



HUERFANO COUNTY BUILDING AUTHORITY BOARD AGENDA

September 05, 2024 at 3:00 PM

Commissioners Meeting Room - 401 Main Street, Suite 309, Walsenburg, CO 81089

Office: 719-738-3000 ex 200 | Fax: 719-738-3996

Join via Google Meet: meet.google.com/jtn-scsu-ecp | Meeting ID: jtn-scsu-ecp

Join via Google Meet: <https://meet.google.com/> | Meeting ID: jtn-scsu-ecp

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. MINUTES REVIEW
 - a. Minutes August 1, 2024
4. APPOINTMENTS
5. NEW BUSINESS
 - a. Smith Noordik Construction BP 24-111
6. OLD BUSINESS
 - a. Timberline Custom Builders-Update
 - b. Spanish Peaks Inn-Update
 - c. J&O Roofing-Update
7. DISCUSSION-Information requested by the Board on Plumbing and Gas
 - a. Discussion information requested by the Board
8. ADJOURNMENT
9. UPCOMING MEETINGS



HUERFANO COUNTY BUILDING AUTHORITY BOARD MINUTES

August 01, 2024 at 3:00 PM

Commissioners Meeting Room - 401 Main Street, Suite 309, Walsenburg, CO 81089

Office: 719-738-3000 ex 200 | Fax: 719-738-3996

Join via Google Meet: meet.google.com/jtn-scsu-ecp | Meeting ID: jtn-scsu-ecp

1. PLEDGE OF ALLEGIANCE

Meeting started at 3:02pm.

2. ROLL CALL

Present HCBA Members:

Mary Norby, Jacque Sikes, Ryan Gies, and Frank Kirkpatrick.

Guests present:

Kenneth Moen, Adam Strickler, Chris Bechaver, Lester Barry, Arica Andreatta, and Carl Young.

Online: Sarah Roberts, Corinne Cordova, and Tom Lessar.

3. MINUTES REVIEW

a. Minutes of July 18, 2024

Motion made by Ryan Gies and second by Frank Kirkpatrick to accept the minutes. Motion passed unanimously.

4. APPOINTMENTS

5. NEW BUSINESS

a. BP 20-087 Moen-Building Permit renewal

Motion Made by Frank Kirkpatrick and second by Ryan Gies to approve the extension of BP 20-087 Moen for a period of 12 months. Three yea and one abstain. Motion passes.

b. Huerfano County

Motion made by Jacque Sikes and second by Frank Kirkpatrick to put Huerfano County on a six month provisional on their Contractor's License, and have it released after the six month provisional period, as long as there are no violations during the six month provisional. Three yea and one abstain. Motion passes.

c. Strickler Service LLC

Motion made by Jacque Sikes and second by Frank Kirkpatrick to put Strickler Services on a six month provisional on their Contractor's License, and have it released after the six month provisional period, as long as there are no violations during the six month provisional. Three yea and one abstain. Motion passes. (Also the Board requested information about clarification of what exactly Strickler services can and can't legally perform per the State Plumbing Inspector.)

6. OLD BUSINESS

a. J&O Update

Update to HCBA Board that J&O had gotten the pier holes done and that they would be back up there to continue working no later than next Monday August 5, 2024.

b. Spanish Peaks Inn Update

Update given to HCBA on the progress of Spanish Peaks Inn. The Asbestos Company Adept sent an update stating they were done with the asbestos removal portion. Adept needed to hire a demolition contractor. After doing so it could take up to 11 business to approve the demolition contractor.

Jacque Sikes made a motion and second by Ryan Gies to have the asbestos removal company Adept, hire a demolition contractor by August 14th, 2024, since it will still take up to another 11 business days for the state to approve the demolition contractor. Motion passes unanimously.

c. Timberline Custom Builders

Public Hearing started at 3:48pm. Hearings Officer Cheri Chamberlain appointed by the HCBA. Contractor Timberline Custom Builders owned by Shawn Moyers was not present. Public Comment received after staff report was read. Public Hearing closed at 4:20pm.

Motion made by Jacques Sikes and second by Ryan Gies to not allow Timberline Custom Builders or Shawn Moyers to possess a Contractor's License in Huerfano County for 36 months. After the 36 months if Timberline or Shawn Moyers wishes to re-apply for a Contractor's, it must go before the HCBA for a decision. Motion passed unanimously.

7. DISCUSSION

After New Business but before Old Business Arica Andreatta addressed some concerns she had with the HCBA.

8. ADJOURNMENT

9. UPCOMING MEETINGS

**Huerfano County Land Use
401 Main Street, Suite 304
Walsenburg, Colorado 81089
719-738-1220, Ext. 117**



Item 5a.

Huerfano County Building Authority Board (HCBA) Staff Report

Contractor: Hans Noordik-Noordik Construction

Currently: BP-24-111 was paid for and issued on July 29th, 2024. On August 2, 2024 an email was received from Noordik Constructions stating the land owner had received a serious medical diagnosis and could not move forward with the build.

Huerfano County Building Regulations: IBC & IRC R108.6 Fee Refunds. *Change to read:* The Building Official shall not authorize refunding of any building permit fee, except upon written request by the property owner, within 30 days of the day the permit was issued.

Staff Recommendations: That the refund be granted minus the Plan Review Fee.



Cheri Chamberlain <cchamberlain@huerfano.us>

Re: Building permit

1 message

Noordik <office@noordikconstruction.com>
To: Ryan Sablich <rsablich@huerfano.us>
Cc: cchamberlain@huerfano.us, Kyla Witt <kwitt@huerfano.us>

Fri, Aug 2, 2024 at 8:50 AM

Ryan,
I received an email from Joe Smith that he diagnosed with a serious medical issue and want to cancel the build plan. We haven't started anything yet but I did pay for the building permit. Is there anyway we can get a partial refund?
Thanks,
Hans

On Jul 29, 2024, at 8:31 PM, Hans Noordik <hansnoordik@gmail.com> wrote:

Sent from my iPhone

Begin forwarded message:

From: Ryan Sablich <Rsablich@huerfano.us>
Date: July 29, 2024 at 8:55:01 AM MDT
To: Noordik <noordik@centurytel.net>, Cheri Cannon Chamberlain <cchamberlain@huerfano.us>, Kyla Witt <kwitt@huerfano.us>
Subject: Building permit

Hi Hans, I got the plan review done for the Smith building permit. Attached is the permit fee let us know if you have any questions thank you

--

Ryan Sablich
Huerfano County
Building and Code Enforcement
401 Main Street Suite 304
(719) 738-1220 ext. 118 (Office)
(719) 248-9819 (Cell)
rsablich@huerfano.us

ViewReport (48).pdf
41K



Cheri Chamberlain <cchamberlain@huerfano.us>

Smith/Noordik request for partial refund

1 message

j smith <jeauxntx@gmail.com>
To: cchamberlain@huerfano.us
Cc: Noordik <office@noordikconstruction.com>

Fri, Aug 30, 2024 at 9:01 AM

Ms. Chamberlain,
My name is Joe Smith and I am the owner of lot 8 at Tres Valles West subdivision.
I purchased this lot last August with the intent to build a summer home there and was excited to do that.
Since then I have been diagnosed with an aortic aneurysm. My cardiologist informs me that living or spending time at high altitudes will increase the risk of a bad outcome from this condition due to low oxygen levels at higher elevations. The lot is at 8100'.
Subsequently I have to cancel my build plan and sell the property.
Since we will not be asking for any county services or inspections I am hopeful you will see fit to refund at least part of the fee that Hans Noordik has paid on my behalf.
Thanks for your consideration.
Best Regards,
Joe H. Smith

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719-738-1220, Ext. 506**



Huerfano County Building Authority Board (HCBA) Staff Report for August 01, 2024

Contractor:

Shawn Moyers DBA Timberline Custom Builders

Complaints:

BP #23-005 Grandote Golf Course
RA-23-042 Hager-Straw bale house remodel
BP-24-058 Roberts Deck Job
BP-24-TBD Dunn Cabin

History:

On October 19, 2023 The Huerfano County Building Authority Board had made a motion and with a majority vote to not allow Timberline Custom Builders to accept any new building permits/construction until all current projects are finished.

Currently:

These two older building permits were previously brought before the Board: BP #23-005, Grandote Golf Course and RA-23-042, Hager-Straw bale house remodel. Both have stated that they no longer wish to have Shawn Moyers with Timberline continue their permits. The Department received a request for a courtesy inspection at 32 River Lane Dunn Cabin (See attached report), as well as a Safety Electrical Inspection by the State Electrical Inspector on July 24. (See attached Report) We also received a phone call from the homeowner of BP-24-058 Roberts Deck concerned that the build on that permit was not being done properly (See attached report). The Building Department received notification that Timberline Custom Builders Liability Insurance and Workers Compensation Insurance has been cancelled and no new insurance has been provided (See attachment).

Huerfano County Building Regulations:

Section 5.09 Revocation or suspension of a contractor's license; causes; hearing

- .01 The Building Official may suspend a license for any of the following infractions until the infraction has been satisfactorily corrected or a decision of an appeal of the suspension to the Authority has been made.
- .02 Any license or registration issued pursuant to this Policy may be revoked or suspended by the Building Official or Building Authority, after notice and hearing, for any of the following causes:
 - (a) Abandonment of a contract without legal justification.
 - (b) Failure to obtain required permits.
 - (c) Diversion or misapplication of funds or property received to perform or complete a contract or for a specified purpose in the performance or completion of a contract; application or use of such funds for any other contract, obligation or purpose; or the failure, neglect or refusal to use such funds or property to perform or complete such contract.
 - (d) Substantial departure from, or disregard of plans or specifications in any material respect, without consent of the owner or the owner's duly authorized representative.
 - (e) Disregard or violation of applicable major codes or minor codes.
 - (f) Failure to comply with any lawful order of the Building Official or a Chief Inspector.
 - (g) Failure to keep records for a period of one (1) year after completion of each separate contract, showing all receipts and disbursements of the licensee or registrant in all transactions as a contractor, and to produce the same for examination by the Board when required.

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- (h) Fraud or misrepresentation of a material fact by applicant in obtaining a license or registration.
- (i) Committing any willful or fraudulent act by the licensee or registrant as a contractor.
- (j) Using a license or registration to obtain permits for another reason.
- (k) Carelessness or negligence in providing reasonable safety measures to protect workers or the public.
- (l) Canceling or not renewing required insurance coverage: provided; however, that such license or registration shall only be suspended for this cause, and shall be reinstated upon refilling proof of insurance as approved by the Building Official.
- (m) Being convicted of a felony relating to performing construction contract.
- (n) Failing to timely pay any indebtedness or obligation owed to the Department; provided, however, that such license or registration shall only be suspended for this cause and shall be reinstated upon payment of such debt or obligation.
- (o) Failing to notify the Department of a change of address and/or telephone number, provided however, that such license or registration shall only be suspended for this cause and shall be reinstated upon notification of said new address and/or telephone number.

.03 Three (3) violations of this Subsection may cause the Building Authority to review the license for further disciplinary action.

.04 Upon receiving a Notice of Infraction, the recipient has the following options:

- (a) Acknowledge the infractions and commit to satisfactorily correcting the issue in a time frame acceptable by the building official, or
- (b) Appeal the Notice of Infraction to the Building Authority.

.05 Upon receiving a notice of appeal, Staff will forward all necessary information to the Building Authority, which, upon receipt of the information, the Authority shall convene the hearing within 10 working days.

.06 Notice of hearing for revocation of a license or registration shall be given in writing, setting forth specifically the causes or grounds of the complaint and the time and place of the hearing. Such notice may be served personally on the licensee or registrant or may be sent by first class mail, postage prepaid, to the licensee's or registrant's address shown on the records of the Department, at least five (5) days before the hearing.

.07 If the Building Authority finds against the registrant or licensee, the Authority in its sole discretion may immediately revoke, or decline to renew the license or registration. If the license or registration is to be revoked, another such license or registration shall not be issued to such person within a period no less than 6 months and not to exceed twenty-four (24) months after the effective date of revocation.

Key Considerations:

Timberline Custom Builders has been before the Huerfano County Building Authority Board (HCBA) twice within a year for complaints from homeowners. The following conditions were decided on in a majority by the HCBA:

1. Requested to keep the HCBA and the Huerfano County Building Department informed of progress each month.
2. Requested to finish all open building permits within a timely manner.
3. Not to start any new jobs until the previous building permits have been satisfied.
4. Will have current proof of liability insurance.

Staff Recommendation:

1. Since, there have been multiple infractions as well as not providing current proof of insurance (as of July 31, 2024). Revoke Timberline's license and make a decision on the time frame per Section 5.09.07.

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Recommendation by the HCBA:

1. To not allow Timberline Custom Builders or Shawn Moyers to have a Contractor's License for 36 months in Huerfano County.
2. After 36 months if Timberline Custom Builders or Shawn Moyers wishes to have a Contractor's License in Huerfano County they need to apply and return to the HCBA for review.

Staff Update:

1. A Certified Letter was mailed to Timberline on August 16, 2024 informing them of the HCBA's decision. (Checked the tracking number on September 4, 2024, and it said it is currently in transit to the next facility. (see attached). Post Office was called and they told us to put in a request for missing mail.
2. Timberline had requested the Building Official to have them to research and inspect the deck and the basement and we have not heard back from the Building Official at this time.

Tracking Number:

Remove X

70220410000243516218

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Out for Delivery

Preparing for Delivery

Moving Through Network

In Transit to Next Facility

August 22, 2024

Arrived at USPS Regional Facility

COLORADO SPRINGS CO DISTRIBUTION CENTER

August 18, 2024, 9:25 am

See All Tracking History

Feedback

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates



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Huerfano County Building Authority Board (HCBA) Staff Report

Update for Spanish Peaks Inn

History:

Has been before the HCBA several times trying to get the removal done. Adept was on site starting July 8th, 2024. They left the site July, 17, 2024 (The owners of Spanish Peaks stated the water had been shut off and they were working to get the water turned on).

Currently:

The HCBA recommended a follow up with the State Asbestos Department and request an inspection. The State Asbestos team was contacted and completed an on-site inspection on July 24, 2024 (See report). An email was sent by the state on July 26th that was a compliant final clearance report, nullifying the final clearances.

Adept came and picked up their “containment site” on July 26-27, 2024. No further activity has been done on site as of Wednesday July 31, 2024, debris is still on site.

On August 1, 2024, the HCBA voted to have Adept hire a demolition contractor by August 14, 2024 since it could take up to another 11 business days to get the permit from the state.

Several emails went back and forth between Heather (Spanish Peaks Inn) and I about getting the demolition contractor and names of contractors that are licensed in Huerfano County. Ryan received a call from Scott Van Gieson saying that he would be the demolition contractor for the Spanish Peaks Inn and would be starting in the next few weeks. Cheri talked to Mr. Van Giesen on Tuesday September 3, 2024 and he said they needed to have the certificate stating all the asbestos has been removed before he can start the demolition. He was confused what Adept had to do with the demolition as he was hired by the Patel’s. The email that we received from Adept was forwarded to Mr. Van Giesen. Talked to Mr. Van Giesen and he said he was applying for the permit from the state and will get started as soon as that permit is approved.

Staff Recommendation:

- Stay in constant contact with contractor and State to make sure permit pulled and demolition begins.

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Huerfano County Building Authority Board (HCBA) Staff Report

Update for J&O Roofing and Exteriors

History:

J&O has been before the HCBA several times regarding a re-roof/extension. J&O has obtained their contractor license and paid for the building permit with double fees. A meeting was held over the telephone with Mr. Worley and J&O and they will be starting the job on Friday July 19, 2024. The will Building Inspector go up and do inspection on pier holes.

Currently:

- J&O went to the Worley residence on Saturday July 20th, 2024 and dug the pier holes down to the 48" and then the heavy rain came over the weekend and filled them in almost 12 inches.
- Talked to Mr. Worley Wednesday July 31, 2024, he said he had talked to J&O on Wednesday July 24, 2024. J&O told Mr. Worley they were working on something to extract the water and would be there this weekend (July 27-28) to work on it. J&O didn't call or show.
- Called J&O on Wednesday July 31, 2024. J&O stated they were having the rebar for the pier holes being made in a factory and they should be there this weekend and no later than Monday August 5, 2024.
- Talked with Mr. Worley after J&O had gone back up there, J&O didn't have the proper equipment to get the pier holes dug back out after the rain. Was supposed to go back when weather was better. Talked with Mr. Worley Wednesday September 4, 2024. He said he had text Oscar (J&O) and told him the weather was good September 3, and 4. Mr. Worley said he had heard nothing back from Oscar since then

Staff Recommendation:

- Monitor until job completion
- Get with J&O and



DEPARTMENT OF REGULATORY AGENCIES

State Plumbing Board

PLUMBING RULES AND REGULATIONS

3 CCR 720-1

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

1.1 STATEMENT OF BASIS AND PURPOSE

- A. The following Rules and Regulations of the Colorado State Plumbing Board (“Board”) are necessary for general clarification, efficient management, expeditious procedures, and safeguarding of the general public, in compliance with Title 12, Article 155 of the Colorado Revised Statutes. These Rules and Regulations shall be known, and may be cited, as “the Rules” and/or “these Rules.”
- B. The Board adopts the following Rules pursuant to the authority granted to the Colorado State Plumbing Board (“Board”) by sections 12-155-105(1)(e) and 12-155-106(1) and (5), C.R.S., and hereby repeals all previous rules with the same number.
- C. These Rules shall be binding on every person and legal entity authorized to practice, offer to practice, or perform plumbing or plumbing contracting as well as jurisdictions granted authority to perform permitting and inspections and their inspectors in Colorado. All licensees, registrants and plumbing inspectors under Title 12, Article 155 of the Colorado Revised Statutes are charged with having knowledge of the existence of these Rules and shall be deemed to be familiar with their provisions and to understand the Rules. In these Rules, the word “licensee” shall mean any person holding a master plumber license, journeyman plumber license, or residential plumber license. In these Rules, the word “registrant” shall mean any person registered as a plumbing apprentice and any person or legal entity registered with the Board as a plumbing contractor.
- D. These Rules are severable. If one rule or portion of a rule is found to be invalid, all other rules or portions of rules that can be enforced without the invalid rules shall be enforced and shall remain valid.

1.2 STANDARDS

- A. Colorado Plumbing Code

The Board hereby adopts and incorporates by reference, with certain additions, revisions, and deletions, the following chapters, sections, and appendices of the International Plumbing Code (“IPC”) and International Residential Code (“IRC”).

These Rules, together with the following incorporated provisions, shall be known as the Colorado Plumbing Code. The Colorado Plumbing Code sets forth the minimum standards governing the inspection, installation, alteration, and repair of the plumbing fixtures, appliances, and systems throughout Colorado. The Colorado Plumbing Code does not include any later amendments to or editions of the IPC or IRC provisions listed below.

- 1. Chapter 1, Sections 101.2, 102, 105, 106.1, 106.3, 106.4, 106.5, 106.5.5, 106.6.1, 107, 108.1, 110.3 Chapters 2-13, 15; and Appendices B, C, D, and E of the IPC, 2021 edition promulgated by the International Code Council 1st printing (March 2020).

2. Chapter 1, Section R101, R102; Chapter 2; Chapter 3, Section R305.1 exceptions 1 and 2, Section R306; Chapters 25-32, of the IRC, 2021 edition, promulgated by the International Code Council, 1st printing (January 2021).

B. Colorado Fuel Gas Code

The Board hereby adopts and incorporates by reference, with certain additions, revisions, and deletions, the following chapters, sections, and appendices of the International Fuel Gas Code ("IFGC") and the IRC. These Rules, together with the following incorporated provisions, shall be known as the Colorado Fuel Gas Code. The Colorado Fuel Gas Code sets forth the minimum standards governing the inspection, installation, alteration, and repair of fuel gas piping and systems throughout Colorado. The Colorado Fuel Gas Code does not include any later amendments to or editions of the IFGC and IRC provisions listed below.

1. Chapter 1 Section 101, 102, 105, 107, Chapters 2-8 save and except Sections 412 and 413, Appendices A-C of the IFGC, 2021 edition, promulgated by the International Code Council, 1st printing (August 2020).
2. Chapter 1, Section R101, R102; Chapter 2; Chapter 24, Sections G2411-G2422, and G2401.1-Table G2428.3(4) and G2448 of the IRC, 2021 edition, promulgated by the International Code Council, 1st printing (January 2021).

C. Public Copies

Copies of the provisions of the IPC, IFGC, and IRC, adopted and incorporated into the Colorado Plumbing Code and the Colorado Fuel Gas Code, are available for public inspection during regular business hours at the Board office at the Department of Regulatory Agencies Welcome Center, 1560 Broadway, Civic Center Plaza, Denver, Colorado, 80202, and at any state publications depository library. For further information regarding how this material can be obtained or examined, contact the Program Director for the Board ("Program Director") at 1560 Broadway, Suite 1350, Denver, Colorado, 80202, (303) 894-2309. Copies of the IPC, IFGD, and IRC may be obtained from the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001. A list of ICC regional offices is available at <http://www.iccsafe.org/AboutICC/Pages/ContactICC.aspx>.

D. General Interpretations

The following shall apply to the Colorado Plumbing Code and Colorado Fuel Gas Code.

1. **Code Official.** Whenever the Colorado Plumbing Code and the Colorado Fuel Gas Code refer to "the code official," it shall mean the Board or its designee, if any.
2. **Reasonable Time.** As used in the Rules, the term "reasonable time" shall mean thirty calendar days.
3. **Amendments to the Colorado Codes.** Any city, town, county or city and county which adopts more stringent standards than the Colorado Codes shall furnish a copy thereof to the Board.
4. Abbreviations

ANSI – American National Standards Institute

ASME – American Society of Mechanical Engineers

ASSE – American Society of Sanitary Engineers

ASTM – American Society for Testing and Materials

C.F.R. – Code of Federal Requirements

C.R.S. – Colorado Revised Statutes

ICC – International Code Council

NFPA – National Fire Protection Association

USC FCCC&HR – University of Southern California, Foundation for Cross-Connection Control and Hydraulic Research

5. Alternate Materials and Methods Review

a. **Criteria.** The Board shall consider requests for approval of alternate materials or methods under the procedures and limitations of Section 105 of the Colorado Plumbing Code and Colorado Fuel Gas Code.

b. Procedures

(1) **Petitions for Approval.** Any interested person may petition the Board to amend the Colorado Plumbing or Fuel Gas Code so as to approve the use of an alternate material or method, pursuant to Section 105 of the IPC. Such petition shall conform to the requirements in subsection (2)(b). Incomplete petitions will not be processed.

(2) **Petition Contents.** Each petition filed under this Rule shall comply with the following requirements:

(a) **Where to Submit.** Petitions shall be submitted in duplicate to the Program Director.

(b) **Petition Document.** Petitions shall begin with a short concise document labeled as the “petition,” and which includes the following information:

(i) Identification of the petitioner and the petitioner's interest in the alternate materials or methods approval. This identification shall designate one person as the Board's contact for the petition, and list telephone, fax, e-mail, and mailing addresses for that person.

(ii) A full description of the types of uses for which the petitioner would like approval. This list should be sufficiently detailed to allow the Board to consider specific types of applications or uses for the alternate material and/or method.

- (iii) A complete identification of the applicable standards from the Referenced Standards identified in the Colorado Plumbing Code or Colorado Fuel Gas Code that the petitioner proposes to be the acceptance criteria for the alternate material or method.
 - (iv) If the petition is for approval of an alternate material, one sample of the material. The sample will be returned to the petitioner after completion of the review process.
 - (v) Copy of approval language of each code the petitioner cites.
- (c) **Submission of National Standards.** Each petition shall be accompanied by a set of the applicable standards from the Referenced Standards identified in the Colorado Plumbing Code, Colorado Fuel Gas Code or other standards listed by the petitioner in Rule 1.2(D)(5)(b)(2)(iii). If the listed standard incorporates other standards into its criteria, copies of the incorporated standards shall be submitted as well.
- (d) **Results of Independent Third Party Compliance Testing.** Each petition shall be supported with complete copies of test reports with protocols issued within the previous eighteen months prior to the date of submission by a laboratory or other testing facility that is recognized as a nationally recognized testing laboratory, pursuant to 29 C.F.R. section 1910.7, or by an ANSI accredited third-party certifier.
- (e) **Compliance with Section 105.** Each petition shall be supported by detailed written discussion as to why the proposed alternate material or method meets the following requirements from Section 105 of the IPC:
- (i) That the proposed design of the proposed alternate material is satisfactory and complies with the intent of the Colorado Plumbing Code or Colorado Fuel Gas Code.
 - (ii) That the proposed material is appropriate for the proposed intended use at least the equivalent of that prescribed in the Colorado Plumbing Code or Colorado Fuel Gas Code with respect to quality, strength, effectiveness, durability and safety. This description requires that the petitioner directly compare the quality, strength, effectiveness, durability and safety data on the applicable conventional systems with the tested and documented performance characteristics of the proposed alternate material and/or method.
 - (iii) When an alternate installation method is proposed, the petitioner shall describe how the proposed method of installation conforms to the most recently adopted edition of the Colorado Plumbing Code or Colorado Fuel Gas Code.

c. **Reconsideration of Board Action**

Any petitioner whose petition has not been fully granted by the Board may apply for reconsideration of the Board's decision within thirty days of the mailing of the Board's notice of denial, publication of notice of termination, or publication of the Board Rule that partially granted the petition. A request for reconsideration shall be in writing and shall explain why reconsideration is warranted. Action on any request for reconsideration is within the sole discretion of the Board.

6. **Fee Establishment.** Licensing, permit, and reinspection fees shall be established pursuant to section 12-20-105, C.R.S., and shall be categorized appropriately, such as original license, registration, endorsement, renewal, reinstatement fees, permit fees, and reinspection fees.

7. **Information Only Sections.** Installations detailed in the Colorado Plumbing Code that are typically not installed by plumbers (i.e., shower wall composition from Sections 421.4.1, IPC and P2710.1, IRC; Shower floors from Sections 421.5, IPC and P2709.2, P2709.3, IRC) are not subject to licensing, permitting or inspection but are informational only.

8. Definitions

- a. **Certified Cross-Connection Control Technician** means a person who possesses a valid Backflow Prevention Assembly Tester certification from one of the following approved organizations: American Society of Sanitary Engineering (ASSE), the American Backflow Prevention Association (ABPA), or other agency recognized by the Board.

9. Clarification of "Domestic appliances" referenced in section 12-155-118(6)(a)(I), C.R.S. and "faucets" as shown in section 12-155-118(6)(a)(II), C.R.S.

Water heaters used to supply domestic hot water to a residential or commercial potable water system are not equipped with backflow preventers. Therefore, they do not fall under the exemption in section 12-155-118(6)(a)(I), C.R.S.

Shower valves and tub and shower valves referenced in 2021 IPC sections 412.3 to 412.8 and 2021 IRC section P2708.4 shall not be considered "faucets". Therefore, they do not fall under the exemption in section 12-155-118(6)(a)(II) CRS.

10. Clarification of back flow prevention device installation requirements.

A plumbing license is not required for persons engaged in the business of inspecting, testing, and repairing backflow prevention devices. 12-155-118. Exemptions (4) CRS requires persons engaged in the installation and removal of such devices to be a registered and licensed plumbing contractor.

E. Revisions and Exceptions to the Incorporated Codes

1. Revisions and Exceptions to the Colorado Plumbing Code

- a. IPC Section 102.8 Referenced codes and standards

Delete in its entirety and replace with:

[A] 102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 15 and such codes and standards adopted or recognized by the Plumbing Board shall be considered as part of the requirements of this code to the prescribed extent of each such reference.

- b. IPC Section 106.5 Permit issuance

Add exception reading:

Exception: Where emergency plumbing is performed, the required permit may be obtained the following business day after the work has been started (i.e., broken water lines, broken drain lines, water heater replacements).

- c. IPC Section 202 Definitions

Add new definitions to read:

Direct Supervision. Direct supervision means that the supervising licensed master plumber, journeyman plumber, or residential plumber is physically present at the same physical addresses listed on the permits and where the apprentice is working or no more than five minutes distance from the apprentice.

- d. IPC Section 202 Definitions

Add new definitions to read:

Trap drain. That portion of horizontal piping between the weir of a trap and the point where it intersects with the vent serving that same trap (trap arm).

- e. IPC Section 202 Definitions

Delete the definition and replace with:

Fixture Drain. That portion of a plumbing drainage system that connects the trap drain to any other drain pipe receiving the discharge from one or more plumbing fixtures.

- f. IPC Section 202 Definitions

Delete the definition and replace with:

Graywater. Wastewater that, before being treated or combined with other wastewater, is collected from fixtures within residential, commercial, or industrial buildings or institutional facilities for the purpose of being put to beneficial uses. Sources of graywater are limited to discharges from bathroom and laundry room sinks, bathtubs, showers, and laundry machines. Graywater does not include the wastewater from toilets, urinals, kitchen sinks, dishwashers, or non-laundry utility sinks.

- g. IPC Section 202 Definitions

Delete the definition and replace with:

Reclaimed Water. Domestic wastewater that has received secondary treatment by a domestic wastewater treatment works (centralized system or a localized system) and such additional treatment as to enable the wastewater to meet the standards for approved uses.

- h. IPC Section 305.1 Protection against contact.

Delete section in it's entirety and replace with:

IPC Section 305.1 Protection against contact. Piping except for, for cast iron, ductile iron, and galvanized steel shall not be placed in direct contact with steel framing members. Piping shall not be placed in direct contact with concrete or cinder walls and floors, other masonry, and corrosive soil. Where sheathing is used to prevent direct contact, the sheathing shall have a thickness of not less than .025 inch (.64 mm). Where sheathing protects piping that penetrates concrete or masonry walls or floors, the sheathing shall be installed in a manner that allows movement of the piping within the sheathing.

- i. IPC Section 308 Interval of support

308.5 Interval of support

Add new sentence at the end of the section to read:

Hanger support rods shall be sized in accordance with table 308.5.1

- j. Add new Table 308.5.1 Hanger Rod Size

Table 308.5.1 Hanger Rod Size	
Pipe and Tube Size	Rod Size
½" – 4"	3/8"
5" – 8"	½"
10" – 12"	5/8"

- k. IPC Section 308.7.1 Location

Delete in its entirety and replace with:

308.7.1 Location. For pipe sizes greater than four inches (102 mm), restraints shall be provided for drain pipes utilizing mechanical joints at all changes in direction and at all changes in diameter greater than two pipe sizes. Braces, blocks, rodding and other suitable methods as specified by the coupling manufacturer shall be utilized.

- l. IPC Section 312.1 Required tests

Delete the words "for piping systems other than plastic" and "After the plumbing fixtures have been set and their traps filled with water, the entire drainage system shall be submitted to final tests. The code official shall require the removal of any cleanouts if necessary to ascertain whether the pressure has reached all parts of the system."

- m. IPC Section 312.3 Drainage and vent air test

Delete the words "Plastic piping shall not be tested using air."

- n. IPC Section 312.4 Drainage and vent final test

Delete in its entirety.

- o. IPC Section 312.5 Water supply system test

Delete the words “for piping systems other than plastic.”

- p. IPC Section 312.9 Shower liner test

Delete in its entirety.

- q. IPC Section 312.10.2 Testing

Delete the verbiage entirely and replace it with:

312.10.2 Testing. Reduced pressure principle, double check, pressure vacuum breaker, reduced pressure detector fire protection, double check detector fire protection, and spill-resistant vacuum breaker backflow preventer assemblies and hose connection backflow preventers shall be tested at the time of installation, immediately after repairs or relocation and at least annually by a certified cross connection control technician, in accordance with the applicable testing procedures associated with each specific certifying agency. When applicable the testing procedure shall be performed for the identified backflow prevention assembly in its entirety in accordance with one of the following applicable standards: ASSE 5013, ASSE 5015, ASSE 5020, ASSE 5047, ASSE 5048, ASSE 5052, ASSE 5056, CSA B64.10, CSA B64.10.1 or the testing procedures provided in the 10th Edition Manual of Cross-Connection Control from the University of Southern California’s Foundation for Cross-Connection Control and Hydraulic Research.

The testing procedures from the 10th Edition Manual of Cross-Connection Control from the University of Southern California’s Foundation for Cross-Connection Control and Hydraulic Research is incorporated by reference, and may be examined at the Colorado Plumbing Board’s office at 1560 Broadway, Suite 1350, Denver, Colorado 80202, during normal business hours, Monday through Friday, except days designated as state holidays. Certified copies of the 10th Edition Manual of Cross-Connection Control shall be provided at cost, upon request. The Board or the Board’s staff will provide information regarding how the 10th Edition Manual of Cross-Connection Control may be examined for free at the state public depository library. The 10th Edition Manual of Cross-Connection Control is also available from the agency, organization or association originally issuing the code, standard, guideline, or rule at: USC Foundation Office, Research Annex 219, Los Angeles, CA 90089-7700 or (<https://fccchr.usc.edu/>). This rule does not include any later amendments or editions of the code, standard, guideline, or rule.

- r. IPC Section 403.1 Minimum number of fixtures

Add a new sentence to the end of the section to read as follows:

Lavatory to water closet or urinal ratios in accordance with Table 403.1 shall be maintained in all restrooms.

- s. IPC Section 405.3.2 Public Lavatories

Add a new exception reading:

Exception: Lavatories located outside a toilet room located within a classroom serving students from that classroom only. These toilet rooms and lavatories shall not count toward the total fixture count required by Table 403.1.

- t. IPC Section 410.4 Substitution.

Change first sentence to read:

Where restaurants (or spaces classified as an A2 occupancy) provide drinking water in a container free of charge, drinking fountains shall not be required in (these restaurants and A2 occupancies).

- u. IPC Section 421.7 Shower head location

Add new section to read:

421.7 Shower head location. Showerheads shall be located on the sidewall of shower compartments or be arranged so the shower head does not discharge directly at the entrance to the compartment and the bather can adjust the valve prior to stepping into the shower spray.

Exception: Showers of the roll in type installed in accordance with 2017 ANSI A117.1 or ICC A117.1.

- v. IPC Section 421.8 Shower valve location

Add new section to read:

421.8 Shower valve location. A shower or tub/shower control valve shall be installed only where the spout and/or shower head discharges into an approved tub or shower compartment.

Exception: Emergency Showers.

- w. IPC Section 425.3 Water closet seats

Add new exception to read:

Exception: Water closets installed in public restrooms for the purpose of complying with accessible fixtures as required by Section 404 fitted with the "AXS-Wingman Universal Design Water Closet Seat" having a closed front are allowed.

- x. IPC Section 504.6.1 Collection of Relief Valve Discharge

Add new section 504.6.1 to read:

504.6.1. Collection of Relief Valve Discharge. A means shall be provided to capture the discharge from a relief valve and convey it to the sanitary drainage system or exterior of the structure either by gravity or a pumped discharge.

Exceptions:

- (1) Replacements for existing water heaters.
- (2) Where a water sensing device wired to a normally closed solenoid valve installed in the water supply piping to the heater is placed within the water heater drain pan.

- y. IPC Section 504.6.1.1 Pumped discharge of relief valve collection

Add new Section 504.6.1 to read as follows:

504.6.1.1 Pumped discharge of relief valve collection. Pumps used to discharge the clear water collection of relief valves shall have an operating temperature equal to or exceeding that of the relief valve discharge temperature and shall have a gpm rating equal to or greater than the discharge of the relief valve.

- z. IPC Section 504.7 Required pan.

Add new exception to read:

Replacements for water heaters that did not have a pan previously installed to code in effect at the time of the original installation.

- aa. IPC Section 504.7 Required pan.

Add new sentence at end of the section to read:

Unless the pan is constructed of material having a flame spread index of 25 or less and a smoke-developed index of 450 or less when tested in accordance with ASTM E84 or UL 723.

- bb. IPC Section 605.15.2 Solvent cementing

Delete the exception in its entirety.

- cc. IPC Section 608.3.1 Special equipment, water supply protection

Add additional wording to read:

The water supply for hospital fixtures and dental chairs shall be protected against backflow with a reduced pressure principle backflow prevention assembly, an atmospheric or spill resistant vacuum breaker assembly, or an air gap. Vacuum breakers for bedpan washer hoses shall not be located less than 5 feet (1524 mm) above the floor. Vacuum breakers for hose connections in health care or laboratory areas shall be not less than 6 feet (1829 mm) above the floor.

- dd. IPC Section 608.9.1 Signage required

Delete the section in its entirety and replace with:

- (1) Plumbing fixtures flushed with nonpotable water shall be identified with signage that reads as follows:

“Nonpotable water is used to flush this fixture. CAUTION:
NONPOTABLE WATER – DO NOT DRINK.”

In addition to the required wordage, the pictograph shown in figure
608.8.1 shall appear on the required signage.

- (2) A permanent warning sign must also be visible at all fixtures from which
graywater is collected. The sign must state that:

“WATER FROM THIS FIXTURE IS REUSED. CHEMICALS, EXCRETA,
PETROLEUM OILS AND HAZARDOUS MATERIALS MUST NOT BE
DISPOSED DOWN THIS DRAIN.”

- (3) For both types of fixtures indicated in subsections 1.2(E)(1)(ee)(1) and
(2) above, the words shall be legibly and indelibly printed on a tag or sign
constructed of corrosion-resistant waterproof material or shall be
indelibly printed on the fixture. The letters of the words shall be not less
than 0.5 inch (12.7 mm) in height and in colors in contrast to the
background on which they are applied.

- ee. IPC Section 608.9.2 Distribution pipe labeling and marking

Delete the section verbiage and replace with:

Nonpotable distribution piping shall be purple in color or the piping shall be
installed with a purple identification tape or wrap the entire length of the piping
and shall be embossed, or integrally stamped or marked, with the words:
“CAUTION: NONPOTABLE WATER – DO NOT DRINK”.

- ff. IPC Section 608-17 Connections to the Potable Water Systems

Add new subsection 608.17.2.1 to read:

Section 608.17.2.1 essentially nontoxic fluid conditioning chemical.

When the conditioning chemical introduced is an essentially nontoxic transfer
fluid the potable supplier to the boiler shall, at a minimum, be equipped with a
backflow preventer with an intermediate atmospheric vent complying with ASSE
1012 or CSA B64.3.

- gg. IPC Section 608 Protection of potable water system

Add new subsection 608.17.11 to read:

Section 608.17.11 Connection to graywater system or reclaimed water system

The potable water system connection to a graywater system must be protected
against backflow by an air gap or reduced pressure principle backflow prevention
assembly.

- hh. IPC Section 701.2 Connection to sewer required

Add exception 2:

Exception 2: Floor drains or trench drains installed in utility buildings and residential garages may be daylighted or discharged to an approved alternative disposal system when written approval has been provided from the jurisdiction having authority through CDPHE or sewer purveyor.

- ii. IPC Section 705.10.2 Solvent cementing

Delete the exception in its entirety.

- jj. IPC Section 706.3. Installation of fittings

Add sentence to end of IPC Section 706.3:

fixture crosses will not be required to meet the exception of IPC Section 706.3

- kk. IPC Table 706.3 Fittings for change of direction

Delete footnotes a and b from the table.

- ll. IPC Section 708.1.3 Building drain and building sewer junction.

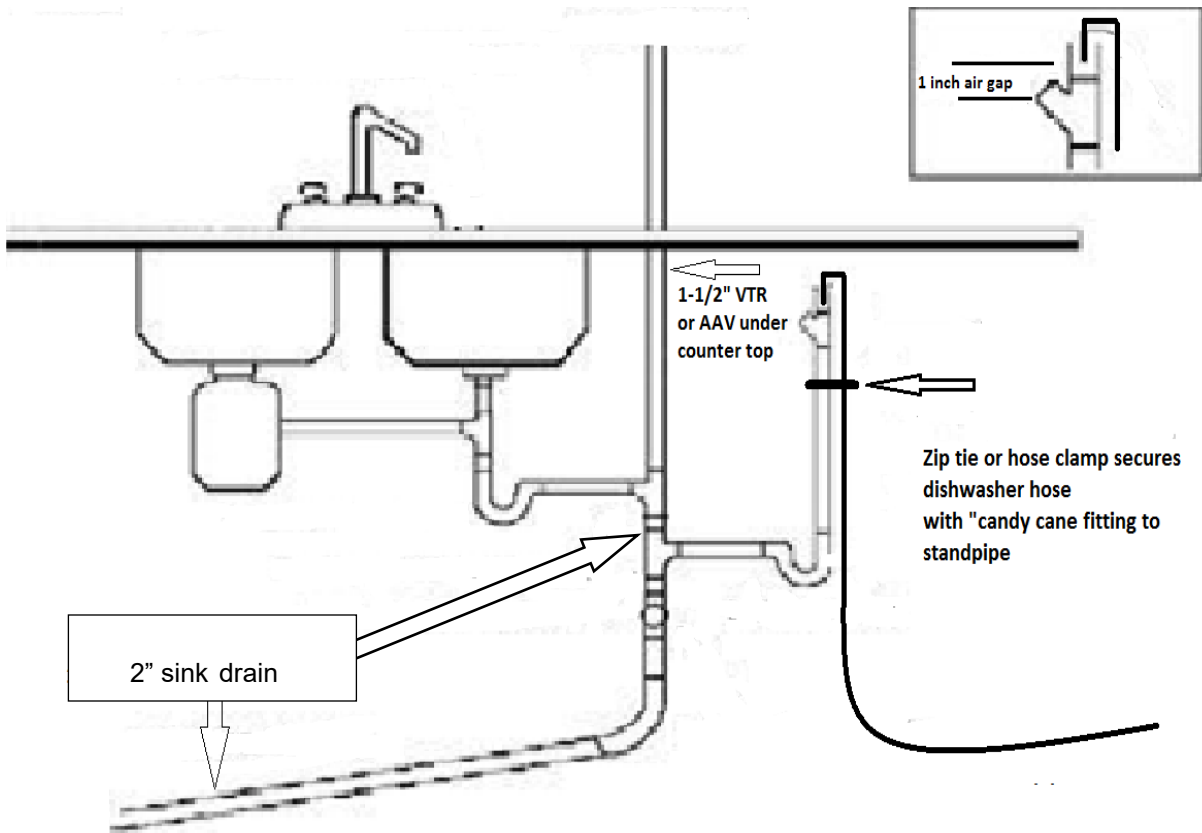
Add new sentence at the end of the section to read:

When the cleanout is installed at the junction of the building drain and building sewer, it shall be an approved two way fitting with a single riser not to exceed 4 feet in depth or a two riser cleanout using back to back combination fittings or equal of schedule 40 material. Cleanouts shall be installed and tested at underground or rough-in in accordance with Section 312.2.

- mm. IPC Section 802.1.8 Domestic dishwashing machines

Add a new section to read:

Domestic dishwashing machines may be connected to a separately trapped stand pipe provided with an air break (with drain hose secured to the underside of the counter top) or air gap as shown in the illustration below. Refer to 2021 IPC 409.4 for additional waste connections.



nn. IPC Section 802.3 Installation

Delete the last sentence

oo. IPC Section 802.4 Waste receptors.

Add new exception to read:

Exception: Where equipment is installed in a crawl space, a waste receptor shall be allowed with an approved backwater valve installed.

pp. IPC Section 903.1.1 Roof extension unprotected

Insert 6 inches into the section so that it reads: "All open vent pipes that extend through a roof shall be terminated at least 6 inches above the roof.

qq. IPC Section 903.1.3 Protected vent terminal

Change wording to read 4 inches instead of 2 inches.

Section 903.1.3 Where an open vent pipe terminates above a sloped roof and is covered by either a roof-mounted panel (such as a solar collector or photovoltaic panel mounted over the vent opening) or a roof element (such as an architectural feature or a decorative shroud), the vent pipe shall terminate not less than 4 inches (102 mm) above the roof surface.

- rr. IPC Section 903.2 Frost Closure

Delete in its entirety.

- ss. IPC Section 912.1 Horizontal wet vent permitted

Add a new exception to read:

Exception: Fixtures other than those considered to be bathroom group fixtures, of equivalent drainage fixture units, may be included in the wet vented section provided the total number of drainage fixture units does not exceed the total number included in two bathroom groups and the fixtures not considered bathroom fixtures are valued at one drainage fixture unit or less.

- tt. IPC Section 1002.1 Fixture traps

Add new exception 5 to read:

Exception: 5. Trench and floor drains connected to a sand oil interceptor need not be individually trapped provided the drain piping from the trench or floor drains is turned down after entering the interceptor so the discharge point is a minimum of 4 inches below the standing water level of the interceptor.

- uu. IPC Section 1003.1 Where required

Add the following Exception:

Exception: Where special regulations exist by the local waste water and/or sanitation district into which the grease trap or interceptor effluent is transported and/or treated. These regulations may supersede this requirement.

- vv. IPC.1003.2.3 Food waste disposers restriction.

Add exception to read:

When using a gravity interceptor equal to or greater than 500 gallon capacity.

- ww. IPC Section 1101.3 Prohibited drainage

Add a new sentence to the end of the section reading:

Storm water from roof drains shall not discharge over public walkways except when an approved grated trough or trench drain sized to accept the calculated discharge is installed in the walkway. The discharge shall be diverted vertically from a height not greater than 12 inches to the grate.

Exception: Secondary drains.

- xx. IPC Section 1301.2.2 Filtration Required Exception

Modify section 1301.2.2 Exemption reading:

Nonpotable water utilized for water closet and urinal flushing application shall be filtered by a 100-micron or fine filter.

Exception: Reclaimed water sources shall not be required to comply with these requirements. Graywater treatment systems installed in accordance with Section 1302.6.1 do not need to meet additional filtration requirements.

yy. IPC Section 1301 General

Add new section 1301.3.1 reading:

1301.3.1. Distribution pipe labeling and marking

Nonpotable distribution piping shall comply with Section 608.8.2 as amended in Rule 1.2(E)(1)(u).

zz. IPC Section 1301.3.2 Signage required graywater treatment works.

Add section new section 1301.3.2 reading:

For each room that contains graywater treatment works components, a sign that says "CAUTION GRAYWATER TREATMENT WORKS, DO NOT DRINK, DO NOT CONNECT TO THE POTABLE DRINKING WATER SYSTEM. NOTICE: CONTACT BUILDING MANAGEMENT BEFORE PERFORMING

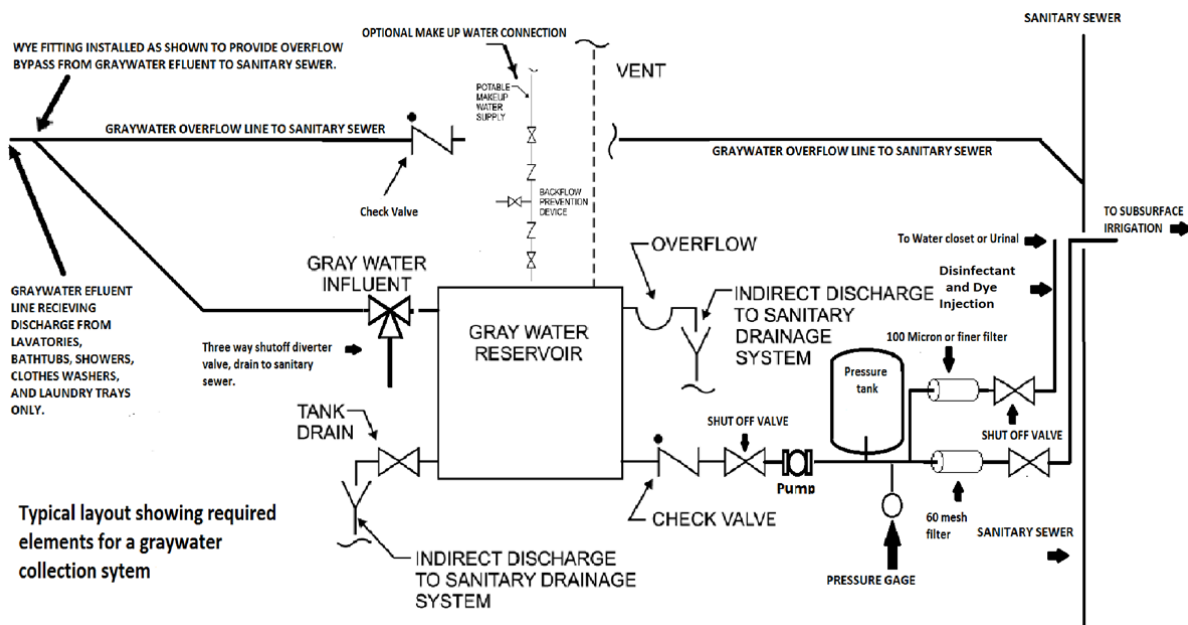
ANY WORK ON THIS WATER SYSTEM" must be posted on any door providing entrance to the room.

aaa. IPC Section 1301 General

Add new figure 1301.4

1301.4 Typical Graywater Collection System

(This figure is typical only, not a schematic)

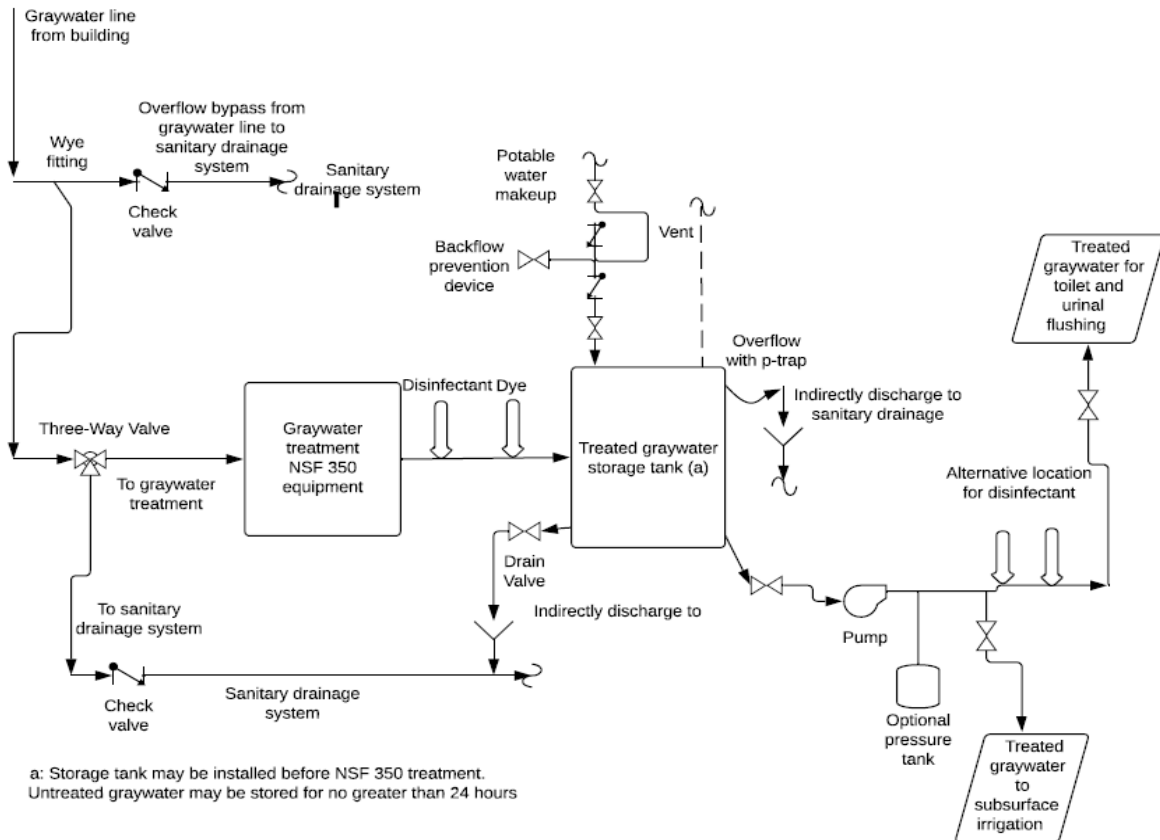


Typical layout showing required elements for a graywater collection system

bbb. IPC Section 1301 General

Add new figure 1301.5

1301.5 Typical graywater system for toilet and urinal flushing

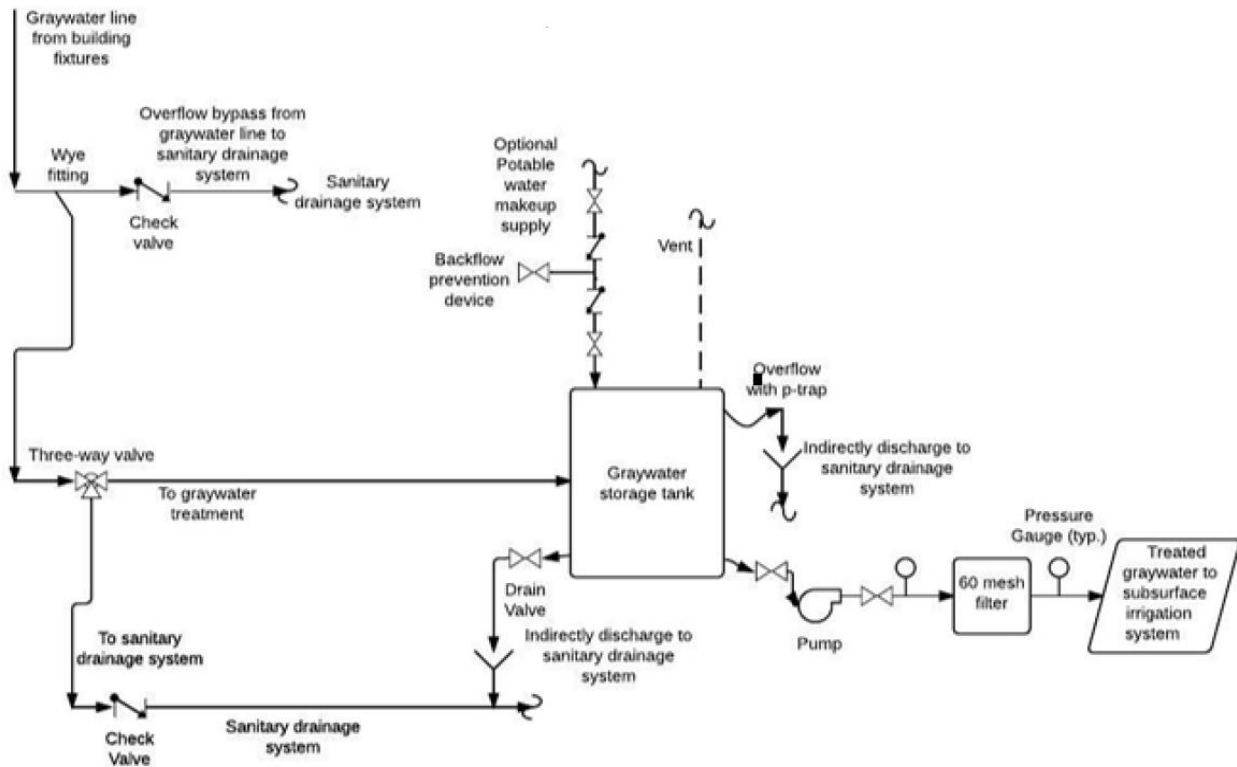


a: Storage tank may be installed before NSF 350 treatment.
Untreated graywater may be stored for no greater than 24 hours

ccc. IPC Section 1301 General

Add new figure 1301.6

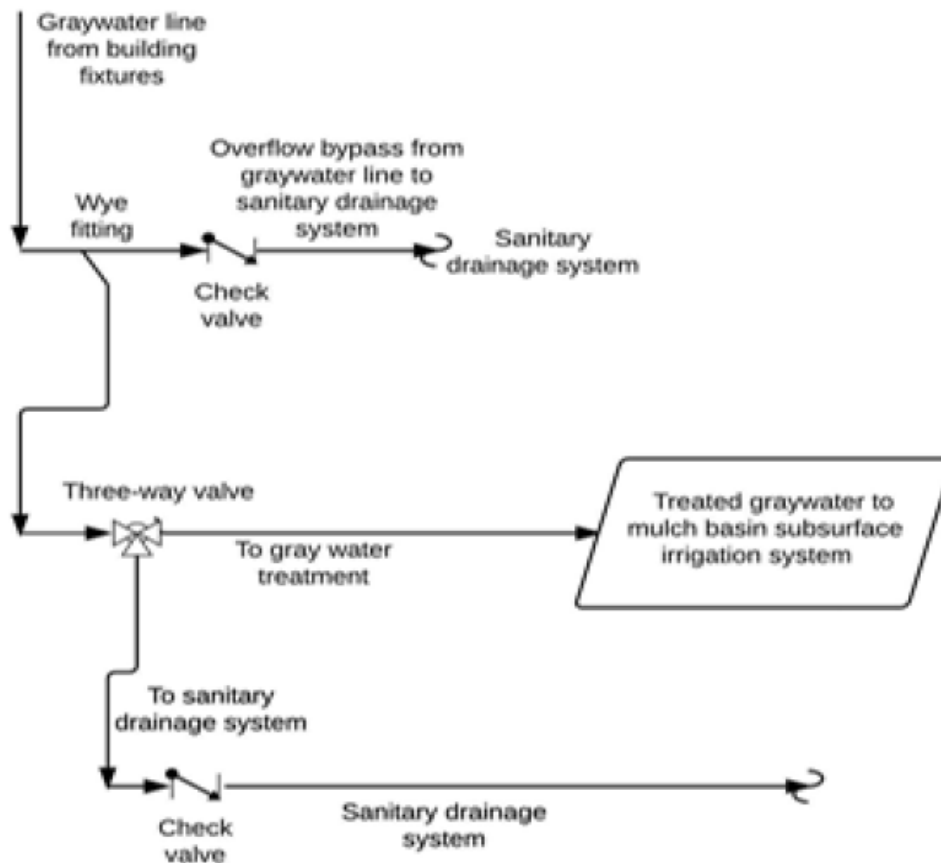
1301.6 Typical graywater system for disbursed subsurface irrigation system



ddd. IPC Section 1301 General

Add new figure 1301.7

1301.7 Typical graywater system for mulch basin subsurface irrigation



eee. IPC Section 1301.9.2 Materials Exception Add section

1301.9.2 Exemption reading:

Exemption. Tanks are not required if the graywater use is comprised of only subsurface irrigation and flows into a mulch basin system, where the mulch basin volume is three times the anticipated average daily flow.

fff. IPC Section 1301.9.5 Overflow

Delete the section verbiage and replace with:

The storage tank shall be equipped with an overflow pipe having a diameter not less than that shown in Table 606.5.4. The overflow pipe shall be protected from insects or vermin. The overflow drain shall not be equipped with a shutoff valve and shall discharge into the sanitary sewer either directly, or indirectly with a trap in the drain line to keep odors from escaping the tank. A cleanout shall be provided on each overflow pipe in accordance with Section 708.

ggg. IPC Section 1301.9.8 Draining of tanks

Delete the text “shall discharge as required for overflow pipes and”. Replace it with: shall discharge into the sanitary sewer either directly, or indirectly with a trap in the drain line to keep odors from escaping the tank

hhh. IPC Section 1301.11 Trenching Requirements

Delete in its entirety.

iii. IPC Section 1301.12 Outdoor Outlet Access

Delete in its entirety.

jjj. IPC Section 1302.1 General

Add a sentence to the end of the section saying:

All plumbing systems utilizing nonpotable water reuse systems shall have a reduced pressure backflow preventer device installed at the water service entrance immediately downstream of the building water service shut off valve.

kkk. IPC Section 1302.5 Filtration

Add a new sentence to the end of the section saying:

1302.5 Filtration: Graywater used for dispersed subsurface irrigation system requires a cartridge filter. The cartridge filter must be a minimum of sixty mesh located between the storage tank and the irrigation system.

Exemption. Filtration is not required for mulch basin subsurface irrigation systems.

lll. IPC Section 1302.6.1 Graywater used for fixture flushing

Add a new sentence to the end of the section reading:

Graywater used for toilet and urinal flushing shall be dyed with blue or green food grade vegetable dye and be visibly distinct from potable water.

mmm. IPC Section 1302.7.3 Overflow

Add a new Section 1302.7.3 that reads:

1302.7.3 Overflow. Storage tank for on-site nonpotable systems must include an overflow line without a shut off valve. The overflow line shall be connected to the sanitary sewer indirectly. The overflow line must be the same or larger diameter line than the tank influent line. The overflow line connected indirectly must be trapped to prevent the escape of gas vapors from the tank

nnn. IPC Section 1302.7.4 Venting

Add a new Section 1302.7.4 that reads:

1302.7.4 Venting. Storage tank for on-site nonpotable systems must be vented. Indoor tanks must be vented to the atmosphere outside the building or connected to the plumbing vent system.

ooo. IPC Section 1302.7.5 Tank Drains

Add a new Section 1302.7.5 that reads:

1302.7.5 Tank Drains. Storage tank for on-site nonpotable systems must include a valved drain. The drain shall be indirectly connected to the sanitary sewer. The tank drainline must be the same or larger diameter line than the tank influent line.

ppp. IPC Section 1302.8.1 Bypass Valve

Change the section heading and section verbiage to read:

Section 1302.8.1 System Bypass

Delete the section verbiage and replace with:

One three-way diverter valve listed and labeled to NSF 50 or other approved device shall be installed on collection piping upstream of any graywater treatment equipment, as applicable, to divert untreated on-site reuse sources to the sanitary sewer to allow servicing and inspection of the system. Bypass valves shall be installed downstream of fixture traps and vent connections. Bypass valves shall be marked to indicate the direction of flow, connection graywater treatment works, storage tank and graywater subsurface irrigation systems. Bypass valves shall be installed in accessible locations. Two shutoff valves shall not be installed to serve as a bypass valve. In addition to the bypass valve a series of drainage fittings shall be installed in the collection piping upstream of the bypass valve in a configuration that will allow the graywater from the plumbing fixtures to automatically flow directly into the sanitary sewer system in the event the filter or other parts of the collection system become clogged to the point of not allowing the effluent free flow through the system. The overflow line connected to the sanitary sewer shall be equipped with a backwater valve.

qqq. IPC Section 1303 Nonpotable rainwater collection and distribution systems

Delete in its entirety.

rrr. IPC Chapter 14 Subsurface landscape irrigation systems

Delete in its entirety.

2. Revisions and Exceptions to the International Residential Code Part VII incorporated as the Colorado Plumbing Code

a. IRC Section 105.1 Required

Add exception reading:

Exception: Where emergency plumbing is performed, the required permit may be obtained the following business day after the work has been started (i.e., broken water lines, broken drain lines, water heater replacements).

b. IRC Section R202 Definitions

Add new definition to read as follows:

Multipurpose Residential Fire Sprinkler System. A Multipurpose Residential Fire Sprinkler System includes the domestic water distribution piping and the fire sprinkler piping which shall be a part of and connect to the cold water distribution piping at any point.

c. IRC Section R202 Definitions

Add new definitions to read:

Direct Supervision. Direct supervision means that the supervising licensed master plumber, journeyman plumber, or residential plumber is physically present at the same physical addresses listed on the permits and where the apprentice is working or no more than five minutes distance from the apprentice.

d. IRC Section R202 Definitions

Add new definition to read as follows:

Trap drain. That portion of horizontal piping between the weir of a trap and the point where it intersects with its vent.

e. IRC Section R202 Definitions

Delete the definition and replace with:

Fixture drain. That portion of a plumbing drainage system that connects the trap drain to any other drain pipe receiving the discharge from one or more plumbing fixtures.

f. IRC Section R202 Definitions

Add new definition to read as follows:

Manufactured Housing Hookup-Sewer. That portion of drainage piping and fittings connecting a single point of drainage pipe discharge from the factory installed plumbing of a manufactured home to the sanitary sewer riser under the set home. (More than a single connection to the home drainage piping shall be considered "plumbing" as defined in section 12-155-103, C.R.S., and subject to all provisions of Article 155 of Title 12).

g. IRC Section R202 Definitions

Add new definition to read as follows:

Manufactured Housing Hookup-Water. That portion of piping and fittings connecting a single point of water supply from the factory installed water supply pipe of a manufactured home to the potable water riser under the set home.

h. IRC Section 202 Definitions

Delete the definition and replace with:

Reclaimed Water. Domestic wastewater that has received secondary treatment by a domestic wastewater treatment works (centralized system or a localized system) and such additional treatment as to enable the wastewater to meet the standards for approved uses.

- i. IRC Section P2503.5.1 Rough Plumbing

Delete the words “for piping systems other than plastic”.

- j. IRC Section P2503.6 Shower liner test

Delete in its entirety.

- k. IRC Section P2503.7 Water supply system testing

Delete the words “for piping systems other than plastic”

- l. IRC Section P2503.5.2 Finished plumbing.

Delete 2, 2.1, and 2.2

- m. IRC Section P2601.2 Connection to drainage system

- n. IRC Section P2605.2 Thermal expansion tanks.

Add new section P2605.2 to read:

P2605.2 Thermal expansion tanks. A thermal expansion tank shall be supported in accordance with the manufacturer’s instructions. Thermal expansion tanks shall not be supported by the piping that connects to such tanks.

- o. IRC Section P2603.3 Protection against corrosion.

Delete section in its entirety and replace with:

IRC P2603.3 Protection against corrosion. Piping except for, for cast iron, ductile iron, and galvanized steel shall not be placed in direct contact with steel framing members. Piping shall not be placed in direct contact with concrete or cinder walls and floors, other masonry, and corrosive soil. Where sheathing is used to prevent direct contact, the sheathing shall have a thickness of not less than .025 inch (.64 mm). Where sheathing protects piping that penetrates concrete or masonry walls or floors, the sheathing shall be installed in a manner that allows movement of the piping within the sheathing.

- p. IRC Section P2705.1 General

Add new exception to read:

Exception for remodels only: Lavatory clearance from its center to any sidewall or partition may be reduced to a minimum of twelve inches.

- q. **IRC P2706.1** General (waste receptors)

Add new exception to read:

Exception: Where equipment is installed in a crawl space, a waste receptor shall be allowed with an approved backwater valve installed.

- r. IRC Section P2708.5 Shower head location

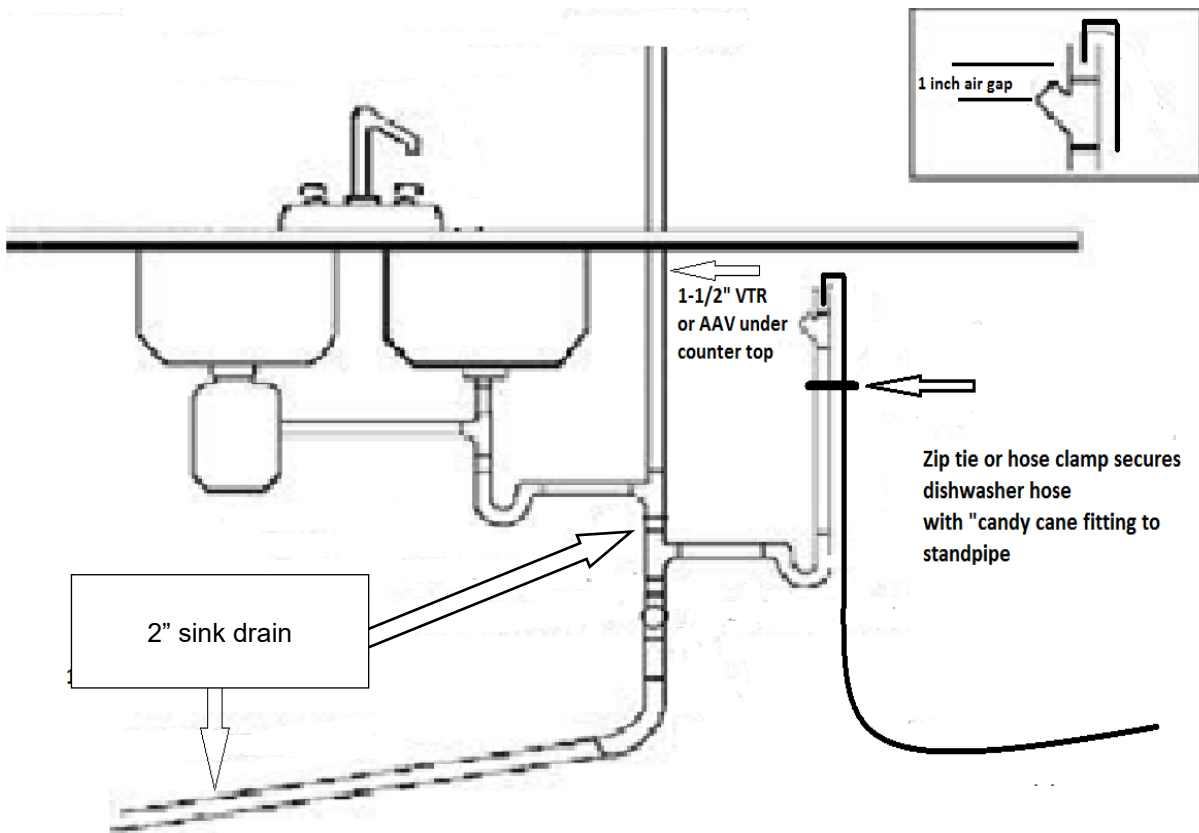
Add new section P2708.5 to read:

P2708.5 Shower head location. Shower heads shall be so located on the sidewall of shower compartments or be arranged so the shower head does not discharge directly at the entrance to the compartment and the bather can adjust the valve prior to stepping into the shower spray.

- s. IRC Section P2717.3 Dishwasher drain

Add new section to read:

IRC Section P2717.3 Dishwasher drain. Dishwashers may drain into a standpipe complying with Section P2706.2 as shown in the following illustration. The standpipe shall be provided with an air break (with drain hose secured to the underside of the counter top) or air gap as shown in the illustration below.



- t. IRC Section P2801.6 Required pan.

Add new exception to read:

Exception: Replacements for water heaters that did not have a pan previously installed due to code in force at the time of installation.

- u. IRC Section P2803.6.2 Collection of Relief Valve Discharge

Add new section P2803.6.2 to read:

P2803.6.2 Collection of Relief Valve Discharge. A means shall be provided to capture the discharge from a relief valve and convey it to the sanitary drainage system or exterior of the structure either by gravity or a pumped discharge.

Exceptions:

- (1) Replacements for existing water heaters.
- (2) Where a water sensing device wired to a normally closed solenoid valve installed in the water supply piping to the heater, is placed within the water heater drain pan.

- v. IRC Section P2803.6.2.1 Pumped discharge of relief valve collection

Add new Section P2803.6.2.1 to read:

P2803.6.2.1 Pumped discharge of relief valve collection. Pumps used to discharge the clear water collection of relief valves shall have an operating temperature equal to or exceeding that of the relief valve discharge temperature and shall have a gpm rating equal to or greater than the discharge of the relief valve.

- w. IRC Section P2901.1 Potable water required

Delete the last sentence of the section.

- x. IRC Section P2901.1.2.1 Signage required

Delete the section in its entirety and replace with:

Plumbing fixtures flushed with nonpotable water shall be identified with signage that reads as follows:

“Nonpotable water is used to flush this fixture. CAUTION: NONPOTABLE WATER – DO NOT DRINK.”

In addition to the required wordage, the pictograph shown in figure P2901.2.1 shall appear on the required signage.

- y. IRC New Section P2901.1.2.4

Add new Section P2901.1.2.4 to read:

Graywater used for toilet and urinal flushing shall be dyed with blue or green food grade vegetable dye and be visibly distinct from potable water.

- z. IRC Section P2901.2.2 Distribution pipe labeling and marking

Delete the section verbiage and replace with:

Nonpotable distribution piping shall be purple in color or the piping shall be installed with a purple identification tape or wrap the entire length of the piping and shall be embossed, or integrally stamped or marked, with the words: "CAUTION: NONPOTABLE WATER – DO NOT DRINK".

- aa. IRC Section P2902.5 Protection of potable water connections

Add new subsection P2902.5.1.1 to read:

Section P2902.5.1.1 Essentially nontoxic fluid conditioning chemical.

When the conditioning chemical introduced is an essentially nontoxic transfer fluid the potable supplier to the boiler shall, at a minimum, be equipped with a backflow preventer with an intermediate atmospheric vent complying with ASSE 1012 or CSA B64.3.

- bb. IRC New Section P2902.5.6 Protection of potable water system

Add new subsection P2902.5.6 to read:

Section P2902.5.6 Connection to graywater system or reclaimed water system

The potable water system connection to a graywater system or reclaimed water system must be protected against backflow by an air gap or reduced pressure principle backflow prevention assembly.

- cc. IRC Section P2903.9.1 Service valve.

Delete the words "with provision for drainage such as a bleed orifice or installation of a separate drain valve"

- dd. IRC Section P2904 General

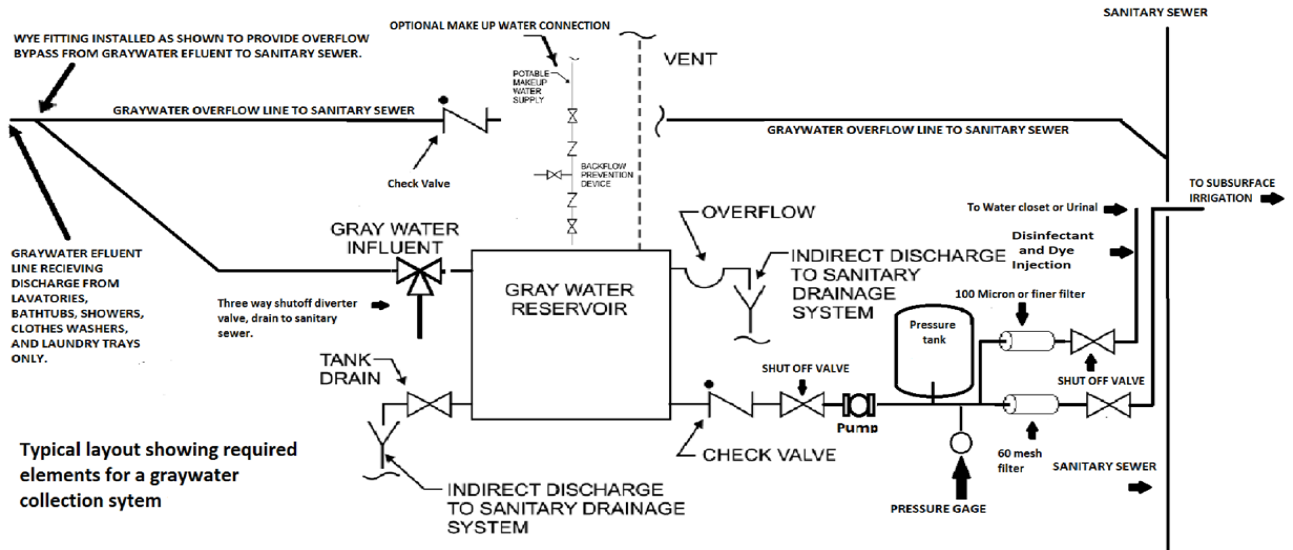
Delete in its entirety and replace with:

P2904.1 General. Where installed, residential fire sprinkler systems, or portions thereof, shall be in accordance with NFPA 13D or Section P2904, which shall be considered equivalent to NFPA 13D. Section P2904 shall apply to multipurpose wet-pipe sprinkler systems that do not include the use of antifreeze. A multipurpose fire sprinkler system shall supply domestic water to both fire sprinklers and plumbing fixtures. A backflow preventer shall not be required to separate the sprinkler system from the water distribution system.

- ee. IRC Section P2910 Graywater Recycling Systems

Add new Figure P2910.4 Typical Graywater Collection system.

(This figure is typical only, not a schematic)



Typical layout showing required elements for a graywater collection system

- ff. IPC Section 2910.1 Scope

Add a sentence to the end of the section saying:

All plumbing systems utilizing nonpotable water reuse systems shall have a reduced pressure backflow preventer device installed at the water service entrance immediately downstream of the building water service shut off valve.

- gg. IRC Section P2910.2.2 Filtration Required Exception

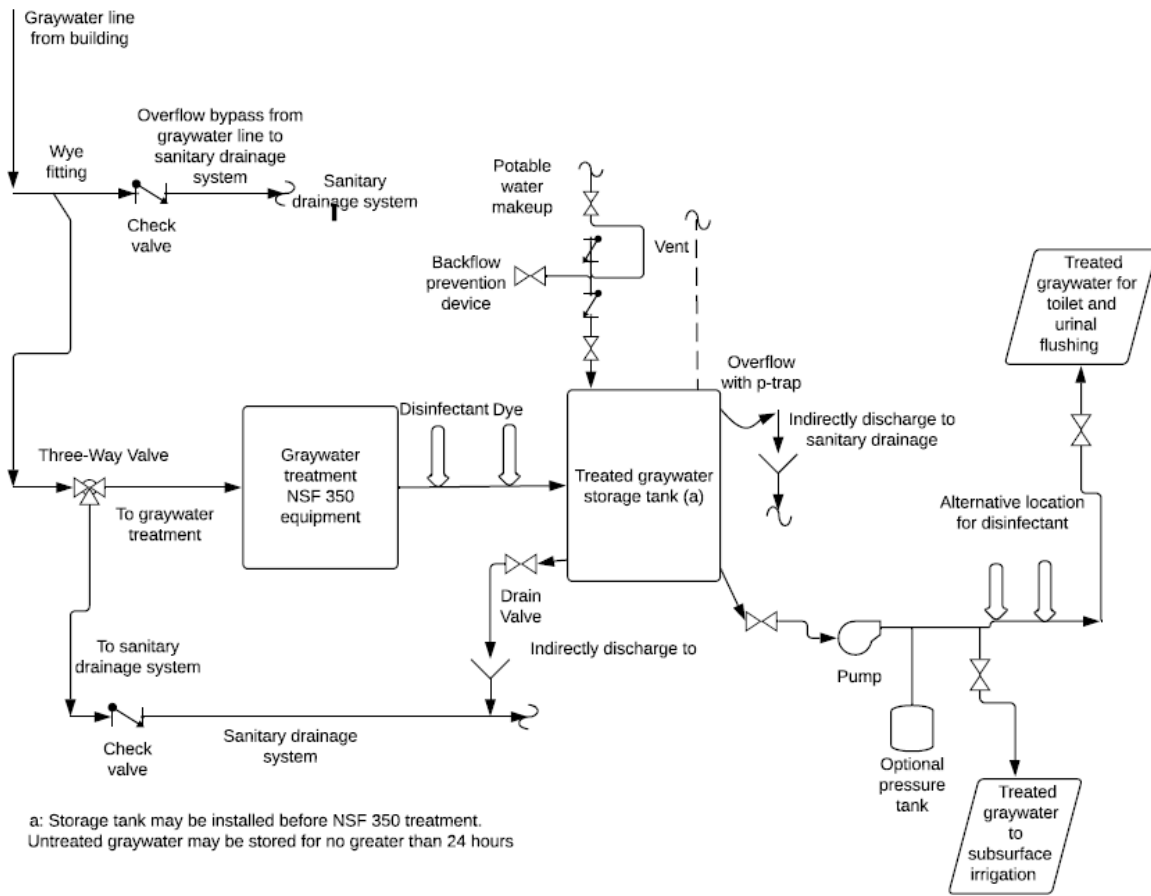
Modify section Exemption to read:

P2910.2.2 Filtration Required. Nonpotable water utilized for water closet and urinal flushing application shall be filtered by a 100-micron or fine filter.

Exception: Reclaimed water sources shall not be required to comply with these requirements. Graywater treatment systems installed in accordance with Section P2911.6.1 do not need to meet additional filtration requirements.

hh. IRC Section P2910 Graywater recycling systems

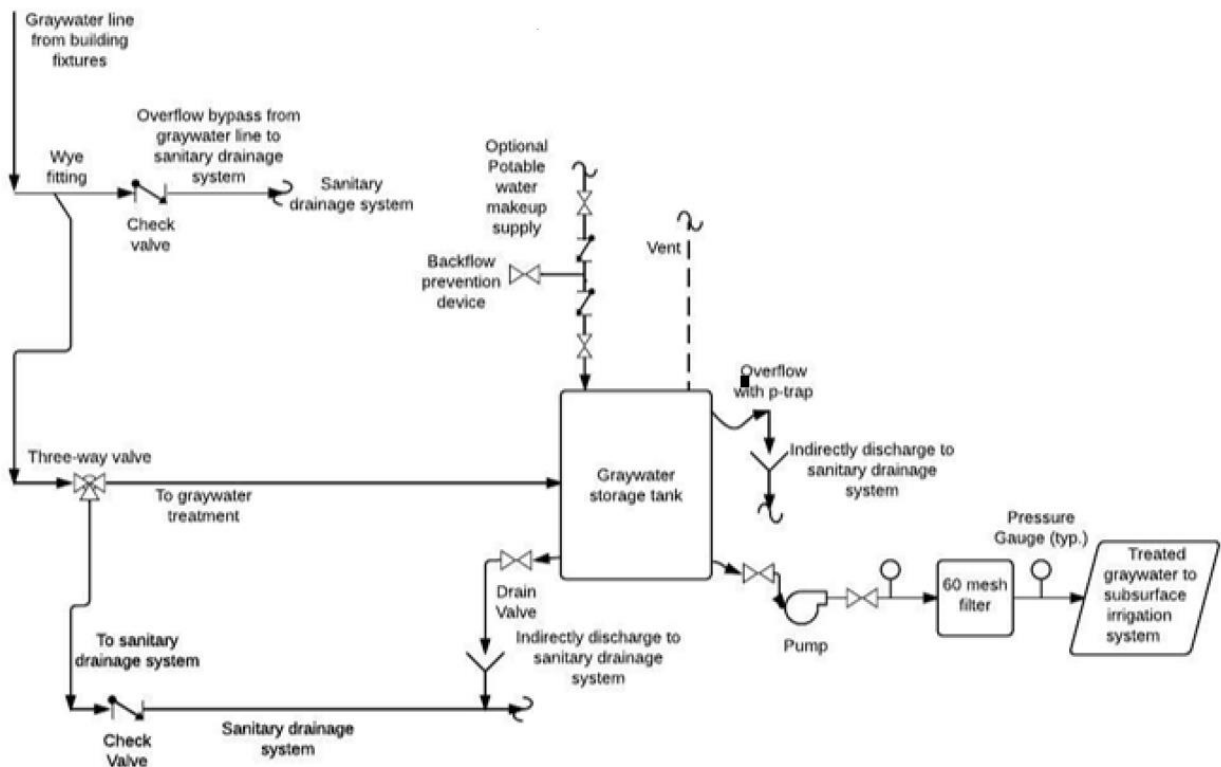
Add new figure Section 2910.5



ii. IRC Section P2910 Graywater recycling systems

Add New Figure Section 2910.6

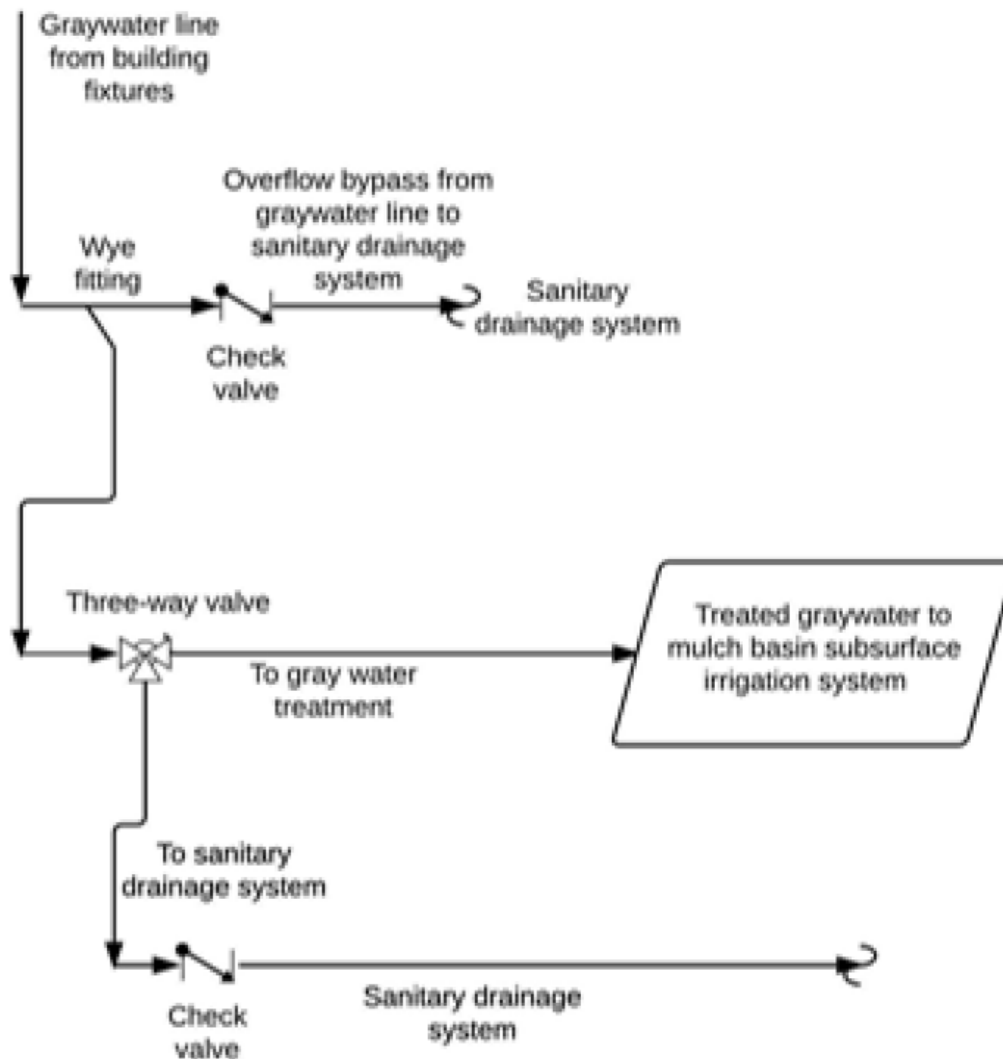
2910.6 Typical graywater system for disbursed subsurface irrigation system



jj. IRC Section P2910 General

Add new figure Section 2910.7

2910.7 Typical graywater system for mulch basin subsurface irrigation



kk. IRC Section 2910.9.3 Materials

Add section Exemption to read:

Exemption. Tanks are not required if the graywater use is comprised of only subsurface irrigation and flows into a mulch basin system, where the mulch basin volume is three times the anticipated average daily flow.

II. IRC Section 2911.5 Filtration

Delete the section in its entirety and replace with:

P2911.5.1 Filtration. Graywater used for dispersed subsurface irrigation system requires a cartridge filter. The cartridge filter must be a minimum of sixty mesh located between the storage tank and the irrigation system. If a pump is being used to pressurize the graywater distribution system the filter must be located after the pump. Filters shall be accessible for inspection and maintenance. Filters shall utilize a pressure gauge or other approved method to provide indication when a filter requires servicing or replacement. Filters shall be installed with shutoff valves immediately upstream and downstream to allow for isolation during maintenance.

Exemption. Filtration is not required for mulch basin subsurface irrigation systems.

mm. IRC Section P2911.7.6 Overflow

Add a new Section P2911.7.6 that reads:

P2911.7.6 Overflow. Storage tank for on-site nonpotable systems must include an overflow line without a shut off valve. The overflow line shall be connected to the sanitary sewer indirectly. The overflow line must be the same or larger diameter line than the tank influent line. The overflow line connected indirectly must be trapped to prevent the escape of gas vapors from the tank.

nn. IRC Section P2911.7.4 Venting

Add a new Section P2911.7.4 that reads:

P2911.7.4 Venting. Storage tank for on-site nonpotable systems must be vented to the atmosphere or connected to the plumbing system vent piping.

oo. IRC Section P2911.7.5 Draining of tanks

Add a new Section P2911.7.5 that reads:

P2911.7.5 Draining of tanks. Storage tank for on-site nonpotable systems must include a valved drain. The drain line shall be connected to the sanitary sewer either directly or indirectly. The tank drain line must be the same or larger diameter line than the tank influent line.

pp. IRC Section P2911.8.1 Bypass valve

Section P2911.8.1 System Bypass

Delete the section verbiage and replace with:

One three-way diverter valve listed and labeled to NSF 50 or other approved device shall be installed on collection piping upstream of any graywater treatment equipment, as applicable, to divert untreated on-site reuse sources to the sanitary sewer to allow servicing and inspection of the system. Bypass valves shall be installed downstream of fixture traps and vent connections. Bypass valves shall be marked to indicate the direction of flow, connection to graywater treatment works, storage tank and graywater subsurface irrigation system.. Bypass valves shall be installed in accessible locations. Two shutoff valves shall not be installed to serve as a bypass valve. In addition to the bypass valve a series of drainage fittings shall be installed in the collection piping upstream of the bypass valve in a configuration that will allow the graywater from the plumbing fixtures to automatically flow directly into the sanitary sewer system in the event the filter or other parts of the collection system become clogged to the point of not allowing the effluent free flow through the system. The overflow line connected to the sanitary sewer shall be equipped with a backwater valve.

- qq. IRC Section 3001.1 General

Add exception 1:

Exception 1: Floor drains or trench drains may be allowed to be daylighted or discharged to an approved alternative disposal system when written approval has been provided from the jurisdiction having authority.

- rr. IRC Section P3003.9.2 Solvent cementing

Delete wording, "or other approved primer" and delete exception in its entirety.

- ss. IRC Table P3005.1 Fittings for changes in direction

- tt. IRC Section P3005.2.3 Building drain and building sewer junction.

Add new sentence at the end of the section to read:

When the cleanout is installed at the junction of the building drain and building sewer, It shall be an approved two way fitting with a single riser not to exceed 4 feet in depth or a two riser cleanout using back to back combination fittings of schedule 40 material. Cleanouts shall be installed and tested at underground or rough-in in accordance with Section 312.2.

- uu. IRC Section P3008.1 Where required (backwater valves)

Delete section in its entirety and replace with:

Backwater valves shall be installed where waste receptors are located in a crawl space for the purpose of receiving condensate discharge from equipment located in that crawl space. Refer to new exception for 802.4

- vv. IRC Section P3009 Graywater soil absorption systems

Delete in its entirety.

- ww. IRC Section P3103.1.3 Protected vent terminal

Change wording to read 4 inches instead of 2 inches.

Section P3103.1.3 Where an open vent pipe terminates above a sloped roof and is covered by either a roof-mounted panel (such as a solar collector or photovoltaic panel mounted over the vent opening) or a roof element (such as an architectural feature or a decorative shroud), the vent pipe shall terminate not less than 4 inches (102 mm) above the roof surface.

- xx. IRC Section P3103.2 Frost closure

Delete in its entirety.

- yy. IRC Section P3108.1 Horizontal wet vent permitted

Add a new exception to read:

Exception: Fixtures other than those considered to be bathroom group fixtures, of equivalent drainage fixture units, may be included in the wet vented section provided the total number of drainage fixture units does not exceed the total number included in two bathroom groups and the fixtures not considered bathroom fixtures are valued at one drainage fixture unit or less.

3. Revisions and exceptions to the International Fuel Gas Code incorporated as the Colorado Fuel Gas Code

- a. IFGC Section 101.1 Title

Delete in its entirety.

- b. IFGC Section 101.2.2 Piping Systems

Delete the words "and maintenance" from the end of the last sentences.

- c. IFGC Section 101.2.4 Systems, appliances and equipment outside the scope.

Delete 13 from the list.

- d. IFGC Section 303.3. Prohibited locations

Delete the words "toilet rooms" from the section.

- e. IFGC Section 403.10.5 Welded joints

Add new section 403.10.5 to read:

403.10.5 Welded Joints. Welded joints shall be performed by a person holding a valid certificate of competency based on the requirements of the ANSI/ASME Boiler and Pressure Vessel Code, Section IX, Brazing and Welding Qualifications. Welded joints shall comply with ASTM 139.

- f. IFGC Section 404.14.1 Conduit with one end terminating outdoors

Delete in its entirety.

- g. IFGC Section 405.3 Plastic Pipe

New addition to read:

3. The radius of the inner curve of such bends shall be not less than 25 times the inside diameter of the pipe or in accordance with the manufacturer's instructions.

- h. IFGC Section 406.1 Inspection, Testing, and Purging

Add a new sentence to the end of the section reading:

Inspection and pressure testing shall apply to all temporary installations connected to a primary or temporary fuel gas source, natural or LP gas, for the purpose of supplying temporary heat.

- i. IFGC Section 409.5.3 Located at manifold

Delete in its entirety.

- j. IFGC 409.6 Shutoff valve for laboratories

Add new subsection 409.6.1 to read

409.6.1 Electric Solenoid Valve. A remotely located electric solenoid emergency shutoff valve may be used for compliance to Section 409.6, when all the following requirements are met.

- (1) The emergency control shutoff "panic button" shall be readily accessible, located within the laboratory space served, adjacent to the egress door from the space and shall be identified by approved signage stating "Gas Shutoff".
- (2) The gas solenoid valve shall be a "normally closed" type valve with a manual reset.

- k. IFGC Section 411.1.1 Connecting appliances

Add additional line (10).

10. Gas turrets for use in school or laboratory science rooms can be considered an appliance and may be allowed to be connected by an approved appliance connector in accordance with ANSI Z21.24 that is installed downstream of a shutoff valve as approved in Section 409.

- l. IFGC Section 503.4.1 Plastic Piping,

Add new sentence to the end of the section saying:

Where installed as an exhaust vent for a gas fired water heater, the new plastic pipe shall be tested with 5 psi air pressure or 10 ft. head water column at the time of inspection prior to being connected to the water heater.

4. Revisions and exceptions to the International Residential Code Chapter 24 Fuel Gas incorporated as the Colorado Fuel Gas Code

- a. IRC Section G2414.10.5 Welded joints

Add new section G2414.10.5 Welded joints to read:

Welded joints. Welded joints shall be performed by a person holding a valid certificate of competency based on the requirements of the ANSI/ASME Boiler and Pressure Vessel Code, Section IX, Brazing and Welding Qualifications. Welded joints shall comply with ASTM 139.

- b. IRC 2415.14.1 Conduit with one end terminating outdoors

Delete in its entirety.

- c. IRC Section G2420.5.3 (Shutoffs) Located at manifolds

Delete in its entirety.

- d. IRC G2427.4.1 Plastic Piping,

Add new sentence to the end of the section saying:

Where installed as an exhaust vent for a gas fired water heater, the new plastic pipe shall be tested with 5 psi maximum air pressure at the time of inspection prior to being connected to the water heater.

1.3 APPRENTICE REGISTRATION AND RECORDKEEPING

A. Registration

1. The Board may require the supervising plumbing contractor of a plumbing apprentice to provide information verifying the apprentice's record of employment and practical experience, including but not limited to a written attestation from the responsible master plumber verifying that the apprentice has been performing plumbing work during any period the apprentice was not registered. Supervising plumbing contractor of apprentices shall cooperate with any request from the Board pursuant to this Rule and furnish such information or assistance as the Board may request.
2. An individual that holds an active residential plumber's license and is working on a commercial job site must be registered as an apprentice.
3. An employer who fails to timely register an apprentice within 30 days or less of employment as required by section 12-155-108(2)(a), C.R.S., and this Rule shall be subject to disciplinary action pursuant to sections 12-155-113(1) and 12-20-404, C.R.S.
4. An employer who fails to inactivate an apprentice from their company's registration within 30 days of termination of employment shall be subject to the same disciplinary action as Board Rule 1.3(A)(3) above.

- B. **Recordkeeping.** Supervising plumbing contractors shall maintain employment records or work reports for their apprentices under their supervision in order to provide experience verification. Such records or reports shall accurately document the number of hours and months the apprentice performed plumbing work and shall specifically reflect exact dates of employment. These records shall be provided to the apprentice upon his/her request and termination or resignation of an apprentice.

- C. Exemption for Apprentice Required to Exam. Apprentices seeking exemption to the requirements of section 12-155-124(4), C.R.S., must meet the following criteria established in accordance with section 12-155-124(4)(a)(II), C.R.S., which requires circumstances that justify the exemption.
1. An apprentice deployed to serve in the United States Military in accordance with military orders may be granted exemption to the examination requirements of section 12-115-115(4), C.R.S.
 - a. Apprentice must meet the examination attempt requirements within the statute.
 - b. A request, including supporting evidence and documentation for Board consideration, must be submitted at least 15 days prior to deployment.
 - (1) Acceptable evidence of deployment include but may not be limited to the following documentation that must clearly state the date and length of deployment, and be issued by the United States Military.
 - (a) Copy of Deployment Orders;
 - (b) Report or letter from a senior officer; and/or
 - (c) Other military evidence of deployment.
 - (2) Special consideration of timely submission may be given with evidence of short notice deployment.
 2. Exemption will be applied:
 - a. When calculating the years of apprentice registration that requires an examination per the statute;
 - b. For the actual time the apprentice is deployed and actively registered as an apprentice with the Board; and
 - c. So that times of deployment that may disadvantage the apprentice may not be counted.

1.4 APPLICATIONS AND LICENSING

- A. Applications for License or Registrations.
1. **Submission.** All applications for licensure or registrations shall be submitted to the Division of Professions and Occupations. Candidates must pass the required examination(s) before submitting an application to the Board with the required experience and education.
 2. **Incomplete Application.** An application for a license by examination or endorsement or a registration submitted without all required fees and documentation will be considered incomplete. Incomplete applications will be retained for one year from the date originally received, after which applicants shall begin the process again including payment of the application fee.
 3. **Documentation for Plumbing License.** Any applicant for the residential, journeyman, or master plumber's license shall furnish evidence as to his or her training and experience to qualify for licensure by:

- a. A record of employment and/or as an apprentice doing plumbing work, exact dates so employed, and, at time of application, submission of original documented written evidence, verified by the master license holder or registered plumbing contractor
 - b. If training and experience were obtained outside the State of Colorado, the applicant shall provide the Board with documented, written evidence verified by the employer of actual work performed.
 - c. If training and experiences were obtained all or in part from an accredited high school vocational technical training course, community college, or trade school program, a transcript from the accredited high school vocational technical training course, community college or trade school verifying completion of the program shall be submitted with the application. The program length shall be a minimum of two years. Such education may replace actual field experience under a licensed master as follows: one hour of classroom training equals one hour of on the job training up to a maximum of one year, with 2000 hours equaling one year.
 - d. If training and experiences were obtained all or in part from military training in plumbing work, detail and submit such for evaluation with the application. Such experience may replace actual field experience under a licensed master as follows: one month for every six months' training or experience up to a maximum of one year.
 - e. The hours of practical experience required to qualify for licensure are:
 - (1) Residential Plumber 3,400
 - (2) Journeyman Plumber 6,800
 - (3) Master Plumber 8,500
4. **Documentation for Water Conditioning Installer, Principal, or Contractor.** Any applicant for registration shall furnish evidence upon request as to his or her training and experience to qualify for registration.
- a. Water Conditioning Installer.
 - (1) Any applicant for a water conditioning installer registration shall possess the following qualifications and experience:
 - (a) Knowledge of water quality, water quality issues, and problems common to water sources.
 - (b) Knowledge of the analysis and treatment of water for impurities, water softening, drinking water options, reverse osmosis and water filtration.
 - (c) Knowledge of common water treatment system operations, including water softening, reverse osmosis, and water filtration.
 - (d) Knowledge of hydraulics fundamentals including plumbing distribution system operations, pressure loss and cross connections, effects on public safety, flow rates, and code requirements for safe drainage.

- (e) Knowledge of recommended practices, including legal and ethical considerations in the water treatment industry.
 - (f) Knowledge of disinfection methods, including standard disinfectants and methods, water contamination problems, UV and chemical disinfection systems, disinfection of private water sources, and final barrier water treatment.
 - (g) Knowledge of water analysis fundamentals including selection of tests for analysis, reading and interpreting water analyses, and conducting and interpreting water tests.
 - (h) Experience with water conditioning installation.
 - (i) Knowledge of general installation principles including POE and POU water treatment systems, including related safety considerations.
- (2) Any applicant for a water conditioning installer registration shall possess and maintain an active Certified Installer (CI) certification from the Water Quality Association or an equivalent certification as approved by the Plumbing Board.
- b. Water Conditioning Principal.
- (1) Any applicant for a water conditioning principal registration shall possess the following qualifications and experience:
- (a) All items listed in the previous subsection 1.4(A)(5)(a)(1) of these Rules.
 - (b) Knowledge of common water problems including: nitrates, bacterial contamination, iron/manganese/hydrogen sulfide, and arsenic.
 - (c) Ability to design water treatment systems to address regional water issues such as Endocrine Disruptors and Pharmaceuticals, Radium/Barium/Radioactive Decay, and Tannins.
 - (d) Knowledge of methods to calculate pressure loss in distribution systems.
- (2) Principal. Any applicant for a water conditioning principal registration shall possess and maintain an active Certified Installer (CI) certification and an active Certified Water Specialist (CWS) or Master Water Specialist (MWS) certification from the Water Quality Association or an equivalent certification or certifications as approved by the Plumbing Board.
- c. Water Conditioning Contractor. Any applicant for a water conditioning contractor must be or employ full time a water conditioning principal.

- d. Water Conditioning Contractor's Loss of Water Conditioning Principal. A water conditioning contractor that, for any reason, loses the services of the water conditioning principal will be allowed twenty days in which to hire another water conditioning principal. If another water conditioning principal has not been hired during that period, the water conditioning contractor registration will be placed into a "Need WC Principal Hire-Cannot Practice" status until such time as a principal has been hired, and the appropriate fee paid.

B. Licenses and Registration Issuance.

1. **Issuance.** Residential, journeymen or master plumber licenses will be issued upon successful passing of the respective examination and meeting the qualifications within Title 12 of Article 155, C.R.S. Water conditioning registrations shall be issued upon application approval based on proper documentation as outlined in 1.4(A)(4) of these Rules.
 - a. **By endorsement.** Licensees from another state may be eligible for licensure by endorsement providing that the applicant meets the requirements of section 12-155-116, C.R.S., and all of the following conditions:
 - (1) Completion of a state or federally approved or registered apprenticeship program, or completion of the required years and type of experience for the comparable license.
 - (2) Successful completion of a comparable state plumbing examination based on the current or previous edition of the plumbing code adopted by the Board.
 - (3) Currently holds an active license by the endorsing state.

C. Disapproval

1. **Reconsideration.** An applicant requesting reconsideration of a Board action concerning a disapproval of an application or license by endorsement or requesting a personal interview before the Board, shall submit the request in writing, accompanied by additional information or documentation. This request shall be submitted within forty-five days of the date on which the Board made the decision. The Board may not consider requests filed thereafter.

D. [Repealed eff.06/14/2020]

E. Renewal and Reinstatement (*Effective July 1, 2020*)

1. **Renewal.**
 - a. A licensee or registrant shall have a sixty-day grace period after the expiration of the license or registration to renew such license or registration without having to submit a reinstatement application. During this grace period a delinquency fee will be charged for late renewals.
 - b. A licensee or registrant who does not renew his or her license or registration shall be ineligible to practice until such license or registration is reinstated. If the licensee or registrant practices with an expired license or registration, the Board may impose disciplinary actions.

2. **Reinstatement.** An expired license or registration may be reinstated by submitting a reinstatement application, paying the current reinstatement fee, and meet the appropriate requirements below.
 - a. Expired for More Than Sixty Days But Less Than Two bYears. If the license or registration has expired for more than sixty days but less than two years, the applicant must provide evidence of completion, since applicant's most recent licensing event (original; license, renewal, or reinstatement) preceding the application for reinstatement, of eight hours of continuing education, as defined in Board Rule 1.4(E)(3).
 - b. Expired for More Than Two Years. If the license has been expired for more than two years, pursuant to section 12-155-112(2)(b)(II), C.R.S. the applicant must demonstrate competency to practice by satisfactorily passing the State plumbing examination. In the case of Water Conditioning Installers and Water Conditioning Principals, registrants shall re-affirm that their certifications per board Rule 1.4(A)(5) are current and active.
3. **Continuing Education Requirements**
 - a. **Statutory Basis.** Pursuant to section 12-155-112(3)(b) C.R.S, the Board shall adopt rules establishing continuing education requirements and standards that a licensee shall demonstrate in order to renew a license on or after May 1, 2021. Such requirements and standards must include course work related to the code, including core competencies as determined by the board.
 - b. **Basis of Requirements.** As established by the Colorado General Assembly, the regulatory authority of the Board is to establish continuing education standards to renew, reinstate, or reactivate a license and the documentation necessary to demonstrate compliance.
 - c. **Definitions**
 - (1) **Core Competencies:** Core Competencies are technical and professional subjects, related to the practice of plumbing work, which the Board deems necessary to safeguard the public.
 - (2) **Inactive Status:** A licensee is not required to comply with continuing education requirements to renew a license in inactive status. An individual whose license is in inactive status is prohibited by law from practicing as a licensed plumber.
 - (3) **Code:** Code for the safe installation of plumbing installation, plumbing materials, conservation, medical gas, sanitary drainage systems, and solar plumbing.
 - (4) **Attesting Providers List:** A publically available list containing continuing education providers that have attested their courses and instructors meet all the requirements of Board Rule 1.4(E)(3)(d) and 1.4(E)(3)(e). Credit may be earned by a licensee by completing a course from a provider on this list. However, licensee are responsible for ensure the providers they choose, meet the requirements of the CE requirements in Board Rule 1.4(E)(3).

d. Requirements

- (1) Each renewal cycle after May 2021, or upon the completion of the first renewal of a license thereafter, a licensee in active status shall complete eight hours of continuing education for every twelve months that have passed after the later of the last date of renewal or reinstatement in order to renew a license to perform plumbing work in Colorado. The continuing education hours must be selected from among the Core Competencies below in any combination, except that, within every twenty-four month period, a minimum of 4 continuing education hours must be related to codes as defined in Board Rule 1.2 and a maximum of 2 hours can be related to safety training:
 - (a) Cross connection and backflow prevention
 - (b) Fixtures, Faucets and Fixture Fittings
 - (c) Indirect/Special Waste
 - (d) Industry Product Training
 - (e) Non-potable Water Systems
 - (f) Plumbing Administration
 - (g) Residential Fire Sprinkler Systems
 - (h) Sanitary Drainage
 - (i) Special Piping (Medical Gas)
 - (j) Storm Drainage
 - (k) System piping and components
 - (l) Traps, Interceptors and Separators
 - (m) Vents - DVM
 - (n) Water Heaters
 - (o) Water Supply and Distribution
 - (p) Safety related to the plumbing industry.
- (2) Colorado Plumbing Code. In addition to the requirements of 1.4(E)(3)(d)(1), licensees must make attestation upon renewal that they have read the current Colorado Plumbing Code in Board Rule 1.2.
- (3) Continuing education credits will only apply to each twelve month period after the later of the last date of renewal or reinstatement
- (4) Licensees shall cooperate with the Board to determine compliance with continuing education requirements.

- (5) The requirements stated in Board Rule 1.4(E)(3) shall apply to:
- (a) All original plumbing licenses granted after July 1, 2021;
 - (b) All plumbing licenses upon completion of the 2021 renewal; and,
 - (c) All plumbers are subject to Board Rule

Pursuant to section 12-155-112(2)(c), C.R.S. continuing education requirements within section 12-155-112(3)(a), C.R.S. do not apply to water conditioning installers or water conditioning principles,

- e. Attesting Providers. Continuing education providers must be listed with the Board and attest that their courses and instructors meet the continuing education requirements of Board Rule sections 1.4 (E)(3)(d)(1) through (4), The list of Attesting Providers with expire on December 31st of the final year of the current code cycle.

- (1) The Board has sole discretion to accept providers that have attested.
- (2) Providers. Providers may attest that they meet the CE requirements if their courses and instructors meet all the requirements of Board Rule 1.4(E)(3)(e)(4).
 - (a) As proof of course completion, the Board will accept a certificate of completion from the course provider.
 - (b) Certificates of completion shall not be issued to attendees unless the course is successfully completed. Certificates of completion shall include all of the following elements:
 - (i) Name of attendee;
 - (ii) Attendee's Colorado plumber's license number;
 - (iii) Date of course;
 - (iv) Provider name and approval number;
 - (v) Course title;
 - (vi) Instructor name; and
 - (vii) Number hours of continuing education credit earned.
- (3) Courses. Criteria for courses from Attesting Providers shall include the following:
 - (a) Each course shall cover a minimum of one core competency, as listed in Board Rule 1.4(E)(3)(d)(1). Course credit will apply to only one core competency per course.

- (b) All online courses or webinars shall be interactive. Each course must have capabilities in place to ensure active participation and demonstrate comprehension a minimum of once per hour, and fast-forward must be disabled.
 - (4) Instructors. Courses must be taught by instructors with the following qualifications:
 - (a) Instructors must be sponsored by the Attesting Provider.
 - (b) Instructor's background and experience must meet at least one of the following criteria.
 - (i) Hold a minimum of a Colorado master plumber's license or journeyman plumber's license (or equivalent) plus a minimum of five years of journeyman plumber field experience;
 - (ii) Community college or vo-tech instructor as approved by the Board;
 - (iii) Plumbing continuing education instructor from other areas as approved by the Board; or,
 - (iv) Instructor shall provide documentation of background and experience as requested by the Board.
 - (5) Once attesting they meet the qualifications as an Attesting Provider, providers will be placed on an Attesting Provider list.
 - (6) The Board has sole discretion to accept or reject any continuing education credit earned by a licensee from a provider that is, or is not, on the list.
 - (7) The Board has discretion to remove providers from the list.
 - (8) It is the responsibility of the licensee to ensure the continuing education obtained meets the requirements of this section 1.4(3)(E).
- f. Recordkeeping
- (1) The licensee shall track and document completed continuing education in a process approved by the Board.
 - (2) The licensee shall retain documentation for a minimum of six years.
- g. Audits
- (1) The Board may conduct audits of continuing education for verification of compliance with these requirements at any time. The Board may, at its discretion, disallow any continuing education course completed by a licensee that was offered by a provider on the Attesting Provider list.
 - (2) A licensee shall provide all documentation requested for audit within thirty days of the request.

- h. Multiple Licenses. A licensee holding multiple licenses issued by the Board shall complete continuing education requirements for the most advanced license held. Completion of continuing education requirements for the most advanced license shall satisfy the requirements for all lesser licenses.

4. Inactive License Status and Reactivation

- a. Inactive License. Pursuant to section 12-70-101, C.R.S., any licensee may apply to the Board to transfer his or her license to inactive status. Such application shall be in the form and manner designated by the Board. The holder of an inactive license shall not be required to comply with continuing education requirements for renewal so long the license remains inactive.
 - (1) Each holder of an inactive license shall renew once every two years with the Board in the same manner as active license holders and pay a fee pursuant to section 12-155-105(1)(d), C.R.S.
 - (2) During such time as a license remains in an inactive status, the licensee shall not perform any acts restricted to active licensed plumbers. Such practice may be grounds for revocation.
- b. Reactivation of Inactive License. An inactive license may be reactivated by submitting the proper application, paying the current reactivation fee, and meeting the appropriate requirements below.
 - (1) Inactive for Less Than Three Years. To reactivate a license that has been inactive for less than three years, the applicant must provide evidence of completion, within the three years immediately preceding the application for reinstatement, of twenty-four hours of continuing education, as defined in Board Rule 1.4(e)(3)
 - (2) Inactive for More Than Three Years. Pursuant to section 12-115-110(4)(c), C.R.S., a licensee whose license has been inactive for more than three years must demonstrate education to practice by any of the following:
 - (a) Satisfactorily pass the state plumbing examination.
 - (b) Provide verification of an active license with a state where a reciprocal agreement for an equivalent license exists.
 - (c) Provide verification of active licensure in a non-reciprocal state as follows:
 - (i) Verify an active residential plumber's license, journeyman plumber's license, or master plumber's license in non-reciprocal state, respective to the license you are reinstating;
 - (ii) Evidence of completing twenty-four continuing education hours pursuant to Board Rule 1.11(C) in the three years immediately preceding the application for reinstatement; and,
 - (iii) By other means approved by the Board.

- (3) Practicing with an Inactive License. Practicing plumbing work with a license in inactive status shall constitute practice without an active license and, therefore, may be grounds for injunctive or disciplinary action, up to and including revocation.
 5. Registered Plumbing and Water Conditioning Contractors with expired permits shall not have their contractor registrations renewed until such time as all expired permits are cleared or as otherwise allowed by the Board.
- F. Pumping Equipment License
- License required.** Any individual licensed as a residential plumber, journeyman plumber, or master plumber under Title 12, Article 155 of the Colorado Revised Statutes who intends to install, alter, or repair “pumping equipment”, as defined by section 37-91-102(13), C.R.S., shall first apply for and obtain licensure with the Water Well Construction and Pump Installation Contractors Board prior to commencing any such activity. Failure to comply with the licensure requirements set forth herein shall be, if proven, a violation of sections 12-155-113(1)(b) and 12-20-404, C.R.S.
- (“Pumping equipment” means any pump or related equipment used or intended for use in withdrawing or obtaining groundwater, including, but not limited to, well seals, pitless adapters, and other safeguards to protect the groundwater from contamination and any waterlines up to and including the pressure tank and any coupling appurtenant thereto.)
- G. **Requirement to Carry Documentation.** Any licensed water conditioning registrant working as a plumber, apprentice, or registered individual shall be required to carry on his or her person the appropriate license, temporary work permit, or registration.
- H. **Residential Plumber on Commercial Job.** Residential Plumbers must maintain an apprentice registration when working on commercial jobs and be supervised accordingly.
- I. **Plumbing Contractor's Loss of Responsible Master.** A plumbing contractor that, for any reason, loses the services of the responsible master plumber will be allowed twenty days in which to hire another master plumber. If another master plumber has not been hired during that period, the plumbing contractor registration will be placed into a “Need Master Hire-Cannot Practice” status until such time as a master has been hired, and the appropriate fee paid.
- J. **Termination or Separation of Apprentice.** Plumbing contractors shall notify the Board within thirty days after the termination or separation of a plumbing apprentice.
- K. **Apprentice Information File.** It shall be the responsibility of the apprentice to file and keep current contact information with the Board. Notification by any manner approved by the Board is acceptable but the online registration system is preferred.
- L. Notice of Change of Address
1. A licensee or registrant shall inform the Board in a clear, explicit, and unambiguous written statement or through the Board’s secure online system (as available) of any name, address, telephone, or email change within thirty days of the change. The Board will not change the licensee or registrant information without explicit notification from the licensee or registrant. Notification by any manner approved by the Board is acceptable.
 - a. The Division of Professions and Occupations maintains one contact address for each licensee or registrant, regardless of the number of licenses or registrations the licensee or registrant may hold.

- b. All communications will be sent to the address on record for each licensee or registrant. Address change requests to route specific communications (i.e., confidential communications) to a separate address are not accepted.
 - 2. The Board requires one of the following forms of documentation to change the name or correct the social security number or individual taxpayer identification number of a licensee or registrant:
 - a. Marriage license;
 - b. Divorce decree;
 - c. Court order;
 - d. Documentation from the Internal Revenue Service verifying the licensee's valid individual taxpayer identification number; or
 - e. A driver's license or social security card with a second form of identification may be acceptable at the discretion of the Division of Professions and Occupations.
- M. **Advertising.** Registered plumbing contractors or water conditioning contractors shall not advertise in any manner by any name, including DBA's, other than the registered company name on record with the Department of Regulatory Agencies.

1.5 EXAMINATIONS

- A. **Identification.** The applicant shall present positive photo identification in order to be admitted to the examination area.
- B. **Proprietary Information.** The content and answers to examinations for licensure or renewal administered by the Board are proprietary property. Licensees and registrants shall not disclose, or offer to disclose any portion of the examinations to others. Licensees and registrants may be subject to disciplinary action by the Board should they disclose, or offer to disclose, sell or otherwise distribute the content and/or answers for any examinations administered by the Board.
- C. **Results.** Examination results will be provided in writing to each examinee. Results will not be given in any other manner. Consistent with widely accepted testing practices, applicants who pass the examination will be given their results in a pass/fail format.
- D. **Review.** Examinations shall not be subject to review by applicants.
- E. The Board designates the Division as its authorized agent in order to manage the administration of examination(s).

1.6 PERMITS AND INSPECTIONS

- A. Permits
 - 1. **Permit Required.** A permit and inspections shall be required for all plumbing, fuel gas piping work, water conditioning equipment installation or manufactured home hookup as described in the Title 12, Article 155, C.R.S. and/or the Colorado Plumbing Code or Colorado Fuel Gas Code, either through the Board or the Local Authority Having Jurisdiction.

2. **Issuance.** Plumbing, fuel gas piping, water conditioning equipment or manufactured home hookup permits shall be issued in the name of the qualified applicant or registered contractor performing the work prior to the commencement of any work being undertaken.
 - a. **Qualified applicant.** A qualified applicant able to purchase a permit for inspection of a manufactured home hook up shall be a “registered installer” of manufactured homes as defined by Part 33 of Article 32 of Title 24, C.R.S.
 3. **Fraudulent Information.** Any permit issued as a result of fraudulent or incorrect information supplied on the application shall be cancelled.
 4. **Double Fee.** Any work commencing prior to the purchase of a permit is subject to twice the prescribed permit fee.
 5. Stop Work Order
 - a. **Notice to owner.** Upon notice from the plumbing inspector that work on any building or structure is being installed contrary to the provisions of this code or in an unsafe and dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner’s agent or to the person doing the work, or posted at the job site and shall state the conditions under which work will be permitted to resume.
 - b. **Unlawful continuance.** Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by this article.
 6. **Moved Buildings.** Moved buildings with a pre-existing plumbing and/or fuel gas system
 - a. New potable water supply and sanitary system may be connected upon written verification to the Board from a plumbing contractor that the existing system presents no hazard to life, health, or property. A permit and inspection are required to witness proper connections are made.
 - b. Prior to connecting an existing gas piping system to a new gas supply, a permit must be obtained, a pressure test performed, and an inspection must be approved.
 - c. Any new plumbing or gas piping system installed in a moved building shall require a permit and inspections according to the codes and amendments enforced at the time the permit is obtained.
 7. **Temporary Buildings.** Temporary buildings used by the public shall incorporate sanitary facilities and potable water in accordance with the Colorado Plumbing Code. Permits and inspections are required.
- B. Inspections
1. **How Conducted.** Inspections shall be conducted according to Section 107 (IPC, IFGC) and Section P2503 (IRC) as adopted into the Colorado Plumbing Code or Colorado Fuel Gas Code.

2. **Requirements for inspections.** Persons requesting inspections shall provide:
 - a. Access to the inspection area during the reasonable working hours (i.e., Monday through Friday, 8:00 a.m. to 5:00 p.m.).
 - b. Ladders for access to inspection areas such as roofs and/or deep crawl spaces.
 - c. An approved set of design plans for commercial and school jobs shall be located at the job site.

3. **Inspection Categories.** Prior to requesting an inspection, the installation to be inspected shall be complete and under test by the following categories:
 - a. **Plumbing**
 - (1) **Underground plumbing** (all drain, waste, vent, and water piping below grade).
 - (2) **Rough in plumbing** (all drain, waste, vent, and water piping, valves above grade).
 - (3) **Final plumbing** (all plumbing fixtures installed with hot and cold running water).
 - b. Gas piping
 - (1) **Rough gas piping** (all piping shall be installed and under the prescribed air test).
 - (2) **Underground installation** (any underground piping after the point of delivery by the purveyor).
 - (3) **Final gas piping inspection** (all gas appliance shutoff outlets shall be installed, capped or plugged, unless connected to a properly vented gas burning appliance).

4. **Incomplete Installations.** Installations that are incomplete when the inspector arrives may be subject to a re-inspection fee.

Exception: Large projects may have partial inspections in designated areas as needed to keep projects within a time schedule. All portions of the installation must be completed within the designated area of inspection.

5. **Reinspection Fees.** A reinspection fee may be assessed at the discretion of the inspector for reasons including, but not limited to, the following:
 - a. The job is not ready for an inspection and an extra trip is required for the inspector (a job with multiple code violations may be considered “not ready” by the inspector).
 - b. Corrections have not been made to all code violations cited from previous inspection.

- c. No access to the job site for reasons including but not limited to; locked gate or door, snow not plowed, no escort into an occupied structure, etc. (inspectors may not enter an occupied residence without an escort at least eighteen years of age or older).
 - d. Hazardous construction site as determined by the inspector or OSHA guidelines (may include loose dogs, etc.)
 - e. Address not posted so as to be visible from the street or road.
 - f. Improper directions to jobsite given on permit or inspection requests.
6. **Reinspection.** A reinspection shall not be performed until the reinspection fee has been paid.
7. **Requests.** An inspection request will only be accepted from the permit owner or their agent.
8. **Provide services.** A utility purveyor shall not provide service to any structure required to have gas inspections required by section 12-155-120(1), C.R.S., without proof of approval. Approval shall be indicated by the presence of a "Blue Tag" affixed to the gas piping system at the point of utility connection. Approval may also be granted verbally or in writing by the inspector or his/her supervisor.

1.7 ENFORCEMENT

- A. **Knowledge of Violation.** Licensees and registrants having knowledge of, or involvement in, any alleged violation of Title 12, Article 155, C.R.S., or Board Rules, shall cooperate with any investigation initiated by the Board and furnish such information or assistance as may be requested.
- B. Reporting Felony Convictions
- 1. A licensee or registrant, as defined in sections 12-155-103(3), (4), (9), (10), and (13), C.R.S., including but not limited to registered plumbing apprentices, registered plumbing contractors, or licensed plumbers (residential, journeyman, and master) shall inform the Board, in a manner set forth in this Rule, within forty- five days of the conviction of the licensee or registrant of a felony under the laws of any state or of the United States.
 - 2. The conviction of the licensee or registrant of a felony under the laws of any state or of the United States is grounds for discipline pursuant to section 12-155-113(1)(f), C.R.S.
 - 3. For purposes of this Rule, a "conviction" includes:
 - a. A guilty verdict;
 - b. A plea of guilty accepted by the court; or
 - c. A plea of nolo contendere (no contest) accepted by the court.
 - 4. The notice to the Board shall include the following information:
 - a. The court;
 - b. The jurisdiction;

- c. The case name;
 - d. The case number; and
 - e. A description of the matter or a copy of the indictment or charges.
5. The licensee or registrant shall inform the Board of the following information within forty-five days of each such occurrence:
 - a. The imposition of sentence for a felony conviction; and
 - b. The completion of all terms of a sentence for a felony conviction.
 6. The licensee or registrant notifying the Board may submit a written statement with any notice under this Rule to be included in the registrant or licensee records.
 7. This Rule shall apply to any conviction or plea as described in Rule 1.7(B)(3).

C. Citations

1. **Forms.** The citation form will be completed by the state plumbing inspector or by the Board. Citations shall be served by certified mail, in person by a State plumbing inspector, or by waiver of personal service. Personal service provided by the plumbing inspector shall be verified by affidavit. The Program Director will approve the completed and served citation. The Board maintains the discretion to dismiss the citation at any time.
2. **Response.** The citation form shall direct the recipient to respond in one of the following ways within ten working days after service of the citation:
 - a. Pay the fine;
 - b. Submit a written request to negotiate a stipulated settlement agreement with the Program Director; or
 - c. Submit a written request for a formal administrative hearing.
3. **Fines.** If one of the following actions is not taken by the citation recipient within ten working days following service of the citation, recipient will be deemed to have failed to comply with the citation:
 - a. Full payment of the fine;
 - b. Written request for negotiation of a stipulated settlement agreement; or
 - c. Written request for a formal administrative hearing. Reasonable attorney fees and costs may be assessed by the Board when taking formal action to collect fines. A citation offense that is more than four years old will not be considered by the Board when determining disciplinary action.

4. **Negotiations.** All requests and explanation for negotiation of a stipulated settlement agreement shall be submitted to the Program Director or designee in writing and may include information in mitigation of the violation. Inspectors shall not negotiate settlements or accept payments of fines resulting from citations. The date the request for negotiation of a stipulated settlement agreement is received by the Program Director constitutes the submittal date. After reviewing the requested settlement information, the Program Director has the option to authorize any of the following actions:
 - a. Reduce the fine;
 - b. Arrange a payment schedule for the fine;
 - c. Permit a personal appearance before the Board;
 - d. Refer the matter to the Board.
5. **Termination of negotiations.** Negotiations may terminate for reasons including but not limited to:
 - a. The recipient admits to committing the violation;
 - b. The recipient does not conduct settlement negotiations timely and in writing;
 - c. The recipient does not present reasonable mitigating or extenuating information in writing;
 - d. The Program Director determines the settlement negotiations are not being conducted in good faith or are being conducted for the purpose of delay;
 - e. It appears unlikely the parties will reach a negotiated resolution;
 - f. The recipient has prior violations that need to be brought to the Board's attention prior to attempting settlement negotiations.
6. **Stipulation Agreement.** A stipulated settlement agreement shall be signed and dated by the Program Director and the citation recipient. The stipulated settlement agreement shall be approved by the Board to become final and shall contain an admission of the violation(s), unless good cause exists, in the Program Director's discretion, to omit one or more admissions. A stipulated settlement agreement shall be considered a violation for the purpose of determining the fine amount of subsequent violations.
7. **Formal Hearing.** A written request from the citation recipient to proceed to a formal hearing may be submitted at any time during settlement negotiations. If the negotiations are subsequently deemed futile, the citation recipient shall be notified that payment of the fine or request for a formal administrative hearing shall be submitted within ten calendar days. Written settlement information may be used against the licensee, registrant, or applicant respondent at the hearing when unsuccessful settlement negotiations proceed to a formal administrative hearing.
8. **Attorney General Assistance.** The Board or Program Director may request that the Attorney General assist with settlement negotiations when the citation recipient retains an attorney for assistance during the stipulated settlement negotiations.

9. **Hearings.** Hearings shall be conducted by an administrative law judge at the Office of Administrative Courts. The citation recipient may be represented at the hearing by counsel of his or her choosing. Hearings shall be conducted in accordance with the Administrative Procedure Act, Title 24, Article 4, C.R.S.

a. Board action. At the formal administrative hearing, the Board may pursue the maximum fine allowed by statute. At the formal administrative hearing, the Board may also pursue any other disciplinary sanctions such as revocation, suspension, or probation.

D. The following is the current fine schedule adopted by the Board pursuant to section 12-155-123(2), C.R.S.

Violation	Statutory/Rule Provision	1st	2nd	3rd
Engaging in the business, trade, or calling of a residential plumber without a license	12-155-108(1) 12-155-113(1)(a) 12-155-113(1)(o)	\$150	\$375	Up to \$2,000 per day
Engaging in the business, trade or calling of a journeyman plumber without a license	12-155-108(1) 12-155-113(1)(a) 12-155-113(1)(o)	\$225	\$600	Up to \$2,000 per day
Engaging in the business, trade or calling of a master plumber without a license	12-155-108(1) 12-155-113(1)(a) 12-155-113(1)(o)	\$300	\$600	Up to \$2,000 per day
Engaging in the business, trade, or calling of a registered water conditioning installer without being registered by the Board	12-155-108(1) 12-155-113(1)(a) 12-155-113(1)(o)	\$150	\$375	Up to \$2,000 per day
Engaging in the business, trade or calling of a registered water conditioning principal without being registered by the Board	12-155-108(1) 12-155-113(1)(a) 12-155-113(1)(o)	\$225	\$600	Up to \$2,000 per day
Engaging in the business, trade or calling of a registered water conditioning contractor without being registered by the Board	12-155-108(1) 12-155-113(1)(a) 12-155-113(1)(o)	\$300	\$600	Up to \$2,000 per day
Failure of a plumbing contractor to register an apprentice	12-155-108(2)(b) 12-155-113(1)(a)	\$225	\$600	Up to \$2,000 per day
Failure of an apprentice to work under the supervision of a licensed plumber	12-155-124(1) 12-155-113(1)(a)	\$50	\$200	Up to \$2,000 per day
Employment of unlicensed personnel to perform plumbing work	12-155-113(1)(k)	\$300	\$600	Up to \$2,000 per day

Violation	Statutory/Rule Provision	1st	2nd	3rd
Operating as a plumbing contractor without obtaining registration from the Board	12-155-108(3) 12-155-113(1)(a)	\$750	\$1,500	Up to \$2,000 per day
Failure of a licensee to supervise a plumbing apprentice	12-155-113(1)(i) 12-155-124	\$375	\$600	Up to \$2,000 per day
Supervision by a residential, journeyman, or master plumber of more than three apprentice plumbers at the same jobsite	12-155-124(1) 12-155-113(1)(a)	\$375	\$600	Up to \$2,000 per day
Failure to obtain a permit and/or failure to obtain an inspection	12-155-120(1) 12-155-113(1)(a)	\$375	\$900	Up to \$2,000 per day
Applying for a plumbing permit if not qualified applicant	12-155-113(1)(r)	\$375	\$900	Up to \$2,000 per day
Failure of a licensed or registered individual working as a plumber to carry on his or her person the appropriate license, temporary work permit, or registration	12-155-113(1)(b) Rule 1.4(G)	\$150	\$375	Up to \$2,000 per day
Failure to remove a cause for disapproval of any plumbing installation within a reasonable time	12-155-113(1)(c)	\$450	\$900	Up to \$2,000 per day
Advertising by a licensee or registrant which is false or misleading	12-155-113(1)(g)	\$375	\$750	Up to \$2,000 per day
Deception, misrepresentation or fraud in obtaining or attempting to obtain a license	12-155-113(1)(h)	\$1,000	\$2,000	Up to \$2,000 per day
Violating other state law in connection with a construction project (i.e., construction, safety, labor, health, worker's compensation insurance, or tax law)	12-155-108(3) 12-155-113(1)(q)	\$375	\$750	Up to \$2,000 per day
Other violations of Article 155 of Title 12, C.R.S. or any Board Rule	12-155-113(1)	Up to \$1,000	Up to \$2,000	Up to \$2,000 per day

- E. Compliance. Payment of a fine assessed from a citation does not relieve the receiver of the citation from correcting the situation, installation, statute or code violation noted in the citation.

1.8 DECLARATORY ORDERS

- A. **Board Petition.** Any person may petition the Board for a declaratory order to terminate controversies or to remove uncertainties as to the applicability to the petitioner of any statutory provision or of any Rule or order of the Board.
- B. **Board Ruling.** The Board will determine, at its discretion and without notice to the petitioner, whether to rule upon any such petition. If the Board determines that it will not rule upon such a petition, the Board shall promptly notify the petitioner of its action and state the reasons for such action.
- C. **Determination to Rule.** In determining whether to rule upon a petition filed pursuant to this Rule, the Board will consider the following matters, among others:
1. Whether a ruling on the petition will terminate a controversy or remove uncertainties as to the applicability to petitioner of any statutory provision or rule or order of the Board.
 2. Whether the petition involves any subject, question or issue which is the subject of a formal or informal matter or investigation currently pending before the Board or a court involving one or more of the petitioners.
 3. Whether the petition involves any subject, question or issue which is the subject of a formal or informal matter of investigation currently pending before the Board or a court but not involving any petitioner.
 4. Whether the petition seeks a ruling on a moot or hypothetical question or will result in an advisory ruling or opinion.
 5. Whether the petitioner has some other adequate legal remedy, other than an action for declaratory relief pursuant to Rule 57, Colo. R. Civ. P., which will terminate the controversy or remove any uncertainty as to the applicability to the petitioner of the statute, rule or order in question.
- D. **Petition Requirements.** Any petition filed pursuant to this Rule shall set forth the following:
1. The name, e-mail address, and physical address of the petitioner and whether the petitioner is licensed pursuant to the organic act;
 2. The statute, rule or order to which the petition relates;
 3. A concise statement of all of the facts necessary to show the nature of the controversy or uncertainty and the manner in which the statute, rule or order in question applies or potentially applies to the petitioner.
- E. **Procedure.** If the Board determines that it will rule on the petition, the following procedures shall apply:
1. The Board may rule upon the petition based solely upon the facts presented in the petition. In such a case:
 - a. Any ruling of the Board will apply only to the extent of the facts presented in the petition and any amendment to the petition.

- b. The Board may order the petitioner to file a written brief, memorandum or statement of position.
 - c. The Board may set the petition, upon due notice to petitioner, for a non-evidentiary hearing.
 - d. The Board may dispose of the petition on the sole basis of the matters set forth in the petition.
 - e. The Board may request the petitioner to submit additional facts, in writing. In such event, such additional facts will be considered as an amendment to the petition.
 - f. The Board may take administrative notice of facts, pursuant to the Administrative Procedure Act, section 24-4-105(8), C.R.S., and may utilize its experience, technical competence and specialized knowledge in the disposition. If the Board rules upon the petition without a hearing, it shall promptly notify the petitioner of its decision.
2. The Board may, at its discretion, set the petition for hearing upon due notice to petitioner, for the purpose of obtaining additional facts or information or to determine the truth of any facts set forth in the petition or to hear oral argument on the petition. The notice to the petitioner setting such hearing shall set forth, to the extent known, the factual or other matters into which the Board intends to inquire. For the purpose of such a hearing, to the extent necessary, the petitioner shall have the burden of proving all of the facts stated in the petition, all of the facts necessary to show the nature of the controversy or uncertainty and the manner in which the statute, rule or order in question applies or potentially applies to the petitioner and any other facts the petitioner desires the Board to consider.
- F. **Parties.** The parties to any proceeding pursuant to this Rule shall be the Board and the petitioner. Any other person may seek leave of the Board to intervene in such a proceeding, and leave to intervene will be granted at the sole discretion of the Board. A petition to intervene shall set forth the same matters as required by section (D) of this Rule. Any reference to a "petitioner" in this Rule also refers to any person who has been granted leave to intervene by the Board.
- G. **Order.** Any declaratory order or other order disposing of a petition pursuant to this Rule shall constitute agency action subject to judicial review pursuant to section 24-4-106, C.R.S.

1.9 STATE PLUMBING INSPECTORS

- A. **Applicant.** All applicants for the position of state plumbing inspector must possess a current journeyman or master plumber license issued by the State of Colorado.
- B. **Plumbing License.** Plumbing inspectors must maintain a current Colorado journeyman or master plumbing license.

1.10 PROTECTING COLORADO'S WORKFORCE AND EXPANDING LICENSING OPPORTUNITIES

This Rule is promulgated pursuant to Executive Order D 2022 034, and sections 12-155-105(1)(e) and 12-20-204, C.R.S.

- A. Definitions, for purposes of this Rule, are as follows:
 - 1. "Applicant" means as defined in section 12-20-102(2), C.R.S.

2. "Civil judgment" means a guilty verdict, a plea of guilty, a plea of nolo contendere, or a deferred judgment or sentence.
 3. "Criminal judgment" means a guilty verdict, a plea of guilty, a plea of nolo contendere, or a deferred judgment or sentence.
 4. "Licensee" means as defined in section 12-20-102(10), C.R.S.
 5. "Registrant" means as defined in section 12-20-102(12), C.R.S.
 6. "Regulator" means as defined in section 12-20-102(14), C.R.S.
- B. The regulator shall not deny registration or licensure to an applicant or impose disciplinary action against an individual's registration or license based solely on a civil or criminal judgment against the registrant or licensee regarding the consumption, possession, cultivation, or processing of marijuana so long as the actions are lawful and consistent with professional conduct and standards of care within Colorado and did not otherwise violate Colorado law.
- C. The regulator shall not deny registration or licensure to an applicant or impose disciplinary action against an individual's registration or license based solely on a professional disciplinary action against the applicant's, registrant's, or licensee's professional registration or license in this, or any other state or U.S. territory so long as the professional disciplinary action is based solely on the applicant's, registrant's, or licensee's consumption, possession, cultivation, or processing of marijuana and did not otherwise violate Colorado law.

Editor's Notes

History

Entire rule eff. 01/01/2008.

Entire rule eff. 04/01/2010.

Rules 2.3.A, 2.4.1-2.4.2, 6.4 eff. 09/01/2011.

Entire rule eff. 03/15/2014.

Rules 2.3, 3.1 eff. 12/15/2014.

Entire rule eff. 02/14/2016.

Rules 2.5.1.27, 4.1, 4.2, 4.5.4, 4.5.5, 4.6-4.13, 6.1, 7.4 eff. 04/01/2016.

Rules 1.2 A-C, 1.2 D.4, 1.2 D.7-10, 1.2 E, 1.3, 1.4 A, 1.4 E, 1.6 B.8 eff. 06/14/2020. Rule 1.4.D repealed eff. 06/14/2020.

Rule 1.3 C eff. 08/30/2021.

Rule 1.4 L.2 eff. 12/15/2021.

Rule 1.10 emer. rule eff. 10/26/2022.

Rule 1.10 eff. 12/15/2022.

Rules 1.2, 1.3 A,B, 1.4 A,B,E,L, 1.5 E, 1.7 D eff. 04/14/2023.

Colorado Revised Statutes 2023

TITLE 12 PROFESSIONS AND OCCUPATIONS

ARTICLE 155: PLUMBERS

Editor's note: This title 12 was repealed and reenacted, with relocations, in 2019, resulting in the addition, relocation, or elimination of sections as well as subject matter. For amendments to this title 12 prior to 2019, consult the 2018 Colorado Revised Statutes and the Colorado statutory research explanatory note beginning on page vii in the front of this volume. Former C.R.S. section numbers are shown in editor's notes following those sections that were relocated. For a detailed comparison of this title 12, see the comparative tables located in the back of the index or <https://leg.colorado.gov/sites/default/files/images/olls/title-12-2019-table.pdf>.

Cross references: For practicing a profession or operating a business without a license, see § 16-13-306; for rule-making procedures and license suspension and revocation procedures by state agencies, see article 4 of title 24; for an alternative disciplinary action for persons licensed, registered, or certified pursuant to this title 12, see § 24-34-106; for disposition of money collected under this title 12, see §§ 24-35-101 and 24-36-103.

12-155-101. Legislative declaration. (1) The general assembly hereby finds that:

(a) Improper plumbing can adversely affect the health of the public and that faulty plumbing is potentially lethal and can cause widespread disease and an epidemic of disastrous consequences;

(b) To protect the health of the public, it is essential that plumbing be installed by persons who have proven their knowledge of the sciences of pneumatics and hydraulics and their skill in installing plumbing.

(2) Consistent with its duty to safeguard the health of the people of this state, the general assembly hereby declares that individuals who plan, install, alter, extend, repair, and maintain plumbing systems should be individuals of proven skill. To provide standards of skill for those in the plumbing trade and to authoritatively establish what shall be good plumbing practice, the general assembly hereby provides for the licensing of plumbers and for the promulgation of a model plumbing code of standards by the state plumbing board, and this article 155 is therefore declared to be essential to the public interest.

(3) The general assembly encourages the state plumbing board to adopt and incorporate by reference appendix C of the "International Plumbing Code" (I.P.C.), 2009 edition, promulgated by the International Code Council, first printing (January 2009), or the graywater provisions within a newer edition of the I.P.C., whether the provisions are contained in appendix C or elsewhere.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 987, § 1, effective October 1.

Editor's note: This section is similar to former § 12-58-101 as it existed prior to 2019.

12-155-102. Applicability of common provisions. Articles 1 and 20 of this title 12 apply, according to their terms, to this article 155.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 987, § 1, effective October 1.

12-155-103. Definitions. As used in this article 155, unless the context otherwise requires:

- (1) "Board" means the state plumbing board created in section 12-155-104.
- (2) "Gas piping" means any arrangement of piping used to convey fuel gas, supplied by one meter, and each arrangement of gas piping serving a building, structure, or premises, whether individually metered or not. "Gas piping" or "gas piping system" does not include the installation of gas appliances where existing service connections are already installed, nor does the term include the installations, alterations, or maintenance of gas utilities owned by a public utility certified pursuant to article 5 of title 40 or a public utility owned or acquired by a city or town pursuant to article 32 of title 31.
- (3) "Journeyman plumber" means any person, other than a master plumber, residential plumber, or plumber's apprentice, who engages in or works at the actual installation, alteration, repair, and renovation of plumbing in accordance with the standards and rules established by the board.
- (4) "Master plumber" means a person who has the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and install and repair plumbing apparatus and equipment including the supervision of such in accordance with the standards and rules established by the board.
- (5) "Colorado plumbing code" or "the code" means a code established by the board that consists of standards for plumbing installation, plumbing materials, conservation, medical gas, sanitary drainage systems, and solar plumbing that could directly affect the potable water supply.
- (6) "Colorado fuel gas code" means a code adopted by rule of the board for the inspection of plumbing fuel gas pipe installations.
- (7) (a) "Conservation" means efficiency measures that meet national guidelines and standards and are tested and approved by a nationally recognized testing laboratory, including:
 - (I) Water-efficient devices and fixtures; and
 - (II) The use of locally produced materials, when practicable, to reduce transportation impacts.
- (b) When conservation conflicts with safety, the board shall give primary consideration to safety.
- (c) Nothing in this subsection (7) affects the board's authority to establish the Colorado plumbing code as specified in section 12-155-106.
- (8) (a) "Plumbing" includes the following items located within the building or extending five feet from the building foundation, excluding any service line extending from the first joint to the property line: All potable water supply and distribution pipes and piping; all plumbing fixtures and traps; all drainage and vent pipes; all water conditioning appliances connected to the potable water system; all building drains, including their respective joints and connections, devices, receptacles, and appurtenances; all multipurpose residential fire sprinkler systems in

one- and two-family dwellings and townhouses that are part of the potable water supply; and all medical gas and vacuum systems in health-care facilities.

(b) Notwithstanding subsection (8)(a) of this section, the following is not included within the definition of "plumbing":

(I) Installations, extensions, improvements, remodeling, additions, and alterations in water and sewer systems owned or acquired by counties pursuant to article 20 of title 30, cities and towns pursuant to article 35 of title 31, or water and sanitation districts pursuant to article 1 or article 4 of title 32; or

(II) Installations, extensions, improvements, remodeling, additions, and alterations performed by contractors employed by counties, cities, towns, or water and sewer districts that connect to the plumbing system within a property line; or

(III) Performance, location, construction, alteration, installation, and use of on-site wastewater treatment systems pursuant to article 10 of title 25 that are located within a property line.

(9) "Plumbing apprentice" means any person, other than a master, journeyman, or residential plumber, who, as his or her principal occupation, is engaged in learning and assisting in the installation of plumbing.

(10) "Plumbing contractor" means any person, firm, partnership, corporation, association, or other organization that undertakes or offers to undertake for another the planning, laying out, supervising, installing, or making of additions, alterations, and repairs in the installation of plumbing. In order to act as a plumbing contractor, the person, firm, partnership, corporation, association, or other organization must either be or employ a full-time master plumber. "Plumbing contractor" does not include a water conditioning contractor, a water conditioning installer, or a water conditioning principal.

(11) "Potable water" means water that is safe for drinking, culinary, and domestic purposes and that meets the requirements of the department of public health and environment.

(12) "Qualified state institution of higher education" means:

(a) One of the state institutions of higher education established under, specified in, and located upon the campuses described in sections 23-20-101 (1)(a) and 23-31-101, limited to the buildings owned or leased by those institutions on those campuses;

(b) The institution whose campus is established under and specified in section 23-20-101 (1)(b), but limited to the buildings located in Denver at 1380 Lawrence street, 1250 Fourteenth street, and 1475 Lawrence street; and

(c) The institution whose campus is established under and specified in section 23-20-101 (1)(d), but limited to current and future buildings owned or leased or built on land owned on or before January 1, 2015, by the university of Colorado on the campus described in section 23-20-101 (1)(d).

(13) "Residential plumber" means any person, other than a master or journeyman plumber or plumbing apprentice, who has the necessary qualifications, training, experience, and technical knowledge, as specified by the board, to install plumbing and equipment in one-, two-, three-, and four-family dwellings, which dwellings shall not extend more than two stories aboveground.

(13.5) "Tiny home" has the meaning set forth in section 24-32-3302 (35).

(14) (a) "Water conditioning contractor" means a person that:

(I) Undertakes or offers to undertake for another the planning, laying out, supervising, installing, or making of additions, alterations, or repairs in the installation of water conditioning appliances in one-, two-, three-, or four-family dwellings, which dwellings must not extend more than two stories aboveground; and

(II) Is required to be registered pursuant to section 12-155-108 (4).

(b) "Water conditioning contractor" does not include a plumbing contractor.

(15) (a) "Water conditioning installer" means a person that:

(I) Has the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and install water conditioning appliances in one-, two-, three-, and four-family dwellings, which dwellings must not extend more than two stories aboveground, in accordance with the standards and rules established by the board;

(II) Is certified by a national water conditioning association recognized by the board, with the type of certification specified by the board; and

(III) Is required to be registered pursuant to section 12-155-108 (5).

(b) "Water conditioning installer" does not include a licensed plumber.

(16) (a) "Water conditioning principal" means a person that:

(I) Has the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and install water conditioning appliances in one-, two-, three-, and four-family dwellings, which dwellings must not extend more than two stories aboveground, including the supervision of the work in accordance with the standards and rules established by the board;

(II) Is certified by a national water conditioning association recognized by the board, with the type of certification specified by the board; and

(III) Is required to be registered pursuant to section 12-155-108 (6).

(b) "Water conditioning principal" does not include a licensed plumber.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 987, § 1, effective October 1. L. 2022: (13.5) added, (HB 22-1242), ch. 172, p. 1137, § 29, effective August 10.

Editor's note: This section is similar to former § 12-58-102 as it existed prior to 2019.

12-155-104. State plumbing board - subject to review - repeal of article. (1) There is established in the division the state plumbing board. The board is a **type 1** entity, as defined in section 24-1-105, and exercises its powers and performs its duties and functions under the department of regulatory agencies.

(2) (a) (I) The board consists of seven members appointed by the governor, with the power of removal, and with the confirmation of the senate, as follows:

(A) One a journeyman plumber;

(B) One a master plumber;

(C) Two engaged in the construction of residential or commercial buildings as plumbing contractors;

(D) One engaged in the construction of residential or commercial buildings as a general contractor;

(E) One a member or employee of a local government agency conducting plumbing inspections; and

(F) One appointed from the public at large.

(II) A representative of the department of public health and environment shall serve as an ex officio nonvoting member.

(III) At least one member shall be a resident of the western slope of the state, defined as that western part of the state separated from the eastern part of the state by the continental divide.

(b) A majority of the board shall constitute a quorum for the transaction of all business.

(3) (a) Board members are appointed for four-year terms. Any vacancy occurring in the membership of the board shall be filled by the governor by appointment for the unexpired term of the member.

(b) The governor may remove any member of the board for misconduct, incompetence, or neglect of duty.

(4) No major political party shall be represented on the board by more than one member more than the other major political party.

(5) This article 155 is repealed, effective September 1, 2024. Before the repeal, the board, including provisions related to qualified state institutions of higher education, is scheduled for review in accordance with section 24-34-104.

Source: **L. 2019:** Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 990, § 1, effective October 1. **L. 2022:** (2)(a) and (3)(a) amended, (SB 22-013), ch. 2, p. 14, § 13, effective February 25; (1) amended, (SB 22-162), ch. 469, p. 3394, § 121, effective August 10.

Editor's note: This section is similar to former § 12-58-103 as it existed prior to 2019.

Cross references: For the short title (the "Debbie Haskins 'Administrative Organization Act of 1968' Modernization Act") in SB 22-162, see section 1 of chapter 469, Session Laws of Colorado 2022.

12-155-105. Powers of board - fees - rules. (1) In addition to all other powers and duties conferred or imposed upon the board by this article 155, the board is authorized and empowered to:

(a) Elect its own officers and prescribe their duties;

(b) Conduct examinations as required by this article 155;

(c) Grant the licenses of duly qualified applicants for residential plumbers, journeymen plumbers, and master plumbers as provided in this article 155 and pursuant to the provisions of article 4 of title 24;

(d) Establish fees for the issuance of a new registration and for each renewal of registration, pursuant to section 12-20-105;

(e) Promulgate, adopt, amend, and repeal rules pursuant to section 12-20-204;

(f) In accordance with article 4 of title 24, prescribe, enforce, amend, and repeal rules governing the plumbing systems of all buildings in this state;

(g) Promulgate rules governing the installation and inspection of toilet and urinal systems and structures for which reclaimed domestic wastewater is used pursuant to section 25-8-205.8 (2)(c)(IV);

(h) Employ plumbers licensed under this article 155 as journeyman or master plumbers as state plumbing inspectors and charge fees for making inspections of plumbing work covered by the Colorado plumbing code in those areas where the local jurisdiction does not conduct inspections and issue permits;

(i) Conduct investigations and hearings and gather evidence in accordance with the provisions of sections 12-20-403 and 24-4-105;

(j) Cause the enjoinder, in accordance with section 12-20-406, of all persons violating this article 155;

(k) Inspect gas piping installations pursuant to the provisions of section 12-155-120;

(l) Find, upon holding a hearing, that an incorporated town or city, county, city and county, or qualified state institution of higher education fails to meet the minimum requirements of this article 155 if a local inspection authority or qualified state institution of higher education has failed to adhere to the minimum standards required by this article 155 within twelve months after the board has adopted the standards by rule pursuant to this subsection (1);

(m) Issue an order to cease and desist from issuing permits or performing inspections under this article 155 to an incorporated town or city, county, city and county, or qualified state institution of higher education upon finding that the public entity or qualified state institution of higher education fails to meet the minimum requirements of this article 155 under this subsection (1);

(n) Apply to a court to enjoin an incorporated town or city, county, city and county, or qualified state institution of higher education from violating an order issued pursuant to subsection (1)(m) of this section.

(2) Notwithstanding any other provisions to the contrary, the board may, with regard to manufactured housing that is subject to article 32 of title 24:

(a) Promulgate, adopt, amend, and repeal rules pursuant to the provisions of article 4 of title 24 as may be necessary for the inspection of manufactured housing water and sewer hookups;

(b) Employ inspectors and charge fees for making inspections of manufactured housing water and sewer hookups.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 991, § 1, effective October 1. L. 2022: IP(2) amended, (HB 22-1242), ch. 172, p. 1137, § 30, effective August 10.

Editor's note: This section is similar to former § 12-58-104 as it existed prior to 2019.

12-155-106. Colorado plumbing code - amendments - variances - Colorado fuel gas code. (1) In accordance with article 4 of title 24, the board shall establish a Colorado plumbing code, as defined in section 12-155-103 (5). The code shall represent the minimum standards for installation, alteration, and repair of plumbing equipment and systems throughout the state.

(2) Local governments are permitted to amend the code for their jurisdictions as long as the amendments are at least equal to the minimum requirements set forth in the Colorado plumbing code.

(3) If petitioned, the board shall annually hold public hearings to consider amendments to the Colorado plumbing code.

(4) The board is authorized to review and approve or disapprove requests for exceptions to the code in unique construction situations where a strict interpretation of the code would result in unreasonable operational conditions or unreasonable economic burdens as long as public safety is not compromised.

(4.5) In the event of a conflict between the 2021 international energy conservation code, the 2024 international energy conservation code, the model electric ready and solar ready code developed by the energy code board pursuant to section 24-38.5-401 (5), or any energy codes adopted by either a local government or divisions in the executive branch of state government and the Colorado plumbing code, the Colorado plumbing code prevails.

(5) The board shall adopt a Colorado fuel gas code for the gas piping installations inspection requirement of section 12-155-105 (1)(k).

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 993, § 1, effective October 1. **L. 2022:** (4.5) added, (HB 22-1362), ch. 301, p. 2179, § 3, effective June 2.

Editor's note: This section is similar to former § 12-58-104.5 as it existed prior to 2019.

12-155-107. Program administrator. The director may appoint a program administrator pursuant to section 13 of article XII of the state constitution to work with the board in carrying out its duties under this article 155.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 993, § 1, effective October 1.

Editor's note: This section is similar to former § 12-58-104.6 as it existed prior to 2019.

12-155-108. Plumber must have license - registration - control and supervision - rules. (1) (a) A person shall not engage in or work at the business, trade, or calling of a residential, journeyman, or master plumber in this state until he or she has received a license from the division, upon written notice from the board or its authorized agent, or a temporary permit from the board or its authorized agent; except that a person may practice as a water conditioning contractor if the person is registered pursuant to subsection (4) of this section, as a water conditioning installer if the person is registered pursuant to subsection (5) of this section, or as a water conditioning principal if the person is registered pursuant to subsection (6) of this section.

(b) Nothing in this section limits the ability of a licensed residential, journeyman, or master plumber, a plumbing apprentice, or a registered plumbing contractor to practice within his or her respective area as authorized by this article 155 with regard to water conditioning appliances.

(2) (a) All plumbing apprentices working for plumbing contractors pursuant to this article 155 and all apprentices working under the supervision of any licensed plumber pursuant to section 12-155-124 shall, within thirty days after the date of initial employment, be registered with the board.

(b) The employer of a plumbing apprentice shall be responsible for the apprentice's registration with the board.

(c) No apprentice shall be registered until payment of a registration or registration renewal fee, as determined by the board, has been made.

(3) No person, firm, partnership, corporation, or association shall operate as a plumbing contractor until the contractor has obtained registration from the board. The board shall register a plumbing contractor upon payment of the fee as provided in section 12-155-105 and presentation of evidence that the applicant has complied with the applicable workers' compensation and unemployment compensation laws of this state. In order to act as a plumbing contractor, the person, firm, partnership, corporation, association, or other organization must either be, or employ full-time, a master plumber, who shall be in charge of the supervision of all plumbing work performed by the contractor. A master plumber shall be responsible for no more than one plumbing contractor at a time. The master plumber shall be required to notify the board within fifteen days after his or her termination as a master plumber for that plumbing contractor. The master plumber is responsible for all plumbing work performed by the plumbing contractor. Failure to comply with a notification may lead to suspension or revocation of the master plumber license as provided in section 12-155-113.

(4) Except as specified in subsection (1)(b) of this section, effective April 1, 2016, a person shall not operate as a water conditioning contractor unless the person:

(a) Is currently registered with the board pursuant to this subsection (4) as specified in rules promulgated and forms adopted by the board. The board shall register a water conditioning contractor upon payment of the fee as provided in section 12-155-105 and presentation of evidence that the applicant has complied with the applicable workers' compensation and unemployment compensation laws of this state.

(b) Is, or employs full-time, a water conditioning principal, who shall be responsible for all water conditioning appliance work performed by the contractor.

(5) Except as specified in subsection (1)(b) of this section, effective April 1, 2016, a person shall not engage in or work at the business, trade, or calling of a water conditioning installer unless the person is currently registered with the board pursuant to this subsection (5) as specified in rules promulgated and forms adopted by the board. The board shall register a water conditioning installer upon payment of the fee as provided in section 12-155-105 and submission of proof that the applicant is certified by a national water conditioning association recognized by the board, with the type of certification as specified by the board.

(6) (a) Except as specified in subsection (1)(b) of this section, effective April 1, 2016, a person shall not engage in or work at the business, trade, or calling of a water conditioning principal unless the person is currently registered with the board pursuant to this subsection (6) as specified in rules promulgated and forms adopted by the board. The board shall register a water conditioning principal upon payment of the fee as provided in section 12-155-105 and submission of proof that the applicant is certified by a national water conditioning association recognized by the board, with the type of certification as specified by the board.

(b) A water conditioning principal shall be responsible for no more than one water conditioning contractor at a time. The water conditioning principal shall notify the board within fifteen days after his or her termination as a water conditioning principal for a water conditioning contractor. Failure to provide the notice may lead to suspension or revocation of the water conditioning principal's registration as provided in section 12-155-113.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 994, § 1, effective October 1.

Editor's note: This section is similar to former § 12-58-105 as it existed prior to 2019.

12-155-109. Unauthorized advertising - use of title. (1) A person shall not advertise in any manner or use the title or designation of "master plumber", "journeyman plumber", or "residential plumber" unless the person is qualified and licensed under this article 155.

(2) A person shall not advertise in any manner that the person is a water conditioning contractor, water conditioning installer, or a water conditioning principal unless the person is registered as such pursuant to this article 155.

(3) No person shall advertise in any manner that the person is a plumbing contractor or use the title or designation of "plumbing contractor" unless the person meets the definition of plumbing contractor set out in section 12-155-103 (10).

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 995, § 1, effective October 1.

Editor's note: Subsection (1) is similar to former § 12-58-106 (1); subsection (2) is similar to former § 12-58-106 (2); and subsection (3) is similar to former § 12-58-106.5, as those sections existed prior to 2019.

12-155-110. License issuance - examination - rules. (1) (a) The board shall issue licenses to persons who have, by examination and experience, shown themselves competent and qualified to engage in the business, trade, or calling of a residential plumber, journeyman plumber, or master plumber. The board shall establish the minimum level of experience required for an applicant to receive a residential, journeyman, or master plumber's license. The maximum experience the board may require for an applicant to qualify to test for a residential plumber's license is three thousand four hundred hours of practical experience. The maximum experience the board may require for an applicant to qualify to test for a journeyman plumber's license is six thousand eight hundred hours of practical experience. The maximum experience the board may require for an applicant to test for a master plumber's license is eight thousand five hundred hours of practical experience.

(b) Any applicant for the license shall be permitted to substitute for required practical experience evidence of academic training in the plumbing field, which training shall be credited as follows:

(I) If the applicant is a graduate of a community college or trade school plumbing program approved by the board, he or she shall receive one year of work experience credit.

(II) If the applicant has academic training, including military training, in the plumbing field that is not sufficient to qualify under subsection (1)(b)(I) of this section, the board shall provide work experience credit for the training according to a uniform ratio established by rule.

(c) No license shall be issued until the applicant has paid a license fee set by the board pursuant to section 12-20-105.

(2) An applicant for a license under this section shall file an application on forms prepared and furnished by the board, together with the examination fee. The time and place of examination shall be designated in advance by the board, and examinations shall be held at least four times each calendar year and at other times as, in the opinion of the board, the number of applicants warrants.

(3) The contents of the examinations provided for in this section shall be determined by the board. The examination shall be administered by the board or its authorized agent pursuant to rules prescribed by the board. Each examination shall be designed and given in such a manner as to fairly test the applicant's knowledge of plumbing and rules governing plumbing. Examinations may include written tests and applied tests of the practices that the license will qualify the applicant to perform and related studies or subjects as the board may determine are necessary for the proper and efficient performance of the practices. The examinations shall be consistent with current practical and theoretical requirements of the practice of plumbing and shall be reviewed, revised, and updated on an annual basis by the board. The board shall ensure that the examination passing grade reflects a minimum level of competency.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 995, § 1, effective October 1.

Editor's note: This section is similar to former § 12-58-107 as it existed prior to 2019.

12-155-111. Credit for experience received outside of Colorado. For all applicants seeking work experience credit toward licensure for plumbing work experience received outside of Colorado, the board shall give credit for such work experience if the applicant can show to the satisfaction of the board that the particular experience is adequate to comply with the requirements of this article 155.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 996, § 1, effective October 1.

Editor's note: This section is similar to former § 12-58-107.5 as it existed prior to 2019.

12-155-112. License and registration renewal - fees - reinstatement - continuing education - rules. (1) All license and registration renewal and renewal fees shall be in accordance with sections 12-20-105 and 12-20-202 (1).

(2) (a) Licenses and registrations issued pursuant to this article 155 are subject to the renewal, expiration, reinstatement, and delinquency fee provisions specified in section 12-20-202 (1) and (2). Any person whose license or registration has expired is subject to the penalties provided in this article 155 or section 12-20-202 (1).

(b) This subsection (2)(b) does not apply to water conditioning installers and water conditioning principals. To reinstate a license or registration that has been expired for two or more years, a person must demonstrate competency by:

(I) Providing verification of a license in good standing from another state and proof of active practice in that state for the year previous to the date of receipt of the reinstatement application;

(II) Satisfactorily passing the state plumbing examination in accordance with section 12-155-110; or

(III) Any other means approved by the board.

(c) To reinstate a license or registration that has been expired for less than two years, a person must comply with subsection (3)(a) of this section; except that this subsection (2)(c) does not apply to water conditioning installers and water conditioning principals.

(3) (a) On or after May 1, 2021, the board shall not renew or reinstate a license unless the applicant has completed eight hours of continuing education for every twelve months that have passed after the later of the last date of renewal or reinstatement. This subsection (3)(a) does not apply to the first renewal or reinstatement of a license for which, as a condition of issuance, the applicant successfully completed a licensing examination pursuant to section 12-155-110.

(b) On or before July 1, 2020, the board, in collaboration with established industry training programs and industry representatives, shall adopt rules establishing continuing education requirements and standards. The requirements and standards must include course work related to the code, including core competencies, as determined by the board. The board may count a licensed plumber's enrollment in a course designed to help the plumber attain nationally recognized plumbing and building inspection certifications towards the plumber's continuing education requirements. A renewal or reinstatement license applicant must furnish, or cause to be furnished, to the board, in a form and manner determined by the board, documentation demonstrating compliance with this subsection (3) and rules promulgated to implement this subsection (3).

(c) To ensure consumer protection, the board's rules may include audit standards for licensee compliance with continuing education requirements and requirements pertaining to the testing of licensees by the continuing education vendor.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 997, § 1, effective October 1; (2) amended and (3) added, (HB 19-1086), ch. 109, p. 403, § 3, effective January 1, 2020.

Editor's note: This section is similar to former § 12-58-108 as it existed prior to 2019.

12-155-113. Disciplinary action by board - procedures - cease-and-desist orders. (1) The board may take disciplinary or other action as authorized by section 12-20-404 for any of the following reasons:

(a) Violation of any of the provisions of this article 155 or an applicable provision of article 20 of this title 12;

(b) Violation of the rules or orders promulgated by the board in conformity with the provisions of this article 155 or aiding or abetting in such violation;

(c) Failure or refusal to remove within a reasonable time the cause for disapproval of any plumbing installation as reported on the notice of disapproval, but reasonable time shall include time for appeal to and a hearing before the board;

(d) Any cause for which the issuance of the license could have been refused had it then existed and been known to the board;

(e) Commitment of any act or omission that does not meet generally accepted standards of plumbing practice;

(f) Conviction of or acceptance of a plea of guilty or nolo contendere by a court to a felony. In considering the disciplinary action, the board shall be governed by the provisions of sections 12-20-202 (5) and 24-5-101.

(g) Advertising by any licensee or registrant that is false or misleading;

(h) Deception, misrepresentation, or fraud in obtaining or attempting to obtain a license;

(i) Failure of any licensee to adequately supervise an apprentice who is working at the trade pursuant to section 12-155-124;

(j) Failure of any licensee to report to the board:

(I) Known violations of this article 155;

(II) Civil judgments and settlements that arose from the licensee's work performance;

(k) Employment of any person required by this article 155 to be licensed or to obtain a permit who has not obtained the license or permit;

(l) A substance use disorder, as defined in section 27-81-102, or excessive use of any habit-forming drug, any controlled substance, as defined in section 18-18-102 (5), or any alcohol beverage;

(m) Any use of a schedule I controlled substance, as defined in section 18-18-203;

(n) Disciplinary action against a license or registration in another jurisdiction. Evidence of the disciplinary action is prima facie evidence for denial of licensure or registration or other disciplinary action if the violation would be grounds for disciplinary action in this state.

(o) Practicing as a water conditioning contractor, water conditioning installer, water conditioning principal, or a residential, journeyman, or master plumber during a period when the person's license or registration has been suspended or revoked;

(p) Selling or fraudulently obtaining or furnishing a license or registration to practice as a residential, journeyman, or master plumber, water conditioning contractor, water conditioning installer, water conditioning principal, or plumbing contractor or aiding or abetting in the activity;

(q) In connection with a construction or building project requiring the services of a person regulated by this article 155, willfully disregarding or violating:

(I) Any building or construction law of this state or any of its political subdivisions;

(II) Any safety or labor law;

(III) Any health law;

(IV) Any workers' compensation insurance law;

(V) Any state or federal law governing withholdings from employee income, including, but not limited to, income taxes, unemployment taxes, or social security taxes; or

(VI) Any reporting, notification, or filing law of this state or the federal government;

(r) Applying for a plumbing permit pursuant to section 12-155-120 (1) if the applicant is not a qualified applicant, as defined in section 12-155-120 (11).

(2) The board may issue and send a letter of admonition by certified mail to a licensee under the circumstances specified in and in accordance with section 12-20-404 (4).

(3) The board may issue and send a confidential letter of concern to a licensee or registrant under the circumstances specified in section 12-20-404 (5).

(4) Any disciplinary action taken by the board shall be in accordance with the provisions of section 12-20-403 and article 4 of title 24.

(5) The board may issue cease-and-desist orders under the circumstances and in accordance with the procedures specified in section 12-20-405.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 997, § 1, effective October 1. **L. 2020:** (1)(l) amended, (SB 20-007), ch. 286, p. 1410, § 30, effective July 13. **L. 2022:** (1)(r) added, (HB 22-1346), ch. 483, p. 3511, § 4, effective January 1, 2023.

Editor's note: This section is similar to former § 12-58-110 as it existed prior to 2019.

12-155-114. Reconsideration and review of board action. The board, on its own motion or upon application, at any time after the imposition of any discipline as provided for in section 12-155-113, may reconsider its prior action and reinstate or restore the license or terminate probation or reduce the severity of its prior disciplinary action. The taking of any such further action or the holding of a hearing with respect thereto shall rest in the sole discretion of the board.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 1001, § 1, effective October 1.

Editor's note: This section is similar to former § 12-58-110.2 as it existed prior to 2019.

12-155-115. Judicial review. Section 12-20-408 governs judicial review of all final actions and orders of the board that are subject to judicial review.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 1001, § 1, effective October 1.

Editor's note: This section is similar to former § 12-58-110.4 as it existed prior to 2019.

12-155-116. License by endorsement - rules. The board may issue a plumber's license by endorsement in this state to any person who is licensed to practice in another jurisdiction if the person presents proof satisfactory to the board that, at the time of application for a Colorado license by endorsement, the person possesses credentials and qualifications that are substantially equivalent to requirements in Colorado for licensure by examination. The board may specify by rule what shall constitute substantially equivalent credentials and qualifications and may further require a waiting period of six months after the issuance of a license in another state before issuing a license in Colorado.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 1001, § 1, effective October 1.

Editor's note: This section is similar to former § 12-58-111 as it existed prior to 2019.

12-155-117. Temporary permits - rules. (1) The board or its authorized agent may issue a temporary permit to engage in the work of a journeyman plumber or a residential plumber to any applicant who has furnished satisfactory evidence to the board that he or she has the required experience to qualify for the examination, as provided in the rules promulgated by the board, and who has applied for an examination to entitle him or her to the license.

(2) The permits shall be issued only upon payment of a fee established by the board and may be revoked by the board at any time.

(3) Any permit issued pursuant to this section shall expire no later than thirty days after the date of the examination for which the applicant has applied or upon written notice by the board of the results of the examination, whichever date is earlier. No permit shall be issued pursuant to this section to any person who has twice previously failed an examination or who has received two temporary permits.

(4) Notwithstanding the requirements set forth in section 12-155-108 (3), a temporary master permit may be issued to an existing plumbing contractor who has lost the services of his or her master plumber for completion of a current project underway as long as he or she has a journeyman plumber in his or her full-time employ. The permit shall only be valid until the next regularly scheduled examination.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 1001, § 1, effective October 1.

Editor's note: This section is similar to former § 12-58-112 as it existed prior to 2019.

12-155-118. Exemptions. (1) Any person selling or dealing in plumbing materials or supplies, but not engaged in the installation, alteration, repairing, or removal of plumbing, shall not be required to employ or have a licensed plumber in charge.

(2) Nothing in this article 155 shall be construed to require any individual to hold a license to perform plumbing work on his or her own property or residence, nor shall it prevent a person from employing an individual on either a full- or a part-time basis to do routine repair, maintenance, and replacement of sinks, faucets, drains, showers, tubs, toilets, and domestic appliances and equipment equipped with backflow preventers; except that, if such property or residence is intended for sale or resale by a person engaged in the business of constructing or remodeling the facilities or structures or is rental property that is occupied or is to be occupied by tenants for lodging, either transient or permanent, or is a commercial or industrial building, the owner shall be responsible for and the property shall be subject to all of the provisions of this article 155 pertaining to licensing, unless specifically exempted therein.

(3) Nothing in this article 155 shall be construed to apply to the manufacture of housing that is subject to the provisions of article 32 of title 24 or the installation of individual residential or temporary construction units of manufactured housing water and sewer hookups inspected pursuant to section 12-155-105 (2).

(4) Persons who are engaged in the business of inspecting, testing, and repairing backflow prevention devices shall be exempt from licensure under this article 155, except when the persons engage in the installation and removal of the devices.

(5) Nothing in this article 155 shall be construed to require either that employees of the federal government who perform plumbing work on federal property shall be required to be licensed before doing plumbing work on the property or that the plumbing work performed on the property shall be regulated pursuant to this article 155.

(6) (a) Nothing in this article 155 requires a plumbing license, registration, or permit to perform:

(I) The installation, extension, alteration, or maintenance, including the related water piping and the indirect waste piping, of domestic appliances equipped with backflow preventers, including lawn sprinkling systems; residential ice makers, humidifiers, electrostatic filter washers, or water heating appliances; building heating appliances and systems; fire protection systems except for multipurpose residential fire sprinkler systems in one- and two-family dwellings and townhouses that are part of the potable water supply; air conditioning installations; process and industrial equipment and piping systems; or indirect drainage systems not a part of a sanitary sewer system; or

(II) The repair and replacement of garbage disposal units and dishwashers directly connected to the sanitary sewer system, including the necessary replacement of all tail pipes and traps, or the repair, maintenance, and replacement of sinks, faucets, drains, showers, tubs, and toilets.

(b) Notwithstanding subsection (6)(a) of this section, "plumbing" does not include:

(I) Installations, extensions, improvements, remodeling, additions, and alterations in water and sewer systems owned or acquired by counties pursuant to article 20 of title 30, cities and towns pursuant to article 35 of title 31, or water and sanitation districts pursuant to article 1 or article 4 of title 32;

(II) Installations, extensions, improvements, remodeling, additions, and alterations performed by contractors employed by counties, cities, towns, or water and sewer districts that connect to the plumbing system within a property line; or

(III) Performance, location, construction, alteration, installation, and use of on-site wastewater treatment systems pursuant to article 10 of title 25 that are located within a property line.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 1002, § 1, effective October 1. **L. 2022:** (3) amended, (HB 22-1242), ch. 172, p. 1137, § 31, effective August 10.

Editor's note: This section is similar to former § 12-58-113 as it existed prior to 2019.

12-155-119. Plumbing inspectors - qualifications - enforcement of licensing and apprentice-supervision-ratio requirements - rules - legislative declaration - definitions. (1)

(a) The director is authorized to appoint or employ competent persons licensed under this article 155 as journeyman or master plumbers as state plumbing inspectors.

(b) For purposes of conducting compliance checks specified in subsection (5) of this section, the director shall appoint or employ two individuals to conduct the compliance checks.

The director may appoint or employ individuals who are licensed under this article 155 or may appoint or employ individuals who are not licensed under this article 155 but who demonstrate substantial prior work experience in the plumbing or construction industry. Individuals appointed or employed pursuant to this subsection (1)(b) shall limit their activities to conducting compliance checks of matters specified in said subsection (5).

(2) State plumbing inspectors and individuals conducting compliance checks pursuant to subsection (5) of this section may be employed either on a full-time or on a part-time basis as the circumstances in each case warrant. State plumbing inspectors and individuals conducting compliance checks pursuant to subsection (5) of this section have the right of ingress and egress to and from all public and private premises during reasonable working hours where this article 155 applies for the purpose of making plumbing inspections, conducting compliance checks pursuant to subsection (5) of this section, or otherwise determining compliance with this article 155.

(3) (a) Beginning July 1, 2014, persons licensed under this article 155 or who are certified as residential plumbing inspectors by a nationally recognized model code organization are authorized to inspect residential plumbing. Any newly hired inspectors not licensed under this article 155 or certified by a nationally recognized model code organization have one year from the date of hire to acquire the necessary license or certification or meet the hiring requirements of the hiring authority, whichever is more stringent.

(b) Beginning July 1, 2014, persons licensed under this article 155 or who are certified as commercial plumbing inspectors by a nationally recognized model code organization are authorized to inspect commercial plumbing. Any newly hired inspectors not licensed under this article 155 or certified by a nationally recognized model code organization have one year from the date of hire to acquire the necessary license or certification or meet the hiring requirements of the hiring authority, whichever is more stringent.

(4) (a) Plumbing inspectors performing inspections who are employed by a qualified state institution of higher education shall be certified as commercial plumbing inspectors by a nationally recognized model code organization and possess a valid journeyman or master plumber license issued by the state. In addition, the plumbing inspectors shall possess the same qualifications required of state plumbing inspectors under this article 155, shall be registered with the board prior to the assumption of their duties, shall not inspect any plumbing work in which the inspector has any financial or other personal interest, and shall not be engaged in the plumbing business by contracting, supplying material, or performing plumbing work as defined in this article 155. In addition, a plumbing inspector inspecting a medical gas installation shall hold the national inspection certification ASSE 6020 or recognized equivalent.

(b) As part of their duties, plumbing inspectors performing inspections who are employed by a qualified state institution of higher education have the authority to verify the plumbing licenses or apprenticeship registration cards issued by the state for those people performing the plumbing work on a project and to verify compliance with section 12-155-124 (1).

(5) (a) Consistent with section 12-155-101 and the state's duty to safeguard the public health by ensuring that individuals who plan, install, alter, extend, repair, or maintain plumbing systems have the skills necessary to perform those tasks, the general assembly finds and determines that board enforcement of the licensing requirements in this article 155 and the limits

on the number of plumbing apprentices a licensed plumber is permitted to supervise specified in section 12-155-124 (1) is a matter of statewide concern and is essential to protect public health.

(b) The board shall direct individuals appointed or employed pursuant to subsection (1)(b) of this section to:

(I) Conduct compliance checks to ensure compliance with the licensing and supervisor-to-apprentice ratio requirements specified in this article 155 on projects throughout the state where plumbing systems are being planned, installed, altered, extended, repaired, or maintained, regardless of whether the permit for the plumbing work was issued by the board, an incorporated town or city, a county, a city and county, or a qualified state institution of higher education; and

(II) Prioritize for compliance checks projects that provide or will provide critical services to residents of the state.

(c) To ensure compliance with the licensing and supervisor-to-apprentice ratio requirements pursuant to subsection (5)(a)(I) of this section, individuals appointed or employed pursuant to subsection (1)(b) of this section shall conduct compliance checks at projects throughout the state where plumbing is being performed to ensure that:

(I) The individual performing the plumbing work is licensed as a master, journeyman, or residential plumber or is a registered plumbing apprentice being supervised by a licensed master, journeyman, or residential plumber; and

(II) A master, journeyman, or residential plumber is complying with the limit on the number of plumbing apprentices the plumber may supervise per job site specified in section 12-155-124 (1).

(d) Nothing in this subsection (5) affects the ability of a local government to permit or inspect plumbing or gas piping installations in any new construction or remodeling or repair located within the boundaries of the local government.

(e) As used in this subsection (5):

(I) "Local government" means an incorporated town or city, a county, or a city and county.

(II) "Project that provides or will provide critical services" means a project involving the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind, including:

(A) A public building;

(B) A public school or institution of higher education;

(C) An airport;

(D) A train station or public transit station;

(E) A hospital, nursing facility, assisted living residence, or other health-care facility licensed or certified by the department of public health and environment under title 25;

(F) A renewable energy installation or a project of a utility regulated by the public utilities commission pursuant to title 40; and

(G) Any other commercial or multifamily residential public project specified by the board by rule.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 1003, § 1, effective October 1. **L. 2022:** (1), (2), and (4)(b) amended and (5) added, (HB 22-1346), ch. 483, p. 3511, § 5, effective January 1, 2023.

Editor's note: This section is similar to former § 12-58-114.2 as it existed prior to 2019.

12-155-120. Inspection - plumbing permits - application - standards - definition. (1)

(a) Any plumbing or gas piping installation in any new construction or remodeling or repair, other than manufactured units or tiny homes inspected in accordance with article 32 of title 24, and except for new construction or remodeling or repair in any incorporated town or city, county, or city and county, or in a building owned or leased or on land owned by a qualified state institution of higher education where the local entity or qualified state institution of higher education conducts inspections and issues plumbing permits, referred to within this section as "permits", must be inspected by a state plumbing inspector.

(b) A state plumbing inspector shall inspect any new construction, remodeling, or repair subject to this subsection (1) within three working days after the receipt of the application for inspection.

(c) (I) Prior to the commencement of any plumbing or gas piping installation, the person making the installation, who must be a qualified applicant, shall apply for a permit and pay the required fee.

(II) (A) Only a qualified applicant may apply for a permit pursuant to this subsection (1). A licensed master plumber who is not a registered plumbing contractor and who is operating as an independent contractor for another business shall not apply for a permit pursuant to this subsection (1).

(B) Before issuing a permit pursuant to this subsection (1), the board or, if applicable, the local entity or qualified state institution of higher education that conducts inspections and issues permits shall verify that the permit applicant is a qualified applicant.

(C) The entity issuing the permit may use the permit application process to verify compliance with this subsection (1).

(d) Every mobile home, tiny home, or movable structure owner shall have the plumbing and gas piping hookup for the mobile home, tiny home, or movable structure inspected prior to obtaining new or different plumbing or gas service. An inspection of a tiny home performed in accordance with section 24-32-3329 complies with this subsection (1)(d).

(e) A qualified state institution of higher education with a building department that meets or exceeds the minimum standards adopted by the board under this article 155 shall process applications for permits and inspections only from the institution and from contractors working for the benefit of the institution, and shall conduct inspections only of work performed for the benefit of the institution. Each inspection must include a contemporaneous review to ensure that the requirements of section 12-155-108 have been met. A qualified state institution of higher education shall enforce standards that are at least as stringent as any minimum standards adopted by the board.

(2) (a) A state plumbing inspector shall inspect the work performed, and, if the work meets the minimum standards set forth in the Colorado plumbing code referred to in section 12-155-106, the inspector shall issue a certificate of approval.

(b) (I) If the installation is disapproved, the inspector shall give written notice together with the reasons for the disapproval to the qualified applicant. If the installation is hazardous to life or property, the inspector disapproving it may order the plumbing or gas service to the installation discontinued until the installation is rendered safe. The qualified applicant may

appeal the disapproval to the board, and the board shall grant the qualified applicant a hearing within seven days after notice of appeal is filed with the board.

(II) After removing the cause of the disapproval, the qualified applicant shall apply for reinspection in the same manner as for the original inspection and pay the required reinspection fee.

(3) (a) All permits issued by the board are valid for a period of twelve months. The board shall close a permit and mark its status as "expired" at the end of the twelve-month renewal period, except in the following circumstances:

(I) If a qualified applicant demonstrates at the time of application for a permit that the plumbing or gas piping work is substantial and is likely to take longer than twelve months, the board may issue a permit to be valid for a period longer than twelve months, but not exceeding three years.

(II) If the qualified applicant notifies the board prior to the expiration of the twelve-month period of extenuating circumstances, as determined by the board, during the twelve-month period, the board may extend the validity of the permit for a period not to exceed six months.

(b) If a qualified applicant requests an inspection after a permit has expired or has been canceled, the qualified applicant must apply for and be granted a new permit before an inspection is performed.

(4) Each application, certificate of approval, and notice of disapproval shall contain the name of the property owner, if known, the location and a brief description of the installation, the name of the general contractor if any, the name of the plumbing contractor or licensed plumber and state license number in the case of any plumbing installation, the name of the installer in the case of any liquefied petroleum gas piping installation, the state plumbing inspector, and the inspection fee charged for the inspection. The original of a notice of disapproval and written reasons for disapproval and corrective actions to be taken shall be mailed to the board, and a copy of the notice shall be mailed to the plumbing contractor in the case of any plumbing installation or the installer in the case of any liquefied petroleum gas piping installation, within two working days after the date of inspection, and a copy of the notice shall be posted at the installation site. The forms shall be furnished by the board, and a copy of each application, certificate, and notice made or issued shall be filed with the board.

(5) Notwithstanding the fact that any incorporated town or city, any county, or any city and county in which a public school is located or is to be located has its own plumbing code and inspection authority, any plumbing or gas piping installation in any new construction or remodeling or repair of a public school shall be inspected by a state plumbing inspector.

(6) If an incorporated town or city, county, city and county, or qualified state institution of higher education intends to commence or cease performing plumbing or gas piping inspections in its respective jurisdiction, or for its buildings owned or leased or on its land, written notice of such intent must be given to the board.

(7) (a) Any person claiming to be aggrieved by the failure of a state plumbing inspector to inspect the person's property after proper application or by notice of disapproval without setting forth the reasons for denying the permit may request the program administrator to review the actions of the plumbing inspector or the manner of the inspection. The request may be made by the person's authorized representative and shall be in writing.

(b) Upon the filing of the request, the program administrator shall cause a copy thereof to be served upon the state plumbing inspector complained of, together with an order requiring the inspector to answer the allegations of the request within a time fixed by the program administrator.

(c) If the request is not granted within ten days after it is filed, it may be treated as rejected. Any person aggrieved by the action of the program administrator in refusing the review requested or in failing or refusing to grant all or part of the relief requested may file a written complaint and request for a hearing with the board, specifying the grounds relied upon.

(d) Any hearing before the board shall be held pursuant to the provisions of section 24-4-105.

(8) If an incorporated town or city, county, city and county, or qualified state institution of higher education intends to commence or cease performing plumbing inspections in its jurisdiction or for the buildings owned or leased by or on land of a qualified state institution of higher education, it shall commence or cease the same only as of July 1 of any year, and written notice of intent must be given to the board on or before October 1 of the preceding calendar year. If notice is not given and the use of state plumbing inspectors is required within the respective jurisdiction or building affected by the notice requirement, the respective local government or qualified state institution of higher education of the respective jurisdiction or building requiring inspections shall reimburse the board for any expenses incurred in performing inspections, in addition to transmitting the required permit fees.

(9) A qualified state institution of higher education may choose not to require fees as part of the permitting process. A documented permitting and inspection system must be instituted by each qualified state institution of higher education as a tracking system that is available to the board for the purpose of investigating any alleged violation of this article 155. The permitting and inspection system must include information specifying the project, the name of the inspector, the date of the inspection, the job site address, the scope of the project, the type of the inspection, the result of the inspection, the reason and applicable code sections for partially passed or failed inspections, and the names of the contractors on the project who are subject to inspection.

(10) (a) An inspector performing an inspection for the state, an incorporated town or city, county, city and county, or qualified state institution of higher education, referred to in this subsection (10) as an "inspecting entity", shall verify compliance with this article 155.

(b) (I) Inspections performed by an inspecting entity must include, for each project, a contemporaneous review to ensure compliance with sections 12-155-108 and 12-155-124. A contemporaneous review may include a full or partial review of the plumbers and apprentices working at a job site being inspected.

(II) To ensure that enforcement is consistent, timely, and efficient, each inspecting entity employing inspectors shall develop standard procedures to advise its inspectors on how to conduct a contemporaneous review. An inspecting entity's standard procedures need not require a contemporaneous review for each inspection of a project, but the procedures must preserve an inspector's ability to verify compliance with sections 12-155-108 and 12-155-124 at any time. Each inspecting entity's procedures must include provisions that allow for inspectors to:

(A) Conduct occasional, random, on-site inspections while actual plumbing work is being conducted, with a focus on large commercial and multi-family residential projects permitted by the inspecting entity; and

(B) Request documentation indicating who performed the plumbing work to ensure compliance with sections 12-155-108 and 12-155-124.

(III) Each inspecting entity subject to subsection (10)(b)(II) of this section, including the state, shall post its current procedures regarding contemporaneous reviews in a prominent location on its public website and provide the director with a link to the web page on which the procedures have been posted or, if an inspecting entity does not have a website, provide its current procedures to the director for posting on the board's website.

(IV) An inspector may file a complaint with the board for any violation of this article 155.

(c) (I) The board shall ensure compliance with this section. If the board determines, as a result of a formal complaint, that an inspecting entity is conducting plumbing inspections that do not comply with this section, the board may issue to the inspecting entity an order to show cause, in accordance with section 12-155-105 (1)(m), as to why the board should not issue a final order directing the inspecting entity to cease and desist conducting plumbing inspections until the inspecting entity comes into compliance to the satisfaction of the board.

(II) The board shall not issue a cease-and-desist order to an inspecting entity because the inspecting entity approved the occupancy of one or more tiny homes if the tiny homes have been approved in accordance with section 24-32-3329.

(III) If the use of state plumbing inspectors is required after the issuance of a final cease-and-desist order pursuant to this subsection (10)(c), the inspecting entity shall reimburse the board for any expenses incurred in performing the inspecting entity's inspections, in addition to transmitting the required permit fees.

(11) As used in this section, "qualified applicant" means:

(a) A licensed master plumber, including a licensed master plumber who is operating as a sole proprietor, so long as the licensed master plumber is also a registered plumbing contractor;

(b) A licensed master plumber who is directly employed by a registered plumbing contractor; or

(c) A homeowner performing work on the homeowner's home.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 1004, § 1, effective October 1; (10) added, (HB 19-1086), ch. 109, p. 404, § 4, effective January 1, 2020. **L. 2022:** (1) and (10)(c) amended, (HB 22-1242), ch. 172, p. 1137, § 32, effective August 10; (1), (2), (3), (7)(a), and (10)(b) amended and (11) added, (HB 22-1346), ch. 483, p. 3513, § 6, effective January 1, 2023.

Editor's note: (1) This section is similar to former § 12-58-114.5 as it existed prior to 2019.

(2) Amendments to subsection (1) by HB 22-1242 and HB 22-1346 were harmonized.

12-155-121. Municipal and county regulations. (1) Any city, town, county, or city and county of this state may provide for the licensing of plumbing contractors or water conditioning contractors. Contractors who obtain local licensing must also register with the board in accordance with section 12-155-108.

(2) A local government agency shall not promulgate rules or regulations or provide for licenses that would preclude the holder of a valid license or registration issued under this article 155 from practicing the holder's trade.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 1007, § 1, effective October 1.

Editor's note: This section is similar to former § 12-58-115 as it existed prior to 2019.

12-155-122. Unauthorized practice - penalties. (1) Any person who engages in or works at or offers or attempts to engage in or work at the business, trade, or calling of a residential, journeyman, master, or apprentice plumber without an active license, permit, or registration issued under this article 155 is subject to penalties pursuant to section 12-20-407 (1)(a).

(2) Effective April 1, 2016, a person who engages in or works at or offers or attempts to engage in or work at the business, trade, or calling of a water conditioning contractor, water conditioning installer, or water conditioning principal without an active registration issued under this article 155 is subject to penalties pursuant to section 12-20-407 (1)(a); except that nothing in this subsection (2) limits the ability of a licensed residential, journeyman, or master plumber, a plumbing apprentice, or a registered plumbing contractor to practice within his or her respective area as authorized by this article 155 with regard to water conditioning appliances.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 1007, § 1, effective October 1.

Editor's note: This section is similar to former § 12-58-116 as it existed prior to 2019.

12-155-123. Violation - fines - rules. (1) (a) If the board concludes that any licensee, registrant, or applicant for licensure has violated any provision of section 12-155-113 and that disciplinary action is appropriate, the program administrator or the program administrator's designee may issue a citation in accordance with subsection (3) of this section to the licensee, registrant, or applicant.

(b) (I) The licensee, registrant, or applicant to whom a citation has been issued may make a request to negotiate a stipulated settlement agreement with the program administrator or the program administrator's designee, if the request is made in writing within ten working days after issuance of the citation that is the subject of the settlement agreement.

(II) All stipulated settlement agreements shall be conducted pursuant to rules adopted by the board pursuant to section 12-155-105 (1)(e). The board shall adopt a rule to allow any licensee, registrant, or applicant unable, in good faith, to settle with the program administrator to request an administrative hearing pursuant to subsection (1)(c) of this section.

(c) (I) The licensee, registrant, or applicant to whom a citation has been issued may request an administrative hearing to determine the propriety of the citation if the request is made in writing within ten working days after issuance of the citation that is the subject of the hearing or within a reasonable period after negotiations for a stipulated settlement agreement pursuant to subsection (1)(b) of this section have been deemed futile by the program administrator.

(II) For good cause the board may extend the period of time in which a person who has been cited may request a hearing.

(III) All hearings conducted pursuant to subsection (1)(c)(I) of this section shall be conducted in compliance with section 24-4-105.

(d) Any action taken by the board pursuant to this section shall be deemed final after the period of time extended to the licensee, registrant, or applicant to contest the action pursuant to this subsection (1) has expired.

(2) (a) The board shall adopt a schedule of fines pursuant to subsection (2)(b) of this section as penalties for violating section 12-155-113. The fines shall be assessed in conjunction with the issuance of a citation, pursuant to a stipulated settlement agreement, or following an administrative hearing. Such schedule shall be adopted by rule in accordance with section 12-155-105 (1)(e).

(b) In developing the schedule of fines, the board shall:

(I) Provide that a first offense may carry a fine of up to one thousand dollars;

(II) Provide that a second offense may carry a fine of up to two thousand dollars;

(III) Provide that any subsequent offense may carry a fine of up to two thousand dollars for each day that any provision of section 12-155-113 is violated;

(IV) Consider how the violation impacts the public, including any health and safety considerations;

(V) Consider whether to provide for a range of fines for any particular violation or type of violation; and

(VI) Provide uniformity in the fine schedule.

(3) (a) (I) Any citation issued pursuant to this section shall be in writing, shall adequately describe the nature of the violation, and shall reference the statutory or regulatory provision or order alleged to have been violated.

(II) Any citation issued pursuant to this section shall clearly state whether a fine is imposed, the amount of the fine, and that payment for the fine must be remitted within the time specified in the citation if the citation is not contested pursuant to subsection (1) of this section.

(III) Any citation issued pursuant to this section shall clearly set forth how the citation may be contested pursuant to subsection (1) of this section, including any time limitations.

(b) A citation or copy of a citation issued pursuant to this section may be served by certified mail or in person by a program administrator or the administrator's designee upon a person or the person's agent in accordance with rule 4 of the Colorado rules of civil procedure.

(c) If the recipient fails to give written notice to the board that the recipient intends to contest the citation or to negotiate a stipulated settlement agreement within ten working days after service of a citation by the board, the citation shall be deemed a final order of the board.

(d) The board may take disciplinary action as specified in section 12-20-404 (1)(b) or (1)(d) if the licensee or registrant fails to comply with the requirements set forth in a citation deemed final pursuant to subsection (3)(c) of this section.

(e) The failure of an applicant for licensure to comply with a citation deemed final pursuant to subsection (3)(c) of this section is grounds for denial of a license.

(f) No citation may be issued under this section unless the citation is issued within the six-month period following the occurrence of the violation.

(4) (a) Any fine collected pursuant to this section shall be transmitted to the state treasurer, who shall credit one-half of the amount of the fine to the general fund, and one-half of

the amount of the fine shall be shared with the appropriate city, town, county, or city and county, which amounts shall be transmitted to the entity on an annual basis.

(b) Any fine assessed in a citation or an administrative hearing or any amount due pursuant to a stipulated settlement agreement that is not paid may be collected by the program administrator through a collection agency or in an action in the district court of the county in which the person against whom the fine is imposed resides or in the county in which the office of the program administrator is located.

(c) The attorney general shall provide legal assistance and advice to the program administrator in any action to collect an unpaid fine.

(d) In any action brought to enforce this subsection (4), reasonable attorney fees and costs shall be awarded.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 1007, § 1, effective October 1.

Editor's note: This section is similar to former § 12-58-116.5 as it existed prior to 2019.

12-155-124. Apprentices - rules. (1) Any person may work as a plumbing apprentice for a registered plumbing contractor but shall not do any plumbing work for which a license is required pursuant to this article 155 except under the supervision of a licensed plumber. Supervision requires that a licensed plumber supervise apprentices at the job site. One licensed journeyman plumber, master plumber, or residential plumber shall not supervise more than three apprentice plumbers at the same job site.

(2) Any master, journeyman, or residential plumber who is the supervisor of any plumbing apprentice shall be responsible for the work performed by the apprentice. The license of any plumber may be revoked, suspended, or denied under the provisions of section 12-155-113 for any improper work performed by a plumbing apprentice while under the supervision of the licensee.

(3) By July 1 each year, a registered plumbing contractor, an apprenticeship program registered with the United States department of labor's office of apprenticeship, and a state apprenticeship agency recognized by the United States department of labor that employs a plumbing apprentice in this state shall report to the board the name and contact information of each plumbing apprentice in the apprenticeship program and the cumulative number of practical training hours each plumbing apprentice has completed toward the licensure requirements specified in section 12-155-110. The board shall keep the information reported pursuant to this subsection (3) confidential from all parties other than from the plumbing apprentice through the plumbing apprentice's individual registration account. The department of regulatory agencies shall, if existing resources are available or if the department receives gifts, grants, or donations pursuant to subsection (8) of this section, indicate whether the plumbing apprentice has completed the required practical training hours in the department of regulatory agencies' online apprenticeship directory.

(4) On and after July 1, 2021, contingent on the availability of existing resources within the department or the receipt of gifts, grants, and donations pursuant to subsection (8) of this section:

(a) (I) A plumbing apprentice who has been registered for at least six years, has completed six thousand eight hundred hours of practical training, and meets all other license requirements specified in section 12-155-110 shall take the license examination at least every two years in alignment with the license renewal cycle until the plumbing apprentice receives a passing score.

(II) If a plumbing apprentice has failed to pass the license examination in two consecutive two-year periods, the plumbing apprentice may request an exemption from the board from future examination requirements. The board shall grant the exemption if the board determines that the plumbing apprentice has legitimate educational or professional circumstances that justify the exemption. The board shall promulgate rules concerning the process of requesting and approving license examination exemptions.

(b) A plumbing apprentice who has been registered for at least six years and who does not meet the license requirements specified in section 12-155-110 shall take the license examination at least once every two years in alignment with the license renewal cycle until the plumbing apprentice receives a passing score. Once the plumbing apprentice passes the license examination, the apprentice must meet all other license requirements specified in section 12-155-110 before the board may issue a license to the plumbing apprentice.

(5) (a) If the cumulative training hours of a plumbing apprentice are not reported as required by subsection (3) of this section or if a plumbing apprentice fails to take the license examination as required by subsection (4) of this section, the board may suspend the plumbing apprentice's registration until the requirements are met.

(b) If a plumbing apprentice who is required to take the license examination pursuant to subsection (4) of this section has a learning disability, the plumbing apprentice, plumbing contractor, or apprenticeship program may request that the board make accommodations for the plumbing apprentice to take the examination with the appropriate level of support.

(6) A registered plumbing contractor, an apprenticeship program registered with the United States department of labor's office of apprenticeship, and a state apprenticeship agency recognized by the United States department of labor shall remove each plumbing apprentice that is no longer employed as an apprentice from the apprenticeship program and annually notify the board of the termination of the employment.

(7) Repealed.

(8) The department may seek, accept, and expend gifts, grants, or donations from private or public sources for the purposes of this section.

Source: L. 2019: Entire title R&RE with relocations, (HB 19-1172), ch. 136, p. 1010, § 1, effective October 1. **L. 2020:** (3) to (8) added, (SB 20-120), ch. 244, p. 1173, § 2, effective September 14. **L. 2023:** (3) and (6) amended, (SB 23-051), ch. 37, p. 144, § 17, effective March 23.

Editor's note: (1) This section is similar to former § 12-58-117 as it existed prior to 2019.

(2) Subsection (7)(b) provided for the repeal of subsection (7), effective July 1, 2021. (See L. 2020, p. 1174.)