



Legislation Details (With Text)

**File #:** ID-436-20      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Agenda Ready  
**File created:** 8/26/2020      **In control:** City Council  
**On agenda:** 9/1/2020      **Final action:**

**Title:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, PROVIDING FOR THE ADOPTION OF ARTICLE 15-2, BRIGHTON ADMINISTRATIVE CODE, OF THE BRIGHTON MUNICIPAL CODE; AND PROVIDING FOR THE REPEAL IN THEIR ENTIRETY AND READOPTION, BY REFERENCE, OF THE FOLLOWING BUILDING AND CONSTRUCTION CODES FOR INCLUSION IN THE BRIGHTON MUNICIPAL CODE AS SPECIFIED:  
A) THE 2018 INTERNATIONAL BUILDING CODE IN ARTICLE 15-4,  
B) THE 2020 NATIONAL ELECTRICAL CODE IN ARTICLE 15-12,  
C) THE 2018 INTERNATIONAL FIRE CODE IN ARTICLE 15-20,  
D) THE 2018 INTERNATIONAL RESIDENTIAL CODE IN ARTICLE 15-28,  
E) THE 2018 INTERNATIONAL MECHANICAL CODE IN ARTICLE 15-32,  
F) THE 2018 INTERNATIONAL PLUMBING CODE IN ARTICLE 15-36,  
G) THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE IN ARTICLE 15-40,  
H) THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE IN SECTION 15-42,  
I) THE 2018 INTERNATIONAL EXISTING BUILDING CODE IN SECTION 15-46, AND  
J) THE 2018 INTERNATIONAL FUEL GAS CODE IN SECTION 15-50; AND

PROVIDING FOR THE ADOPTION, BY REFERENCE, OF THE 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE IN ARTICLE 15-44 FOR INCLUSION IN THE BRIGHTON MUNICIPAL CODE; AND PROVIDING FOR THE REPEAL IN ITS ENTIRETY OF ARTICLE 15-8, DANGEROUS BUILDINGS ABATEMENT CODE, OF THE BRIGHTON MUNICIPAL CODE, AND PROVIDING FOR THE REPEAL IN ITS ENTIRETY AND READOPTION OF ARTICLE 15-16, CONTRACTOR LICENSES, OF THE BRIGHTON MUNICIPAL CODE; AND PROVIDING FOR THE REPEAL IN ITS ENTIRETY OF ARTICLE 15-54, THE SAFETY CODE FOR ELEVATORS AND ESCALATORS, AND ADOPTION OF THE ELEVATOR AND CONVEYANCE CODE, CRS TITLE 9 AND ARTICLE 5.5 AND COLORADO DEPARTMENT OF LABOR AND EMPLOYMENT, DIVISION OF OIL AND PUBLIC SAFETY REGULATIONS, CONVEYANCE REGULATIONS, 7 C.C.R. 1101-8 IN ARTICLE 15-54, OF THE BRIGHTON MUNICIPAL CODE

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Building Code Ordinance Final 8-3-2020, 2. Draft Building Codes Newspaper Notice for Publication Rvsd. by HP

Date	Ver.	Action By	Action	Result
9/1/2020	1	City Council		

**Department of Community Development**

Reference: Building Safety Codes Ordinance

**To:** Mayor Gregory Mills and Members of City Council

**Through:** Marv Falconburg, AICP, Acting City Manager

Holly Prather, AICP, Community Development Director

Prepared By: Matt Rowland, C.B.O., Chief Building Official

Date Prepared: August 25, 2020

### **PURPOSE**

The adoption of the Building Safety Codes requires a public hearing and approval process that varies somewhat from the City's normal procedures. The process requires the first step to be the initial reading of the ordinance and at that time, the City Council sets forth the date of the future public hearing. It should be noted that due to legal notice requirements, the public hearing must allow for a publication of at least 15 days prior to the public hearing and another at least 8 days prior to the public hearing. Thus, the earliest date that the City Council may consider a date for the public hearing is October 6<sup>th</sup>, which is the date that staff is recommending for the public hearing. Once the City Council has selected the date for the public hearing, city staff will perform all necessary legal notice requirements. The next step would be to hold the public hearing and thereafter, consider the ordinance at second aka final reading of the ordinance.

Note: Since the public hearing will not be held until the City Council determines a date, city staff will provide the presentation at that time to allow the public an opportunity to review and comment.

### **STRATEGIC FOCUS AREAS**

- Recognizable and Well-Planned Community
- Supportive, Sustainable Infrastructure
- Safe, Active and Engaged Community

### **BACKGROUND**

The current building safety codes were adopted in February of 2013. These codes are now antiquated and may not reference new technology, methods and materials that are now in use. Additionally, the design software that is used by architects and engineers will expire soon for design under the 2012 I-codes.

Note: A general overview presentation by the Chief Building Official was included in the study session materials for the July 28, 2020 meeting. As previously noted, a full presentation will be provided at the public hearing.

### **STAFF ANALYSIS**

This ordinance has been studied and all codes have been reviewed by staff for use by the City. A copy of the proposed code update has been given to the Home Builders Association of Metro Denver for their review and comment and to date, no negative response has been received.

### **PUBLIC NOTICE AND INQUIRY**

Once the public hearing date has been determined by the City Council, city staff will provide notice of the hearing a minimum of 15 days and 8 days prior to the hearing as required by state statutes.

### **SUMMARY OF FINDINGS AND STAFF RECOMMENDATION**

This code adoption is recommended by staff to allow all construction to be performed with the safest and most efficient processes available. In order to meet the necessary legal notice requirements, staff is recommending a public hearing date of October 6<sup>th</sup>. A draft ordinance has been provided to the Council should it decide to proceed with the ordinance as presented.

### **OPTIONS FOR COUNCIL CONSIDERATION**

The City Council has three options when reviewing the draft ordinance. City Council may:

- 1.) Approve the ordinance at first reading and set the hearing date via the ordinance as drafted;
- 2.) Deny the ordinance with specific findings to justify the denial; or
- 3.) Continue the item to be heard at a later, specified date if the Council feels it needs additional information.

**ATTACHMENTS**

- Draft City Council Ordinance
- Draft Newspaper Legal Notice (for publication once the public hearing date has been determined)