



Letter to Members

RE: Ladder Notice to Homeowners

Dear CRA Member:

For several years we have been asked by our members to help with the issue of setting unsupervised ladders for inspectors in many Colorado jurisdictions. The Colorado Roofing Association's Board of Directors and specifically the Building Code & Standards Committee has been tasked with addressing this issue.

The scope of liability that contractors face with this practice is real and a foremost concern to many roofers in our industry. These liability exposures are valid and CRA agrees that this needs to be addressed before a child or unauthorized person is injured by an unattended ladder.

Attempts at directly contacting Building Departments in order to discuss the ladder issue go unanswered or they just plain deny or don't see any issues of liability associated with the practice of leaving ladders for them to perform their inspections.

Another concern CRA considered during the course of addressing this problem is that using the direct approach and putting Building Departments in a defensive position as an association full of volunteers who are in the roofing contracting business could result in the possibility of ramifications to contractor members or permit holders with failed inspections or "denial of permission to access the roof" where inspectors just leave or don't show up for the inspection.

CRA believes that the best approach to helping our members and the roofing industry as a whole with the "ladder issue" is to ask you to help us in educating consumers and concerned citizens about the liability and risks involved with unattended ladders. We would like to provide a little background on why we have decided to take the educational approach vs. forcing the issue directly with Building Departments.

*A couple of years ago a member of our association took a different approach with his concerns which centered on his apprehension that his two small children could be seriously injured on unattended ladders. The member was on his roof cleaning the gutters while his two children played in the yard. He had just climbed off the ladder to go grab a trash can and in the 5-10 of seconds that it took him to go around the corner of his house and back – there on the 3<sup>rd</sup> rung of the ladder was his 5-year old daughter. That moment of fright took a couple years off his life. Now this same member just also happened to live down the street from the mayor of his city who also had small children. As neighbors do, he was chatting with the mayor about his scare and during the course of the conversation he asked the mayor if he was aware that roofers leave ladders unattended as a course of business each day because the majority of building departments mandate that a ladder must be provided by the roofing contractor for use by inspectors in carrying out their inspections ... including his city. The mayor was unaware that his Building Department did this and promised that he would look into the practice and bring it to the city council's attention. Long story short, by educating the city council and bringing this very real risk of injury or death to their attention, a few concerned citizens were able to change*

*the building department's policies in respect to their ladder requirements for inspectors without any ramifications against any specific roofing contractors.*

We have come up with a couple ways in which you can help us educate consumers and concerned citizens. Enclosed with this letter, we have come up with two tools for our members to use in their sales packets and as part of their sales process.

1. **Homeowner/Consumer Flyer** – this sample flyer is an information piece designed to educate consumers on the local building code mandate that a ladder must be provided by the roofing contractor for use by city inspectors to carry out their inspections. It informs them of the issues and explanations. *(This is a sample document and CRA members should feel free to use whatever language you deem suitable and consider seeking advice from your current legal advisor.)*
2. **Sample Notice to Homeowner** – this is sample contractual language that you could make the business decision to include as an attachment to the original contractor-homeowner agreement and make it subject to the terms and conditions of that agreement. Use it in its entirety or pick and choose the language you are comfortable with. *(This is a sample document and CRA members should feel free to use whatever language you deem suitable and you should consider seeking advice from your current legal advisor before adopting these changes.)*

We have also included a list of local municipalities who require contractors to set ladders and the Occupational Safety & Health Administration's (OSHA) recommendations for setting and securing ladders in both an English & Spanish version. These flyers are available from OSHA at [www.osha.gov](http://www.osha.gov) and can be found under the Fall Protection category.

We hope you consider using these new tools we have made available.

Educating consumers about the risks and liability of unattended ladders will turn a few concerned citizens' heads and maybe, just maybe, they will contact their City Councils with their concerns and encourage the council to make a change within their building departments that will keep our children, friends, parents and neighbors from being the ones injured as a result of this mandated practice of leaving a ladder for inspectors.

Please contact the CRA office with questions or concerns.

Best Regards,

**CRA Building Code & Standards Committee**  
**CRA Board of Directors**

*Enclosures: Notice to Homeowner flyer  
Sample contract language  
List of Colorado municipalities that require contractors to set ladders  
OSHA Fall Prevention Factsheet/Setting Ladder Guide – English  
OSHA Fall Prevention Factsheet/Setting Ladder Guide – Spanish*



## NOTICE TO HOMEOWNERS

### Regarding Ladder Set-up for City/Municipal Inspectors & Unsupervised Ladders



<b>The Issues</b>	<b>The Explanation</b>
<p>This notice is to make you aware that a number of jurisdictions in Colorado, including yours, have a <b>requirement for roof inspections</b>. Contractors are asked to set up a ladder to allow for roof access by the inspector instead of bringing their own ladders with them.</p>	<p>These Colorado jurisdictions have placed the burden of roof access on us and also you the homeowner.</p>
<p>The majority of Colorado Building Departments and <b>Municipal Inspectors require, per building code, that the permit holder</b> <i>“provide access to and means for inspections of such work that are required by the code.”</i> The ladder is required to be placed and secured to the roof in preparation for the inspector’s arrival, and <b>inspectors will not move ladders or extend ladders in order to perform the inspection.</b></p>	<p>For this reason, as your contractor and the permit holder, it is our duty to use reasonable care in setting up the ladder and ensuring it is not defective. <i>The roofing contractor (and potentially the property owner) is at risk of being sued by either the inspector or the jurisdiction that they work for through a workman's compensation claim.</i></p>
<p>Construction and other activities at the Property are dangerous and involve risks of serious injury, death, and/or property damage. <b>As such, this notice becomes part of our contract and you, the homeowner, acknowledge and agree to that.</b></p>	<p>You the Homeowner(s) and/or City/Municipality Inspector(s) use of our property (i.e. ladder) and by such use the Homeowner(s) and City/Municipality Inspector(s) ASSUMES FULL RESPONSIBILITY FOR, AND RISK OF INJURY OR DEATH OR damage to property,</p>
<p>The Homeowner (s) and/or City Inspector(s) NOTICES, WAIVES AND DISCHARGES, AND COVENANTS <b>NOT TO SUE the permit holder.</b></p>	<p>The Homeowner (s) and/or City Inspector(s) represents that it has read this Notice and acknowledges that no oral or written representations, statements, or inducements of any kind have been made by any of the Noticees, except the granting to The Homeowner (s) and/or City Inspector(s) permission to enter the Property as set forth above.</p>
<p><b>Are you worried about your children, family, friends, neighbor or stranger walking by being hurt on an unattended ladder on your property? Concerned about this mandated practice?</b></p>	<p><b>Then, please contact your local City Council and let them know about the very real risk of injury or death that could occur as a result of your municipalities’ Building Department ladder policy.</b></p>

## NOTICE TO HOMEOWNER

### LADDER FOR USE BY CITY/MUNICIPAL INSPECTORS

Local building codes mandate that a ladder must be provided by the roofing contractor for use by city and/or municipal inspectors in carrying out their inspections.

In most cities and municipalities in Colorado, the ladder is required to be placed and secured to the roof in preparation for the inspector's arrival, and inspectors will not move ladders or extend ladders in order to perform the inspection. [Roofing Contractor Name] will reasonably cooperate with Homeowner in selecting the location for the ladder, and will assist Homeowner in scheduling an appointment for the inspection.

Homeowner's permission to enter the yard is required if the inspector must pass through a fence or enter the backyard to access the ladder. Inspectors will not go through fences or enter backyards without permission or when pets are present. [Roofing Contractor Name] will not be responsible for any fees assessed against Homeowner for missed appointments, cancellations or re-inspections due to lack of permission or for any other reason unless caused solely by [Roofing Contractor Name]'s.

Homeowner is solely responsible for supervision of the ladder from the time it is secured to the roof until the time it is taken down, except during those times when [Roofing Contractor Name] has workers onsite and performing work on the roof. Homeowner is not permitted to use the ladder to access the roof, or for any other purpose. Homeowner will not allow any person other than the inspector to use the ladder for any purpose whatsoever. **Homeowner agrees to take all necessary precautions to prevent any unauthorized persons, including children, from accessing the ladder.**

Homeowner will indemnify, defend, and hold [Roofing Contractor Name] harmless from and against any and all causes of action, claims, damages, liabilities or losses of any kind, including but not limited to attorneys' fees, arising out of or resulting from any unauthorized use or attempted use of the ladder, or from any theft or attempted theft of the ladder, except to the extent caused directly by [Roofing Contractor Name]'s negligence.

This Notice is governed by the terms and conditions of the Contract between [Roofing Contractor Name] and Homeowner.

**[ROOFING CONTRACTOR NAME]**

**HOMEOWNER**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

By: \_\_\_\_\_  
Print Name, Title

By: \_\_\_\_\_  
Print Name

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## List of Colorado Municipalities that require Contractors to set ladders.

\*Bolted municipalities require contractor to set ladders. See comments for non-bolted cities/counties.

\*\*List compiled from current information provided in the CRA Code Guidelines database ([www.coloradoroofing.org](http://www.coloradoroofing.org)).

<b>City</b>	<b>Ladder Requirement: (Do your roofing inspectors carry ladders for the final?)</b>	<b>Ladder comments:</b>
<b>Adams County</b>	No	All ladders are required to be setup and secured in accordance with OSHA by the permit holder or contractor
Arapahoe County	Yes with one story access	
Arvada, City of	Yes with one story access	
<b>Aspen, City of and Pitkin County</b>	No	
<b>Aurora, City of</b>	No	
<b>Bennett, Town of</b>	No	
<b>Boulder County</b>	No	
<b>Boulder, City of</b>	No	
Bow Mar, City of	Yes with one story access	
Brighton, City of	Yes with one story access	
<b>Broomfield, City of</b>	No	
<b>Castle Pines, City of</b>	No	Provide ladder and tie off
<b>Castle Rock</b>	No	
Centennial, City of	Yes with one story access	
<b>Central City</b>	No	
Cherry Hills Village	Yes with one story access	
<b>Clear Creek County</b>	No	Provide and secured
Colorado Springs (Pikes Peak)	Yes with one story access	
Commerce City	Yes with one story access	Two story homes and/or homes with an eave height greater than 15 feet require contractor supplied ladder that is safe, stable, extends above the roof at least 30 inches and is tied off
<b>Dacono</b>	No	Safe Secured Ladder Required to be in place
Denver, City of	Yes with one story access	
<b>Douglas County / Highlands Ranch</b>	No	Have a ladder set up according to OSHA standards
<b>Eagle County</b>	No	
<b>Edgewater, City of</b>	No	
<b>Elbert County</b>	No	
Englewood, City of	Yes with one story access	
<b>Erie</b>	No	
<b>Federal Heights</b>	No	
<b>Firestone</b>	No	
Fort Collins	Yes with one story access	
<b>Frisco</b>	No	
<b>Garfield County</b>	No	
<b>Gilpin County</b>	No	
<b>Golden, City of</b>	No	

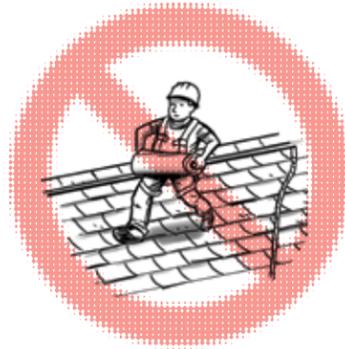
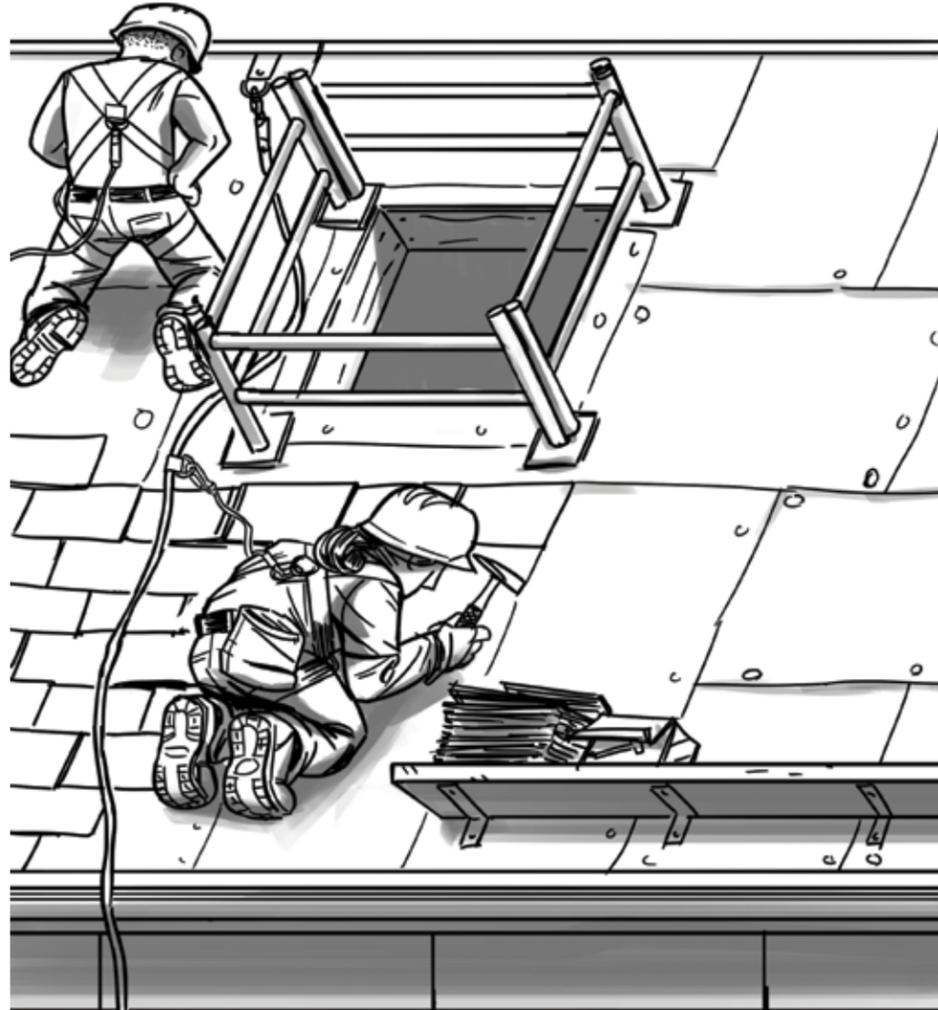
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<b>City</b>	<b>Ladder Requirement: (Do your roofing inspectors carry ladders for the final?)</b>	<b>Ladder comments:</b>
<b>Grand County</b>	No	
<b>Greeley</b>	No	
<b>Greenwood Village</b>	No	
Jefferson County	Yes with one story access	
<b>Lafayette, City of</b>	No	
Lakewood, City of	Yes with one story access	Contractor must set for 2nd story access.
Larimer County	Yes with one story access	
Littleton	Yes with one story access	
<b>Lonetree, City of</b>	No	
<b>Longmont</b>	No	
<b>Louisville, City of</b>	No	
<b>Loveland, City of</b>	No	
<b>Lyons, Town of</b>	No	Contractor required to provide access with a safe secured ladder
Milliken, Town of	Yes with one story access	
<b>Mountain View</b>	No	Contractor must provide ladder set up and tied off
<b>Nederland, Town of</b>	No	
<b>Northglenn</b>	No	Must be on-site; tied off to the roof for the inspection
<b>Park County</b>	No	
<b>Parker, Town of</b>	No	
Pueblo	Yes with one story access	
<b>Routt County</b>	No	
<b>Sheridan, City of</b>	No	
<b>Silverthorne</b>	No	
<b>Superior, Town Of</b>	No	
Thornton, City of	Yes with one story access	Contractors are to provide ladder but left on ground for inspector to set up when they arrive; upper levels required to be set to OSHA standards
<b>Vail</b>	No	
<b>Weld County</b>	No	
Westminster, City of	Yes with one story access	If over one story
<b>Wheat Ridge, City of</b>	No	
Windsor, Town Of	Yes with one story access	Ladder must be set for two stories
<b>Winter Park / Fraser / Granby</b>	No	
Breckenridge, Town of	?	Committee member to research policy.
Estes Park, Town Of	?	Committee member to research policy.
Frederick	?	Committee member to research policy.
Summit County	?	Committee member to research policy.

- ✓ Wear a harness and always stay connected
- ✓ Make sure your harness fits
- ✓ Use guardrails or lifelines
- ✓ Inspect all fall protection equipment before use
- ✓ Guard or cover all holes, openings, and skylights



**DON'T**  
disconnect from  
the lifeline



**DON'T**  
work around unprotected  
openings or skylights



**DON'T**  
use defective equipment

**PLAN** ahead to get the job done safely.  
**PROVIDE** the right roof equipment.  
**TRAIN** everyone to use the equipment safely.



Occupational  
Safety and Health  
Administration

1-800-321-OSHA (6742) • TTY 1-877-889-5627  
www.osha.gov

I worked construction for 10 years  
before my fall. It shattered my body  
and my livelihood.

Work safely. Use the right equipment.

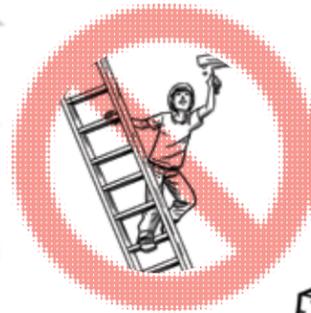


Safety Pays. Falls Cost.  
www.osha.gov/stopfalls/

**PLAN** ahead to get the job done safely. **PROVIDE** the right equipment. **TRAIN** everyone to use the equipment safely.

# FALLS FROM LADDERS CAN BE PREVENTED!

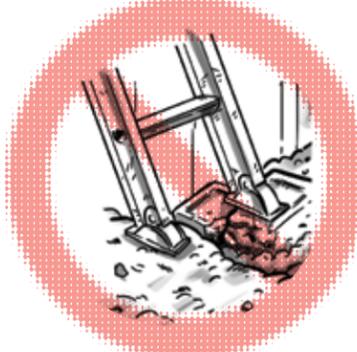
- ✓ Choose the right ladder for the job
- ✓ Maintain three points of contact
- ✓ Secure the ladder
- ✓ Always face the ladder



**DON'T**  
stand on top or on the  
top step of a stepladder



**DON'T**  
overreach



**DON'T**  
place the ladder on  
uneven footing



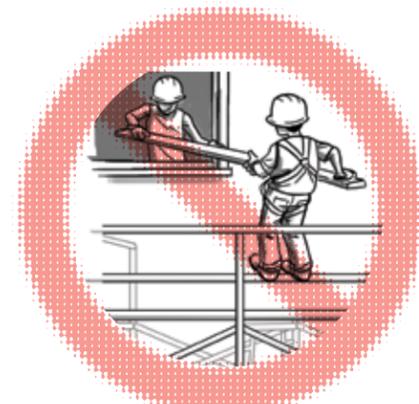
**PLAN** ahead to get the job done safely.  
**PROVIDE** the right ladder and equipment.  
**TRAIN** everyone to use the equipment safely.

# FALLS FROM SCAFFOLDS CAN BE PREVENTED!

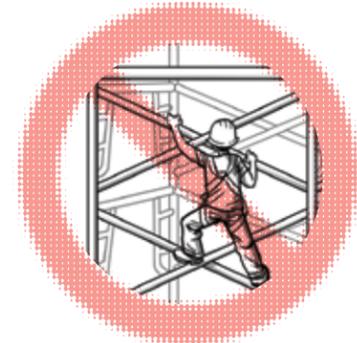
- ✓ Use fully planked scaffolds
- ✓ Ensure proper access to scaffold
- ✓ Plumb and level
- ✓ Complete ALL guardrails
- ✓ Ensure stable footing
- ✓ Inspect before use (by competent person)



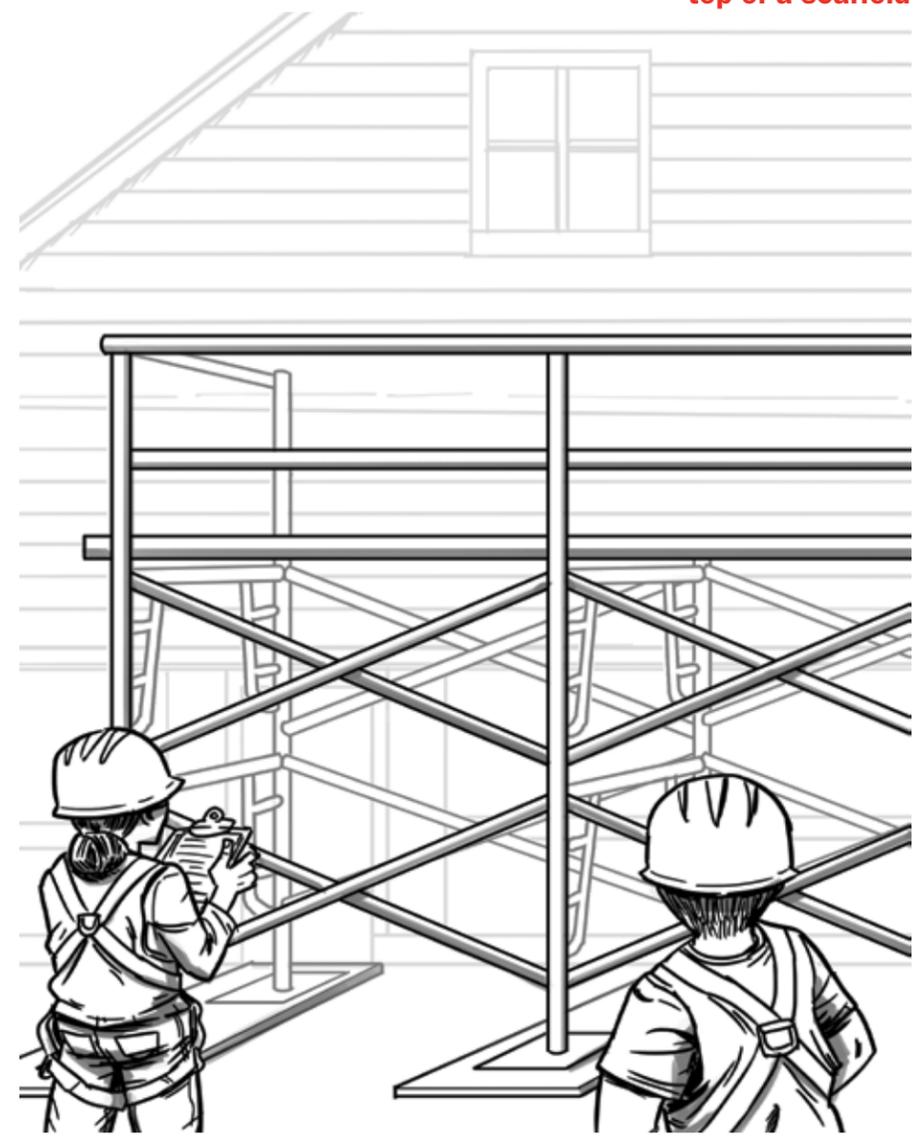
**DON'T**  
use a ladder on  
top of a scaffold



**DON'T**  
stand on guardrails



**DON'T**  
climb cross-braces



**PLAN** ahead to get the job done safely.  
**PROVIDE** the right scaffold and equipment.  
**TRAIN** everyone to use the equipment safely.

**Trabajé en la construcción por 10 años  
antes de mi caída. Destrozó mi cuerpo  
y mi forma de ganarme la vida.**

**Trabaje con seguridad. Use el equipo correcto.**



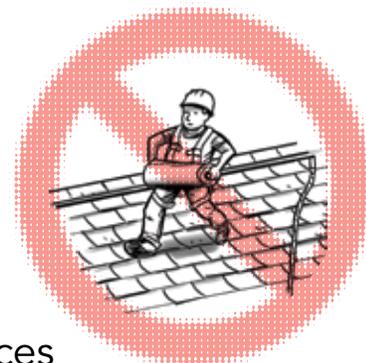
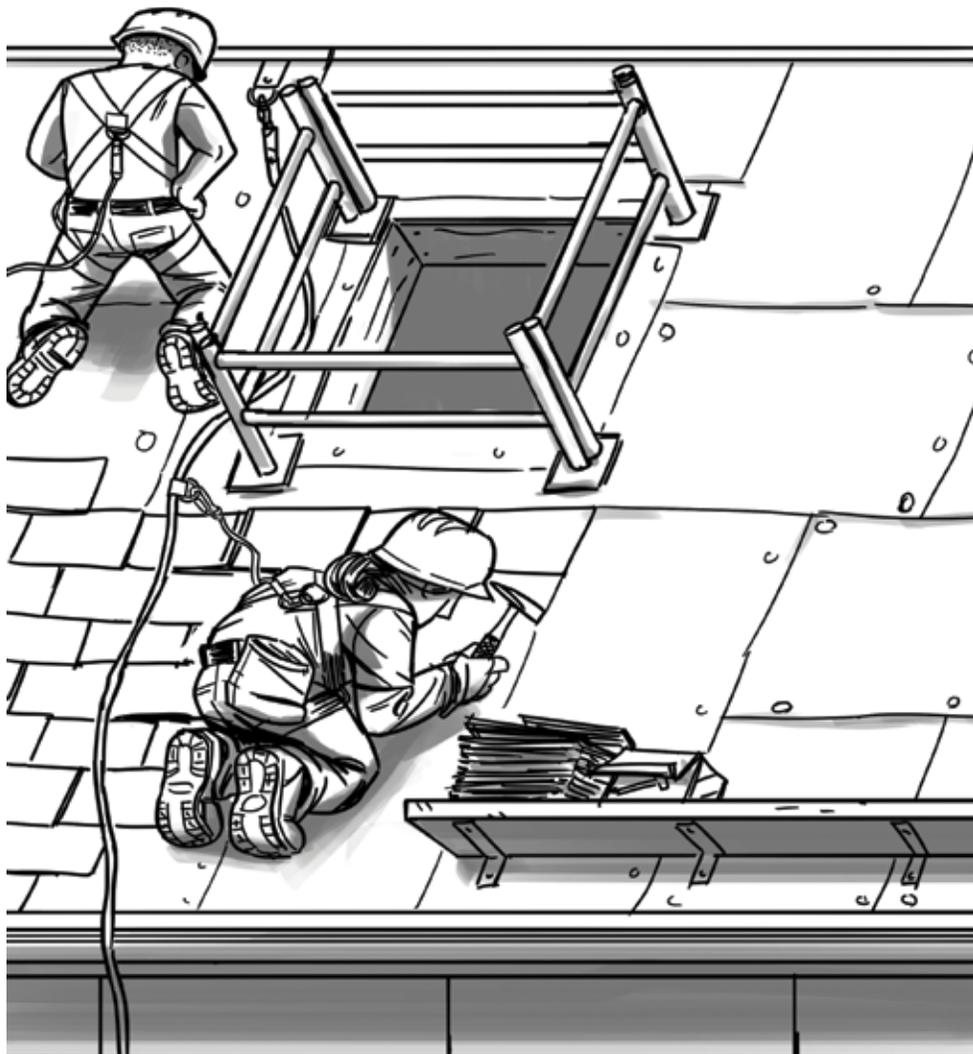
**La seguridad paga,  
las caídas cuestan.**

**[www.osha.gov/stopfalls/](http://www.osha.gov/stopfalls/)**

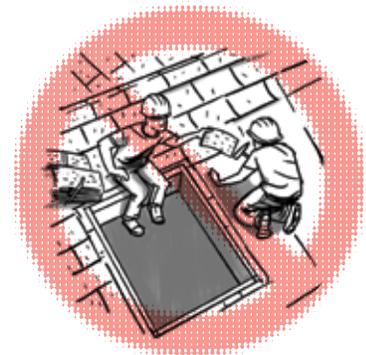
**PLANIFIQUE** con anticipación para hacer el trabajo de forma segura. **PROPORCIONE** el equipo correcto.  
**ADIESTRE** a todo el mundo a utilizar el equipo de forma segura.

# ¡LAS CAÍDAS DESDE TECHOS PUEDEN PREVENIRSE!

- ✓ Use un arnés y siempre quédese conectado
- ✓ Asegúrese de que el arnés le quede a la medida
- ✓ Use barandas o cuerdas de salvamento
- ✓ Inspeccione el equipo de seguridad antes de usarlo
- ✓ Proteja o cubra todos los huecos, aberturas y tragaluces



**NO**  
se desconecte de  
la cuerda de  
salvamento



**NO**  
trabaje cerca de  
tragaluces u aberturas  
que no estén protegidas



**NO**  
use equipo defectuoso

**PLANIFIQUE** con anticipación para hacer el trabajo de forma segura.  
**PROPORCIONE** el equipo para techos correcto.  
**ADIESTRE** a todo el mundo a utilizar el equipo de forma segura.



Departamento de  
Trabajo de E.E.U.U.



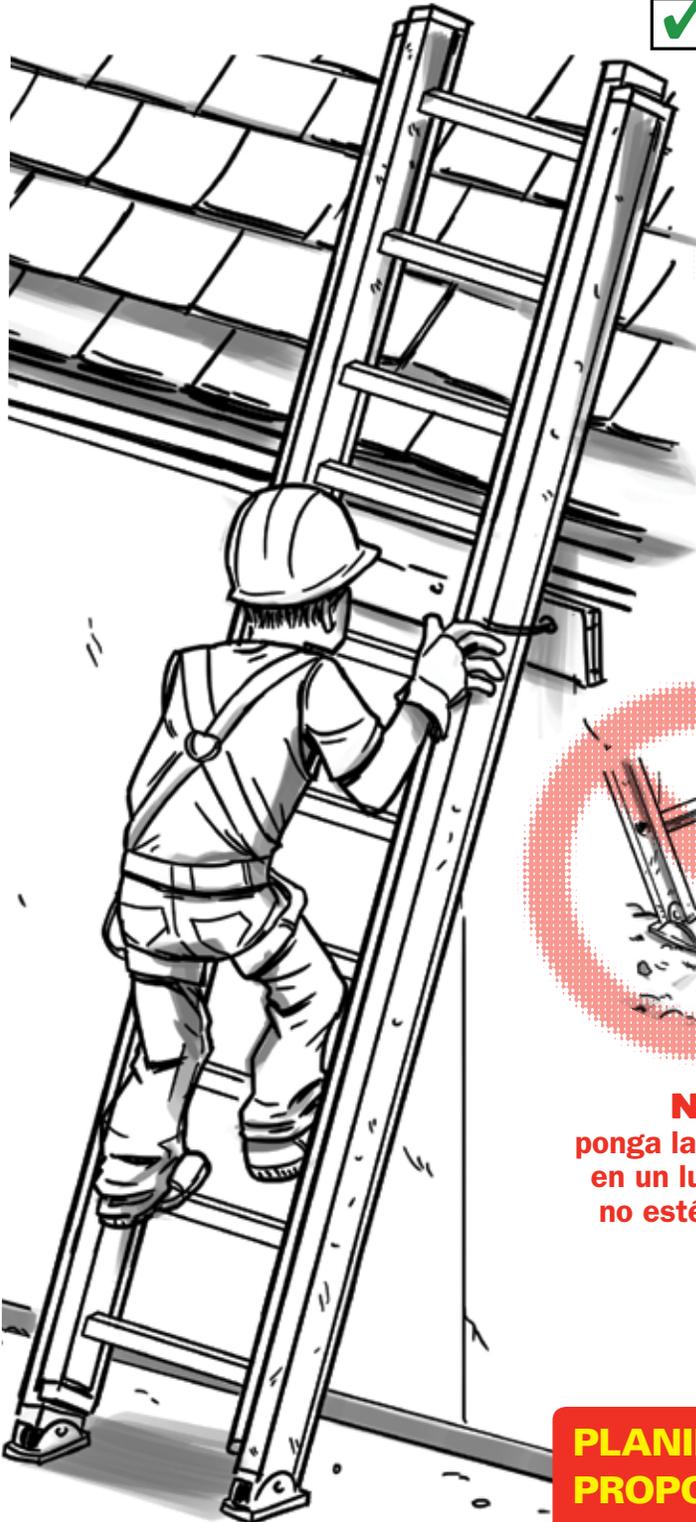
**NIOSH**



**OSHA**® Administración de  
Seguridad y Salud  
Ocupacional  
1-800-321-OSHA (6742) • TTY 1-877-889-5627  
[www.osha.gov](http://www.osha.gov)

# ¡LAS CAÍDAS DESDE ESCALERAS PUEDEN SER PREVENIDAS!

- ✓ Escoja la escalera correcta para el trabajo
- ✓ Mantenga tres puntos de contacto
- ✓ Asegure la escalera
- ✓ Siempre dé la cara a la escalera



**NO**  
se estire para  
llegar a lugares  
que estén fuera  
de su alcance



**NO**  
se pare en el tope o el  
último peldaño de una  
escalera



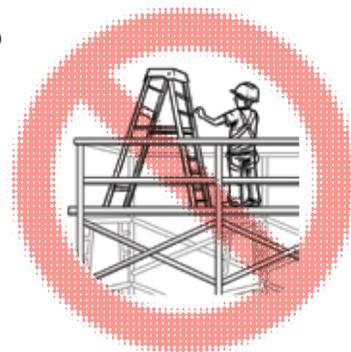
**NO**  
ponga la escalera  
en un lugar que  
no esté parejo



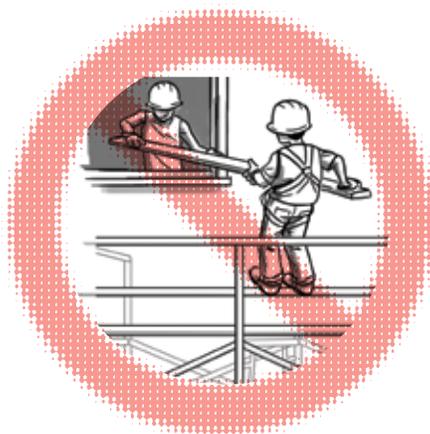
**PLANIFIQUE** con anticipación para hacer el trabajo de forma segura.  
**PROPORCIONE** la escalera y equipo correctos.  
**ADIESTRE** a todo el mundo a utilizar el equipo de forma segura.

# ¡LAS CAÍDAS DESDE UN ANDAMIO PUEDEN SER PREVENIDAS!

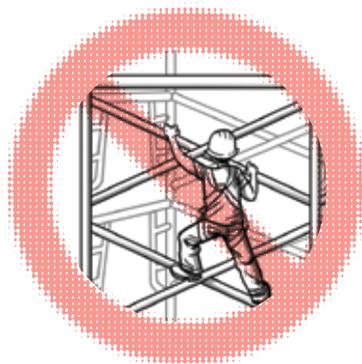
- ✓ Use un andamio que esté totalmente entablado
- ✓ Asegure un acceso apropiado al andamio
- ✓ Aplomado y nivelado
- ✓ Complete TODAS las barandas
- ✓ Asegure un cimiento estable
- ✓ Inspeccione antes de usarlo (por una persona competente)



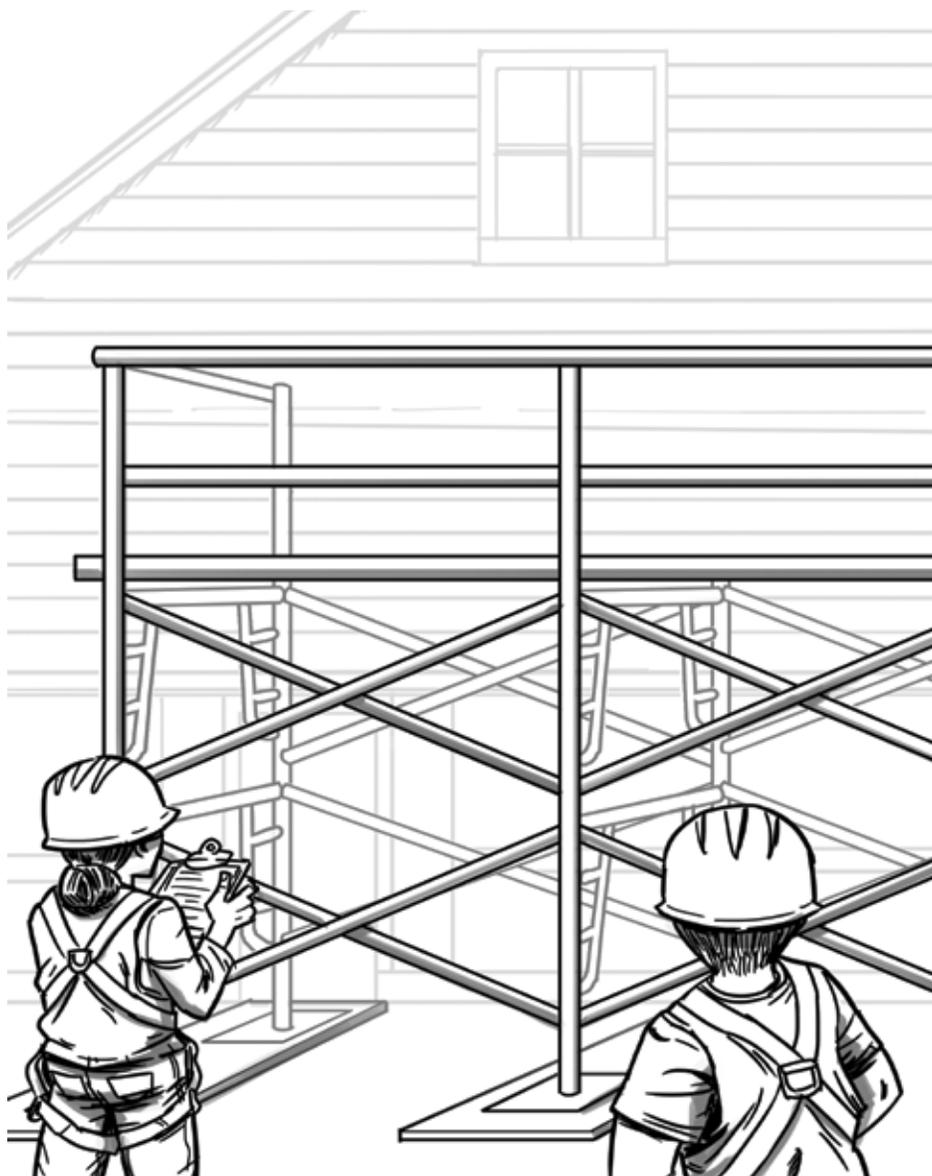
**NO**  
use una escalera  
encima del andamio



**NO**  
se pare en  
las barandas



**NO**  
suba por  
las crucetas



**PLANIFIQUE** con anticipación para hacer el trabajo de forma segura.  
**PROPORCIONE** el andamio y equipo correctos.  
**ADIESTRÉ** a todo el mundo a utilizar el equipo de forma segura.