



DENVER AMENDMENT PROPOSAL FORM FOR PROPOSALS TO THE 2019 DENVER BUILDING CODE AMENDMENTS AND THE 2021 INTERNATIONAL CODES

DENVER
THE MILE HIGH CITY

2021 CODE DEVELOPMENT CYCLE

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2) One proposal per this document is to be provided with clear and concise information.

Is a separate graphic file provided ("X" to answer): Yes or No

3) Highlight the code and acronym that applies to the proposal

<u>Acronym</u>	<u>Code Name</u>	<u>Acronym</u>	<u>Code Name</u>
DBC-AP	Denver Building Code–Administrative Provisions	IPC	International Plumbing Code
IBC	International Building Code	IRC	International Residential Code
IECC	International Energy Conservation Code	IFGC	International Fuel Gas Code
IEBC	International Existing Building Code	IMC	International Mechanical Code
IFC	International Fire Code	DGC	Denver Green Code

AMENDMENT PROPOSAL

Please provide all the following items in your amendment proposal.

Code Sections/Tables/Figures Proposed for Revision:

Instructions: If the proposal is for a new section, indicate (new), otherwise enter applicable code section.

Proposal:

Instructions: Show the proposal using ~~strikeout~~, underline format.

Place an "X" next to the choice that best defines your proposal: Revision New Text Delete/Substitute
 Deletion

IRC SECTION R101.2 SCOPE

IRC Section 101.2 is amended as follows.

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:

1. ~~The following shall be permitted to be constructed in accordance with this code:~~
 - 1.1 ~~Live/work units located in townhouses and complying with the requirements Section 419 of the International Building Code where provided with a residential fire sprinkler system complying with the International Building Code Section 903.3.1.2 NFPA 13R sprinkler system.~~
 - 1.1 ~~A care facility with five or fewer persons receiving custodial care within a dwelling unit where provided with a residential fire sprinkler system complying with the International Building Code Section 903.3.1.3 NFPA 13D sprinkler system.~~
 - 1.2 ~~A care facility with five or fewer persons receiving medical care within a dwelling unit where provided with a residential fire sprinkler system complying with the International Building Code Section 903.3.1.3 NFPA 13D sprinkler system.~~
 - 1.3 ~~A care facility for five or fewer persons receiving care that are within a single family dwelling where provided with a residential fire sprinkler system complying with the International Building Code Section 903.3.1.3 NFPA 13D sprinkler system.~~

- ~~2. The following shall be permitted to be constructed in accordance with this code without a fire sprinkler system:
 - ~~1.1 2.1. Lodging houses with five or fewer guestrooms and 10 or fewer total occupants.~~
 - ~~1.2 2.2. Detached dwelling units used as a congregate living facility or a boarding house (transient or nontransient) with 10 or fewer occupants.~~~~
- ~~3. The following shall be permitted to be constructed in accordance with this code without a fire sprinkler system:
Denver Revised Municipal Code Article II Chapter 33 licensed short term rental residences.~~
4. The provisions of Section 3112 of the Denver Amendments to the International Building Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use, and occupancy of Manufactured Homes.
- ~~5. A Family Child Care Home (FCCH) complying with the provisions of Appendix Chapter M of the International Residential Code and located within a one-family dwelling, a dwelling unit of a side-by-side two-family dwelling, or a townhouse unit with frontage within 125 ft. (38.1m) of a street or fire access road. Such FCCH shall be permitted to be constructed in accordance with this code without a fire sprinkler system. 2019 DENVER AMENDMENTS TO THE 2018 INTERNATIONAL RESIDENTIAL CODE 462 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 Appendix M of the International Residential Code, such FCCH will be classified as a Group R-3 Home Day Care Occupancy.~~

R101.2.1 Permitted uses in one-family dwelling units

The following uses shall be permitted to be established in and regulated as one-family dwelling units in accordance with this code:

1. One household.
2. Congregate living facility with 10 or fewer occupants.
3. Lodging house with five or fewer guest rooms and 10 or fewer occupants.
4. Care facility with 5 or fewer persons receiving custodial or medical care.
5. Live/work unit complying with the requirements of Section 508.5 of the International Building Code.
6. A Family Child Care Home (FCCH) complying with the provisions of Appendix Chapter M of the International Residential Code.
7. Uses that are accessory and incidental to the uses listed above, including short-term rentals and home occupations.

R101.2.2 Permitted uses in two-family dwelling units

The following uses shall be permitted to be established in and regulated as two-family dwelling units in accordance with this code:

1. One household.
2. Care facility with 5 or fewer persons receiving custodial or medical care.
3. Live/work unit complying with the requirements of Section 508.5 of the International Building Code.
4. A Family Child Care Home (FCCH) complying with the provisions of Appendix Chapter M of the International Residential Code.
5. Uses that are accessory and incidental to the uses listed above, including short-term rentals and home occupations.

Section R101.2.3 Permitted uses in townhouse units

The following uses shall be permitted to be constructed and regulated as townhouse units in accordance with this code:

1. One household;
2. Care facility with 5 or fewer persons receiving custodial or medical care;
3. Live/work unit complying with the requirements of Section 508.5 of the International Building Code.
4. A Family Child Care Home (FCCH) complying with the provisions of Appendix Chapter M of the International Residential Code and located within a townhouse unit with frontage within 125 ft. (38.1m) of a street or fire access road.
5. Uses that are accessory and incidental to the uses listed above, including short-term rentals and home occupations.

Section R101.2.4 Permitted uses in accessory structures

The following uses shall be permitted to be constructed and regulated as accessory structures in accordance with this code:

1. Home occupations.
2. Uses that are accessory and incidental to the dwelling unit or townhouse unit use, excluding short-term rentals.

IRC SECTION R110 CERTIFICATE OF OCCUPANCY

IRC Section R110 is replaced in its entirety as follows:

R110.1 Certificate of Occupancy. A new certificate of occupancy is required for a change of occupancy that results in a change in use within the scope of this code to any of the following uses:

1. One-family dwelling
2. Two-family dwelling
3. Townhouse
4. Congregate living facility
5. Lodging house
6. Care facility
7. Live/work unit
8. Family child-care home providing care for 6 or more children.

IRC Section R202 Definitions

Section R202 is modified by adding the following definitions:

Care facility: A building, structure, or portion thereof occupied by persons who reside on a 24-hour basis in a supervised residential environment and receive custodial care and/or medical care. Examples of care facilities include: alcohol and drug centers, assisted living facilities, congregate care facilities, group homes, halfway houses, residential board and care facilities, and social rehabilitation facilities.

Congregate living facility: A building, structure, or portion thereof occupied by persons who do not jointly occupy the entirety of the dwelling unit. Residents have independent personal quarters that includes permanent provisions for sleeping, and may include provisions for living, eating, and either bathroom or kitchen facilities, but not both. Residents share bathroom or kitchen facilities, or both. Examples of congregate living facilities include boarding houses, convents, dormitories, fraternities and sororities, and monasteries. Congregate living facilities do not include care facilities.

Custodial care: Assistance with day-to-day living tasks; such as assistance with cooking, taking medication, bathing, using toilet facilities and other tasks of daily living. Custodial care includes person receiving care who have the ability to respond to emergency situation and evacuate at a slower rate and/or who have mental and psychiatric complications.

Household: Any number of persons related to each other by blood, marriage, civil union, committed partnership, adoption, or documented responsibility (such as foster care or guardianship), plus any permitted domestic employees; or up to 10 occupants of any relationship who live together as a family or as the functional equivalent of a family. Members of the household is determined by the occupants rather than by a landlord, property manager, or other third party. Members of a household are not required to seek services or care of any type as a condition of residency. All members of the household jointly occupy the entire premises of the dwelling unit.

Live/work unit: A dwelling unit or sleeping unit in which a significant portion of the space includes a nonresidential use that is operated by the tenant and does not have approval from the Zoning Administrator as a home occupation.

Medical care: Care involving medical or surgical procedures, nursing, or for psychiatric purposes.

IRC SECTION R202 AUTOMATIC FIRE SPRINKLER SYSTEMS

Section R313 Automatic fire sprinkler systems is replaced in its entirety as follows:

~~R313.1 Townhouse automatic sprinkler systems.~~

~~An automatic residential fire sprinkler system shall be installed in townhouses where a habitable attic is being constructed above the third story above grade plane~~

~~R313.2 One- and two-family dwellings automatic fire sprinkler systems.~~

~~An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings where a habitable attic is being constructed above the third story above grade plane.~~

~~R313.3 Design and installation.~~

~~Where required or provided, residential automatic fire sprinkler systems shall be designed and installed in accordance with NFPA 13D or NFPA 13R. Sprinkler system demand shall be satisfied by Denver Water's site pressures without a fire pump.~~

R313.1 Townhouse automatic sprinkler systems.

An automatic residential fire sprinkler system shall be installed in townhouses where a habitable attic is constructed above the third story above grade plane.

R313.1.1 Design and installation

Where required or provided, residential automatic fire sprinkler systems shall be designed and installed in accordance with NFPA 13D or NFPA 13R. Sprinkler system demand shall be satisfied by Denver Water's site pressures without a fire pump.

R313.2 One- and two-family dwellings automatic fire sprinkler systems.

An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings where a habitable attic is constructed above the third story above grade plane.

R313.2.1 Design and installation

Where required or provided, residential automatic fire sprinkler systems shall be designed and installed in accordance with NFPA 13D or NFPA 13R. Sprinkler system demand shall be satisfied by Denver Water's site pressures without a fire pump.

R313.3 Live/work units automatic sprinkler systems.

An automatic residential fire sprinkler system shall be installed in live/work units.

R313.3.1 Design and installation

Automatic residential fire sprinkler systems for live/work units shall be designed and installed in accordance with NFPA 13R. Sprinkler system demand shall be satisfied by Denver Water's site pressures without a fire pump.

R313.4 Care facilities automatic sprinkler systems.

An automatic residential fire sprinkler system shall be installed in care facilities.

R313.4.1 Design and installation

Automatic residential fire sprinkler systems for care facilities shall be designed and installed in accordance with NFPA 13D. Sprinkler system demand shall be satisfied by Denver Water's site pressures without a fire pump.

IBC SECTION 310 RESIDENTIAL GROUP R

~~Section 310.4.1 is amended by deleting the reference to Section P2904 of the International Residential Code.~~

~~IBC Section 310.4.2 Lodging houses is replaced in its entirety as follows:~~

~~**310.4.2 Lodging houses.**~~

~~Lodging houses (transient or nontransient) with five or fewer guest rooms and 10 or fewer total occupants shall be permitted to be constructed in accordance with the International Residential Code.~~

~~Section 310.4.3 Congregate living facilities and boarding houses within a dwelling unit is added as follows:~~

~~**310.4.3 Congregate living facilities and boarding houses within a dwelling unit.**~~

~~Detached dwelling units used as a congregate living facility or a boarding house (transient or nontransient) with 10 or fewer occupants shall be permitted to be constructed in accordance with the International Residential Code.~~

IBC Section 310.4.1 Care facilities within a dwelling is replaced in its entirety as follows:

310.4.1 Care Facilities

Care facilities for five or fewer persons receiving custodial or medical care are permitted to comply with the International Residential Code.

IBC Section 310.4.2 Lodging houses is replaced in its entirety as follows:

310.4.2 Lodging houses.

Lodging houses with five or fewer guest rooms and 10 or fewer total occupants shall be permitted to comply with the International Residential Code.

Section 310.4.3 Congregate living facilities is added as follows:

310.4.3 Congregate living facilities.

Congregate living facilities (transient or non-transient) with 10 or fewer occupants shall be permitted to comply with the International Residential Code.

IEBC SECTION 1011 CHANGE OF OCCUPANCY CLASSIFICATIONS

Section 1011.2.1 Fire sprinkler system is amended by adding the following exceptions:

Exceptions:

- ~~1. An automatic fire sprinkler system shall not be required when the change in occupancy is from a detached one-family dwelling to a lodging house with five or fewer guestrooms and 10 or fewer total occupants; a congregate living facility with 10 or fewer occupants; or a boarding house (transient or nontransient) with 10 or fewer occupants. Smoke alarms complying with Section R314 of the International Residential Code shall be provided. These devices shall receive their primary power from the building wiring, or may be battery-powered with permanent integral 10-year lithium batteries. Emergency escape and rescue openings complying with Section R310 of the International Residential Code shall be provided in each sleeping room.~~
- ~~2. An automatic fire sprinkler system shall not be required when the change in occupancy is from a detached one-family dwelling to a Denver Revised Municipal Code Article II Chapter 33 licensed, short-term rental residence. Smoke alarms complying with Section R314 of the International Residential Code shall be provided as required for new construction. Emergency escape and rescue openings complying with Section R310 of the International Residential Code shall be provided in each sleeping room.~~

Supporting Information (Required):

All proposals must include a written explanation and justification as to how they address physical, environmental, and/or customary characteristics that are specific to the City and County of Denver. The following questions must be answered for a proposal to be considered.

- Purpose: What does your proposal achieve?

This proposal achieves the following:

1. Defines the scope of the IRC by outlining which uses are permitted in each structure type (one-family dwelling, two-family dwelling, and townhouses.)
2. Defines the uses permitted in IRC structures.
3. Moves sprinkler requirements from scope provisions in R102 to fire sprinkler requirements in R313.
4. Documents when a certificate of occupancy will be issued.
5. Updates references in the IBC regarding which projects may comply with the IRC.
6. Relocates scope and change of occupancy provisions regarding IRC structures from IEBC Section 1011.

- Reason: Why is your proposal necessary?

This proposal is necessary to clearly outline the scope of the IRC, the uses permitted in the IRC, which uses are permitted in which structure type, and when a certificate of occupancy will be issued.

- Substantiation: Why is your proposal valid? (i.e. technical justification)

R101.2 This proposal restructures the existing scope provisions that are currently adopted.

This proposal codifies and defines a household per the definition adopted in Denver's Zoning Code. This proposal defines other IRC uses by utilizing and adapting definitions from the IBC.

Bibliography and Access to Materials (as needed when substantiating material is associated with the amendment proposal):

Other Regulations Proposed to be Affected

***For proposals to delete content from the 2019 Denver Green Code in conjunction with adding it to other mandatory Denver codes and/or regulations, only.**

Please identify which other mandatory codes or regulations are suggested to be updated (if any) to accept relocated content.

International Building Code
International Existing Building Code

Referenced Standards:

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

Impact:

How will this proposal impact cost and restrictiveness of code? ("X" answer for each item below)

Cost of construction: ___ Increase ___ Decrease _X_ No Impact

Cost of design: ___ Increase ___ Decrease _X_ No Impact

Restrictiveness: ___ Increase ___ Decrease _X_ No Impact

Departmental Impact (City use only):

This amendment proposal increases/decreases/is neutral to the cost of plans review.

This amendment increases/decreases/is neutral to the cost of inspections.