

CITY & COUNTY OF DENVER COMMUNITY PLANNING & DEVELOPMENT BUILDING PERMIT POLICY		
Subject: CODE TRANSITION RULES		
Approved: Eric Browning, Interim Building Official		Drafted by: Browning
Number: ADMIN 103.10	Effective Date of this Policy: July 12, 2021	Page: 1 of 2

Reference: 2019 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 2016 Denver Building Code (DBC). The effective date of the 2019 DBC was July 31, 2020.

Policy:

Due to the economic impacts of COVID-19, the following revisions are hereby established for the purposes of clarifying the transition rules for continued use of the 2016 Denver Building Code as approved by Denver City Council on July 12, 2021.

1. Major Projects

Per *amended* Denver Building Code Section 103.10.2, major projects established to be in design during the drafting of the 2019 DBC, and that were submitted for building permit review after July 31, 2020, may be reviewed and permitted under the 2016 DBC with the approval of the Building Official. To have been considered for this review, the owner or owner's agent must have submitted a letter of request documenting compliance with the following. (A full building permit application and submittal for all phases must have been submitted to the Building Permitting and Inspection Services Agency on or before 12/31/2020.)

A major project is not considered to be a new single-family dwelling, duplex, or townhome project designed under the IRC, nor any project with a valuation less than \$5,000,000.

Written Request

A written request to submit a project under the 2016 DBC must have been emailed to the previous Building Official, Scott V. Prisco. The written request must have contained the following information, in addition to that noted above, and must have been received no later than July 24, 2020.

- a. Request to proceed under the 2016 Denver Building Code
- b. Address of the project
- c. Description, number of stories, floor area, occupancy, etc. of the project
- d. Intended date of construction drawing submission to the Building Permitting and Inspection Services Agency
- e. Commitment that all phases of construction drawings (i.e. foundation, superstructure, etc.), exclusive of deferred submittals, will be submitted to the Building Permitting and Inspection Services Agency for formal log in and review by December 31, 2020.
- f. Commitment that permits will be obtained and construction commenced by **April 22, 2022**.

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Obtaining Permits and Commencement of Construction:

- For the purposes of this policy, obtaining a permit shall mean that all reviews are approved, and the commercial construction permit is issued to the contractor.
 - Commencement of construction shall mean that the commercial construction permit for the building has been issued, the site is fenced and secured, the contractor is mobilized, and foundation construction has begun. (Commencement of excavation and shoring is not considered to satisfy this criterion.)
- g. Commitment that the project will be completed by July 31, 2023 (within 36 months after the effective date) – unless otherwise approved. Due to COVID-19, the Building Official grants all Major Projects an extension for completion to April 22, 2025.

[Permits for projects where building reviews are approved but the permits are not issued expire 180 days after last review approval. It is the applicant's responsibility to ensure the project is not cancelled by reaching out to planreview@denvergov.org to request an extension. In addition, Site Development Plans (SDP) expire 12-18 months after initial approval. It is the applicant's responsibility to reach out to their Project Coordinator to request an extension of the SDP approval.]

Major Projects that do not meet the above criteria (in a through g) shall be redesigned and resubmitted for review and permits based on the 2019 Denver Building Code.

2. Type Approved Projects

Per Section 103.10.3, type approved structures approved under the 2016 DBC, may continue to be permitted and constructed for 180 days after the effective date. All work must therefore have had permits issued and construction must have started prior to December 31, 2020.

3. All other projects that are not Major Projects nor Type Approved Projects

Projects that are neither Major nor Type Approved that were designed based on the 2015/2016 codes are ineligible for extensions of the code defined dates. Therefore, projects that do not have permits in hand or that have not started construction are regulated by 2019 DBC Section 131.

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