



Safe Occupancy Program

Community Planning and Development
Denver Fire Department
Denver Arts & Venues

The Need for Action

- To improve the safety of unpermitted spaces for everyone—occupants, visitors, neighbors and the public
- To make it safer, easier and potentially less expensive for people to live and work in the neighborhoods they helped build
- One of many steps the city is taking to address safety and affordability for all people in our community

A Voluntary Program

- Modeled after the EPA’s “Audit Policy” allowing businesses to voluntarily disclose and fix violations of federal environmental law
- Effective dates: July 21, 2017 – July 19, 2019
 - During this time, property owners and tenants (with owner authorization) can enroll in the program
- Voluntary disclosure of unpermitted work cannot be the result of an inspection or complaint

Program Incentives

- No double permit fees
- Extended timelines to complete work
 - Construction costs can be distributed over a longer timeframe
- Encourages collaboration for creative and potentially cheaper solutions
- Conditional Certificate of Occupancy
 - Can legally stay in your space if there are no life-safety hazards and a “compliance plan” to bring the building up to code is in place

Defining “Life-Safety Hazards”

- First step is an inspection to assess life safety
- Hazardous conditions are specifically listed in the ordinance

Examples include:

- Exterior damage causing inadequate protection from the elements
- Lack of sufficient exits
- Non-functional plumbing, electrical, or heating systems
- Storing hazardous materials
- Lack of fire protection systems

Compliance Plan

- Comprehensive plan of what work has been done (unpermitted), may need to be done, and by when
- Creation of the compliance plan is a collaborative process with the city, but applicants will need a design professional on board
- 270 days for completion, with option for extended timelines
- Upon approval of the plan, the applicant will submit for building permits for the specific work identified in the plan
- Scheduled inspections will assess progress

Conditional Certificate of Occupancy

- Shaped out of discussions with the creative community but applies to most existing buildings
- For buildings occupied as of July 21, 2017
 - Work completed without permits after this date is not eligible
- The land use(s) must be allowed per the zoning code
- May be rescinded for non-compliance under the approved plan or if inspections identify a threat to life safety

Examples of Eligible Existing Buildings

The allowed building types are specified in Section 6 of the ordinance.

These include

- Residential buildings that are 2 stories or less and contain 16 or fewer dwelling units (maximum of 20 people)
- Performance spaces with a maximum of 300 people (but no restaurants or bars)
- Businesses (offices, salons, car wash, cleaners, tutoring centers, etc.)
- Retail sales
- Art galleries, libraries, museums, community halls, places of worship, and more

More information

- www.denvergov.org/safeoccupancy
- Will have an accompanying building code policy outlining specific requirements
- **To ask questions without specifying your address, or to enroll after July 21, 2017:**
Contact Jill Jennings Golich at (720) 865-2909