

**Amendment to CB17-0726 concerning  
establishing a temporary voluntary disclosure and compliance plan process  
and temporarily amending the Denver Building and Fire Code  
pertaining to certificates of occupancy**

Councilmember Ortega

July 17, 2017

**Councilmembers,**

I move to amend **CB17-0726**, as follows:

On page 1, line 26, strike “**July 19, 2019**” and replace with “**January 17, 2020**”;

On page 2, line 14, add the following phrase to the end of subsection 4(a): “, **except as specifically allowed in subsection 4(c) below**”;

On page 2, line 18, add the following phrase to the end of subsection 4(c): “, **except during the period July 21, 2017 through January 19, 2018**”;

On page 2, lines 22 through 26, strike all references to “**two hundred seventy (270)**” and replace with “**three hundred sixty-five (365)**”;

On page 2, line 27, strike the word “**and**”;

On page 2, line 29, strike the period at the end of the line, and insert “; **and**” at the end of subsection 4(f);

On page 2, line 30, insert a new subsection 4(g) that reads as follows:

**“(g) During the period July 21, 2017 through January 19, 2018, Owners or Tenants of existing buildings who have received an order to vacate from the city from December 1, 2016 through July 21, 2017 due to unpermitted work and/or no valid certificate of occupancy, may apply for a compliance plan subject to the conditions of subsections 4(b), (d), (e), and (f) above.”**

On page 2, line 31, strike “**July 19, 2019**” and replace with “**January 17, 2020**”;

On page 3, line 2, strike “**July 19, 2019**” and replace with “**January 17, 2020**”;

On page 3, line 28, strike the word “**and**” after “**Building Official**”

On page 3, line 30, strike the period at the end of the line, and insert “; **and**”;

On page 3, line 31, insert a new subsection 6(e) that reads as follows:

**“(e) Owners or Tenants who may apply for a compliance plan as allowed in Section 4(g) above, may also apply for a Conditional Certificate of Occupancy, subject to the requirements of Sections 5 through 10 of this ordinance.”;**

And, on page 6, line 1, insert a new Section 11 that reads as follows:

**“Section 11. Every six (6) months from the effective date of this ordinance, Community Planning and Development (“CPD”) shall prepare a written report to be delivered to city council explaining CPD’s activities related to, and an assessment of outcomes of, applications and issuances of compliance plans and Conditional Certificates of Occupancies. No later than October 18, 2019, CPD shall conduct a policy review of this ordinance, and report any recommendations to city council.”**

### **PURPOSE OF AMENDMENT**

This amendment extends the timeframe of the ordinance for an additional 6 months. The amendment also allows owners/tenants of existing buildings that have been modified without permits required by Denver’s building code to apply for a compliance plan and Conditional Certificate of Occupancy even if the owners/tenants have not voluntarily disclosed the existence of unpermitted work, but only for the first 6 months after the effective date of the ordinance. Additionally, owners/tenants of existing buildings that have received an order to vacate from the city due to unpermitted work or no valid certificate of occupancy from December 1, 2016 to the effective date of the ordinance, may take advantage of the compliance plan and Conditional Certificate of Occupancy process. Last, the amendment creates a requirement for CPD to prepare reports of the compliance plan and Conditional Certificate of Occupancy programs for City Council every 6 months, and for CPD to review the program 3 months prior to the end date of the ordinance and report any recommendations to City Council.