Department of Community Planning and Development

RULES & REGULATIONS

Governing Recycling and Reuse of Construction and Demolition Materials

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RULES AND REGULATIONS GOVERNING RECYCLING AND REUSE OF CONSTRUCTION AND DEMOLITION MATERIALS (DENVER REVISED MUNICPAL CODE CHAPTER 10 ARTICLE XV)

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Introduction.

These rules and regulations are adopted by the City and County of Denver's Manager of the Department of Community Planning and Development (CPD) pursuant to the rulemaking process in Denver Revised Municipal Code of the City and County of Denver (DRMC) Section 12-18. These rules and regulations are adopted for the purpose of administering and enforcing the provisions for recycling and reuse of construction and demolition materials, as codified in Article XV of Chapter 10 of the DRMC (Article XV). Should any section, clause or provision of these rules and regulations be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the rules and regulations as a whole, or any part thereof, other than the part declared to be invalid.

These rules and regulations are intended to be consistent with Article XV and to facilitate the consistent implementation and enforcement of the provisions by providing additional clarity and detail to the provisions of Article XV. Rules and regulations are only provided for sections, or portions of sections, where needed. Refer to Article XV for remainder of the provisions.

The section numbers of these rules and regulations correlate with the section numbers in Article XV of Chapter 10 of the DRMC. For example, Section 10-413 in Article XV of Chapter 10 is Section 413 in these rules and regulations. Wording from Article XV is provided in *italics* followed by lettered rules and regulations related to that wording. For reference, Article XV is provided as an appendix at the end of these rules and regulations.

Section 412 – Purpose.

There are no rules and regulations for this section.

Section 413 – Definitions.

413(3) Covered material *means the following material resulting from the construction, remodeling, repair, and demolition of utilities, structures, and buildings: concrete, asphalt, masonry, untreated wood, metal, or corrugated cardboard. Covered material also includes items that can be reused, as defined herein. The manager of community planning and development is authorized to promulgate rules establishing additional covered materials.*

A. Examples of covered materials include the following items:
    i. Concrete: unreinforced concrete, reinforced concrete, concrete washout, concrete pavers, and concrete roofing tiles.
    ii. Asphalt: asphalt from parking lots, streets, sidewalks, and driveways.
    iii. Masonry: concrete masonry units, stone masonry units, clay bricks, clay roofing tiles, and clean stone veneer.
    iv. Metal: structural steel, cold-formed steel framing, concrete reinforcing, wiring, piping, ductwork, gutters, aluminum or steel siding, metal hardware, and nonworking appliances.
    v. Untreated wood: clean dimensional framing lumber, wood pallets, or other lumber that has not been pressure-treated, painted, varnished, or otherwise finished, and wood debris like branches, stumps, or trees.
    vi. Corrugated cardboard: clean packaging for cabinets, appliances, flooring, etc.

vii. Reuse items: architectural salvage and materials in good condition that can be reused onsite, reused offsite, resold or donated through online peer-to-peer marketplaces, donated to second-hand building material outlets, or donated to thrift stores. Architectural salvage and materials can include, but is not limited to, bathroom and kitchen fixtures, cabinetry, countertops, doors, furniture, flooring, fencing, fireplaces, HVAC components, insulation, landscaping materials, large appliances, lighting, lumber, plate glass, plumbing and piping, roofing tiles, trim/molding, siding, sheet goods, shelving, solar panels, intact stairs, masonry (including bricks, blocks, and pavers), mass timber, structural steel, and windows.

413(4) Gross floor area *means the floor area within the outside perimeter of the exterior walls of the building. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The floor area of a tenant space shall be measured to the middle of interior walls.*

A. For interior (tenant space) work, the gross floor area only includes the area of work (area of modification), which shall be measured to the outside of exterior walls and to the middle of interior walls that bound the area of work, or to the edge of the area of work where no wall exists.

413(5) Qualifying project *means any construction, demolition, addition, alteration, remodel, or tenant improvement project that requires a demolition permit or a residential or commercial construction permit.*

A. Qualifying projects do not include non-building structures without gross floor area.
B. Work included in supplemental permits for a qualifying project, such as permits for amended drawings per the Denver Commercial Building Code (DCBC), deferred submittals per the DCBC, and phased construction per the DCBC, are not separate qualifying projects.
C. For projects that include multiple buildings submitted under separate permit applications, each building shall be considered a separate qualifying project.
D. For projects that include multiple buildings submitted under one permit application, all buildings combined shall be considered a single qualifying project.

Section 414 – Recycle and reuse requirements.

414(c) Demolition and construction. *When work at a location determined to be a qualifying project includes both total demolition and construction, the total demolition portion of the work is considered one qualifying project, and the construction portion of the work is considered another separate qualifying project. A qualifying project in an existing building which includes interior demolition and construction shall be treated as one qualifying project.*

A. Where an interior demolition and construction project includes separate demolition and construction permits:
    i. the waste diversion plan and performance security deposit required by DRMC Section 10-416 is required prior to issuance of the demolition permit, and
    ii. the compliance documentation and refunding of performance security deposit required by DRMC Section 10-417 will occur after final inspection of the construction permit.

B. Where interior demolition work is not directly associated with construction work (e.g., preparatory demolition work for a future tenant finish project):
    i. the demolition work is considered one qualifying project, and
    ii. the construction work is considered another separate qualifying project.

414(d) Application to modify or reduce recycling and reuse requirements. *If a contractor believes it cannot meet the requirements of this article due to site-specific conditions or material recyclability present in a qualifying project, the contractor may apply to reduce or modify the recycling and reuse requirements when submitting their construction and/or demolition application to the building official. The building official shall have the sole authority and discretion to award or deny modifications to this article. The manager is authorized to promulgate rules and regulations which may establish additional requirements for contractors to prove that compliance with this article is impossible, impractical, or otherwise overly burdensome.*

A. To apply for reduced or modified requirements, the contractor must submit a completed application to the building official using the procedures indicated in a separate process guide. The application must be submitted prior to submitting the waste diversion plan required by DRMC Section 10-416, except as allowed by Rule D of this section.
B. The application must include the following, as applicable:
    i. Specific reduced or modified requirement(s) being requested (i.e., achievable diversion rate in percent, minimum number of covered materials, or both).
    ii. Site-specific condition(s) that makes compliance impossible, impractical, or otherwise overly burdensome (e.g., project only includes two of the covered materials so recycling or reusing a minimum of three covered materials is not possible).
    iii. Site-specific material recyclability that makes compliance impossible, impractical, or otherwise overly burdensome (e.g., quantity of a covered recyclable material is very small, making it overly costly to sort and transport material to a separate recycling facility).
    iv. Substantiating documentation to support item ii and/or iii above.
    v. Name of contractor and contact information including name, email address, and phone number.
C. After reviewing the application, the building official will notify the contractor's contact of any approval or denial of modifications to this article. Any approved modifications may then be used when submitting the waste diversion plan required by DRMC Section 10-416.
D. If previously unknown conditions are identified during a demolition or construction project that alter the ability to recycle or reuse covered materials in the waste diversion plan required by Section 416(a), an application to reduce or modify requirements may be submitted prior to submitting final compliance documentation per Section 417. If any modifications are approved, an amended waste diversion plan may be required per Rule E of Section 416(a) below.

Section 415 – Exemptions.

415(a) *From the effective date through December 31, 2035, the following projects are exempt from the recycling and reuse requirements set forth in section 10-414:*

(1) The construction or demolition of a building five hundred (500) square feet or less in gross floor area.
(2) …

A. Exemption 1 shall also apply to construction of a building addition five hundred (500) square feet or less in gross floor area.
B. Exemption 1 shall also apply to partial building demolition five hundred (500) square feet or less in gross floor area.

Section 416 – Waste diversion plan and performance security deposit.

416(a) *In order to issue a permit for a qualifying project, a contractor must submit a waste diversion plan as required by the building official.*

A. The waste diversion plan shall include the following:
    i. Estimated total weight of construction and/or demolition debris
    ii. Estimated weight of debris destined for the landfill
    iii. Covered materials to be recycled or reused and their estimated weight
    iv. Transport method for each material
    v. Recycling, reuse, or landfill facilities and/or reuse methods for each material
    vi. Estimated recycling and reuse diversion rate, as a percentage of estimated total weight of construction and/or demolition debris.
B. The waste diversion plan must be submitted after a project has been submitted for a demolition or construction permit and prior to issuance of the demolition or construction permit.
C. The waste diversion plan must be submitted through an online platform as indicated in a separate process guide.
D. Demolition or construction permit will not be issued until the waste diversion plan is reviewed for completeness and compliance by the building official.
E. An amended waste diversion plan may be required if an application to reduce or modify requirements is submitted and approved per Rule D of Section 414(d) above.

416(b) *On or after September 1, 2026, prior to issuance of a demolition permit, a residential construction permit, or a commercial construction permit for a qualifying project a contractor shall submit a performance security deposit based on construction type and square footage in accordance with and subject to the maximum limits identified in Table 1a – Performance Security Deposit (Through December 31, 3035) or Table 1b – Performance Security Deposit (On or After January 1, 2036)…*

A. The "square footage" referred to in DRMC Section 10-416 is the gross floor area as defined in DRMC Section 10-413 and as clarified in these rules and regulations.
B. "New construction" in Table 1a includes new buildings and building additions.

416(d) *Prior to the issuance of a demolition, residential construction, or commercial construction permit for a qualifying project, a contractor may request from the building official a reduction or exemption from the performance security deposit due to an economic hardship if the amount of the performance security deposit exceeds ten (10) percent of the valuation of the project. The building official shall have the sole discretion to reduce the amount of the performance security deposit.*

A. To apply for a reduction of, or exemption from, the performance security deposit, the contractor must submit a completed application to the building official using the procedures indicated in a separate process guide. The application may be submitted at any time prior to permit issuance.
B. The application must include the following, as applicable:

i. Specific reduction of the performance security deposit being requested in dollars/square foot or in maximum dollar amount (request $0.00/square foot or $0 maximum for complete exemption).
ii. Valuation of the project in dollars, based on the total value or valuation of all demolition or construction work for which the permit is issued, as well as all finish work, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment. The valuation shall include the cost of all labor, materials, profit, and overhead.
iii. The amount of the performance security deposit required by DRMC Section 10-416(b), in dollars and in a percentage of the valuation of the project, which must exceed ten (10) percent.
iv. Narrative indicating why the performance security deposit required by DRMC Section 10-416(b) results in an economic hardship to the contractor and/or project owner.
v. Name of contractor and contact information including name, email address, and phone number.

C. After reviewing the application, the building official will notify the contractor's contact of any approval or denial of the requested reduction of the performance security deposit.

Section 417 – Compliance documentation and refunding of performance security deposit.

417(a) *No later than sixty (60) days from the date of final inspection of a qualifying project, the contractor shall submit documentation to the agency showing compliance with section 10-414 in a manner established by the building official.*

A. Compliance documentation shall be submitted through an online platform as indicated in a separate process guide.

417(b) *The contractor shall include original weight receipts or other itemized waste documentation as adopted through rules and regulations, showing the types and amounts of covered materials recycled or reused, and the total amount of construction and demolition debris, by weight.*

A. Itemized waste documentation must be legible and include the material type and quantity, the date, and the location of the material's destination. Documentation includes the following, as applicable:
i. Weight receipts from recycling facilities, reuse facilities, and landfills.
ii. Donation receipts from reuse facilities.
iii. Transaction receipts for items reused by third parties.
iv. Photo and narrative evidence for items reused on-site or at a different location.
v. Other documentation that supports compliance with the waste diversion plan and includes information indicated above.

417(c) *A contractor shall include the cubic yards of covered materials recycled or reused when that material cannot be weighed due to size, lack of scales at a facility, or other considerations.*

A. If weights or estimated weights are not provided from material recovery or reuse facilities, the volume-to-weight conversion factors from the following document shall be used: "Volume-to-

Weight Conversion Factors U.S. Environmental Protection Agency Office of Resource Conservation and Recovery April 2016".

B. For items that are not practical to weigh, and are not included in the document referenced above, the volume of the item may be converted to weight using reasonable volume to weight conversions proposed by the contractor, and subject to the approval of the building official.

Section 418 – Administrative fee.

There are no rules and regulations for this section.

Section 419 – Enforcement.

There are no rules and regulations for this section.

Section 420 – Disciplinary actions and penalties.

There are no rules and regulations for this section.

Section 421 – Appeals.

There are no rules and regulations for this section.

Section 422 – Rules and regulations.

There are no rules and regulations for this section.

Section 423 – Reporting.

There are no rules and regulations for this section.

End of Rules and Regulations

APPENDIX - DENVER REVISED MUNICIPAL CODE

Chapter 10 Article XV – Recycling and Reuse of Construction and Demolition Materials

Article XV of Chapter 10 of the Denver Revised Municipal Code is reproduced in this appendix for reference. The text is current through the date of adoption of these rules and regulations.

Sec. 10-412. Purpose.

The purpose of this section is to outline the requirements for construction, demolition recycling, and reuse requirements to divert as many materials as possible from the landfill to be reused or recycled.

Sec. 10-413. Definitions.

Except as otherwise provided in this article, the following words and phrases have the following meanings:

(1) *Building official* means the person authorized to act on behalf of the building permitting and inspections services agency (agency) in the interpretation and enforcement of the Denver Building Code and appointed by the manager of community planning and development.

(2) *Contractor* means the person issued a demolition permit, a residential construction permit, or a commercial construction permit, which could include a homeowner or tenant if expressly allowed by the building official.

(3) *Covered material* means the following material resulting from the construction, remodeling, repair, and demolition of utilities, structures, and buildings: concrete, asphalt, masonry, untreated wood, metal, or corrugated cardboard. Covered material also includes items that can be reused, as defined herein. The manager of community planning and development is authorized to promulgate rules establishing additional covered materials.

(4) *Gross floor area* means the floor area within the outside perimeter of the exterior walls of the building. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The floor area of a tenant space shall be measured to the middle of interior walls.

(5) *Qualifying project* means any construction, demolition, addition, alteration, remodel, or tenant improvement project that requires a demolition permit or a residential or commercial construction permit.

(6) *Recycle* means to collect, sort, cleanse, treat, and reconstitute construction and demolition debris that would otherwise become solid waste and return the materials to the market in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace.

(7) *Reuse* means to recover or reapply construction or demolition debris for uses similar or identical to its originally intended application, without manufacturing or preparation processes that significantly alters the material. The manager of community planning and development is authorized to promulgate rules which may establish volumetric weight conversions for common reuse items.

(8) *Total demolition* means the complete removal of a structure that requires a demolition permit from the agency.

Sec. 10-414. Recycle and reuse requirements.

(a) *In general.* For permit applications submitted on or after September 1, 2026, the contractor for a qualifying project must divert at least fifty (50) percent of the total amount by weight of construction and/or demolition debris produced on the site of a qualifying project by recycling, reusing, or recycling and reusing,

at minimum three (3) of the covered materials. For permit applications submitted on or after September 1, 2036, the contractor for a qualifying project must divert at least sixty-five (65) percent of the total amount of weight of construction and/or demolition debris produced on site of a qualifying project by recycling, reusing, or recycling and reusing, at a minimum three (3) of the covered materials.

(b) *Prohibited materials.* The total amount of construction and demolition debris does not include material containing asbestos or lead, or material that is considered hazardous as defined either by the Environmental Protection Agency, the Colorado Department of Public Health and Environment, or Denver department of public health and environment.

(c) *Demolition and construction.* When work at a location determined to be a qualifying project includes both total demolition and construction, the total demolition portion of the work is considered one (1) qualifying project, and the construction portion of the work is considered another separate qualifying project. A qualifying project in an existing building which includes interior demolition and construction shall be treated as one (1) qualifying project.

(d) *Application to modify or reduce recycling and reuse requirements.* If a contractor believes it cannot meet the requirements of this article due to site-specific conditions or material recyclability present in a qualifying project, the contractor may apply to reduce or modify the recycling and reuse requirements when submitting their construction and/or demolition application to the building official. The building official shall have the sole authority and discretion to award or deny modifications to this article. The manager is authorized to promulgate rules and regulations which may establish additional requirements for contractors to prove that compliance with this article is impossible, impractical, or otherwise overly burdensome.

(1) *Achievable diversion rate.* If the building official approves modifying or reducing the fifty (50) percent diversion rate requirement for a specific qualifying project, the building official shall provide the contractor with an alternative achievable diversion rate. When an alternative achievable diversion rate is awarded, such rate shall be the amount required for that specific project in order for the project to be eligible for a full refund of the security deposit described in section 10-416. The contractor shall not be entitled to a partial refund pursuant to section 10-417 of this article.

(2) *Minimum covered materials requirement.* If the building official approves modifying or reducing the three (3) covered materials requirement for a specific qualifying project, the building official will set a new minimum covered materials requirement for that specific project to be eligible for a full refund of the security deposit described in section 10-416. The contractor will not be entitled to a partial refund pursuant to section 10-417 of this article.

Sec. 10-415. Exemptions.

(a) From the effective date through December 31, 2035, the following projects are exempt from the recycling and reuse requirements set forth in section 10-414:

(1) The construction or demolition of a building five hundred (500) square feet or less in gross floor area.

(2) The interior improvement, repair, remodeling, tenant finish, or any other interior modification where the area of modification totals no more than two thousand five hundred (2,500) square feet of gross floor area.

(3) Construction that does not require or have an associated demolition, residential construction, or commercial construction permit.

(4) The construction or demolition of a building due to an emergency order from the city.

(5) A residential or commercial construction permit where no construction is required and is only issued to document a change in occupancy.

(b) The manager of community planning and development may adjust these exemptions, based on market conditions and the availability and cost of recycling services, through an update to the rules and regulations promulgated under authority of this article.

Sec. 10-416. Waste diversion plan and performance security deposit.

(a) In order to be issued a permit for a qualifying project, a contractor must submit a waste diversion plan as required by the building official.

(b) On or after September 1, 2026, prior to issuance of a demolition permit, a residential construction permit, or a commercial construction permit for a qualifying project a contractor shall submit a performance security deposit based on construction type and square footage in accordance with and subject to the maximum limits identified in Table 1a - Performance Security Deposit (Through December 31, 2035 or Table 1b - Performance Security Deposit (On or after January 1, 2036). The manager of community planning and development is authorized to adjust the amounts in Table 1a and Table 1b, provided that any such adjustment shall be adopted in rules and regulations promulgated by the manager, and no adjustment may occur within one (1) year of the prior adjustment.

Table 1a - Performance Security Deposit (Through December 31, 2035)

Scope of Work	Amount required	Maximum amount of the performance security deposit
New construction of 501—2,500 square feet	$0.50/square foot	$1,250
New construction more than 2,500 square feet	$1.00/square foot	$200,000
Demolition of a structure 501—2,500 square feet	$0.50/square foot	$1,250
Demolition of a structure more than 2,500 square feet	$1.00/square foot	$200,000
Existing building renovation/tenant finish more than 2,500 square feet	$1.00/square foot	$100,000

(c) From January 1, 2036 onward, the following projects are exempt from the recycling and reuse requirements set forth in section 10-414:

(1) The construction or demolition of a building three hundred (300) square feet or less in gross floor area.

(2) The interior improvement, repair, remodeling, tenant finish, or any other interior modification where the area of modification totals no more than one thousand (1,000) square feet of gross floor area.

Table 1b - Performance Security Deposit (On or After January 1, 2036)

Scope of Work	Amount Required	Maximum amount of the performance security deposit
New construction of 300—1,000 square feet	$0.50/square foot	$1,250
New construction more than 1,000 square feet	$1.00/square foot	$200,000
Demolition of a structure 301—1,000 square feet	$0.50/square foot	$1,250
Demolition of a structure more than 1,000 square feet	$1.00/square foot	$200,000

Existing building renovation/tenant finish more than 1,000 square feet	$1.00/square foot	$100,000

(d) Prior to the issuance of a demolition, residential construction, or commercial construction permit for a qualifying project, a contractor may request from the building official a reduction or exemption from the performance security deposit due to an economic hardship if the amount of the performance security deposit exceeds ten (10) percent of the valuation of the project. The building official shall have the sole discretion to reduce the amount of the performance security deposit.

Sec. 10-417. Compliance documentation and refunding of performance security deposit.

(a) No later than sixty (60) days from the date of the final inspection of a qualifying project, the contractor shall submit documentation to the agency showing compliance with section 10-414 in a manner established by the building official.

(b) The contractor shall include original weight receipts or other itemized waste documentation as adopted through rules and regulations, showing the types and amounts of covered materials recycled or reused, and total amount of construction and demolition debris, by weight.

(c) A contractor shall include the cubic yards for covered materials recycled or reused when that material cannot be weighed due to size, lack of scales at a facility, or other considerations.

(d) *Deposit refund amount determination*

(1) If a contractor complies with the recycle and reuse requirements set forth in section 10-414, then the building official shall authorize a refund of one hundred (100) percent of the performance security deposit to the contractor.

(2) Subject to other limitations of this article, if a contractor recycles, reuses, or recycles and reuses between forty (40) percent and forty-nine and nine-tenths (49.9) percent of the construction and/or demolition debris produced on the site of a qualifying project, then the building official shall authorize the refund of seventy-five (75) percent of the performance security deposit.

(3) Subject to other limitations in this article, if a contractor recycles, reuses, or recycles and reuses between thirty (30) percent and thirty-nine and nine-tenths (39.9) percent of the construction and/or demolition debris produced on the site of a qualifying project, then the building official shall authorize the refund of fifty (50) percent of the performance security deposit.

(4) There shall be no refund of any percentage of the performance security deposit to a contractor that recycles, reuses, or recycles and reuses less than thirty (30) percent of the construction and/or demolition debris produced on the site of a qualifying project.

Table 2 - Deposit Refund Amount Determination

Compliance Percentage Amount	Diversion Percentage Amount	Deposit Refund Percentage Amount
100% Compliance	50% or more	100%
80%—99% Compliance	40%—49.9%	75%
60%—79%	30%—39.9%	50%
Less than 60%	Less than 30%	0%

(e) Performance security deposit amounts that are forfeited by the contractor due to partial compliance or non-compliance shall be transferred to the general fund.

(f) *Trust fund*

(1) There shall be one (1) or more trust funds established to administer the performance security deposit amounts (collectively, "security deposit funds") received by the city pursuant to this article.

a. Revenue for projects complying with section 10-417(d) shall be returned to the contractor in accordance with subsection (d), above; or

b. Revenue generated from forfeited security deposits shall be treated as a fine transferred from a trust fund to the general fund.

(2) The manager of community planning and development shall manage the security deposit funds.

Sec. 10-418. Administrative fee.

The building official is authorized to impose an administrative fee in the amount of one hundred and five dollars ($105.00) per application for the issuance of a permit to a qualifying project. The building official may adjust the fee annually in an amount equal to the percentage change from the previous calendar year in the United States Department of Labor (Bureau of Labor Statistics) consumer price index for Denver-Aurora-Lakewood, all items, all urban consumers, or its successor index. Any such adjustment, if made in the sole discretion of the building official, shall take effect on July 1, 2027, and annually thereafter. The building official shall issue a publicly available fee schedule reflecting the change prior to any such adjustment taking effect. The annual inflation adjustment shall apply to and be collected in conjunction with the issuance of any demolition, residential construction, or commercial construction permit on or after July of the year in which the adjustment is made, regardless of when the application for the permit was made.

Sec. 10-419. Enforcement.

It shall be unlawful for a contractor to violate any requirement of this article. In addition to any other penalty authorized under the Code, any contractor that violates the requirements of this article shall be subject to the disciplinary actions and penalties set forth in section 10-420 of this article.

Sec. 10-420. Disciplinary actions and penalties.

(a) *Notice.* The building official may issue notices for violations of this article. The building official shall serve any notice of violation by personal service or first-class mail addressed to the last known address of a contractor, or contained in the records of any municipal, state, or federal agency, including, but not limited to, the Colorado Secretary of State. The notice is deemed served on the date of receipt by the contractor if personally served or upon the date of mailing.

(b) *Disciplinary actions.* In addition to the grounds provided in chapter 32 of this Code and in the Denver Building Code, a contractor's license or registration may be suspended or revoked in the following manner:

(1) A suspension of up to three (3) months after four (4) violations of section 10-414 of within a consecutive one (1) year period;

(2) Additional suspensions of up to three (3) years or revocations of up to five (5) years may be administered in accordance with section 127 of the Denver Building Code.

Sec. 10-421. Appeals.

Except for appeals of license or registration suspensions or revocations that must follow the process set forth in the Denver Building Code, and notwithstanding the provisions in section 2-286, any determination of the building official related to this article is reviewable by the board of appeals in accordance with its procedures for administrative review as set forth in the Denver Building Code. Any person may petition the board of appeals for a hearing concerning the determination of a violation pursuant to this article. Such petition must be submitted in writing to the board of appeals for a hearing no later than thirty (30) days after notice of any such determination. Compliance with the provisions of this section is a jurisdictional prerequisite to appeal any determination made by the building official pursuant to this article, and failure to comply bars any such appeal. Appeals to the building official from any notice stays all administrative enforcement proceedings. Following a hearing, if any, the board of

appeals shall make a final determination, which may be reviewed pursuant to the Colorado Rules of Civil Procedure.

Sec. 10-422. Rules and regulations.

The manager of community planning and development may adopt such reasonable rules and regulations as may be necessary for the purpose of administering and enforcing the provisions of this article and any other ordinances or laws relating to recycling and reuse of construction and demolition materials.

Sec. 10-423. Reporting.

No later than September 1, 2028, and at least every three (3) years thereafter until September 1, 2034, after which, at least every five (5) years, the manager of community planning and development shall provide a written report to city council which shall include, but is not limited to, deposit amounts, compliance rates, market conditions, exemptions, and other information related to this article.

End of Appendix