

## APPROVED STATE BUILDING CODES

Approved building codes and standards are adopted by the Office of the State Architect (herein referred to as State Buildings Program (SBP)) and other state authorities, and are identified below. These minimum requirements are to be applied to all construction at state agencies and institutions of higher education owned facilities.

### **The 2021 edition of the International Building Code (IBC)**

(As adopted by the Colorado State Buildings Program as follows: Chapter 1 as amended, Chapters 2-35 and Appendices C and I).

### **The 2021 edition of the International Existing Building Code (IEBC)**

(As adopted by the Colorado State Buildings Program as follows: Chapters 2-16, Appendices A-C and Resource A) Effective December 2020.

### **The 2021 edition of the International Residential Code (IRC)**

(As applicable)

### **The 2021 edition of the International Mechanical Code (IMC)**

(As adopted by the Colorado State Buildings Program as follows: Chapters 2-15 and Appendix A)

### **The 2021 edition of the International Energy Conservation Code (IECC)**

(As adopted by the Colorado State Buildings Program and Colorado Energy Office)

### **Colorado Model Electric Ready and Solar Ready Code**

(Published by the Colorado Energy Office) Effective July 1, 2023

### **The 2023 edition of the National Electrical Code (NEC) (NFPA 70®)**

(As adopted by the Colorado State Electrical Board) Effective July 30, 2023

### **The 2021 edition of the International Plumbing Code (IPC), first printing (March 2020)**

(As adopted by the Colorado Examining Board of Plumbers Effective May 15, 2023)

### **The 2021 edition of the International Fuel Gas Code (IFGC) first printing (August 2020)**

(As adopted by the Colorado Examining Board of Plumbers Effective May 15, 2023)

### **The National Fire Protection Association Standards (NFPA)**

(As adopted by the Department of Public Safety/Division of Fire Prevention and Control)

### **The 2021 edition of the International Fire Code (IFC)**

(As adopted by the Department of Public Safety/Division of Fire Prevention and Control (DFPC). Projects requiring DFPC review should be designed with the most restrictive requirements)

### **The 2015 edition of the ASME Boiler and Pressure Vessel Code**

(As adopted by the Department of Labor and Employment/Boiler Inspection Section) Effective July 1, 2017.

### **The 2017 edition of the National Boiler Inspection Code (NBIC)**

(As adopted by the Department of Labor and Employment/Boiler Inspection Section) Effective July 1, 2017.

### **The 2015 edition of the Controls and Safety Devices for Automatically Fired Boilers CSD-1**

(As adopted by the Department of Labor and Employment/Boiler Inspection Section) Effective July 1, 2017.

### **The 2015 edition of the Boiler and Combustion Systems Hazards Code, NFPA 85**

(As adopted by the Department of Labor and Employment/Boiler Inspection Section) Effective July 1, 2017.

### **The 2019 edition of ASME A17.1 Safety Code for Elevators and Escalators**

(As adopted by the Department of Labor and Employment/Conveyance Section) Effective January 1, 2021.

**The 2005 edition of ASME A17.3 Safety Code for Existing Elevators and Escalators**

(As adopted by the Department of Labor and Employment/Conveyance Section Effective January 1, 2021.

**The 2017 edition of ASME A18.1 Safety Standard for Platform Lifts and Stairway Chairlifts**

(As adopted by the Department of Labor and Employment/Conveyance

**The current edition of the Retail Food Establishment Rules and Regulations**

(As adopted by the Department of Public Health and Environment/Division of Environmental Health and Sustainability)

**The Current edition of ICC/ANSI A117.1, Accessible and Usable Buildings and Facilities**

As referenced in the adopted edition of the International Building Code.

The Secretary of the Interior's Standards for Rehabilitation

(As required by the Colorado State Historic Preservation Office for designated historic properties)

Note: Additional codes, standards and appendices may be adopted by the state agencies and institutions in addition to the minimum codes and standards herein adopted by State Buildings Programs.

1. The 2021 edition of the IBC became effective on July 1, 2022. Consult the state electrical and plumbing boards and the state boiler inspector and conveyance administrator and the Division of Fire Prevention and Control for adoption of current editions and amendments to their codes.
2. Projects should be designed and plans and specifications should be reviewed based upon the approved codes at the time of A/E contract execution. If an agency prefers to design to a different code such as a newer edition of a code that State Buildings Programs has not yet adopted, the agency must contact SBP for approval and then amend the A/E contract with a revised Exhibit C, Approved State Building Codes. Please note that the state plumbing and electrical boards enforce the editions of their codes that are in effect at the time of permitting not design.
3. The state's code review agents, or the State Buildings Programs approved agency building official, shall review all documents for compliance with the codes stipulated herein. Note: The Department of Public Health and Environment, Division of Consumer Protection will review drawings for food service related projects.
4. This policy does not prohibit the application of various life safety codes as established by each agency for specific building types and funding requirements. NFPA 101 and other standards notwithstanding, approved codes will supersede where their minimum requirements are the most restrictive in specific situations. If a conflict arises, contact State Buildings Programs for resolution.
5. It is anticipated that compliance with the federal Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG) and Colorado Revised Statutes Section 9-5-101 will be met by compliance with the 2015 International Building Code and ICC/ANSI A117.1. However, each project may have unique aspects that may require individual attention to these legislated mandates.
6. The 2018 edition of the International Building Code (IBC) is to be applied to factory-built nonresidential structures as established by the Division of Housing within the Department of Local Affairs.

**A. Appendices**

Appendices are provided to supplement the basic provisions of the codes. Approved IBC Appendices are as follows:

1. Mandatory
  - IBC Appendix Chapter C - Agricultural Buildings
  - IBC Appendix Chapter I - Patio Covers

2. Optional

Any non-mandatory appendix published in the International Building Code may be utilized at the discretion of the agency. Use of an appendix shall be indicated in the project code approach.

**B. Amendments**

1. International Building Code, Chapter 1 as amended
2. International Building Code Chapter 29 as amended

# AMENDMENTS TO THE *INTERNATIONAL BUILDING CODE*

## CHAPTER 1

### SCOPE AND ADMINISTRATION

#### PART 1—SCOPE AND APPLICATION

##### SECTION 101 GENERAL

**101.1 Title.** These regulations shall be known as the *Building Code* of the Department of Personnel & Administration/Office of the State Architect (DPA/OSA), hereinafter referred to as “this code”.

**101.2 Scope.** The provisions of this code shall apply to the construction, *alteration*, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

**Exception:** Detached one- and two-family *dwelling*s and multiple single-family *dwelling*s (*townhouses*) not more than three *stories* above *grade plane* in height with a separate *means of egress* and their accessory structures shall comply with the *International Residential Code*.

**101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted.

**101.3 Intent.** The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, *means of egress* facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

**101.4 Referenced codes.** The other codes listed in Sections 101.4.1 through 101.4.6 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

**101.4.1 Gas.** The provisions of the *International Fuel Gas Code* shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

**101.4.2 Mechanical.** The provisions of the *International Mechanical Code* shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

**101.4.3 Plumbing.** The provisions of the *International Plumbing Code* shall apply to the installation, *alteration*, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

**101.4.6 Energy.** The provisions of the *International Energy Conservation Code* shall apply to all matters governing the design and construction of buildings for energy efficiency.

##### SECTION 102 APPLICABILITY

**102.1 General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

**102.2 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

**102.3 Application of references.** References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

**102.4 Referenced codes and standards.** The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2.

**102.4.1 Conflicts.** Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

**102.4.2. Provisions in referenced codes and standards.** Where the extent of the reference to the referenced code or standard includes subject matter that is within the scope of this code or the International Codes listed in Section 101.4, the provisions of this code or the International Codes listed in Section 101.4, as applicable, shall take precedence over the provisions in the referenced code or standard.

**102.5 Partial invalidity.** In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

**102.6 Existing structures.** The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code or as is deemed necessary by DPA/OSA through its code review agent for the general safety and welfare of the occupants and the public.

## **PART 2—ADMINISTRATION AND ENFORCEMENT**

### **SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL**

**104.1 General.** DPA/OSA as the building official is hereby authorized and directed to enforce the provisions of this code. DPA/OSA shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify

the application of its provisions. Such interpretations, policies and procedures shall comply with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code. Note that Section 104 of this code is not a delegated responsibility, unless noted otherwise in the *Policies and Procedures: Basic Steps Checklists*.

**104.2 Plan reviews.** DPA/OSA through its code review agent shall review *construction documents* and issue compliance notices for the erection, and *alteration*, demolition and moving of buildings and structures and inspect the premises for which such compliance notices have been issued.

**104.4 Inspections.** DPA/OSA through its code review agent shall make all of the required inspections, or DPA/OSA shall have the authority to accept reports of inspection by *approved agencies* or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such *approved agency* or by the responsible individual. DPA/OSA is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise.

**104.9 Approved materials and equipment.** Materials, equipment and devices *approved* by DPA/OSA through its code review agent shall be constructed and installed in accordance with such approval.

**104.9.1 Used materials and equipment.** The use of used materials which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless *approved* by DPA/OSA through its code review agent.

**104.10 Modifications.** Wherever there are practical difficulties involved in carrying out the provisions of this code, DPA/OSA shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided DPA/OSA shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. Note, this is not a delegated responsibility. The details of action granting modifications shall be recorded and entered in the files of DPA/OSA.

**104.10.1 Flood hazard areas.** DPA/OSA shall not grant modifications to any provision required in *flood hazard areas* as established by Section 1612.3 unless a determination has been made that:

1. A showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards of Section 1612 inappropriate.

2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.

3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, cause fraud on or victimization of the public, or conflict with existing laws or ordinances.

4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.

5. Submission to the applicant of written notice specifying the difference between the *design flood elevation* and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the *design flood elevation* increases risks to life and property.

**104.11 Alternative materials, design and methods of construction and equipment.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where DPA/OSA through its code review agent finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, *fire resistance*, durability and safety.

**104.11.1 Research reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

**104.11.2 Tests.** Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, DPA/OSA through its code review agent shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, DPA/OSA through its code review agent shall approve the testing procedures. Tests shall be performed by an *approved agency*.

## SECTION 105 PLAN REVIEWS

**105.1 Required.** Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first contact a DPA/OSA code review agent.

**105.2 Work exempt from plan review.** Exemptions from plan review requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Plan review shall not be required for the following:

### Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m<sup>2</sup>).
2. Fences not over 6 feet (1829 mm) high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 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 IIIA liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio

of height to diameter or width does not exceed 2:1.

6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or *story* below and are not part of an *accessible route*.
7. Painting, papering, tiling, carpeting, cabinets, counter tops 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 are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 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* supported by an *exterior wall* that do not project more than 54 inches (1372 mm) from the *exterior wall* and do not require additional support of Groups R-3 and U occupancies.
13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

#### Electrical:

**Repairs and maintenance:** Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles.

**Radio and television transmitting stations:** 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 installations of towers and antennas.

**Temporary testing systems:** A plan review shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

#### Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

#### Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

#### Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, 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 plan review 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, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

**105.2.1 Emergency repairs.** Where equipment replacements and repairs must be performed in an emergency, plan review information shall be submitted promptly to DPA/OSA through its code review agent.

**105.2.2 Repairs.** Application or notice to DPA/OSA through its code review agent is not required for ordinary repairs to structures, replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles.

Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required *means of egress*, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include *addition* to, *alteration* of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

**105.2.3 Public service agencies.** A plan review 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.

**105.4 Validity of compliance notice.** The issuance or granting of a compliance notice shall not be construed to be an approval of any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. The issuance of a compliance notice based on *construction documents* and other data shall not prevent DPA/OSA through its code review agent from requiring the correction of errors in the *construction documents* and other data.

**105.7 Placement of building inspection record.** The building inspection record based on the compliance notice inspection recommendations shall be kept on the site of the work until the completion of the project.

## SECTION 106 FLOOR AND ROOF DESIGN LOADS

**106.1 Live loads posted.** Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf (2.40 kN/m<sup>2</sup>), such design live loads shall be conspicuously posted by the owner in that part of each *story* in which they apply, using durable signs. It shall be unlawful to remove or deface such notices

**106.2 Issuance of notice of approval of occupancy/use.** A notice of approval of occupancy/use required by Section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

**106.3 Restrictions on loading.** It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.

## SECTION 107 SUBMITTAL DOCUMENTS

**107.1 General.** Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical report and other data shall be submitted. The *construction documents* shall be prepared by a *registered design professional* where required by the statutes of the state of Colorado. Where special conditions exist, DPA/OSA through its code review agent is authorized to require additional *construction documents* to be prepared by a *registered design professional*.

**Exception:** DPA/OSA is authorized to waive the submission of *construction documents* and other data not required to be prepared by a *registered design professional* if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

**107.2 Construction documents.** *Construction documents* shall be in accordance with Sections 107.2.1 through 107.2.5.

**107.2.1 Information on construction documents.** *Construction documents* shall be dimensioned and drawn upon suitable material. *Construction documents* shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations.

**107.2.2 Fire protection system shop drawings.** Shop drawings for the *fire protection system(s)* shall be submitted to indicate conformance to this code and the *construction documents* and shall be *approved* prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

**107.2.3 Means of egress.** The *construction documents* shall show in sufficient detail the location, construction, size and character of all



portions of the *means of egress* including the path of the *exit discharge* to the *public way* in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the *construction documents* shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

**107.2.4 Exterior wall envelope.** *Construction documents* for all buildings shall describe the *exterior wall envelope* in sufficient detail to determine compliance with this code. The *construction documents* shall provide details of the *exterior wall envelope* as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The *construction documents* shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the *construction documents* maintain the weather resistance of the *exterior wall envelope*. The supporting documentation shall fully describe the *exterior wall* system which was tested, where applicable, as well as the test procedure used.

**107.2.5 Site plan.** The *construction documents* submitted with the application for *permit* shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from *lot lines*, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and *design flood* elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. DPA/OSA through its code review agent is authorized to waive or modify the requirement for a site plan when the application for *plan review* is for *alteration* or repair or when otherwise warranted.

**107.2.5.1 Design flood elevations.** Where *design flood* elevations are not specified, they shall be established in accordance with Section 1612.3.1.

**107.3 Examination of documents.** DPA/OSA through its code review agent shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

**107.3.3 Phased approval.** DPA/OSA through its code review agent is authorized to issue a compliance notice for the construction of foundations or any other part of a building or structure before the *construction documents* for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such compliance notice for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a compliance notice for the entire structure will be granted.

**107.3.4 Design professional in responsible charge.**

**107.3.4.1 General.**

The *registered design professional in responsible charge* shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

**107.3.4.2 Deferred submittals.** For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the plan review and that are to be submitted to DPA/OSA through its code review agent within a specified period.

Deferral of any submittal items shall have the prior approval of DPA/OSA through its code review agent. The *registered design professional in responsible charge* shall list the deferred submittals on the *construction documents* for review by DPA/OSA through its code review agent.

Documents for deferred submittal items shall be submitted to the *registered design professional in responsible charge* who

shall review them and forward them to DPA/OSA through its code review agent with a notation indicating that the deferred submittal documents have been reviewed and found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been approved by DPA/OSA through its code review agent.

**107.4 Amended construction documents.** Work shall be installed in accordance with the *approved construction documents*, and any changes made during construction that are not in compliance with the *approved construction documents* shall be resubmitted for approval as an amended set of *construction documents*.

## SECTION 108 TEMPORARY STRUCTURES AND USES

**108.1 General.** DPA/OSA through its code review agent is authorized to issue a compliance notice for temporary structures and temporary uses. Such compliance notice shall be limited as to time of service, but shall not be permitted for more than 180 days. DPA/OSA through its code review agent is authorized to grant extensions for demonstrated cause.

**108.2 Conformance.** Temporary structures and uses shall conform to the structural strength, fire safety, *means of egress*, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure public health, safety and general welfare.

**108.3 Temporary power.** DPA/OSA through its code review agent is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in NFPA 70.

## SECTION 109 FEES

**109.1 Payment of fees.** Refer to DPA/OSA Building Code Compliance Policy.

## SECTION 110 INSPECTIONS

**110.1 General.** Construction or work for which a plan review is required shall be subject to inspection by DPA/OSA through its code review agent and such construction or work shall remain accessible and exposed for inspection purposes until *approved*. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the holder of the notice to proceed to cause the work to remain accessible and exposed for inspection purposes. Neither DPA/OSA, its code review agent nor state agency shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

**110.2 Preliminary inspection.** Before issuing a compliance notice, DPA/OSA through its code review agent is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

**110.3 Required inspections.** DPA/OSA through its code review agent, upon notification, shall make the inspections set forth in Sections 110.3.1 through 110.3.10.

**110.3.1 Footing and foundation inspection.** Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

**110.3.2 Concrete slab and under-floor inspection.** Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

**110.3.3 Lowest floor elevation.** In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.5 shall be

submitted to DPA/OSA through its code review agent.

**110.3.4 Frame inspection.** Framing inspections shall be made after the roof deck or sheathing, all framing, *fireblocking* and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are *approved*.

**110.3.5 Lath and gypsum board inspection.** Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

**Exception:** Gypsum board that is not part of a fire-resistance-rated assembly or a shear assembly.

**110.3.6 Fire- and smoke-resistant penetrations.** Protection of joints and penetrations in fire-resistance-rated assemblies, *smoke barriers* and smoke partitions shall not be concealed from view until inspected and *approved*.

**110.3.7 Energy efficiency inspections.** Inspections shall be made to determine compliance with Chapter 13 and shall include, but not be limited to, inspections for: envelope insulation *R*- and *U*-values, fenestration *U*-value, duct system *R*-value, and HVAC and water-heating equipment efficiency.

**110.3.8 Other inspections.** In addition to the inspections specified above, DPA/OSA through its code review agent is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by DPA/OSA.

**110.3.9 Special inspections.** For *special inspections*, see Section 1704.

**110.3.10 Final inspection.** The final inspection shall be made after all work required is completed.

**110.3.10.1 Flood hazard documentation.** If located in a *flood hazard area*, documentation of the elevation of the lowest floor as required in Section 1612.5

shall be submitted to DPA/OSA prior to the final inspection.

**110.4 Inspection agencies.** DPA/OSA through its code review agent is authorized to accept reports of *approved* inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

**110.5 Inspection requests.** It shall be the duty of the holder of the notice to proceed or their duly authorized agent to notify DPA/OSA through its code review agent when work is ready for inspection. It shall be the duty of the notice to proceed holder to provide access to and means for inspections of such work that are required by this code.

**110.6 Approval required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of DPA/OSA through its code review agent. The code review agent, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the holder of the notice to proceed or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the code review agent.

## SECTION 111 CERTIFICATE OF OCCUPANCY

**111.1 Use and occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until DPA/OSA has issued a notice of approval of occupancy/use therefor as provided herein. Issuance shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

**Exception:** Notices of approval of occupancy/use are not required for work exempt from plan review under Section 105.2.

**111.3 Temporary occupancy.** DPA/OSA is authorized to issue a temporary notice of approval of occupancy/use for discrete portions of work before the completion of the entire work provided that such portion or portions shall be occupied safely.

## EXHIBIT A

### CHAPTER 29

#### PLUMBING SYSTEMS

The following requirements take precedence over Chapter 29 of the *International Building Code*, *International Existing Building Code* and the *International Plumbing Code*.

#### [P] 2904

#### STATE OF COLORADO REQUIREMENTS AMENITIES FOR ALL GENDERS

##### 2904.1 DEFINITIONS.

- (1) "Accessible to the Public" means any indoor or outdoor space or area that is open to the public. This does not include private offices or workspaces that are generally not open to customers or public visitors.
- (2) "Certified Historic Structure" means a property located in Colorado that has been certified by the state historical society or an entity other than the owner of the property that is authorized, pursuant to section 24-80.1-105 (1), to nominate properties to the state register of historic properties as a historic structure because it has been:
  - (a) listed individually on, or as a contributing property in a district included within, the national register of historic places;
  - (b) listed individually on, or as a contributing property in a district that is included within, the state register of historic properties pursuant to C.R.S article 80.1 of title 24; or
  - (c) listed individually by, or as a contributing property within a designated historic district of, a certified local government.
- (3) "Gender-Specific Restroom" means a restroom that is designated for use by only one gender.
- (4) "LGBT Individual" means an individual who is a member of the lesbian, gay, bisexual, transgender, and non-binary community.
- (5) "Non-Gendered Multi-Stall Restroom" means a restroom with multiple toilets that is available for use by people of any gender, including a restroom with shared sinks but each toilet is in a private compartment.
- (6) "Non-Gendered Single-Stall Restroom" means a restroom that is available for use by people of any gender that is a fully enclosed room with a locking mechanism controlled by the user and contains a sink, toilet, and no more than one urinal.
- (7) (a) "Renovation of a Restroom" means construction to a restroom:
  - (I) for which a permit is required other than for a repair; and
  - (II) that includes changing the structure by:
    - (A) increasing the square footage;
    - (B) installing or modifying a plumbing or electric system;
    - (C) adding, gutting, or removing exterior restroom walls; or
    - (D) installing a heating, ventilation, or air conditioning system.
- (b) For purposes of this section, renovation does not include repairs to or replacement of fixtures or features of the restroom in order to restore something that is damaged, deteriorated, or broken in a restroom to its original function that does not meet the criteria described in subsection (7)(a) of this section.
- (8) "Public Entity" means a state department or state agency, state institution of higher education, as defined in C.R.S. 23-18-102 (10), a county, a city and county, or a municipality. A state agency does not include any building owned and operated as an education facility by the Department of Education or a school district, charter school, or institute charter school.

##### 2904.2 RESTROOMS.

- (1) On and after January 1, 2024, a building that is wholly or partially owned by a public entity that is:

(a) Scheduled for renovation of a restroom must:

- (I) Provide a non-gendered single-stall restroom or a non-gendered multi-stall restroom where a restroom is accessible to the public;
- (II) Ensure that any single-stall restroom is not a gender-specific restroom;
- (III) Allow for the use of a multi-stall restroom by any gender if certain facility features are met pursuant to the IPC or any subsequent *International Plumbing Code* adopted as part of the *Colorado Plumbing Code* and the *Colorado Fuel Gas Code* adopted by the State Plumbing Board pursuant to C.R.S 12-155-106;
- (IV) Provide any caregiver on the gender binary that is caring for an infant access to at least one safe, sanitary, and convenient baby diaper changing station where a restroom is accessible to the public as follows:
  - (A) if only gender-specific restrooms are available, at least one changing table in each restroom;
  - (B) if a non-gendered single-stall restroom is available, at least one changing table in that restroom, and public entities are encouraged to also provide changing tables in each of the single-stall gender-specific restrooms;
  - (C) if a non-gendered multi-stall restroom is available, at least one changing table in that restroom, and public entities are encouraged to also provide changing tables in each of the gender-specific restrooms; or
  - (D) an easily accessible location with equivalent privacy and amenities as a restroom; and
- (V) Ensure that each baby diaper changing station is maintained, repaired, and replaced as necessary to ensure safety and ease of use and cleaned with the same frequency as the restroom in which it is located or restrooms on the same floor or in the same

space if the changing table is located in a restroom.

(b) A newly constructed building on each floor must:

- (I) Provide a non-gendered single-stall restroom or a non-gendered multi-stall restroom on each floor where a restroom is accessible to the public;
- (II) Ensure that any single-stall restroom is not a gender-specific restroom;
- (III) Allow for the use of a multi-stall restroom by any gender if certain facility features are met pursuant to the IPC. Or any subsequent *International Plumbing Code* adopted as part of the *Colorado Plumbing Code* and the *Colorado Fuel Gas Code* adopted by the State Plumbing Board pursuant to C.R.S 12-155-106; and
- (IV) Provide any caregiver on the gender binary that is caring for an infant access to at least one safe, sanitary, and convenient baby diaper changing station that is accessible to the public on each floor where there is a restroom accessible to the public and that includes:
  - (A) if only gender-specific restrooms are available, at least one changing table in each restroom;
  - (B) if a non-gendered single-stall restroom is available, at least one changing table in that restroom, and public entities are encouraged to also provide changing tables in each of the single-stall gender-specific restrooms;
  - (C) if a non-gendered multi-stall restroom is available, at least one changing table in that restroom, and public entities are encouraged to also provide changing tables in each of the gender-specific restrooms; or
  - (D) an easily accessible location with equivalent privacy and amenities as a restroom; and
- (V) Ensure that each baby diaper changing station is maintained, repaired, and replaced as necessary to ensure safety and ease of

use and cleaned with the same frequency as the restroom in which it is located or restrooms on the same floor or in the same space if the changing table is not located in a restroom.

(2) On and after July 1, 2025, a building that is wholly or partially owned by a public entity that:

(a) Is accessible to employees or enrolled students and that is scheduled for renovation of a restroom must:

(I) Provide a non-gendered single-stall restroom or a non-gendered multi-stall restroom;

(II) Ensure that any single-stall restroom is not a gender-specific restroom; and

(III) Allow for the use of a multi-stall restroom by any gender if certain facility features are met pursuant to the IPC or any subsequent *International Plumbing Code* adopted as part of the *Colorado Plumbing Code* and the *Colorado Fuel Gas Code* adopted by the State Plumbing Board pursuant to C.R.S 12-155-106; and

(b) Is a newly constructed building on each floor must:

(I) Provide a non-gendered single-stall restroom or a non-gendered multi-stall restroom;

(II) Ensure that any single-stall restroom is not a gender-specific restroom; and

(III) Allow for the use of a multi-stall restroom by any gender if certain facility features are met pursuant to the IPC or any subsequent *International Plumbing Code* adopted as part of the *Colorado Plumbing Code* and the *Colorado Fuel Gas Code* adopted by the State Plumbing Board pursuant to C.R.S 12-155-106.

(3) **EXCEPTIONS.** Subsections (1) and (2) of this section do not apply to the renovation of a restroom or a newly constructed building project if:

a. A local building permitting entity or building inspector determines that the installation of a baby diaper changing station in accordance with

subsection (1)(d) of this section would result in a failure to comply with applicable building standards governing the right of access for individuals with disabilities. the permitting entity or building inspector may grant an exemption from the requirements of this section under those circumstances, provided that there is documentation demonstrating that no alternative design is possible that complies with the right of access for individuals with disabilities and a good faith attempt has been made to design a restroom in a manner that would accommodate individuals with disabilities and the installation of a baby diaper changing station in accordance with subsection (1)(d) of this section.

b. The project has already progressed through the design review process, budgeting, and final approval by the governing body that has final approval over capital construction project expenditures as of the August 8, 2023

(a) The building is designated as a certified historic structure.

#### **2904.3 SIGNAGE.**

(1) Beginning July 1, 2024, but no later than July 1, 2026, subject to available appropriations for public entities that are a state agency, a building that is wholly or partially owned or leased by a public entity must ensure that signage for the building or the portion of the building leased or owned complies with the following signage requirements:

(a) Any restroom with a baby diaper changing station must have signage with a pictogram void of gender that indicates the presence of the baby diaper changing station;

(b) Any non-gendered multi-stall restroom or single-gendered or non-gendered single-stall restroom must have signage with a pictogram void of gender;

(c) Each building that is accessible to the public must include signage at or near the entrance to the building indicating the location of restrooms and baby diaper changing stations. If there is a central directory accessible to the public identifying the location of offices, restrooms, and other facilities in the buildings, that central directory must indicate with a pictogram void

of gender the location of any baby diaper changing station and the location of any non-gendered multi-stall restroom or single-stall restroom.

- (d) All buildings accessible to the public with non-gendered multi-stall restrooms or non-gendered single-stall restrooms must update signage, if necessary, to include a pictogram void of gender.

**2904.4 ACCESSIBILITY.**

- (1) All restrooms subject to 2904 shall comply with the current "**ADA** Standards for Accessible Design" set forth in 28 CFR 35, applicable to public entities and promulgated in accordance with the federal "Americans with Disabilities Act of 1990", 42 U.S.C. sec. 12101 et. seq., as amended.

**End of Exhibit A: Amendments to the IBC**