



# Boulder County Building Code Excerpts

(from Chapter 1, 2015 International Building Code, as amended)

**104.10 Modifications.** Where there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or the owner's authorized agent, provided that the building official shall first find that special individual reason makes the strict letter of this code impractical, the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety.

**104.11 Alternative materials, design and methods of construction and equipment.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved

**104.11.2 Tests.** Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction.

## Section 113 – Board of Review

**113.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of review. The board of review shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

**113.2 Appeals.** Appeals to the Board of Review may be taken by a person aggrieved by his inability to obtain a building permit or by an officer or department, board, or bureau of the County affected by the grant or refusal of the building permit because of non-compliance with the Boulder County Building Code. Any person, officer or department, board or bureau may appeal to the Board of Review from the decision of any enforcement of the provisions of the Building Code. Such appeals must be made within fourteen (14) days from the date of grant or refusal of the building permit or administrative decision. Such appeals shall be in writing directed to the Secretary of the Board of Review and shall state the basis for appeal.

**113.3 Interpretations, alternate materials and methods of construction and modifications.** The Board of Review, in appropriate cases and subject to appropriate principles, standards, rules, conditions, and safeguards set forth in the building code may make interpretations of the terms of the building code in harmony with their general purpose and intent. The Board of Review may also approve of alternate materials or methods of construction or modifications provided the Board finds that the alternate material or method of construction or modification meets the standards found under Sections 104.10 and 104.11 of this code.

**113.4 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority relative to interpretation of the administrative provisions of this code and shall not have authority to waive requirements of this code.

**113.5 Amendments to the Code.** The Board of Review is authorized to formulate suggested amendments to the Building Code for consideration of the Board of County Commissioners.

**113.6 Additional authority.** The Board of Review may adopt substantive rules and regulations based upon the provisions of the Building Code adopted by the Board of County Commissioners. In no case, however, shall these rules become effective unless the Board of Review thereon has conducted a public hearing. Notice of the hearing stating its time and place and where the text of the proposed substantive rules and regulations may be inspected shall be given in the same manner as provided in the initial adoption of the code.