



March 26, 2020

RE: 2019 DBCA-Amendment #1

EXECUTIVE SUMMARY

The current effective date for the Denver Building and Fire Code Amendment (DBCA) is at the end of April. Based on the uncertainty of the economic situation due to the Corona Virus there are construction projects contemplating whether or not to move forward. There are some that are getting put on hold based on their inability to secure financing. We are requesting the effective date be moved from the end of April to July 31, 2020. The intent of this change will allow projects that have been designed under the old code (2016 DBCA) and are being put on hold, to proceed at a later date without requiring the cost of a complete redesign to meet the new code. This may play a significant role as to whether a developer wants to move forward with their current project once financing has been re-secured.

Additionally, we have a grace period for larger projects to submit for full building permit on or before July 31, 2020 if they make a special request to the Building Official and the Fire Marshal that they have been designing their project for months but are not able to meet the April 30th date and request an extension. We have received and approved approximately 30 of these requests and anticipate approximately 50-75 total projects by the end of April; based on the experience from the last code adoption process. We would like to move the July 31, 2020 date noted for this exception to December 31, 2020. This change can be done through a policy revision once the effective date is moved to July 31, 2020.

Furthermore, we would like to extend the dates of when a project can start construction. We normally require construction to begin within 60 days from the issuance of a permit and grant extensions for various reasons, usually up to and no more than, 180 days. We are proposing that we allow construction to start on July 31, 2021 a full year after the proposed new effective date. This will allow developers enough time to secure financing and not have to resubmit to obtain new permits, which would require new plan review under a new code. There would be architectural and engineering fees for these changes and additional code review fees. By allowing this additional time developers could have adequate time to start their projects without the fear of their permit lapsing.

There is a possibility that a development team could make a conscious decision to redesign their project even though it would be ready to move forward now, to meet the old code rather than the new code. It is a possibility; however, I do not think very many substantial projects would choose this route. If a developer of a larger project chose to follow this less energy efficient path it may not make financial sense. First it would require their architect and engineer to redesign the project. Therefore, they would incur additional fees from their design professional and energy consultants. This would also delay their project by at least two to three months which would increase their construction costs due to inflation rates as well as increase their carrying costs on the fees, land acquisition and all other out of pocket expenses to date. This could far outweigh

the savings between the difference in the two codes. It is our opinion that the benefits to the construction industry and to the positive economic impact this will have on Denver's economy will far outweigh any possible negative outcomes.

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