

Sec. 5-5. - Scope of the City of Commerce City Building Code.

The provisions of the C3BC shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, internal system, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected to such buildings or structures. The following work shall be exempt from the provisions of the C3BC.

- (a) Equipment and wiring used for providing utility, communications, information, cable television, broadcast or radio service located on either rights-of-way or property the service provider has rights of occupancy and entry with the following conditions:
 - (1) Buildings housing exempt equipment and wiring shall be subject to this code.
 - (2) The equipment and wiring exempted by this section shall not create an unsafe condition prohibited by this Code.
- (b) Support structures owned or controlled by a provider of utility service or its affiliates regulated by the state of Colorado for the transmission and distribution of electric service located on either rights-of-way or property for which the service provider has rights of occupancy and entry. The support structures exempted by this section shall not create an unsafe condition prohibited by this code.
- (c) Direct burial poles used to support equipment or wiring providing communications, information or cable television services. The exempted poles shall not create an unsafe condition prohibited by this Code.
- (d) Electrical equipment, transmission equipment and related wiring used for wireless transmission of radio, broadcast, telecommunications or information service in accordance with all of the following conditions:
 - (1) Buildings housing exempt equipment and wiring and structures supporting exempt equipment and wiring shall be subject to this code.
 - (2) The equipment and wiring exempted by this section shall not create an unsafe condition prohibited by this Code.
- (e) Any temporary system required for the testing or servicing of electrical equipment or apparatus.
- (f) Manufacturing, processing and product handling machines and equipment that do not produce or process hazardous materials regulated by this code, including those portions of conveyor systems used exclusively for the transport of associated materials or products and all of the following service equipment:
 - (1) Electrical equipment connected after the last disconnecting means.
 - (2) Plumbing piping and equipment connected after the last shutoff valve or backflow device and before the equipment drain trap.

- (3) Gas piping and equipment connected after the outlet shutoff valve.
- (4) Manufacturing and processing machines that produce or process hazardous materials regulated by this code are only required to comply with the code provisions regulating the hazardous materials.
- (g) Exterior surfaces that are not part of an accessible route such as parking lots, sidewalks and driveways.
- (h) Nonmechanized playground or recreational equipment such as swing sets, sliding boards, climbing bars, jungle gyms, skateboard ramps and similar equipment where no admission fee is charged for its use or for admittance to areas where the equipment is located.
- (i) Federally owned buildings and structures unless federal law specifically requires a permit from the city.
- (j) Off-site manufactured intermodal freight containers, moving containers and storage containers placed on site temporarily or permanently for use as a storage container.
- (k) Automotive lifts.

(Ord. No. 2476, § 2(Exh. A), 5-15-23)

Sec. 5-8. - Work exempt from permit.

Exemptions from permit requirements of the C3BC shall not grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of the city. The occupancy groups referred herein are defined in Chapter 3 of the International Building Code, as amended by the city. Permits shall not be required for the following work:

- (a) One-story detached structures used as tool and storage sheds, playhouses or similar uses, provided the floor area does not exceed two hundred fifty-six (256) square feet (twenty-three and seventy-eight hundredths (23.78) m²) and the structures are not classified as a Group F-1 or H occupancy.
- (b) Detached prefabricated buildings housing the equipment of a publicly regulated utility service, provided the floor area does not exceed one hundred fifty (150) square feet (fourteen (14) m²).
- (c) Tents or air-supported structures, or both, that cover an area of four hundred (400) square feet (thirty-seven and sixteen hundredths (37.16) m²) or less, including within that area all connecting areas or spaces with a common means of egress or entrance, provided such tents or structures have an occupant load of forty-nine (49) or less persons.
- (d) Fences not over seventy-two (72) inches (one thousand eight hundred twenty-nine (1,829) mm) high in Groups R-3, R-4 and R-5 unless used for the barrier of a swimming pool. Fences not over forty-two (42) inches (one thousand sixty-seven (1,067) mm) high for all other groups.

- (e) Concrete or masonry walls not over seventy-two (72) inches (one thousand eight hundred twenty-nine (1,829) mm) high in Groups R-3, R-4 and R-5 unless used for the barrier of a swimming pool. Ornamental column caps shall not be considered to contribute to the height of the wall and shall be permitted to extend above the seventy-two-inch (one thousand eight hundred twenty-nine-mm) height measurement.
- (f) *Oil derricks.*
- (g) Retaining walls supporting less than three (3) feet (nine hundred fourteen (914) mm) of unbalanced fill unless supporting a surcharge or impounding Class I, II or III A liquids.
- (h) Prefabricated swimming pools accessory to Groups R-3 and R-5 that are less than twenty-four (24) inches (six hundred ten (610) mm) deep, are not greater than five thousand (5,000) gallons (eighteen thousand nine hundred twenty-seven (18,927) L) and are installed entirely above ground.
- (i) Water tanks supported directly on grade if the capacity does not exceed five thousand (5,000) gallons (eighteen thousand nine hundred twenty-seven (18,927) L) and the ratio of height to diameter or width does not exceed 2:1.
- (j) Signs under the conditions in Appendix H, Section H101.2 of the International Building Code, as amended by the city.
- (k) Flagpoles thirty (30) feet (nine thousand one hundred forty-four (9,144) mm) or less in height.
- (l) Temporary ramps serving dwelling units in Groups R-3 and R-5 where the height of the entrance served by the ramp is no more than thirty (30) inches (seven hundred sixty-two (762) mm) above grade.
- (m) Temporary motion picture, television and theatre stage sets and scenery.
- (n) Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
- (o) Window awnings in Group R-3, R-5 and U occupancies supported by an exterior wall that do not project more than fifty-four (54) inches (one thousand three hundred seventy-two (1,372) mm) from the exterior wall and do not require additional support.
- (p) Nonfixed and movable fixtures, cases, racks, counters and partitions not over five (5) feet nine (9) inches (one thousand seven hundred fifty-three (1,753) mm) in height.
- (q) Electrical wiring, devices, appliances, appliance apparatus or equipment operating at less than twenty-five (25) volts and not capable of supplying more than fifty (50) watts of energy.
- (r) Electrical work exempted by C.R.S. 12-23-111, as may be amended by the state of Colorado.
- (s) Portable heating, cooking, cooling, ventilating or clothes drying appliances.
- (t) Portable fuel-cell appliances and equipment not connected to a fixed piping system and not connected to a power grid.

- (u) Self-contained refrigeration systems containing ten (10) pounds (four and five-tenths (4.5) kg) or less of refrigerant or that are actuated by motors of one (1) horsepower (seventy-four hundredths (0.74) kW) or less.
- (v) Construction work deemed by the building official to be minor and ordinary and which does not adversely affect public health or general safety.
- (w) Ordinary repairs that include the following:
 - (1) Replacement of windows and doors with windows and doors of similar operation and opening dimensions that do not require changes to the existing framed opening and that are not required to be fire-resistance rated in Group R-2 where serving a single dwelling unit and in Groups R-3, R-4 and R-5.
 - (2) Replacement of plumbing fixtures and well pumps in all groups without alteration of the water supply and distribution systems, sanitary drainage systems or vent systems.
 - (3) Replacement of general use snap switches, dimmer and control switches, one hundred twenty-five (125) volt-fifteen (15) or twenty (20) ampere receptacles, luminaries (lighting fixtures) and ceiling (paddle) fans in Group R-2 where serving a single dwelling unit and in Groups R-3, R-4 and R-5.
 - (4) Replacement of mechanical appliances provided such equipment is not fueled by gas or oil in Group R-2 where serving a single-family dwelling and in Groups R-3, R-4 and R-5.
 - (5) Replacement of an unlimited amount of roof covering or siding in Groups R-3, R-4 and R-5 and replacement of one hundred (100) square feet (nine and twenty-nine hundredths (9.29) m²) or less of roof covering in all groups.
 - (6) Replacement of two hundred fifty-six (256) square feet (twenty-three and seventy-eight hundredths (23.78) m²) or less of roof decking in Groups R-3, R-4 and R-5 unless the decking to be replaced was required at the time of original construction to be fire-retardant-treated or protected in some other way to form a fire-rated wall termination.
 - (7) Installation or application of paint, wallpaper, floor finishes, tiling, cabinets, millwork, trim, casing, countertops and similar finish work.
 - (8) Replacement of Class C interior wall or ceiling finishes installed in Groups A, E and I and replacement of all classes of interior wall or ceiling finishes in other groups.
 - (9) Repair work not involving structural members, load bearing walls, fire-resistance rated construction, electrical, plumbing, mechanical systems, fire protection systems or elevator or escalator systems and equipment.
 - (10) Replastering or resurfacing of an existing pool or spa.
 - (11) Repair or replacement of stationary electric utilization equipment of the same type and rating in the same location.

- (12) Repair or replacement of any overcurrent devices of the correct voltage, interrupting rating and ampere rating in the same location.
- (13) Other repair work deemed by the building official to be minor and ordinary which does not adversely affect public health or general safety.

(Ord. No. 2476, § 2(Exh. A), 5-15-23)