



DENVER AMENDMENT PROPOSAL FORM FOR PROPOSALS TO THE 2019 DENVER BUILDING CODE AMENDMENTS AND THE 2021 INTERNATIONAL CODES

DENVER
THE MILE HIGH CITY

2021 CODE DEVELOPMENT CYCLE

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2) One proposal per this document is to be provided with clear and concise information.

Is a separate graphic file provided ("X" to answer): ___ Yes or X No

3) Highlight the code and acronym that applies to the proposal

<u>Acronym</u>	<u>Code Name</u>	<u>Acronym</u>	<u>Code Name</u>
DBC-AP	Denver Building Code–Administrative Provisions	IPC	International Plumbing Code
IBC	International Building Code	IRC	International Residential Code
IECC	International Energy Conservation Code	IFGC	International Fuel Gas Code
IEBC	International Existing Building Code	IMC	International Mechanical Code
IFC	International Fire Code	DGC	Denver Green Code

AMENDMENT PROPOSAL

Please provide all the following items in your amendment proposal.

Code Sections/Tables/Figures Proposed for Revision:

Instructions: If the proposal is for a new section, indicate (new), otherwise enter applicable code section.

Proposal 45

(New) Chapter 3 – Definitions

(New) Chapter 5 – Organic Landscape Plan for Allowable Pesticides, Fertilizers, Herbicides

Proposal:

Instructions: Show the proposal using ~~strikeout~~, underline format.

Place an "X" next to the choice that best defines your proposal: ___ Revision X New Text ___ Delete/Substitute ___ Deletion

Update Table 101.4.1 to reflect new sections. Applies to all occupancies as a project elective. ~~nonresidential~~

Add following terms to definitions in Chapter 3

Natural, organic or "non-synthetic" a substance that is derived from mineral, plant, or animal matter and does not undergo a "synthetic" process as defined in the Organic Foods Production Act, 7 U.S.C. § 6502(21).

Organic pest management. The act of managing or controlling pests through the use of mechanical, cultural, or biological processes, or through the use of natural, organic, or non-synthetic substances.

Children's Facility. A building or part of a building that, as part of its function, is regularly occupied by children under the age of 18 years; and required to obtain and use an occupancy permit as a condition of performing that function. This includes but is not limited to a child day care center, family day care home, nursery school, recreational center, or classroom.

Mulched Recreation Area. An area of land covered with natural or synthetic mulch or wood chips that is open to the public for picnic or recreational use.

Playing Field. An athletic field owned or maintained by a department or unit of City of Denver government; or an area of land on private property maintained exclusively for athletic or sporting use.

New Chapter 5 language:

501.X Organic Landscape Plan for Allowable Pesticides, Fertilizers, Herbicides. (Project Elective). Develop integrated landscape management plan that employs organic protocols to avoid using toxic pesticides, fertilizers and herbicides. Plan shall specify use of nonchemical methods, definition of emergency conditions and universal notification (advance notice of not less than 72 hours under normal conditions and 24 hours in emergencies before a pesticide, other than a least-toxic pesticide is applied). Comply with 501.X.1 through 501.X.3.

501.X.1 Appropriate plant selection. Design and install a landscape system in accordance with requirements set forth in 501.X Single Family Residential Landscape Requirements and 501.X Nonresidential Landscape Requirements

501.X.2 Fertilizers and Soil Amendments. Use only fertilizer and amendment products that are certified by the Organic Materials Review Institute (OMRI) or approved equivalent.

501.X.3 Integrated pest management (IPM). Employ physical, mechanical, cultural, and biological controls to prevent pest presence. Routinely inspect and monitor for pests. Use least toxic chemical pesticides, pesticide in the most minimum use possible. The pesticide shall only be used in targeted locations and for only targeted species when necessary in accordance with 501.X.3.1 and 501.X.3.2.

501.X.3.1 Prohibited Pesticides. The use of glyphosate, chlorpyrifos, and neonicotinoid pesticides shall be prohibited in all applications including but not limited to lawn, ornamental planted landscape, agricultural landscape, playground, mulched recreation areas, children's facility, grounds of a children's facility, or playing field.

501.X.3.2 Allowable Pesticides. Allowable pesticides shall be listed as recommended by the National Organic Standards Board (NOSB) pursuant to U.S.C. § 6518, as amended, and published as the national list at C.F.R. §§ 205.601 and 12 205.602; or a pesticide designated a "minimum risk pesticide" under the Federal Insecticide, Fungicide And Rodenticide Act § 25(b) and listed in 40 C.F.R. § 152.25(f).

Supporting Information:

All proposals must include a written explanation and justification as to how they address physical, environmental, and/or customary characteristics that are specific to the City and County of Denver. The following questions must be answered for a proposal to be considered.

- Purpose: What does your proposal achieve?
This proposal is intended to define allowable pesticides, fertilizers and herbicides while promoting self sustaining organic landscape practices. Reduced use of chemical applications to exterior landscapes has a positive effect in mitigating air and water pollution that result from the chemical uptake into rivers and waterways.
- Reason: Why is your proposal necessary?
Mimicking natural ecosystems in landscaping practices is necessary for preserving fragile ecosystems, maintaining clean water, and eliminating exposure of synthetic chemicals to human populations.
This proposal needs to be presented alongside #28, SFR and Nonresidential Landscape Requirements.

In 2015 a high concentration of airborne nitrogen caused ecosystem contamination in Rocky Mountain National Park, throwing off ecosystem balance. Algae blooms occurring in major bodies of water adversely affect aquatic life and cause significant declines in fish populations.

Pesticide exposure in humans can cause a range of poisoning symptoms. Topical effects including dermatitis, coughing or sneezing can occur, as well as systemic effects such as nausea, vomiting, intestinal disorders, coma or death. Pesticide handlers are most at risk of exposure however others may be exposed if not contained carefully in use.

- Substantiation: Why is your proposal valid? (i.e. technical justification)
Protocols established by the Organic Landscaping Association and LEED for Existing Buildings Operations and Maintenance (EBOM) were researched to develop the proposed language.

Bibliography and Access to Materials (as needed when substantiating material is associated with the amendment proposal):

Organic Landscape Association Guiding Principles <https://theola.org/guiding-principles/>

LEED EBOM v3: <https://www.usgbc.org/credits/new-construction-core-and-shell-schools-new-construction-retail-new-construction/v2009/ebo-0>

Montgomery County Pesticide Law Language: https://cdn.ymaws.com/www.lcamddcva.org/resource/resmgr/docs/magic/20-0495_Baltimore_Pesticide_.pdf

Montgomery County Pesticide Law Resources Page: <https://www.montgomerycountymd.gov/lawns/law/>

PennState Extension Pesticide Toxicity and Exposure: <https://extension.psu.edu/potential-health-effects-of-pesticides>

NPR <https://www.npr.org/sections/thesalt/2015/06/01/411248935/its-raining-nitrogen-in-a-colorado-park-farmers-can-make-it-stop>

Other Regulations Proposed to be Affected

***For proposals to delete content from the 2019 Denver Green Code in conjunction with adding it to other mandatory Denver codes and/or regulations, only.**

Please identify which other mandatory codes or regulations are suggested to be updated (if any) to accept relocated content.

Referenced Standards:

List any new referenced standards that are proposed to be referenced in the code.

Organic Materials Review Institute (OMRI) Certification

National Organic Standards Board (NOSB) pursuant to U.S.C. § 6518, as amended, and published as the national list at C.F.R. §§ 205.601 and 12 205.602;

Federal Insecticide, Fungicide And Rodenticide Act § 25(b) and listed in 40 C.F.R. § 152.25(f).

Impact:

How will this proposal impact cost and restrictiveness of code? ("X" answer for each item below)

Cost of construction: Increase Decrease No Impact

Cost of design: Increase Decrease No Impact

Restrictiveness: Increase Decrease No Impact