DENVER AMENDMENT PROPOSAL FORM
FOR CPD INTERNAL PROPOSALS TO THE 2016 DENVER BUILDING CODE AMENDMENTS AND THE 2018 INTERNATIONAL CODES

2018 CODE DEVELOPMENT CYCLE

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2) Proposals should be drafted in Word with the only formatting that is needed being BOLDING, STRIKEOUT AND UNDERLINING. Please do not provide additional formatting such as tabs, columns, etc.

Please use a separate form for each proposal submitted.

Is separate graphic file provided (No):

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Code Name</th>
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<th>Code Name</th>
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</thead>
<tbody>
<tr>
<td>IBC</td>
<td>International Building Code</td>
<td>IRC</td>
<td>International Residential Code</td>
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<tr>
<td>IEBC</td>
<td>International Existing Building Code</td>
<td>IMC</td>
<td>International Mechanical Code</td>
</tr>
<tr>
<td>IFC</td>
<td>International Fire Code</td>
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AMENDMENT PROPOSAL

Please provide all of the following items in your amendment proposal:

Code Sections/Tables/Figures Proposed for Revision:

**DBC Section 103.5**

Note: If the proposal is for a new section, indicate (new).

Proposal:

Modify Section 103.5.4:

103.5.4 Use and Occupancy. Buildings in use and occupied at the time of the adoption of the Code may have their existing use and occupancy continued, if such use or occupancy was legal at the time of the adoption of this Code, provided that such continued use is not dangerous to life. Any change in, or establishment of, the use or occupancy of any existing building or structure shall comply with the provisions of this Code:

1. **Buildings previously occupied.** Buildings in use and occupied at the time of the adoption of this Code may have their existing use and occupancy continued, if such use or occupancy was legal at the time of the adoption of this Code, provided that such continued use is not dangerous to life. Any change in, or establishment of, the use or occupancy of any existing building or structure shall comply with the provisions of this Code.

2. **Buildings not previously occupied.** A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion shall be permitted to comply with the provisions of the laws in existence at the time of its original permit unless such permit has expired. Subsequent permits shall comply with this Code, as applicable, for new construction.

November 15, 2005
**Note:** Show the proposal using 
strikeout, underline format. At the beginning of each section, one of the following instruction lines are also needed:

- Revise as follows
- Add new text as follows
- Delete and substitute as follows
- Delete without substitution

### Supporting Information:

Item #1 is language which currently exists in DBC Section 103.5.4. Added IBC Section 102.6.1 as item #2 to provide provisions for existing buildings which have not been previously occupied. This “previously unoccupied” provision also appears in the DBC amended IEBC as Section 101.4.2.

**Note:** The following items are required to be included:

**Purpose:** The proponent shall clearly state the purpose of the proposed amendment to physical, environmental and customary characteristics that are specific to the City and County of Denver (e.g., clarify the Code; revise outdated material; substitute new or revised material for physical, environmental and customary characteristics; add new requirements to the Code; delete current requirements, etc.)

**Reasons:** The proponent shall justify changing the current Code provisions, stating why the proposal is necessary to reflect physical, environmental and customary characteristics that are specific to the City and County of Denver. Proposals that add or delete requirements shall be supported by a logical explanation which clearly shows why the current does not reflect physical, environmental and customary characteristics that are specific to the City and County of Denver and explains how such proposals will improve the Code.

**Substantiation:** The proponent shall substantiate the proposed amendment based on technical information and substantiation. Substantiation provided which is reviewed and determined as not germane to the technical issues addressed in the proposed amendment shall be identified as such.

**Bibliography (as needed):** The proponent shall submit a bibliography when substantiating material is associated with the amendment proposal. The proponent shall make the substantiating materials available for review.

### Referenced Standards:

None

List any new referenced standards that are proposed to be referenced in the code.

### Impact:

Consolidate the use and occupancy requirements for buildings previously occupied and previously unoccupied.

**Note:** The proponent shall indicate one of the following regarding the impact of the amendment proposal:

- The effect of the amendment proposal on the cost of construction; Increase, Reduce, No Effect:
- The effect of the amendment proposal on the cost of design; Increase, Reduce, No Effect:
- Is the amendment proposal more- or less-restrictive than the I-Codes; More, Less, Same:

### Departmental Impact:

None

**Note:** Indicate one of the following regarding the impact of the amendment proposal:

- The effect of the amendment proposal on the cost of review; Increase, Reduce, No Effect:
- The effect of the amendment proposal on the cost of enforcement/inspection; Increase, Reduce, No Effect: