IRC Committee Hearing Agenda  
July 3rd, 2019 2pm-5pm  
City and County of Denver, Room 4I5

1. Roll Call and Introductions

2. Discussion and voting on **Chapter 1 Administrative Provisions of IRC and/or DBC-IRC**  
   a. #40: IRC Section R101.2 (also heard in IFC and IBC committees) **Tabled from last meeting.**

3. Discussion and voting on **Chapter 3 of DBC-IRC and/or IRC**  
   a. #310: DBC-IRC Section R313/P2904 **Tabled from last meeting**
   b. #297: DBC-IRC Section R315.1...
   c. #312: DBC-IRC Section R315.8
   d. P21: DBC-IRC Section R327

4. Discussion and voting on **Chapter 4 for DBC-IRC and/or IRC**  
   a. #271: DBC-IRC Section R401.1

5. Discussion and voting on **Chapter 7 for DBC-IRC and/or IRC**  
   a. #403: IRC Section R702.7
   b. #402: IRC Section R702.7.3

6. Discussion and voting on **Chapter 9 of the DBC-IRC and/or IRC**  
   a. #300: DBC-IRC Section R903.2.6
   b. #301: DBC-IRC Section R903.2.6
   c. #313: DBC-IRC Section R905.3.9

7. Discussion and voting on **Chapter 27 of the DBC-IRC and/or IRC**  
   a. #306: DBC-IRC Section P2716

8. Discussion and voting on **Chapter 30 of the DBC-IRC and/or IRC**  
   a. #307: DBC-IRC Section P3003.9.2
   b. #308: DBC-IRC Section P3005.2.4

9. Discussion and voting on **Chapter 31 of the DBC-IRC and/or IRC**  
   a. #309: DBC-IRC Section P3103.1
   b. P38: IRC Section 3111.1

10. Discussion and voting on **Chapter 36 of the DBC-IRC and/or IRC.**  
    a. #305: DBC-IRC Section E3601.2

11. Discussion and voting on **Appendix Chapters of the DBC-IRC and/or IRC**  
    a. #183: IRC Appendix F

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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Proposal #40

Public Testimony in Support: Proponent – Childcare in homes, currently code requirements unclear. State of Colorado has some provisions and licensing provisions. Questions of whether these need to be sprinkler protected, with those being required there would be a smaller number of in-home childcares. This proposal breaks down what would be required, you would come to see the building department based on number of children being cared for within the in-home childcare. Mirrors state statutes NFPA 101 Life Safety Codes.

Public Testimony – In Denver over 600 licensed facilities, 485 children birth to 5. Feel it’s important to clarify this policy based on those looking to open in home childcare who feel meeting the sprinkler requirement is not possible. Denver has seen a significant loss of current in-home childcare due to this burden. This would reduce the number of family childcare homes that would require sprinkler systems. Keeping health and safety of children in mind but removing the barrier of adding additional items by providers for in home childcare.

Expert in Room – This is significant in Denver. Language had to mimic state level requirements as well as Denver’s ordinance.

Public Testimony in Opposition: None

Questions from the Committee to Proponent:

1. 5 or less children in care don’t need to see building department. 6 or more is then tied to CO. Is 5 or fewer left to Fire Department?
   a. 4 or less you don’t need a license, unregulated. Yes, it would be up to fire department to do inspection, but they would not be looking at less than 5.

2. What happens right now without these amendments, you must have sprinklers?
   a. There’s debate on whether these need a fire sprinkler system. Currently adopted Appendix M, that chapter is silent on whether sprinklers required, but the IRC requires sprinkler protection for new residential occupancies. We amend that out. All existing daycare operations if they don’t let their license expire, they just renew and pay their fees.

3. What’s the cut off for when family childcare would be referred over to IRC?
   a. 5.
   b. So, we are taking it from 5-12
   c. 12 came from NFPA 101 provisions for day care homes.
   d. In exchange for allowing up to 12 children in a non-sprinklered home, there are other provisions for safety that make up for fire sprinklers.

4. What is required for 6 now?
   a. You would become an I4 and would need a sprinkler system. Could be NFPA 13. Building code allows 13D.

5. Large Family Childcare Home definition there are additional means of egress provisions, the portion about first level above ground level. This omits levels below such as basements. Was the intention to ensure that basements are not used for large family care instances?
   a. Provision in Appendix M for basements in general AM 103.1.2. 2 exits required, 1 can pass thru dwelling and other must lead directly to exterior of the building. Basement is still covered in model code not in this amendment.

Discussion with proponent on what occupancy this would qualify as and based on that, what type of fire sprinkler system are they being required to install, what is current and what is being proposed. This proposal references Appendix M.

Original Motion: As-Submitted (AS)
Support: Right now, it’s a mess, not good clarity in code, does not make clear what is required. This gives us something to follow for everyone. We need more affordable childcare in Denver. If we don’t pass this, there’s a major implication that’s the exact opposite of this. If we don’t pass this home childcare would require a sprinkler system.

Opposition: None
Final Motion: As Submitted (AS)
Final Vote: AS 9-1
Additional staff or committee comments for the record:

Proposal #310
Public Testimony in Support: Proponent – Intending to do some clean up. Based on last conversation at last hearing, we wanted to bring in the exceptions from IBC. The general provisions state what is not required, and the exceptions provide what is. Opposite of traditional code language.

Public Testimony in Opposition: None

Questions from the Committee to Proponent: None

Original Motion: As-Submitted (AS)

Support: If exception went in a 3-story townhouse, they could then add a habitable attic without adding sprinklers. In the current code additions are required to meet current codes. So, would require you to sprinkler the whole house, with this proposal now you can add attic and it would be allowed to be built with no sprinklers and not comply.

Suggest modification to incorporate exception from IBC.

Modification#1: Additions or alterations to existing buildings that do not create habitable attics.

Modification#2: “where a habitable attic.... Is being constructed” 313.1 and 313.2 same to townhome section and then do away with the exceptions. Change townhomes to townhouses and italicize.

Opposition:
In national hearings there were concerns about flood issues with adding an additional story.

Also, concerns about adding an additional story then causing entire home to then be required to be sprinklered.

Final Motion: As Modified (AM)
Final Vote: Modification: 10-0
AM Main Motion 10-0
Additional staff or committee comments for the record:
Proposal # 297

Public Testimony in Support: Proponent – Simplify amendment regarding Carbon Monoxide Alarms. Stand on reason statement. Definitions are unnecessary in the IRC they are only needed in IRC if the term is to be used differently than the typical use in the IRC.

Public Testimony in Opposition: None

Questions from the Committee to Proponent:
1. Does some of this play into the state regulations?
   a. Yes, we do have some of the state regulations.

Original Motion: As-Submitted (AS)
Support: This is a good change, and these are not necessary definitions here.

Opposition:
Only content change is dwelling unit attached garage to dwelling unit with opening. Relaxing rules a little bit.

Final Motion: As Submitted (AS)
Final Vote: AS 10-0
Additional staff or committee comments for the record:

Proposal # 312

Public Testimony in Support: Proponent – Maintenance section refers to the manufacturer’s maintenance instructions. This would be better served in a maintenance code. The IRC is not a maintenance code. The occupant must maintain a building, but the IRC is not intended to reference to occupant responsibilities. Everything related to life safety must be maintained in order to provide the expected safety, yet they are not specifically mentioned in the IRC.

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

Original Motion: As-Submitted (AS)
Support: Agree IRC is life safety code not a maintenance code, Denver has gone through great effort to not adopt IPMC.

Opposition: None

Final Motion: As Submitted (AS)
Final Vote: AS 10-0
Additional staff or committee comments for the record:

Proposal # 271

Add Public Works has additional permitting requirements for excavation, grading and earthwork construction, including fills and embankments near the right-of-way to section 401.1 Application

Public Testimony in Support: None
Public Testimony in Opposition: None
Questions from the Committee to Proponent:
Original Motion: Disapprove (D)
Support: None

**Opposition:** Refers to Public Works requirements, those requirements are applicable regardless of this unnecessary pointer. No supporting info. Doesn’t seem appropriate in life safety code. Would be better in admin provisions.

Questions about Public Works in second statement but not the Wastewater Management.

*Final Motion: Disapproved (D)*  
*Final Vote: D 10-0*  
**Additional staff or committee comments for the record:**

**Proposal # 403**  
Vapor Retarders Proposal  
*Public Testimony in Support: None*  
*Public Testimony in Opposition: None*  
*Questions from the Committee to Proponent: None*  
*Original Motion: Disapprove (D)*  
**Opposition:** Don’t see the need for this.  
*Final Motion: Disapproved (D)*  
*Final Vote: D 10-0*  
**Additional staff or committee comments for the record:**

**Proposal # 402**  
*Public Testimony in Support: None*  
*Public Testimony in Opposition: None*  
*Questions from the Committee to Proponent: None*  
*Committee Discussion: Disapprove*  
*Original Motion: Disapprove (D)*  
**Support:**

*Opposition:* Code still allows Class 3, 702.7.3 water resistive barrier with vapor retarder requirements seems to be confused here. This doesn’t make sense the way things are struck out, but they refer to 1,2, &3 which are left here. Item 1 is for vinyl and aluminum siding, code says that counts as cladding, he’s saying you need a gap behind that. Is very confusing.

*Final Motion: Disapproved (D)*  
*Final Vote: Disapproval – 10-0*  
**Additional staff or committee comments for the record:**

**Proposal # 301**  
*Public Testimony in Support:* Proponent – Next 2 proposals are similar, this one strikes and revises the amendment, 300 strikes the amendment. Roof Covering, title is Stucco, Stucco installers are not going to go to the roof chapter. Roofers might need this, but its directly related to stucco and siding.

*Public Testimony in Opposition:*  
*Questions from the Committee to Proponent:*  
1. Q: You addressed roofing materials that are traditional, looking at more green code roofing. How does roof covering apply to green roof?
a. With this its 6 inches and would correlate.

**Committee Discussion:**
Intent is with low sloped roof membrane; inspectors find roofing installed correctly but person installing cladding can affect your upturn. It’s a roofing problem caused by cladding installers. Shouldn’t penetrate up turn leg with roof membrane. Needs to be clearance from cladding.

Penetration of side walls none within 8 inches.

Stucco is wrong wording.

**Original Motion: As-Submitted (AS)**
**Modification- 2nd:** Bullet point 1 minimum of 6 inches change to 8 inches to match current standard.

Section R 903.2.6 to remain in the amendments “fasteners for exterior wall finishes shall not penetrate manufacturer minimum vertical upturn leg of roofing membrane”.

Title Penetrations of Roof Membranes

Keeping both original language and new proposed language – including the strike through.
Change .2 to .3

**Discussion:** Must be a reference to the person doing the roof cladding, they are not going to read the roof section. If we make these 8 inches that’s going to take care of the issues here. People making these penetrations are not roofing guys. Reference needs to be chapter 7 to chapter 9 so it’s directing people to this section. 703.1

**Opposition:**
**Final Motion: As Modified (AM)**
**Final Vote: Modification: 11-0 Passes AM**

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

Proposal # 300 - Withdrawn

Proposal # 313
**Public Testimony in Support:** Proponent – Inspections on tile roofs. Need to relocate this section, Chapter 9 is about roofing, this section is more about inspections and procedures related. Typically, inspections are in the admin provisions of the code. Change title to Mid Roof Inspections. Only kept tile in this section, but if Denver does mid roof inspections on other types of roofs we modify and add that here.

**Public Testimony in Opposition:**
**Questions from the Committee to Proponent:**
  1. Do you know if our current amendments have similar in IBC in roofing?
     a. No.

**Original Motion: As-Submitted (AS)**
**Committee Discussion:**
Anything with a batten would require a mid-roof inspection. Tile, Metal, Clay. Commercial buildings.
**Modification- 2nd:** To be conducted on any batten roof systems.

**Final Motion:** As Modified (AM)
**Final Vote:** Modification 10-0 Passes AM 10-0

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

**Proposal # 305**

**Public Testimony in Support:** Proponent – Did not see value in statement in the following statement: 1-2 family dwelling shall be supplied by only one service.

**Public Testimony in Opposition:** None

**Questions from the Committee to Proponent:** None

**Original Motion:** Disapprove (D)

**Support:** Talked to Carol Pafford in electrical. Difference where current says 1 or 2 and any associated structures, base code doesn’t include any associated structures. People setting up grow facilities in their garage, separate electrical in their garage. Added in associated structures to fix this.

**Opposition:**

**Final Motion:** D 10-0
**Final Vote:** D 10-0

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

**Proposal # 491**

The purpose of this amendment is to bring into alignment the IRC-referenced NEC code cycle with the NEC code cycle as adopted by the State of Colorado and enforced by the City and County of Denver.

**Public Testimony in Support:** None

**Public Testimony in Opposition:** None

**Questions from the Committee to Proponent:** None

**Committee Discussion:** None

**Discussion:** None

**Original Motion:** As-Submitted (AS)

**Support:** In building code the state adopts national electrical code, doesn’t follow building code cycle. Never been covered in residential code. Creates a conflict within code.

**Modification:** “Any discrepancies to the reference 2017 NEC or IRC Chapters 34-43 and the state adopted NEC.”

**Opposition:**

**Final Motion:** Modification: 10-0 Passes
**Final Vote:** AM Passes 10-0

**Additional staff or committee comments for the record:**
Proposal # 183

**Public Testimony in Support:** Proponent – This proposal addresses Radon, Colorado is a special case, our entire state has high levels of Radon, Denver is highest. Appendix F includes an outline to mitigate Radon passively. Requires you put collection system under the slab. 6 mm poly Ethelene barrier above it to prevent gas going up into the home. Research shows 50% reduction in radon levels with this being added to a new home.

Radon came up in IgCC and seems to be more prevalent in residential buildings due to crawl spaces and basements. Didn’t want to require on all buildings because it depends on the level in each specific area of the City.

No formal testing in Denver. But 45-50% of new home construction had levels that were beyond EPA and surgeon general’s safety warnings. Those levels over 20-year prolonged exposure, indicated 50% increase in lung cancer. A lot of data still being developed. $500-$800 at new construction outweighs the health and safety risks to the occupants.

*Public Testimony in Opposition:* None

*Questions from the Committee to Proponent:* None

*Committee Discussion:* None

*Original Motion:* As-Submitted (AS)

*Support:* Appendix F doesn’t require active mitigation. Minor cost for high life safety impact.

A lot of homes we build now we are putting in passive systems, coming back they need the active mitigation and it is less expensive to add on to the already established mitigation system.

*Final Motion:* AS

*Final Vote:* AS 9-0-1

*Additional staff or committee comments for the record:*

Final Hearing for this committee.