

CITY & COUNTY OF DENVER COMMUNITY PLANNING & DEVELOPMENT BUILDING PERMIT POLICY		
Subject: <b>CODE TRANSITION RULES</b>		
Approved: <b>Eric Browning, Chief Building Official</b>		Drafted by: <b>Browning</b>
Number: <b>ADMIN 103.10</b>	Effective Date of this Policy: <b>Planned for Jan. 12, 2023</b> Replaces Policy Dated <b>July 12, 2021</b>	Page: <b>1 of 2</b>

**Reference: 2022 Denver Building Code Administration Section 103.10 Transition Rules**

**Scope:** The provisions of this policy clarify the transition rules related to the continuation of projects designed under the 2019 Denver Building Code (DBC). The effective date of the Administrative Provisions (Chapter 1) of the 2022 DBC is planned for January 12, 2023. The construction code effective date for all other provisions for all projects is May 1, 2023. (The effective date of energy code language directly related to energize Denver existing buildings ordinance requirements for parity in permitting is March 1, 2023.)

**Policy:**

The following are hereby established for the purposes of clarifying the transition rules for continued use of the 2019 Denver Building Code.

**A. Major Projects**

Per Denver Building Code Section 103.10.3, Major Projects established to be in design during the drafting of the 2022 DBC, and that are submitted for building permit plan review *after* the construction code effective date [5/1/23] may be reviewed and permitted under the 2019 DBC with the approval of the *Building Official*. For a project to be considered, the owner or owner's agent must submit a letter of request documenting compliance with the following:

- A full building permit application and documents submittal (100% CDs) for at least the building foundation phase must be submitted to the Agency by 7/1/2023. If the Agency determines that the submittal is inadequate for plan review due to quality or completeness, it will not have met the criteria and the project shall be fully designed in accordance with the 2022 DBC.

A major project is not considered to be a new single-family dwelling, two-family dwelling, or townhouse project designed in accordance with the IRC; a tenant improvement; nor any other project with a valuation less than \$10,000,000.

Written Request

A written request to submit a project under the provisions of the 2019 DBC must be emailed to the *Building Official*, Eric Browning (eric.browning@denvergov.org). The written request must contain the following information, in addition to that noted above, and must be received no later than 4/30/2023.

1. Request to proceed under the 2019 Denver Building Code.
2. Address and project master (PM) number of the project.
3. Description, number of stories, floor area, occupancy, total valuation, etc.

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4. Commitment that all phases of construction drawing permit applications (i.e., foundation, podium, superstructure, etc.), exclusive of deferred submittals, will be submitted to the Agency before 9/1/2023.
5. Commitment that permits are obtained and *construction is commenced* by 11/1/2023.

Obtaining Permits and Commencement of Construction shall mean:

- i. For the purpose of this policy, obtaining a permit shall mean that all reviews are approved, and the commercial construction permit is issued to the Denver licensed contractor.
- ii. Commencement of construction shall mean that the commercial construction permit for the building foundation has been issued, the site is fenced and secured, the contractor is mobilized, and foundation construction has begun. Beginning foundation construction requires pouring concrete for the foundation elements, not just setting forms or placing rebar. (Permits and site work for excavation and shoring is *not* considered to satisfy this criterion.)

Major Projects that do not meet the above criteria (in A4 & A5) shall be redesigned and resubmitted for plan review and permits based on the 2022 Denver Building Code. Additional fees will apply.

**B. Master and Type Approved Projects**

Type Approved (TA) structures based on Master plans approved under the 2019 DBC may continue to have *applications* for permits submitted up 4/30/2023. All *applications* for permits for TA structures on and after 5/1/2023 shall be based on approved Master plans reviewed and approved in accordance with the 2022 DBC.

**C. All other projects that are not Major Projects nor Master/Type Approved Projects**

Projects that are neither Major Projects nor Master/Type Approved Projects that were designed based on the 2019 Denver Building Code are ineligible for extensions of the code defined dates as outlined in this policy. Those projects and timeframes for application and permit expirations are regulated by 2022 DBC Administrative Section 131.

**END OF DOCUMENT**