



DENVER
THE MILE HIGH CITY

Community Planning and Development

Permit and Inspection Services

Building Permitting

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BUILDING AND CONSTRUCTION SERVICES BUILDING DEPARTMENT PLAN REVIEW

ADMINISTRATIVE MODIFICATION APPLICATION INFORMATION and SUPPLEMENTAL GUIDELINES

When preparing an application for an Administrative Modification for submittal to the Building Inspection Division:

- Be sure to read the Administrative Modification Guidelines included in this package.
- Clearly state your request and cite the Building Code sections involved.
- Explain the reason you are making this request and why the Building Inspections Division should grant the Administrative Modification.
- Tell what code equivalence, if any, will be provided in place of the code requirement in question.
- Be sure that the request bears the signature of the building owner. If a tenant will occupy the space in question, the request must also bear the signature of that tenant.
- When the request involves a design generated by a licensed Design Professional, the request must bear the original seal and signature of that professional.
- Include the name of the Building Inspections Division plan reviewer or field inspector you are working with for this Administrative Modification on the request.
- Fill out the Administrative Modification Pre-Application as indicated, and submit the Administrative Modification and Pre-Application to the Reviewer/Inspector you are working with.

BUILDING AND CONSTRUCTION SERVICES

BUILDING DEPARTMENT PLAN REVIEW

(720)865-2705

Administrative Modification Pre-Application

AM# _____ PRE-APPLICATION OK BY _____
(Reviewer/Inspector print name)

Applicant. Please complete the following section, attach additional page(s) as needed.

(Reviewer check box if distribution required)

PROJECT ADDRESS _____

Design Professional _____

Design Firm _____

Address _____

(City, State, Zip Code)

Building Owner _____

Address _____

(City, State, Zip Code)

Tenant _____

Address _____

(City, State, Zip Code)

Other _____

Address _____

(City, State, Zip Code)

Reviewer check box if distribution required

FPB Reviewer _____

Inspections Administrator

Inspector (specify insp. section) _____

Administrative Modification Guidelines

Administrative Modifications are an important aspect of our mission/vision of providing excellent customer service while enforcing Code requirements. The following explanation of Administrative Modifications (AM's) and guidelines will clarify what constitutes AM's and their appropriate application. The first section provides the background and general requirements for AM's. The Inspectors' and Engineers/Permit Technicians' sections outline how AM's should be handled within the Division, and a final paragraph explains the Building Community's responsibility in the AM procedure.

General:

- Administrative Modifications are a procedure recognizing that the Building Codes cannot anticipate every possible building project or construction situation. The Code basis for AM's in Section 103.3 DBCA/UBC contains provisions for "Modifications Under Special Circumstances." Proper application of this Code section requires responsibility and flexibility of the Design, Review, Building and Inspection Communities. Our intentions when applying AM's are to resolve project design issues without creating increased hazards to life/safety or property, and without compromising the intent of the Code.
- Code Equivalency:
Once the Agency has approved Administrative Modifications, they are considered to be the Building Code application for that particular project and set of conditions. Everyone in the Agency is required to honor the AM and should respect the often-difficult factors that have been weighed in reaching final decisions regarding Administrative Modifications. Any major in-house disagreements regarding an AM should be taken to the Building Official for resolution.
- Decision Team:
Section 103 gives the Building Official the authority to grant Administrative Modifications (AM's). In order to delegate decisions regarding AM's, our Building Official has formally authorized the Engineering Supervisors to approve or disapprove AM's on his behalf. In the interest of making as informed a decision as possible, Engineering Supervisors (ES's) analyzing AM's for possible approval are expected to consult with appropriate members of the Plans Review and Inspection Teams and the Fire Prevention Bureau (FPB). These individuals' opinions, the applicable Codes, and where appropriate, the provisions of Chapter 61, will all be considered before granting or denying an AM. The ES(s) will sign and date AM approvals or denials, adding any special conditions, provisions or deadlines. When appropriate, a FPB representative may sign an AM indicating concurrence with our decision.
- Turnaround:
In the interest of expeditious replies to the customer, ES(s) should attempt to approve or disapprove AM's within two weeks. Within that period, the appropriate Chief Inspector(s) should be consulted for comments on the AM. Chief Inspectors' comments should be returned to the ES within one day.
- Format:
AM's must clearly state what is being requested and justification for the request. Multiple requests for a single project must be clearly delineated and identified by a separate letter or number. The project address must be indicated on the request, as well as the BID log number where applicable. The building owner must sign requests and, when applicable, the responsible design professional. Due to the nature of certain AM's, an owner may be required to register an approved AM as a legal obligation of the specified property with the Clerk and Recorder's Office.
- Receipt/Distribution:
As soon as they are received, Administrative Modifications are entered into the AM log-book along with the date of receipt, a summary of the request and the initials of the ES to which the AM was given. Administrative Modifications are assigned AM numbers that include the two-digit year and the sequential number of the AM for that calendar year (i.e., 2002AM0302). When an AM has been reviewed, the ES enters the completion date. Copies of each completed AM are sent to the appropriate BID Engineer(s) and Inspector(s), in

addition to the design professional requesting the AM, the building owner, the Inspections Administrator, and the FPB. A permanent copy is filed in Building Department files.

- Appeals:
The formalization of the AM procedure is not intended to take over all Board of Appeals and Chapter 61 cases. However, ES's will incorporate the philosophy of Chapter 61 into decisions on older buildings. While the intent is to reduce the numbers of these cases by discussing particular code issues with design teams and owners, the right to a Board of Appeals or Chapter 61 ruling still remains if the decisions reached by an ES on AM's are not acceptable to the customer.

Inspectors:

- When a code application issue arises in the field and a contractor or customer wants to appeal a Code requirement, initiating an Administrative Modification may be appropriate. The process should always begin with the Inspector, not the customer. It is not acceptable to tell the customer to go to the Board of Appeals, the Building Official or to contact the Plans Review Engineer for an AM.
- The Inspector should first consult with their Chief Inspector along with the Plans Review Engineer who reviewed the project. If the Inspection Team and the Engineer are in agreement that an AM may be possible under the circumstances, the Inspector and/or Engineer should contact the customer and assist them in requesting an AM.
- The Inspector and the plans reviewer should jointly recommend to the Engineering Supervisor approval or disapproval of each item in an AM, including special conditions.

Engineers/Permit Technicians:

- When a situation arises during plans review where an Administrative Modification may be appropriate, the process should always begin with the Plans Review Engineer or Permit Tech, not the customer. It is unacceptable to tell the customer to go to the Board of Appeals, to the Building Official or to contact one of the Engineering Supervisors for an Administrative Modification.
- When circumstances arise in the course of design discussions or plans review where Building Department personnel believe that an AM may be possible under the circumstances, they should inform the customer, and assist them in correctly wording the AM request.
- The Plans Review Engineer or Permit Tech Supervisor should make written recommendations to an Engineering Supervisor to approve or disapprove each item in an AM, including special conditions.

Building Community:

- The members of the building community, apart from the Agency, have a fundamental responsibility to ensure that the Administrative Modification procedure works effectively. AM's are not intended to solve all of the difficult code issues that a design team might encounter on a project. The great majority of design issues must still meet the written provisions of the Codes.
- Requests for AM's should be limited to those items that cannot be properly or reasonably addressed by the letter of the Code. For example, Administrative Modifications should not be requested simply to minimize the cost of a project. The expense involved in code compliance should be factored into a project at the outset, and should not be a primary consideration for initializing an AM.
- A project design team has the responsibility to contemplate all AM's they intend to request, and to determine that in their professional opinion, per section 103.3 DBCA/UBC, the proposed **“modification is in conformity with the intent and purpose”** of the Codes. Furthermore, such modifications must **“not lessen the fire protection requirements or any degree of structural integrity.”**
- Once an Administrative Modification has been approved by the Agency, it is considered to be equivalent to the Building Code for that particular project only. Those in the Building Community should respect the often difficult factors involving a particular project that have been weighed in reaching a final decision regarding Administrative Modifications.
Accordingly, AM's are not transferable to any subsequent project or use.

- Once decisions have been reached concerning particular AM's, those decisions are considered final. The AM process creates an added workload for Building Department personnel. To increase that workload by multiple requests for the same item will encumber the process. While the intent is to reduce the number of Board of Appeals and Chapter 61 cases by discussing particular code issues with design teams and owners, **the right to a Board of Appeals or Chapter 61 ruling still remains if the decisions reached by an Engineering Supervisor on AM's are not acceptable to the customer.**
- Part of our role in creating an Administrative Modification process that works effectively is to ensure that the Building Community is aware of their responsibilities in the AM process. Utilized only when necessary and appropriate, Administrative Modifications are an effective mechanism for accepting equivalent applications of the Code. A few minutes should always be taken to explain these guidelines to clients who have not utilized the process previously, and occasionally remind those who have.