



Legislation Text

File #: ID-436-20, **Version:** 1

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

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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 6th, 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 6th. 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)