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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   Date: March 24, 2019

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? ☐ Yes ☒ No

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Code Name</th>
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<tbody>
<tr>
<td>DBC-xxx</td>
<td>Denver Building Code–xxx code base</td>
<td>IMC</td>
<td>International Mechanical 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- IBC Section 202 – Part 1

Note, this amendment proposal is Part 1. Part 2 is under a separate proposal and each may be considered independent of the other. The proposals were separated for ease of committee consideration and approval.

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

**Proposal:**
Modify or delete as noted below.

**SECTION 202 DEFINITIONS**

Section 202 Definitions is amended by adding, modifying, replacing, or deleting the following definitions: and replacing the definitions of “dangerous” and “nursing home”:

**ADULT-DAY CARE.** Adult day care is a program designed to meet the needs of adults with functional impairments through an individual plan of care. It is a structured, comprehensive program that provides a variety of health, social and related support services by persons who are not their relatives or legal guardians, in a protective setting during any part of a day but less than 24 hours. See Section 308.6 (Occupancy I-4).

**ADULT-DAY CARE CENTER.** Adult day care center is any building or portion thereof that provides an adult day care program for 5 or more clients over the age of 16 years. See Section 308.6 (Occupancy I-4).

**ADULT-DAY CARE HOME.** A private residence in a single-unit dwelling or a dwelling unit in a multiple unit dwelling providing less than 24 hours a day care for four (4) or fewer clients over the age of 16 years. See Section 310.5.1 (Occupancy R-3).
ASSISTED CARE FACILITIES. See definition for Personal Care Facilities. See Section 308.2 (Occupancy I-1) and Section 310.5 (Occupancies R-3 and R-4).

BOARD. The Board of Appeals. (See Administration Section.)

BULK STORAGE. The storage of alcohol beverages in containers exceeding 1.3 gallons (5L) in volume.

CHILD CARE CENTER. A facility which provides a comprehensive care service for the child when the parent or guardian is employed or otherwise engaged and unavailable to care for the child. The facility is maintained for the whole or part of a day but for less than 24 hour care of 5 or more children from the ages of 6 weeks through 16 years, and not related to the owner, operator or manager thereof, whether such facility is operated with or without compensation for such care, and with or without compensation for stated educational purposes. The term includes facilities commonly known as a “day care center,” “day nurseries,” “nursery school,” “kindergarten,” “preschool,” “play groups,” “school age programs,” “centers for the developmentally disabled children,” “day treatment centers,” “extended day programs” and “summer playground programs.” See Sections 305.2, DBCA, Section 305.3 & 308.6.1, (Occupancy E), 308.4 (Foster Care Facilities); Occupancy I-2) and 308.6 (Occupancy I-4).

Child Care Homes.

The Pre-kindergarten and Kindergarten programs which are maintained in connection with a public, private or parochial school system of at least 6 grades, providing an educational program for the 2 years preceding entrance to the first grade.

Child Care Centers shall be considered a “Foster Care Facility” per the 2015 IBC.

CHILD CARE HOME. A child care home shall be classified as an R Occupancy, Division 2 or 3. A private residence in a single unit dwelling or a dwelling unit in a multiple unit dwelling providing care and education for periods of less than 24 hours a day for 12 or fewer children under the age of 17.

HOME OCCUPATION. Limited commercial use of a portion of a residential dwelling, single unit dwelling or multiple unit dwelling as permitted by the Department of Denver Zoning Administration in accordance with Revised Municipal Code Section 59-80/2010 Denver Zoning Code Division 11.9. “Home occupations allowed.”

INDEPENDENT LIVING. The ability of a resident to provide for and maintain the basic functions of everyday living and to recognize and respond to an emergency for self preservation.

NONAMBULATORY. A physical or mental condition under which a person is not capable of judgment and appropriate action for self preservation under emergency conditions. Nonambulatory shall be an equivalent definition to the See 2015 IBC definition for “Incapable of Self-Preservation”.

NURSING HOME. A facility that is operating in connection with a hospital or where nursing care and medical services are prescribed by or performed under the general direction or persons licensed to practice medicine or surgery by the State of Colorado or for the accommodation of convalescents or other persons who are not actually ill and not in need of hospital care and related services. The term “nursing home” is restricted to facilities designed to provide skilled nursing care and related medical services for a period of not less than 24 hours per day and where any person is incapable of self-preservation.

The definition of “Personal Care Service” in the 2018 IBC, Section 202 shall be deleted and replaced with the following:

PERSONAL CARE SERVICE. Protective care of residents who do not require chronic or convalescent medical or nursing care. Personal care involves responsibility for the safety of the resident while inside the building. Personal care may include daily awareness by the management of the resident’s functioning and whereabouts, making and reminding a resident of appointments, the ability and readiness for intervention in the event of a resident experiencing a crisis, supervision in the areas of nutrition and medication, and actual provision of transient medical care.

PERSONAL CARE FACILITY. See 2015 IBC, Section 310.6.1 - Group R-4 Assisted Living Facility / Residential Care Facility. A facility that provides for personal care services. A personal care facility does not provide medical care.

TENANT. A person or persons occupying a building or portion thereof and separated from other tenants by walls, floors and ceilings. The tenant shall have a lease to occupy the specified space from the owner.

VALUE OR VALUATION. The building replacement value for permit purposes including labor, profit, overhead, materials, base
building equipment and appliances. The determination of value or valuation shall be made or directed to be made by the Agency. See Administration Section.

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:

Purpose: Revise, add, or delete definitions as described below.

Reasons:

**Adult Day Care** - The language in 2018 IBC in 308.5 and with the inclusion of the definition of custodial care makes the DBC amendment definition unnecessary.

**Adult Day Care Center** – definition and classification unneeded. It is already covered in IBC 308.5.3

**Adult Day Care Home** – definition and classification unneeded. It is already covered in 308.5.4

**Assisted Care Facilities** – Additional references within definition are unneeded.

**Board** – cross reference to ‘Administrative Section’ is unnecessary.

**Bulk Storage** – term applicable to and already covered in the IFC amendments.

**Child Care Center** – This term is used nowhere else in the IC or Denver amendments. The term Day Care is used and already defined.

**Child Care Home** – Moved to Section R202 in the IRC amendments.

**Home Occupation** – clarification of the definition so as not to create an inconsistency with the Denver Zoning Code.

**Independent Living** – term unneeded as it appears nowhere in the IBC or elsewhere in the DBC.

**Nonambulatory** – cross reference is sufficient – don’t need to then again repeat the definition from said reference.

**Nursing Home** – added ‘incapable of self-preservation to coordinate with IBC.

**Personal Care Service** – carry forward Denver’s modification to definition while coordinating with 2018 IBC

**Personal Care Facility** – coordination with 2018 IBC

**Tenant** - There is no need or code requirement to require, though definition, that a tenant is only a tenant if they are ‘separated’.

**Value or Valuation** – don’t need unnecessary reference to ‘Administrative Section’.

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:**

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

**Impact:**

**Note:** The proponent shall discuss the impact of the proposed amendment and indicate one of the following for each point below regarding 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:**

This reference will be very helpful to Plan reviewers by cross-referencing critical provisions of Chapter 14 of the IBC.

**Note:** The proponent shall discuss the impact of the proposed amendment and indicate one of the following for each point below regarding 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