



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

1) **Name:** David Renn, PE, SE **Date:** 12/15/2021
Email: david.renn@denvergov.org **Representing (organization or self):** Denver DS

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 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.

DBC-IBC 2902.2

Proposal:

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

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

[P] Section 2902.2 Separate facilities and its exception is replaced in its entirety as follows:

[P] 2902.2 Minimum number of ~~toilet facilities and bathing rooms~~. Where plumbing fixtures are required, a minimum of two ~~accessible~~ toilet facilities and two ~~accessible~~ bathing rooms shall be provided. ~~Section 1109.2 Exception 3 to accessible~~ toilet facility and bathing rooms requirements shall not apply to the two ~~accessible~~ toilet facilities and bathing rooms required by this section.

Exceptions: The minimum number of two ~~toilet facilities and two bathing rooms~~ shall not be required for the following:

1. *Dwelling units and sleeping units.*
2. Structures or tenant spaces with a total occupant load, including both employees and customers, of 15 or fewer ~~shall have not less than one accessible~~ toilet and bathing room.
3. Mercantile occupancies in which the maximum occupant load is 100 or fewer ~~shall have not less than one accessible~~ toilet room.
4. Business occupancies in which the maximum occupant load is 25 or fewer ~~shall have not less than one accessible~~ toilet room.
5. Occupancies in which all-gender multi-user toilet rooms complying with Section 2902.7 are provided.

Supporting Information (Required):

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?
- Reason: Why is your proposal necessary?
- Substantiation: Why is your proposal valid? (i.e. technical justification)

This proposal is intended to (1) remove accessibility requirements as they are covered in Chapter 11 and (2) clarify this section with regard to what facilities are required, and (3) clarify that multi-user all gender restrooms are exempt from the requirement to provide two facilities. Further discussion of each of these items follows:

- (1) Denver's amendments currently require a minimum of two accessible facilities and don't allow Section 1109.2 Exception 3 to be used to lessen this requirement. For a condition with two all-gender single-user restrooms, this results in both restrooms being accessible. Since these restrooms are both the same use (all-gender), versus a men's room and women's room, there is no reason that Exception 3 shouldn't be able to be used. This still results in 50% of the restrooms being accessible, which is much more than required for accessible compartments in a multi-user restroom as IBC 1109.2.2 only requires 5% (1 in 20). ICC Proposal E140-21 to Section 1110.2 Exception 3 was essentially the same as our current requirement – this was debated at length with many entities arguing against it and the committee voted 14-0 for disapproval. A clip of this proposal and committee reason statement are shown below. To follow the disapproval at a national level, this proposal deletes the requirement for two accessible facilities and removes all other references to accessible facilities since accessibility requirements are covered in Chapter 11. (Note that 2018 Section 1109.2 is the same as 2021 Section 1110.2.)

3. Where multiple single-user toilet rooms or bathing rooms are clustered at a single location, at least 50 percent but not less than one room for each use at each cluster shall be *accessible*. Where rooms are designated as gender-neutral, the total number of accessible fixtures shall not be less than the total number of accessible fixtures for separate male and female rooms.

E140-21

Committee Action:

Disapproved

Committee Reason: This proposal was disapproved because the committee felt that the language was confusing and would negate the current cluster exception that mirrors the ADA allowance. This would have minimal or no impact on large facilities and significant impact on small tenants and doctor's offices. This appears to be in conflict with Section 2902.1 Exp. 3. (Vote: 14-0)

- (2) Denver's current amendments to 2902.2 currently have an error since they require a minimum of two toilet facilities and two bathing rooms where plumbing fixtures are required. Therefore, if water closets are required but no bathtub or shower, our amendments would require that you provide both toilet and bathing facilities. This of course was never the intent. This proposal fixes this by deleting wording for toilet facilities and bathing rooms and leaving the term facilities, which is the same wording used in IBC 2902.2 regarding separate facilities – it is implied that you provide the type of facility appropriate for the type of plumbing fixtures required.
- (3) Denver's amendments add specific requirements for all-gender multi-user toilet rooms in Section 2902.7, with the intent that one of these facilities could replace two separate sex facilities. However, 2902.2 requires two facilities and has no exception for all-gender multi-user toilet rooms. This proposal corrects this by adding Exception 5 to specifically all a single all-gender multi-user toilet room.

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

None.

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.

None.

Impact:

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

Cost of construction: ___ Increase _X_ Decrease ___ No Impact

Cost of design: ___ Increase ___ Decrease _X_ No Impact

Restrictiveness: ___ Increase _X_ Decrease ___ No Impact

Departmental Impact (City use only):

This amendment proposal increases/decreases/is neutral to the cost of plans review.

This amendment increases/decreases/is neutral to the cost of inspections.