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

2018 CODE DEVELOPMENT CYCLE

1) Name: Keith Peetz  
   Date: April 23, 2019 Revised July 2, 2019
   Keith.peetz@denvergov.org

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 or No): 

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AMENDMENT PROPOSAL

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

Code Sections/Tables/Figures Proposed for Revision:
Modify IRC Sections R101.2, R202, and Denver Fire Code amended 915.7.4. Add IRC Sections 311.9, R315.2.3, AM105, AM106 and IBC 308.5.5

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

Proposal:

1. Add to IRC Section R202 the following definition:

   FAMILY CHILD CARE HOME (FCCH) A dwelling unit in which care is provided on a regular basis, for less than 24-hrs at any time, in the provider’s place of residence, for two (2) or more children up to 18 years of age who are not directly related to the caregiver by blood, marriage, or adoption. The residents of the home under twelve (12) years of age who are on the premises, in addition to all unrelated children who are on the premises for supervision, are counted as children receiving care.

   A regular Family Child Care Home provides care for no more than six (6) children, with no more than two (2) children under two and one-half (2-1/2) years of age. Care may be provided for two (2) additional children six (6) years of age and older who are enrolled in the first grade or above. The child-to-provider ratio shall be not more than six (6) children per provider.

   A large Family Child Care Home provides care for no more than a total of twelve (12) children less than 18 years of age, with no more than three (3) children under two and one-half (2-1/2) years of age. There shall be a minimum of two providers.

2. Modify IRCA Section R101.2 Scope, adding exception #6.

   R101.2 Scope.

   The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family
dwellings and *townhouses* not more than three stories above *grade plane* in height with a separate means of egress and their *accessory structures* not more than three stories above *grade plane* in height.

**Exceptions:**

6. A *Family Child Care Home (FCCH)* complying with the provisions of DBC-IRC Appendix Chapter M and located within a one-family dwelling, a *dwelling unit* of a side-by-side two-family dwelling, or a *townhouse* unit with street frontage. Such FCCH are permitted to be constructed in accordance with this code without a fire sprinkler system.

A Certificate of Occupancy is required for all *Family Child Care Homes*, providing care for six (6) or more children. In accordance with the provisions of IRC Appendix M, such FCCH will be classified as a Group R-3 Home Day Care Occupancy.

3. **Add to the end of Appendix Section AM101.1 General:**

   Floor levels two or more stories above the ground-level story shall not be used for child care.

4. **Add to the end of Section AM103.1 Means of egress the following provisions:**

   A floor level used for child care that is no more than four (4) feet measured vertically from adjacent ground level, may be considered a complying ground-level story.

   All rooms used for child care shall possess access to two exits. The primary exit access shall be a door, stairway, or ramp providing a means of unobstructed travel to the outside of the dwelling unit at finished ground level. The secondary exit access shall be: (1) a door, stairway, or ramp providing a means of unobstructed travel to the outside of the dwelling unit at finished ground level that is independent of and remote from the primary exit access or, (2) an emergency escape and rescue opening conforming to the provisions of Section R310.2.

   There shall be no dead-end corridors exceeding 20 ft in length.

   In large Family Child Care Homes (FCCH), when the first level above the ground-level story is used for child care, the primary exit access shall be one of the following:

   (1) a door leading directly to the outside with access to finish ground level,

   (2) a door leading directly to an outside stairway going to finished ground level or,

   (3) an interior stairway leading directly to the outside with access to finished ground level. The interior stairway shall be separated from other stories by not less than ½-inch gypsum board or equivalent. The under-stair surface, including any intermediate landings shall be protected with ½-inch gypsum board or equivalent.

5. **Add Sections AM105 Large Family Child care Homes protection of vertical openings.**

   **AM105 Large Family Child Care Home protection of vertical openings.** For large Family Child Care Homes, a door equipped with a self-closing or automatic-closing device shall be provided between the first story and the basement at the top of all stairways. Where the story above the level of exit discharge is used for sleeping purposes, there shall be a door equipped with a self-closing or automatic-closing device at the top or the bottom of each stairway. In all locations these doors shall be a solid wood door not less than 1-3/8 inches (35 mm) in thickness, a solid or honeycomb-core steel door not less than 1-3/8 inches (35 mm) thick, or a 20-minute labeled fire door.

   **November 15, 2005**
6. Add Section R315.2.3

**R315.2.3 Family Child Care Homes.** The installation of combination CO alarms and detectors within *Family Child Care Homes* shall comply with IFC Section 915.7.4. These devices shall be powered by 110V or battery-operated provided with permanent integral 10-year lithium batteries.

7. Add IBC Section 308.5.5

**308.5.5. Twelve or fewer children receiving care in a detached one- or two-family dwelling or townhouse.** Child care provided in a dwelling unit complying with the Denver amended *International Residential Code* Section R202 definition of a *Family Child Care Home* shall be classified as a Group I-4 occupancy or shall comply with the provisions of the Denver amended *International Residential Code*.


**915.7.4 Installation.** Required CO alarms and detectors shall be installed in accordance with this Section. CO alarms required in dwelling units in R2, R3, and R4 occupancies and *Family Child Care Homes* managed by a homeowner’s association or other common management that will maintain the system may be monitored by an alarm control unit, provided individual devices function autonomously as single- and multiple-station devices in the event the alarm control unit fails. Additional or redundant CO alarms and detectors shall be in accordance with Section 915.7.5.

**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:**

This proposal is to add provisions to the DBC to enable uniform regulation of in-home child day care facilities. The proposal’s scoping provisions are intended to be in harmony with the State of Colorado Department of Human Services Social Services Rules (the Rules) for child care facilities.

The provisions found in IRC Sections AM101.1, AM103.1, and AM105 are like those found in NFPA 101-2015 Chapters 16 & 17 for new and existing day-care homes.

The Rules are enforced by Denver’s Department of Excise & Licensing (E & L) and the Denver Department of Public health & Environment.

When the Denver Fire Department inspects a home - as one of the steps required of an applicant requesting a child care license from E & L - the issue of whether automatic sprinkler protection is required often arises. The primary purpose of this proposal is to clearly define when an automatic sprinkler system is not required.

**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:**

November 15, 2005
Colorado Statute 12 CCR 2509-8 – Section 7.707 Rules Regulating Family Child Care Homes
C.R.S. Section 26-6-102(4) – Background information only.

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

**Impact:**
Increase the availability of in-home child care. Confusion regarding whether the conversion of a home to include child day care requires the addition of automatic sprinkler protection to the dwelling unit discourages the creation and licensing of childcare facilities.

**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:**
Click or tap here to enter text.

**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: