IBC/IEBC Committee Hearing Agenda
July 25, 2019 2pm-5pm
City and County of Denver, Room 4i5

1. Roll Call and Introductions

2. Discussion and voting on Denver Building Code Administration provisions (DBCA)
   a. #470: Appendix S (Tabled from 6/23 and 7/8 hearing)

3. Discussion and voting on IBC/DBC-IBC Chapter 2 Definitions
   a. (P31)324: Balcony definition (Tabled from 7/8 hearing)

4. Discussion and voting on IBC/DBC-IBC Chapter 3
   a. #21: IBC Sections 302.1 and 310.6
   b. #99: DBC-IBC Sections 305 and 308.6.5 (Tabled from block vote 6/23)
   c. #100: IBC Section 306
   d. #40: IBC 308.5.5 (Also to be heard by IRC and IFC committees) (IRC=AS 9-1)
   e. (P91)398: IBC Section 310.3

5. Discussion and voting on IBC/DBC-IBC Chapter 4
   a. #127: DBC-IFC Section 403.4.8
   b. #272: DBC-IFC Section 403.4.8
   c. #273: DBC-IFC Section 403.4.8.3
   d. #128: DBC-IFC Section 403.5.2
   e. (P33): DBC-IBC Section 403.5.7, 403.5.8...
   f. #130: DBC-IBC Section 403.5.7
   g. #131: DBC-IBC Section 405
   h. #277: IBC Section 405.8
   i. #132: IBC Section 414.2.6
   j. #133: DBC-IBC Section 419

6. Discussion and voting on IBC/DBC-IBC Chapter 5
   a. (P109): IBC Section 503.1.4.1
   b. #82: DBC-IBC Section 507.14
   c. #12: DBC-IBC Section 510.2

Please note that any items that we do not get to in this hearing will be automatically transferred to the next scheduled hearing date and will be the first items on the agenda for that hearing.

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https://global.gotomeeting.com/install/799312877
Proposal # 470 Part 1 to be heard here. Part 2 to be heard in Smoke Control (Previously Tabled)

Revisions to Appendix S

Proponent-Smoke control remains an issue with this proposal. It was decided that this will be heard as a Part 1 and Part 2. Part 1 by IBC and Part 2 by Smoke Control. 4.6 and all subsections will be heard in the Smoke Control committee.

Public Testimony in Support: Proponent – NFPA 415 was brought in to deal with airport structures. NFPA and ICC don’t line up. This proposal is specific to Denver and is consistent with things being done currently at the airport. Lines up with how things are currently being regulated at DIA.

Public Testimony in Opposition: None

Questions from the Committee to Proponent:

1. Were any entities at the airport consulted in development of this?
   a. Worked with all parties who proposed changes regarding Appendix S. Incorporated their changes and consulted with authors.

2. Is there anything in here that is retro active to current airport, anything that has to be added?
   a. In general, No. It specifies new construction. It does address updates and with those updates bringing up to new life safety requirements.

3. How does this interface with IEBC?
   a. Haven’t used that yet. We see a lot of Admin Mods and MOU’s that were built for the airport, nothing to contradict those, it’s just old information.

4. NFPA 415, how does that work in to this proposal, it looks like it strikes the reference in the beginning...?
   a. Found that architects and designers didn’t have access to NFPA 415, we thought it would be easier for people to grab the pulled over information from 415 once it was placed directly in the 2016 amendments.

5. Does Fire Code adopt all of NFPA 415?
   a. Yes

6. So, since we reference IFC we do have a path to NFPA 415?
   a. Yes

Original Motion: AM

Committee Discussion:

Concerns about paragraph one being stricken. Committee felt it may need to stay in order to provide accurate reference to NFPA 415.

Modification:

Un strike paragraph one and change the reference to 2016.

Discussion: None

Final Motion: AM

Final Vote: AM 9-0

Additional staff or committee comments for the record:

Proposal # P31 (Previously Tabled)

Allows recessed balconies with less than 4 ft depth to be considered as projection.

Public Testimony in Support:

Committee had questions about language and scope as well as adding definitions. Made changes to make this more basic. Should be placed in the body of the code language (charging paragraph).

Public Testimony in Opposition: None

Questions from the Committee to Proponent:

1. Can you elaborate on the 4 feet metric?
   a. Recognized as arbitrary but seems to be a reasonable dimension from inset
dimensions that may not be hazardous with that limited depth. Deeper you get the more hazardous it becomes.

2. Inset balcony 2 ft, extending 2 ft would meet this definition?
   a. Yes.

3. Is intent that more than 4 ft would make this become floor area? Concern with the words may be can you explain.
   a. Correct. The words May be are intentional, design professionals can put this as extension of floor area. If there is a design element that creates inset portion as separate structure, then this would allow them to not have to extend the horizontal assembly.

4. What if it said for the purposes of this section?
   a. No objection to that, not sure what detriment it would be without having that language. Neutral.

5. Is there any concern in Type 3 that’s there a lot of structure that we would consider exterior wall?
   a. With this the wall immediately behind balcony would be considered exterior wall.

**Original Motion:** A/S with Intent to Modify (ASM)

**Modification #1:** Move the section 705.2 to be the last sentence of the paragraph, instead of exception.
**Discussion:** Much better spot. As an exception it only applied to combustible balconies in certain occupancies.
**Vote on Modification #1:** 8-0 Passes

**Modification #2:** Change word “may be considered” to “shall be permitted to”
**Discussion:** Shall be permitted to be considered doesn’t sound right. Think it is better code language.
Do we need considered, maybe that should be removed, shall be permitted as a projection?
**Vote on Modification #2:** Modification fails 2-5

**Modification #3:** New sentence before this sentence “Balconies inset 4 feet, or more shall not be considered projections.”
**Discussion:** None
**Vote on Modification #3:** 8-0 Passes

**Final Motion:** AM
**Final Vote:** AM 8-0

**Additional staff or committee comments for the record:**

**Proposal # 21**
The purpose of this amendment is to provide provisions in the Denver Building Code to enable community villages to be created to reduce homelessness

**Public Testimony in Support:** Proponent – On Monday night City Council approved an almost identical version of this proposal for inclusion in to 2016 DBC amendments, includes most of this content. Changed accessibility requirements as well as change requirements for sleeping units.

**Public Testimony in Opposition:** None

**Questions from the Committee to Proponent:**

1. Why Type B instead of Type A?
   a. Some other parallels in this proposal. Today these are 100 sq. ft sleeping units, several on a site, proposal requires a community building with kitchen, dining area and facilities, these are sleeping units only. Type B have accessible residential bathroom with maneuvering clearances. Anything more than Type B is overkill.

2. If they put toilets in, would we then require it to be a Type A?
a. Type B is appropriate.
3. What if they put kitchen in?
   a. Then it would be considered a tiny home and provisions would change.
4. 429.10 section about water dispenser is the intent that this replace water fountain requirement?
   a. Yes
5. Does Colorado Title 9 Article 5 apply to these buildings?
   a. No, they aren’t dwelling units and are separated by at least 5 feet, typically 10 feet.
6. How many units is this limited to?
   a. No limit.
7. From accessibility stand point there would be an R2 requirement?
   a. No, this is a separate occupancy all together. That’s why we created RX occupancy. Not multi family or single family.

*Original Motion: A/S with Intent to Modify (ASM)*

*Modification #1: 429.10 End of first sentence after sleeping units add “and drinking fountains are not required”*
To clarify the intent to exempt these units from requirements of drinking fountains in building code.

*Discussion:* Good clarification.

*Vote on Modification #1: Passes 9-0*

*Modification #2: 2nd sentence after Type B Unit, replace sentence “the plumbing fixtures shall be accessible” with “toilet and bathing facilities shall comply with section 1109.2”*

*Discussion: None*

*Vote on Modification #2: 9-0 Passes*

*Final Motion: As Modified*

*Final Vote: AM 9-0 Passes*

*Additional staff or committee comments for the record:

Proposal # 99 (Tabled from Block Vote)
Delete the provisions located in DBC/IBC Section 305 – they are relocated for Educational Group E.
Will be heard by IFC, IRC and IBC. Passed in IRC.

*Public Testimony in Support: None*

*Public Testimony in Opposition: None*

*Original Motion: As-Submitted (AS)*
This proposal was tabled so IRC could hear language before IBC did. The language proposed in the amendment passed in IRC and therefore it is appropriate to delete from IBC amendments.

*Discussion:*
Deleting language avoids conflict between those provisions approved in #40 under the IRC.

*Final Motion: As Submitted*

*Final Vote: AS 9-0 Passes*

*Additional staff or committee comments for the record:

Proposal # 40
This proposal is to add provisions to the DBC to enable uniform regulation of in-home child day care facilities.

*Public Testimony in Support: Proponent – This idea ends up in IRC, mostly addresses in-home child care facilities to combat affordability and safety in family child care homes. Was designed to address the shortage of child care in Denver. Trying to correlate the provisions in IBC in order to direct to IRC to see if you qualify as family child care home rather than group I4 occupancies then you don’t have to stress about the fire sprinkler requirements.*

*Public Testimony in Opposition: None*
Questions from the Committee to Proponent:
1. Has this been approved by city council already?
   a. No
2. Is it accurate to say that IRC proposed language has been heard and approved by IRC?
   a. Yes approved 9-1

Original Motion: As-Submitted (AS)
Discussion:
Think it’s a good change brings code up to date as well as provides clarity. Not very clear currently as far as number of children before you need sprinklers.
IRC had lots of discussion on this and it was approved almost unanimously.
Any reason why this had not been previously added in to IRC?
   It is in IRC in the appendix, but it’s not clear. This is less restrictive to allow for more family child care homes to be feasible in the city. City wants to encourage more child care, these provisions are to do just that.
#40 is family child care homes limited to a dwelling unit, 99 is small child care centers, in state of Colorado child care center is very different from family child care homes.
Final Motion: AS
Final Vote: AS 9-0 Passes
Additional staff or committee comments for the record:

Proposal # 100
Define the historic use and occupancy of a Greenhouse used for marijuana or hemp in Denver.

Public Testimony in Support: Modified language to address process not product. New proposed language to add section within 306.2 for Group F1 occupancies. Denver has been classifying as such in policy this just brings it in to code. 2018 added a few different greenhouse subsections within Chapter 3, Denver intent is to not to let these be defaulted to Class U occupancy.

Public Testimony in Opposition: None

Questions from the Committee to Proponent:
1. This should say cultivate, grow, and enrich?
   a. It was intended to leave “and” out.
2. The word may in this proposal, if hazard may exist, how do we determine?
   a. Could say “hazards exist” instead of may exist. Or “hazards that exist” or “may exist”.

Original Motion: A/S with Intent to Modify (ASM)
Modification: The modified language submitted by proponent. “Greenhouses, buildings, or portions thereof used to cultivate, grow, enrich or otherwise process agricultural plants or products where unique operations, systems or hazards may exist that create significant fire and life safety hazards.”

Discussion:
Do we even need this section on unique operations?
   This is what changes it from Group U to Group F.
Support of modification here, it takes out the sun lit environment debate that is not typical in these grow facilities.
306.1 for F1 doesn’t capture grow facility in this section.

Vote on Modification: 8-0 Passes
Final Motion: As Modified
Final Vote: AM 8-0
Additional staff or committee comments for the record:
Proposal # P91
The purpose of this amendment is to expedite the design and plan review process and to standardize the building codes as they pertain to homeless and emergency shelters, they would be an R1 occupancy.

Public Testimony in Support:
R1 would be the appropriate occupancy for these shelters

Public Testimony in Opposition:
These don’t have sleeping rooms so they shouldn’t be an R1. One big room with 100 beds. We don’t know the unintended consequences of this.

Original Motion: Disapprove (D) Think there are very big implications and unintended consequences for passing this.
Final Motion: Disapproval
Final Vote: D Passes 8-1
Additional staff or committee comments for the record:

Proposal # 489
This proposal is to provide IBC correlation with a proposal which is being considered by Denver’s IRC committee:

Public Testimony in Support:
Zoning code trying to deal with this issue affects affordability. Confusion on definition of family, if you have 3 unrelated individuals does it become congregate living. Fire Department and Zoning are behind this change. Similar proposal #92 passed in the IRC.

Public Testimony in Opposition: None

Questions from the Committee to Proponent:
1. Has this been through zoning?
   a. They are behind this. Confusion behind definition of family they are trying to address.
2. Can you clarify the P2904 section?
   a. Denver doesn’t allow P2904 sprinkler systems in City and County of Denver equivalent is NFPA 13D sprinkler system.

Original Motion: As-Submitted (AS) Allows those currently living in these situations to not be in violation of the code. Relevant need to be more restrictive under the building code.

Modification: Change from 10 to 6 people.
Modification dies for lack of 2nd.

Opposition:
Think 10 is way too many, maybe 6. More people you have in there the higher risk to the occupants of bad situations to arise (negligence).

Final Motion: As Submitted
Final Vote: AS 8-1 Passes
Additional staff or committee comments for the record:
Shouldn’t be under monasteries need to fix indentation.

Proposal # 128
This proposal is to delete the previous amendment and reinstate the IBC text. The IBC excepts a very high building from providing an additional exit stairway if the building has an occupant self-evacuation elevator. Per DFD, occupant self-evacuation elevators were untested during the previous code-cycle but have since become more widely used and their performance is reliable

Public Testimony in Support: Proponent – No longer concern with self-evacuation elevator with the progression of elevators over time.

Public Testimony in Opposition: None

Original Motion: As-Submitted (AS)

Necessary from correlation stand point for other amendments that allow self-evacuation elevators.

Questions from the Committee to Proponent:

Committee Discussion:
If not approved this would make our amendments confusing.

**Final Motion:** AS  
**Final Vote:** AS 9-0 Passes  
**Additional staff or committee comments for the record:**

**Proposal # P33**

DBCA Section 403.5.7 requires elevator lobby or corridor areas of rescue assistance in high rise building. Section 1009.8 requires a monitored two-way communication system in all elevator landings and lobbies—the requirements for all elevator landings (except for freight elevators) to have 2-way communication is new in 2015 IBC.

**Public Testimony in Support:** None  
**Public Testimony in Opposition:** None  

**Original Motion:** A/S with Intent to Modify (ASM)  
**Modification:** Concern with measuring a distance to an area. Strike “area of rescue assistance” and replace with “nearest two-way communication device” less objective. *Dies due to lack of 2nd.*  

**Committee Discussion:**

Language added in 2016 DBCA where we invented this “area of rescue assistance” terminology to try to clarify language from the model code. Code requires two-way communication at all elevators. Proposed language to be removed eliminates the redundancy and eliminates the need to provide lobbies at these other elevators where they wouldn’t be otherwise required.

Top portion of proposal gets rid of requirements in Denver amendments regarding area of refuge for high rises. Now accessible means of egress becomes elevator without protected lobby and stair wells. Goes against what was understood to be desired by fire department.

Fire Dept. – We have trained ADA folks to go to protected area of refuge, we train crews to go to that area for rescue. Not sure we could rescue from 3-4 different areas with the minimal personnel in Denver.

There is another proposal for Chapter 30 that would address the 2nd part of this proposal.

**Final Motion:** AS  
**Final Vote:** AS 0-9 Fails  
**Final Motion:** Disapproval  
**Final Vote:** 9-0 Passes  
**Additional staff or committee comments for the record:**

**Proposal # 130**

The purpose of this proposal is to reduce confusion from poor code language and to update an older carried-forward amendment to have it be coordinated with current accessible means of egress elevator and associated area of refuge requirements in IBC Section 1009.4 & 1009.6.3.

**Public Testimony in Support:** Goal was to improve the Denver amendments, DFD wanted this. First section directs to 102.9.6, area of refuge, only difference is you don’t get an exception for being sprinklered. Change is in occupancy this proposal takes away the exception. Still an exception for parking garages. Travel distance to get to area of refuge is addressed. Regarding Area of refuge pressurization, we are just changing the language.

**Public Testimony in Opposition:** None  
**Questions from the Committee to Proponent:**

1. Is it implied if you don’t meet travel distance you end up with secondary enclosed area of refuge?  
   a. Yes.
**Original Motion: As-Submitted (AS)**
Cleans up our current language and makes it less confusing. Just refers to area of refuge requirements. Fire department likes the protected space for area of refuge. Misconception is that two way is there only for fire related emergencies, can be used for domestic violence or any other emergency needing to be reported.

**Committee Discussion:**
Think language in this proposal is confusing.

**Modification:** Delete “Notwithstanding Section 1009.4.2 Exceptions.”

**Discussion:** Clears it up, Chapter 4 requirements are in addition so the reference to these exceptions is unnecessary.

**Vote on Modification – Passes 9-0**

**Final Motion: As Modified**

**Final Vote: AM Passes 9-0**

**Additional staff or committee comments for the record:**

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**Proposal # 132**
The content for this added section is from 2016 DBCA Section 419.1.1 items 4 thru 6. The amendment limits the quantities of hazardous materials allowed at an R-2 occupancy live/work unit before classifying the use as a Group H occupancy instead.

**Public Testimony in Support:** Live work section to be relocated to a more appropriate section in the code. Also puts in limits on hazardous materials in live work. Intent is to remove from 419 and have it here.

**Original Motion: As-Submitted (AS)** Its editorial, relocating already existing language.

**Final Motion: As Submitted**

**Final Vote: AS 9-0 Passes**

**Additional staff or committee comments for the record:**

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**Proposal # 133**
Live/Work Units sections is revised only to make the section more efficient. This Section is intended to have the same effect as the previous amendment but with language better coordinated with the IBC.

**Public Testimony in Support:**

**Public Testimony in Opposition:**

**Questions from the Committee to Proponent:**

**Committee Discussion:**

**Discussion:**

**Original Motion: As-Submitted (AS); A/S with Intent to Modify (ASM); Disapprove (D)**

**Support:**

**Modification:**

**Opposition:**

**Final Motion:**

**Final Vote:**

**Additional staff or committee comments for the record:**

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**Proposal # P109**
To address guard height at occupied roofs.

**Public Testimony in Support:**

**Public Testimony in Opposition:**

**Questions from the Committee to Proponent:**

**Committee Discussion:**

**Discussion:**
Proposal # 82
allows existing buildings to maintain their current area so long as they were constructed legally under the prevailing building code and conforms to Category 1 or 2 of Table 507.14. The Table describes conditions under which reduced side yards are allowed.

Public Testimony in Support:

Public Testimony in Opposition:

Questions from the Committee to Proponent:

Committee Discussion:

Discussion:

Proposal # 12
The proposed amendment maintains Denver clarification of vertical offsets being limited within the height of a story.

Public Testimony in Support:

Public Testimony in Opposition:

Questions from the Committee to Proponent:

Committee Discussion:

Discussion: