AMENDMENT PROPOSAL

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

**Code Sections/Tables/Figures Proposed for Revision:**

**Proposal:**

Revise Denver amendment as follows:

**SECTION 1101**

**GENERAL**

Section 1101.1 Scope is replaced as follows:

**1101.1 Scope.** The provisions of this chapter shall apply to existing buildings constructed prior to the adoption of this code when the applicable requirements for such buildings cannot be ascertained by the following:

1. The building and fire codes in effect when the building was permitted for construction and no change of occupancy occurred since that time.
2. The building and fire codes in effect when the building was last certified for occupancy.
3. All applicable retrofit ordinances, including retroactive regulations contained elsewhere in this Code.
5. Subject to approval by the fire code official, existing life safety features that exceed the requirements for new buildings shall be permitted to be decreased to those required for new buildings.
6. Existing life safety features that do not meet the requirements for new buildings, but that exceed the requirements for existing buildings, shall not be further diminished.

**Exception:** Existing buildings shall comply with the requirements of IFC Sections 1103.2, 1103.3, 1103.7.5, 1103.9, 1107, and 1108, as amended.

Section 1101.2 Intent is replaced as follows:
1101.2 Intent. The intent of this chapter is to provide a minimum degree of fire and life safety to persons occupying existing buildings by providing minimum construction requirements when the applicable requirements for such buildings cannot be ascertained by one or more of the following:
1. The building and fire codes in effect when the building was reviewed and permitted for construction
2. The building and fire codes in effect when the building was last certified for occupancy
3. All applicable retrofit ordinances, including retroactive regulations contained elsewhere in this Code
4. Modification under IBCA Section 106 Alternate Materials, Design and Methods of Construction and Equipment
5. Subject to approval by the fire code official, existing life safety features that exceed the requirements for new buildings shall be permitted to be decreased to those required for new buildings
6. Existing life safety features that do not meet the requirements for new buildings, but that exceed the requirements for existing buildings, shall not be further diminished.

Exception: Existing buildings shall comply with the requirements of IFC Sections 1103.2, 1103.3, 1103.7.5, 1103.9, 1107, and 1108, as amended.

1101.2 Intent. The intent of this chapter is to provide a minimum degree of fire and life safety to persons occupying existing buildings by providing minimum construction requirements where such existing buildings do not comply with the minimum requirements of the Denver Building Code. It is intended for existing buildings to comply under the Code which it was constructed, certified for occupancy, any alternate means of Code compliance approvals, and retrofit / retroactive Codes previously adopted.

Supporting Information:

The current amendment Code language is ambiguous being located in the “Intent” section of the Chapter. The base Code intent section appears to be a clarification section and not effective enforceable Code language. In other IFC chapters, the driving Code language to distinguish the applicability of a chapter is located in the “Scope” section.

The intent section as written does not give clear direction as when the numbered subsections sections are applicable and appears to give the reader the option to choose one of the 6 options. For example, the driving paragraph gives the choice from applying the intent when “cannot ascertain by one or more of the following”; If the reader complies with number 1 under the original construction code yet changed occupancy later under 2, the section would allow compliance with the original code of construction when the building would have to comply with the Code under which it changed occupancy. Furthermore the Scope section trumps the intent section making all buildings comply with the Chapter which is confusing and conflicting.

Referenced Standards:

Click or tap here to enter text.

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

Impact:

None

Departmental Impact:

none