.10.1 Limited Electrical — Elevators. (C1) The wiring, rewiring, installation, demolition, repairing or alteration of elevators and their related systems, limited to wiring on the load side of the equipment disconnect.

18.10.2 Limited Electrical — Signs. (C1) The wiring, rewiring, installation, demolition, repairing or alteration of electrical signs and their related systems, limited to wiring on the load side of the equipment disconnect. This may also be extended to the installation of the bases and support structures if proof of experience can be provided.

18.10.3 Limited Electrical - Light Fixtures. (C1) Routine repair of light fixtures, limited to replacement ballasts and fixture parts located in buildings and their premises.

18.10.4 Limited Electrical — (C1) Plumbing, refrigeration, or HVAC. The wiring, rewiring, installation, demolition, repairing or alteration of heating, ventilating, air conditioning, and refrigeration, limited to electrical wiring on the load side of the equipment disconnect.

- 18.11 Plumbing. (C1) The installation, demolition, repair or alteration of plumbing and pipe fitting systems, equipment, and materials (excluding fire sprinklers). Requires limited electrical — HVAC (type 3) license in order to perform electrical work on the load side of the disconnect.
- 18.12 Sewer and water main. (C2) The installation, repair or alteration of public sewer or water mains, and their related appurtenances. The installation, repair or alteration of private sewer or water mains and their related appurtenances. The licensee may perform the necessary excavation work only for the work allowed under the license, without obtaining a separate earthwork license.
- 18.13 Refrigeration. (C2) The installation, demolition, repair or alteration of refrigeration equipment and systems. Applicants for a refrigeration license are required to submit current certification of refrigerant reclaiming. Requires Limited Electrical — HVAC (C1) license in order to perform electrical work on the load side of the disconnect.
- 18.14 HVAC. (C1) The installation, demolition, repair or alteration of warm air heating systems, duct work, venting systems, and general sheet metal work. Requires Limited Electrical — HVAC (Type 3) license in order to perform electrical work on the load side of the disconnect.
- 18.15 Structural Concrete. (C2) The construction, alteration, repair or demolition of footings, foundations, retaining walls, structural walls and columns, post tension and pretension construction, precast structures, flat work (both public and private) and paving.
- 18.15.1 Precast. (C2) The construction, alteration or repair of precast concrete buildings and structures.
- 18.16 Concrete Flat work. (C2) The construction, alteration, repair or demolition of streets, alleys, parking lots, sidewalks, driveways, curb cuts, curb and gutter, floor slabs, and similar construction.
- 18.17 Asphalt Paving. (C2) The construction, alteration, repair or demolition of streets, alleys, and both public and private parking lots.
- 18.18 Elevator. (C2) The installation, repair, demolition, or maintenance of elevators, moving walkways, escalators, and handicapped lifts. Requires Limited Electrical — Elevators (C1) license.
- 18.19 Solar/Wind Turbine. (C2) Companies who do not possess a State of Wyoming and City of Cheyenne electrical contracting license who are intending to engage in the sale of solar collection systems and wind generation systems. The applicant must possess four (4) years' experience acceptable to the Board and shall submit written documentation of experience and appear personally before the Board to substantiate the experience. The Board shall determine if the applicants experience will qualify for approval of the license. The holder of this license shall be permitted to hire properly licensed

subcontractors (i.e., foundation, electrical etc.) All electrical work, including low voltage, shall only be performed by properly licensed State and City electrical or Low Voltage Electrical contractors.

19.0 Contractor Class D License.

All other contractors not included within categories above, who perform any type of work on any building, structure, or site. This includes, but is not limited to plaster and stucco, fencing, floor, and wall covering, painting and wallpaper, siding, and windows, and those who do any of the work under the Class D License Category. An applicant must specify which specialty work he/she wishes to engage in. If an applicant wishes to engage in more than one specialty, a separate license must be procured for each specialty. The Building Official may create or delete Class D License Categories as the need arises and shall maintain a register of all Class D License Categories.

Contractors in possession of a valid Class D license(s) shall not act as a General Contractor and shall not be allowed to hire subcontractors. When a project has related minor work requiring Class C licensed contractors, with the approval of the Building Official, the Class D licensee may engage a Class C licensee to perform such work. This provision applies only to electrical, plumbing, refrigeration, HVAC, and fire protection.

20.0 Class E Educational

This license is intended to be utilized by a school district or community college as part of an approved curriculum, under the direct supervision of a qualified instructor, relative to the construction industry. State Board of Education accredited educational institutions may be granted a Class E, Educational Contractor License, with approval of the Board.

21.0 Contractor Class F License, Fire Protection Systems.

This section pertains to fire protection systems. A separate Class F license is required for each type of activity in this section. A qualified supervisor shall provide direct supervision for not more than two (2) craft employees. The qualified supervisor for all Class F licenses shall show successful completion of an approved examination or be certified by NICET as level III within the appropriate category.

- 21.1 Chemical Fire Suppression. (C1) The installation, demolition, repair, alteration, removal or maintenance of chemical fire suppression systems or appurtenances. (This class does not include the installation or maintenance of portable fire extinguishers. Portable fire extinguishers are regulated by other provisions of the City Code.)
- 21.2 Flammable or Combustible Liquids. (C1) The installation, removal, repair, alteration, or maintenance of flammable or combustible liquid storage tanks and appurtenances.
- 21.3 Sprinkler (Fire)/Standpipe. (C1) The installation, demolition, repair, alteration, removal, or maintenance of building fire suppression systems or appurtenances (water type).

21.4 Stationary Pumps for Fire Protection. (C1) The installation, demolition, repair, alteration, removal, or maintenance of stationary pumps for fire protection.

22.0 Specialty Class A License.

The Building Official on behalf of the Board may grant a one-time only Specialty Class A license to a contractor that is working for a national chain for a single project or specialized construction with work associated to the certifications required. The applicant shall submit a written recommendation from the company and contractor experience verification. The applicant will not be required to wait until the next Board meeting if the application is complete and approved by the Building Official. The approval of a Specialty Class A license shall be reviewed by the Board at its next regularly scheduled meeting.

23.0 Register.

The Building Official shall maintain a register of all currently licensed contractors and trade Licensees under the provisions of these regulations.

24.0 Work within the City of Cheyenne Right-Of-Way (ROW).

Work shall not be performed in the City ROW unless the person has first obtained a license as required by this section and has obtained the necessary permit(s) from the City Engineer's Office.

24.1 All work performed within the ROW shall be performed by the holder of a valid contractor license, of the appropriate classification, as required by these regulations, or if no category exists, no work shall be performed until a Class D ROW license has been obtained.

25.0 Board Conditions.

The Board recognizes that these regulations may not cover every eventuality that may arise in the course of construction. Therefore, the Board may, at any time, put a condition on a licensee as the Board deems necessary, upon notification to the applicant or licensee.

26.0 Permits.

26.1 Permit required. No person may perform any work described in these regulations, the building or related codes, or the Ordinances without first securing a permit from the Building Official.

26.2 Permit issuance. The Building Official shall issue a permit only to the following:

26.2.1 A properly licensed contractor.

26.2.2 The owner of a one-family dwelling, occupied by said owner, may apply for a permit to be performed in or about said dwelling or constructing his own residence or accessory building for said principal dwelling.

a. All work shall be performed directly by the owner, or by properly licensed contractors hired by the owner, in which case the owner is

responsible for all the work performed, either by him or by the contractors. Any individual hired or compensated in any way by the owner to do work must be a licensed contractor. For the purpose of these regulations, the owner specified in this subsection is not a contractor and is not required to have a contractor license.

- b. An owner may apply for an additional permit for the principal property previously issued a permit to perform work.
- c. An owner shall not be issued a permit within three (3) years of the completion date of the last permit applied for on previous principal property.

26.2.3 Owners of commercial buildings may do minor maintenance and repair, such as performing work that is exempt from a building permit, as identified in Section 105.2 of the International Building Code. Owners shall not be permitted to perform work requiring a permit, structural, plumbing, mechanical, fuel gas, fire protection or electrical work which shall require a properly licensed contractor and sub-contractors for all other work on their buildings while obtaining all required permits.

26.2.4 Owners of commercial (rental) one- and two-family dwellings may perform work except for work requiring a permit, structural, plumbing, mechanical, fuel gas and electrical.

26.2.5 Owners of commercial buildings may act as the construction manager for new construction, additions, remodels, major repair, and other types of work that are not minor in nature. Owners/construction managers are required to have qualified supervisors, general contractors, and sub-contractors who are properly licensed per these licensing regulations. For the purpose of these regulations, the owner specified in this subsection is not a contractor and is not required to have a contractor's license.

For the purpose of Section 26.0, "owner" is hereby defined as any person, firm, corporation, or agent having a legal or equitable interest in the property. The term "owner" may extend to a tenant, lessee, or employee of the actual owner regarding repairs, alterations, additions, or improvements of a commercial structure. The actual owner must provide written authorization with the permit application to perform work on the structure and be approved by the Building Official.

26.3 Unlawful Use of License to Obtain Permit is Prohibited. No person holding a license under these regulations shall, either directly or indirectly, allow his/her license to be used for the purpose of obtaining a permit for any other person.

27.0 Stop Work Orders.

Whenever any work is being done contrary to the provisions of these regulations, the Building Official may order the work stopped by giving notice in writing served on any persons engaged in the doing or causing such work to be done. Any such persons must stop such work

immediately until authorized by the Building Official to proceed with the work.

The Building Official shall notify the Board of the contractors who repeatedly violate the licensing and permitting requirements described by the building and related codes and these regulations.

28.0 Appeals.

An applicant or Licensee aggrieved by a decision of the Board may appeal the decision to the District Court having jurisdiction pursuant to Wyoming Statutes § 16-3-1 14, et seq., and/or other applicable rules.