

ORDINANCE NO. 2494

INTRODUCED BY: ALLEN-THOMAS, CHACON, DOUGLAS, FORD, HURST, HUSEMAN, KIM, MADERA, NOBLE

AN ORDINANCE TO CREATE ARTICLE VII OF CHAPTER 5 OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO ESTABLISH PROVISIONS WHICH REGULATE THIRD-PARTY PLAN REVIEW AND INSPECTION SERVICES ENFORCING THE CITY OF COMMERCE CITY BUILDING CODE (C3BC) ON BEHALF OF THE CITY

WHEREAS, the purpose of this and related ordinances is to update the city's building code, adopt changes made in the various 2021 editions of the International Codes, apply city-specific revisions to the adopted codes, and to simplify, consolidate, and clarify the city's building code support functions such as appeals, violations, contractor licenses, fees and third-party services;

WHEREAS, Article VII, entitled "Third-Party Services," has been created to codify optional third-party plan review and inspection programs to enforce the C3BC rather than rely on city resources; and

WHEREAS, as part of an effort to expedite the permit application and construction process, building owners can hire their own firm to conduct the services offered by the city. The qualifications of the firm's staff and the process for approving construction must meet the policy established by the building official.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

SECTION 1. Findings. The recitals to this ordinance are incorporated as findings of the City Council. This ordinance is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest.

SECTION 2. Amendments. Chapter 5, Article VII of the Commerce City Revised Municipal Code is hereby created as set forth in Exhibit A.

SECTION 3. Repealer. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency.

SECTION 4. Effective Date. This ordinance shall be effective as provided in the City Charter.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS 17TH DAY OF APRIL, 2023.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 15TH DAY OF MAY, 2023.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk

**CHAPTER 5 – BUILDINGS AND BUILDING REGULATIONS
ARTICLE VII. – THIRD-PARTY SERVICES**

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Sec. 5-101. – Construction document review.

The building official may accept reports from an approved person or agency that the construction documents have been examined and conform to the requirements of the City of Commerce City Building Code (C3BC) and may establish requirements for the person or agency submitting such reports in accordance with section 5-103 of this Code. In addition, where such reports have been submitted, the building official may expedite permit processing and the building/life-safety review.

Sec. 5-102. – Inspections.

The building official may accept reports from an approved person or agency that the construction has been inspected and conforms to the requirements of the C3BC and may establish requirements for the person or agency submitted such reports in accordance with section 5-103 of this Code.

Sec. 5-103. – Qualifications of third-party persons or agencies.

The building official shall have a written policy establishing the minimum acceptable qualifications for third-party plans examiners and inspectors. The policy shall include the format and timeframe required for submission of reports, prequalification or preapproval requirements before conducting third-party services and any other requirements and procedures established by the building official.

In determining third-party plans examiner or inspector qualifications, the building official may consider such items as national certifications, state professional registrations, state licensure, related experience, education and any other factor that would demonstrate competency and reliability to conduct third-party services.

****END OF EXHIBIT A****