



# Commerce City Amendments

to the

## 2018 International Building Code

The city of Commerce City adopts the 2018 edition of the International Building Code, including Appendices C, E, F, G, H, I and J, and the standards referenced in such code and appendices (the “IBC”), save and except such amendments as set forth in this article.

The 2018 edition of the International Building Code is amended in the following respects and adopted herein as amended (effective date December 4, 2019 and amended on October 4, 2021).

**(a) Section 101.1 is amended to read as follows:**

**101.1 Title.** These regulations shall be known as the Building Code of the city of Commerce City, hereinafter referred to as “this code.”

**(b) Sections 101.4.1 through 101.4.7 are deleted in their entirety and the following Sections 101.4.1 through 101.4.10 are added in lieu thereof:**

**101.4.1 Electrical.** All references to the Electrical Code shall mean the electrical code currently in effect as enacted by the city.

**101.4.2 Gas.** All references to the International Fuel Gas Code shall mean the fuel gas code currently in effect as enacted by the city.

**101.4.3 Mechanical.** All references to the International Mechanical Code shall mean the mechanical code currently in effect as enacted by the city.

**101.4.4 Plumbing.** All references to the International Plumbing Code shall mean the plumbing code currently in effect as enacted by the city.

**101.4.5 Property Maintenance.** All references to the International Property Maintenance Code shall mean the property maintenance code currently in effect as enacted by the city.

**101.4.6 Fire Prevention.** All references to the International Fire Code shall mean the fire code currently in effect as enacted by the city.

**101.4.7 Energy.** All references to the International Energy Conservation Code shall mean the energy code currently in effect as enacted by the city.

**101.4.8 Residential.** All references to the International Residential Code shall mean the residential code currently in effect as enacted by the city.

**101.4.9 Existing buildings.** All references to existing buildings shall be regulated pursuant to the adopted International Property Maintenance Code or the International Existing Building Code currently in effect as enacted by the city.

**101.4.10 Swimming pools and spas.** All references to swimming pools and spas shall be regulated pursuant to the adopted International Swimming Pool and Spa Code currently in effect as enacted by the city.

**(c) Section 102.2, entitled “Other Laws,” is amended by addition of the following:**

Whenever any county health department, state or federal law or regulation imposes a greater or more restrictive requirement than required by this code, the provisions of those laws or regulations shall govern. Whenever the requirements imposed by this code are greater or more restrictive than the requirements imposed by any other law or regulation or resolution of any governmental body, then the requirements of this code shall govern.

(d) **Section 103, entitled “Department of Building Safety,” is deleted in its entirety and the following is added in lieu thereof:**

#### **SECTION 103 - CODE ADMINISTRATION**

**103.1 Entity charged with code administration.** The Community Development Department, as established by the Commerce City Revised Municipal Code, is charged with the administration and enforcement of this code.

**103.2 Building official.** The building official, appointed by the city manager, is charged with the direct overall administration and enforcement of this code; and, in the performance of said duties, may delegate the necessary authority to the appropriate technical, administrative, and compliance staff under the supervision of the building official.

(e) **Section 104.6, entitled “Right of entry,” is deleted in its entirety and the following is added in lieu thereof:**

**104.6 Right of entry.** The building official’s right to enter and inspect property shall be exercised in accordance with section 1-3001 of the Commerce City Revised Municipal Code, as amended from time to time.

(f) **Section 105.2, entitled “Work exempt from permit,” is amended to read as follows:**

**105.2 Work exempt from permit.** Exemption from the permit requirements of this code shall not be deemed to grant authorization for work to be done in violation of the provisions of this code or other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

#### **Building:**

1. One-story detached accessory structures, provided that the floor area does not exceed 256 square feet (23.78 m<sup>2</sup>). For the purpose of this Section, accessory structures shall include by way of illustration but not by limitation; site constructed and pre-manufactured treehouses, playhouses, greenhouse and nursery type structures; pergolas, gazebos and similar shade structures with wood, composite, fabric, plastic or metal roof coverings including structures intended for day and/or seasonal use; tool, garden and storage sheds; hobby, shop, craft and similar recreational use buildings and structures.
2. Fences not over 72 inches (1,829 mm) high in Groups R-3 and R-4 unless used for the barrier of a swimming pool. Fences not over 42 (1,067 mm) inches high for all other groups.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1,220 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III A liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks, driveways and similar “flat work” when located entirely upon private property and whether constructed of concrete, asphalt, bricks, paving-stones and similar materials including surfacing materials permitted by the Commerce City Land Development Code and/or Commerce City Engineering and Construction Specifications and Public Works Department. This does not include driveway aprons, driveway approaches, curb and gutter, curb-cuts, sidewalks and/or any other work located within the public right-of-way.
7. Painting, papering, tiling, carpeting, cabinets, millwork, trim, casing, countertops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that that are less than 24 inches (610 mm) deep, are not greater than 5,000 gallons (18,927 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.
13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1,753 mm) in height.
14. Minor repair work to interior drywall to non-fire-resistive rated construction

15. Minor, cosmetic repairs to existing dwellings not involving structural members, load bearing walls, fire resistive rated construction, electrical, plumbing, mechanical systems, fire protection systems or elevator or escalator systems and equipment.
16. Concrete or masonry walls not over 72 inches (1,829 mm) high in Groups R-3 and R-4 unless used for the barrier of a swimming pool. Ornamental column caps shall not be considered to contribute to the height of the wall and shall be permitted to extend above the 72-inch (1829-mm) height measurement.
17. Flagpoles 30 feet (9,144 mm) or less in height.
18. Temporary ramps serving dwelling units in Groups R-3 and R-4 where the height of the entrance served by the ramp is no more than 30 inches (762 mm) above grade.
19. Replacement of windows and doors with windows and doors of similar operation and opening dimensions that do not require changes to the existing framed opening and that are not required to be fire rated in Group R-2 where serving a single dwelling unit and in Groups R-3 and R-4.
20. Replacement of an unlimited amount of roof covering or siding in Groups R-3 or R-4 and replacement of 100 square feet (9.29 m<sup>2</sup>) or less of roof covering in all groups.
21. Replacement of 256 square feet (23.78 m<sup>2</sup>) or less of roof decking in Groups R-3 or R-4 unless the decking to be replaced was required at the time of original construction to be fire-retardant-treated or protected in some other way to form a fire-rated wall termination.
22. Replacement of Class C interior wall or ceiling finishes installed in Groups A, E and I and replacement of all classes of interior wall or ceiling finishes in other groups.
23. Installation or replacement of floor finishes in all occupancies.
24. Building work or repairs deemed by the building official to be minor and ordinary and which does not adversely affect public health or general safety.

**Electrical:**

1. Electrical utilization equipment energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the National Electric Code.
2. Repair or replacement of stationary electric utilization equipment of the same type and rating in the same location.
3. Reinstallation of attachment plug receptacles, but not the outlets therefor.
4. Repair or replacement of any overcurrent devices of the correct voltage, interrupting rating and ampere rating in the same location.
5. Repair or replacement of ballasts, transformers, or electronic power supplies of the same size and rating for signs, outline lighting systems, or field installed skeleton tubing.
6. Removal of electrical wiring or equipment.
7. Temporary wiring for experimental purposes in suitable experimental laboratories.
8. The installation, alteration, or repair of electrical wiring or equipment for the generation, transmission, distribution, or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility.
9. Listed cord-and-plug connected temporary decorative lighting.
10. Electrical wiring, devices, appliances, appliance apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
11. Minor repair work including the replacement of lamps or the connection of approved, portable electrical equipment to approved permanently installed receptacles.
12. The provisions of this code shall not apply to electrical equipment used for radio and television transmissions but do apply to equipment and wiring for a power supply and the installation of towers and antennas.
13. The provisions of this code shall not apply to the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.
14. Electrical work exempted by CRS Title 12, Article 23, Section 111 as may be amended by the state of Colorado.
15. Electrical work or repairs deemed by the building official to be minor and ordinary and which does not adversely affect public health or general safety.

**Gas:**

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable fuel-cell appliances and equipment not connected to a fixed piping system and not connected to a power grid.
4. Gas work or repairs deemed by the building official to be minor and ordinary and which does not adversely affect public health or general safety.

**Mechanical:**

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.5 kilograms) or less of refrigerant or that are actuated by motors of 1 horsepower (0.74 kW) or less.
8. Portable fuel-cell appliances and equipment not connected to a fixed piping system and not connected to a power grid.
9. Mechanical work or repairs deemed by the building official to be minor and ordinary and which does not adversely affect public health or general safety.

**Plumbing:**

1. The stopping of leaks in drains, water, soil, waste, or vent pipe: provided, however, that if any concealed trap, drainpipe, water, soil, waste, or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work, and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves, or fixtures and the removal and reinstallation of water closets, tubs, tub-shower combinations, showers, sinks, lavatories and similar plumbing fixtures, provided such repairs, removals or replacements do not involve or require the replacement or rearrangement of valves, pipes or fixtures or the removal or replacement of building finishes or alter any accessibility requirement.
3. Plumbing work or repairs deemed by the building official to be minor and ordinary and which does not adversely affect public health or general safety.

**(g) Section 105.2.2, entitled "Public service agencies," is amended to read as follows:**

**105.2.2 Public service agencies.** A permit shall not be required for the installation, alteration, or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right or by public service agencies or utilities regulated by the state of Colorado Public Utilities Commission.

**(h) Section 105.6, entitled "Suspension or revocation," is amended to read as follows:**

**105.6 Suspension or revocation.** The building official is authorized to suspend or revoke a permit issued under the provisions of this code whenever a permit is issued in error, or on the basis of incorrect, inaccurate or incomplete information, or is obtained by fraudulent means, or is in violation of any ordinance or regulation of any of the provisions of this code, other ordinances or laws of the city, state or federal government.

- (i) **Section 109, entitled “Fees” is deleted in its entirety and the following is added in lieu thereof:**

#### **SECTION 109 - FEES**

**109.1 Payment of fees.** The fees for any permit issued pursuant to this code, as well as related fees for work done in connection to or concurrently with the work authorized by a building permit, shall be set by resolution of the city council. The city council is also authorized to establish a refund policy, and to impose additional fees for any person who commences any work before obtaining the necessary permits. No permit shall be valid until the appropriate fees have been paid, except emergency permits issued pursuant to Section 105.2.1.

**109.2 Building permit valuations.** The applicant for a permit shall provide an estimated permit value at the time of application. Permit valuations shall include total value of all work including materials and equipment (whether new or existing, donated or salvaged) and labor, for which the permit is being issued, such as electrical, fuel gas, mechanical, plumbing, roofing, elevators, fire extinguishing and alarm systems, building finishes and other permanent systems and equipment. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official.

The final determination of value or valuation under any of the provisions of this code shall be made by the building official. The value to be used in computing the building permit and building plan review fees shall be the total value of all work as described above. When the permit applicant’s stated valuation is incomplete or under reported, the building official shall use the most recent building valuation data published by the International Code Council to determine appropriate valuation.

After the completion of a project, an audit may be requested by the permit applicant or the city to establish the actual permit valuation. If the permit applicant requests an audit, he or she must do so within 60 days after the date the project is completed. Where actual valuation differs from the stated valuation, the required fees shall be reconciled, where indicated, excess fees collected shall be refunded or additional required fees shall be assessed.

- (j) **Section 113, entitled “Board of Appeals,” is deleted in its entirety and the following is added in lieu thereof:**

#### **SECTION 113 – APPEALS**

**113.1 Board of appeals.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. For provisions relating to the board of appeals, see Section 5-21 of the Commerce City Revised Municipal Code.

- (k) **Section 114, entitled “Violations,” is deleted in its entirety and the following is added in lieu thereof:**

#### **SECTION 114 – VIOLATIONS**

**114.1 Unlawful acts.** No person or entity shall violate a provision of this code or fail to comply therewith or with any of the requirements thereof. No person or entity shall fail to comply with any order issued by the building official under this code. No person or entity shall erect, construct, enlarge, alter, extend, repair, move, remove, improve, convert, demolish, equip, use, occupy, or maintain any building or structure in the city or cause or permit the same to be done except in conformity with all of the provisions of this code and in conformity with the terms and conditions of any permit, certificate, or other approval issued under this code, or of any directive of the building official.

**114.2 Penalties and enforcement.** Violations of this code are subject to enforcement through the penalties, procedures, and remedies specified in Article V, Chapter 5 and other applicable provisions of the Commerce City Revised Municipal Code, at the discretion of the city.

- (l) **Section 115, entitled “Stop Work Order,” is deleted in its entirety and the following is added in lieu thereof:**

#### **SECTION 115 – STOP WORK ORDER**

**115.1 General provisions.** Where the building official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or in a manner that is dangerous or unsafe, the building official is

authorized to issue a stop work order in accordance with the provisions of Section 5-5007 of the Commerce City Revised Municipal Code, as may be amended from time to time.

(m) **Section 202, entitled “Definitions,” is amended by the addition of the following definition:**

**202 Private Garage.** A building or portion thereof in which only personal motor vehicles used by the owner or tenants of a residential use are stored or kept.

(n) **Section 310.4.3, entitled “Child day-care facilities within a dwelling,” is added to read as follows:**

**310.4.3 Child day-care facilities conducted entirely within a dwelling.** Child day-care facilities conducted within a one- or two-family dwelling or townhouse regulated under the International Residential Code are permitted to comply with Appendix M of the International Residential Code as amended.

(o) **Section 510.10, entitled “Separation of marijuana and hemp occupancies,” is a new section added to read as follows:**

#### **SECTION 510 – SPECIAL PROVISIONS**

**Section 510.10 Separation of marijuana and hemp occupancies.** Marijuana and hemp uses and occupancies including but not limited to; cultivation, manufacturing, storage, extraction processing, infused product manufacturing and processing, other general processing, retail sales of marijuana and hemp in any form including any derivatives of marijuana and hemp located in any building containing other marijuana and hemp uses and occupancies and any other occupancies shall be separated from other marijuana and hemp occupancies and all other occupancies by 1-hour fire barriers in accordance with Section 707 or 1-hour horizontal assemblies in accordance with Section 711 or by both 1-hour fire barriers and 1-hour horizontal assemblies.

(p) **Section 903.4.2.1, entitled “Audible and visual,” is added to read as follows:**

#### **SECTION 903 – AUTOMATIC SPRINKLER SYSTEMS**

**903.4.2.1 Audible and visual.** Approved audible and visual devices shall be installed throughout all buildings provided with an automatic sprinkler system.

(q) **Section 915.7, entitled “Conflicts,” is added to read as follows:**

#### **SECTION 915 – CARBON MONOXIDE DETECTION**

**915.7 Conflicts.** Whenever C.R.S. § 38-45-101, et seq., imposes a greater or more restrictive requirement than Sections 915.1 through 915.6, the provisions of C.R.S. § 38-45-101, et seq., shall govern. Whenever the requirements imposed by Sections 915.1 through 915.6 impose a greater or more restrictive requirement than C.R.S. § 38-45-101 the provisions of Sections 915.1 through 915.6 shall govern.

(r) **Section 1008.3.2, entitled “Buildings,” is amended to read as follows:**

#### **SECTION 1008 – MEANS OF EGRESS ILLUMINATION**

**1008.3.2 Buildings.** In the event of power supply failure in buildings that require two or more means of egress, an emergency electrical system shall automatically illuminate all of the following areas:

1. Interior exit access stairways and ramps.
2. Interior and exterior exit stairways and ramps.
3. Exit passageways.
4. Vestibules and areas on the level of discharge used for exit discharge in accordance with Section 1028.1.

5. Exterior landings as required by Section 1010.1.6 for exit doorways that lead directly to the exit discharge.
6. Exterior landings at individual tenant space exits where one exit is required from the tenant space and the tenant space is separated from the rest of the building with full height partitions that extend to the ceiling, floor deck, or roof deck above, without openings that would allow occupants to pass through.

**(s) Section 1612.3 is amended to read as follows:**

#### **SECTION 1612 – FLOOD LOADS**

**1612.3 Establishment of flood hazard areas.** To establish flood hazard areas, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include at a minimum, area of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled “The Flood Insurance Study for the city of Commerce City, dated March 5, 2007 as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with hereby adopted by referenced and declared to be part of this section.

**(t) Footnote e to Table 2902.1 is amended to read as follows:**

- e. For business and mercantile occupancies with an occupant load of 30 or fewer, service sinks shall not be required.

**(u) Footnote g to Table 2902.1 is added to read as follows:**

- g. Drinking fountains are not required for an occupant load of 30 or fewer. For mercantile occupancies, drinking fountains are not required for an occupant load of 75 or fewer.

**(v) Section 2902.2, entitled “Separate facilities,” is amended to read as follows:**

[P] 2902.2 Separate facilities. Where plumbing fixtures are required, separate facilities shall be provided for each sex.

#### **Exceptions:**

1. Separate facilities shall not be required for dwelling units and sleeping units.
2. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 30 or fewer.
3. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or fewer.
4. Separate facilities shall not be required in business occupancies in which the maximum occupant load is 30 or fewer.

**(w) Chapter 34 is deleted in its entirety.**

**(x) Section G102.2 is amended to read to read as follows:**

Flood hazard areas are established in Section 1612.3 of the International Building Code, adopted by the governing body on March 5, 2007.