

**First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0438.01 Pierce Lively x2059

**HOUSE BILL 25-1273**

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**HOUSE SPONSORSHIP**

**Boesenecker and Woodrow,**

**SENATE SPONSORSHIP**

**Ball,**

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**House Committees**

Transportation, Housing & Local Government

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING REQUIRING CERTAIN MUNICIPALITIES TO MODIFY**  
102                    **BUILDING CODES TO ALLOW FIVE STORIES OF A MULTIFAMILY**  
103                    **RESIDENTIAL BUILDING TO BE SERVED BY A SINGLE EXIT.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill defines a subject jurisdiction as a municipality with a population of 100,000 or more that is served by a fire protection district or fire department that is or was accredited by a specified organization. On or before December 1, 2027, the bill requires the governing body of a subject jurisdiction to adopt a building code, or amend an existing

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.*

building code, to allow up to 5 stories of a multifamily residential building that satisfies certain conditions to be served by a single exit. This requirement only applies to the area within a subject jurisdiction that is served by a single fire protection district or fire department.

The bill also clarifies that the adoption or amendment of a building code to satisfy the requirements of the bill does not qualify as adopting or enforcing a building code for the purpose of determining whether the governing body of a municipality is required to adopt an energy code.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4           (a) During the mid-twentieth century, the International Building  
5 Code, which many state and local governments in the United States use  
6 as the model for their building codes, began requiring buildings over 3  
7 stories to have at least 2 separate stairway exits accessible from all points  
8 on each floor;

9           (b) Multifamily buildings constructed under the current  
10 International Building Code must have 2 stairways, leading to most new  
11 multifamily buildings in the United States being constructed with housing  
12 units off a single corridor with a stairway at each end. This limits the  
13 feasibility of 2 and 3 bedroom units since all units except corner units  
14 only have windows on one side, according to "Exit Strategy: The Case for  
15 Single-Stair Egress" in the Architectural Record;

16           (c) Multifamily buildings with single stairway exits can dedicate  
17 more interior space to create larger family-sized units, with multiple  
18 bedrooms and improved ventilation due to enabling most housing units  
19 to have windows on multiple sides, according to "The Seattle Special: A  
20 US City's Unique Approach to Small Infill Lots" Mercatus Center Policy  
21 Brief;

1 (d) Multifamily buildings with 2 stairways typically need more  
2 than a quarter of an acre per floor to meet underwriting requirements in  
3 North American markets, which is far bigger than many small infill lots  
4 in Colorado cities, even before accounting for setbacks, landscaping, and  
5 other design criteria that limit the buildable area of a lot;

6 (e) Single stairway designs enable economically feasible  
7 construction on small infill sites, whereas buildings constructed under the  
8 International Building Code with 2 interior stairways and a corridor take  
9 up such a significant portion of the allowable floor space that they are  
10 typically not physically or economically viable;

11 (f) On a typical infill lot of 5,000 square feet, a second stairway  
12 and the hallway to connect it to the first stairway are estimated to take up  
13 about 10% of the potentially rentable or sellable floor space, resulting in  
14 an additional 10% of housing cost;

15 (g) The city of Seattle, Washington allowed up to 6 story  
16 residential buildings to be constructed with a single stairway in 1977,  
17 following the recommendations of a building code advisory board to  
18 encourage infill redevelopment;

19 (h) New York City began allowing single stairway buildings up  
20 to 6 stories several decades ago, and in 2012, the city of Honolulu  
21 adopted nearly identical amendments to its building code with regard to  
22 egress as Seattle;

23 (i) Small multifamily buildings enabled by eliminating the  
24 requirement for 2 stairways would shorten the distance to an egress  
25 compared to large multifamily buildings with housing units on both sides  
26 of a long corridor;

27



1 (j) In Colorado, there are 18 Commission on Fire Accreditation  
2 International Accredited agencies that serve 48 local governments.  
3 Accredited agencies are community-oriented, data-driven, and  
4 outcome-focused and exemplify organizations that are strategic-minded,  
5 well-organized, and properly equipped, staffed, and trained.

6 (k) The International Code Council, which crafts the International  
7 Building Code relied upon by states and cities in the United States, is in  
8 the process of drafting a code to enable more housing options served by  
9 a single stairway;

10 (l) Single stair buildings also support quality of life, health, and  
11 energy efficiency by enabling cross ventilation in most units, which  
12 enables residents to use operable windows to bring in fresh air to improve  
13 indoor air quality and draw in cool air in the summer in an  
14 energy-efficient way;

15 (m) Larger jurisdictions in Colorado with a population over  
16 100,000 are all considered urban by the federal census and have  
17 significant opportunities to develop smart stair buildings on smaller lots  
18 in infill areas; and

19 (n) Therefore, the general assembly declares that increasing the  
20 housing supply through more flexible construction design for small  
21 multifamily buildings is a matter of mixed statewide and local concern.

22 **SECTION 2.** In Colorado Revised Statutes, **add** 31-15-604 as  
23 follows:

24 **31-15-604. Single exit in multifamily residential structure -**  
25 **definition.** (1) SUBJECT TO THE CONDITIONS SET FORTH IN SUBSECTIONS  
26 (2), (3), AND (4) OF THIS SECTION AND NOTWITHSTANDING ANY OTHER  
27 PROVISION OF LAW, ON OR BEFORE DECEMBER 1, 2027, THE GOVERNING

1 BODY OF A SUBJECT JURISDICTION SHALL ADOPT A BUILDING CODE, OR  
2 AMEND THE SUBJECT JURISDICTION'S EXISTING BUILDING CODE, TO ALLOW  
3 A SINGLE EXIT TO SERVE NO MORE THAN FIVE STORIES OF A GROUP R-2  
4 OCCUPANCY IN THE SAME BUILDING, SO LONG AS THAT BUILDING:

5 (a) IS CONSTRUCTED OF MATERIALS THAT SATISFY BUILDING CODE  
6 TYPE I, TYPE II, OR TYPE IV CONSTRUCTION STANDARDS;

7 (b) IS PROTECTED THROUGHOUT, INCLUDING AT EACH LANDING OF  
8 THE EXIT STAIRWAY, WITH AN AUTOMATIC SPRINKLER SYSTEM THAT IS  
9 DESIGNED AND INSTALLED IN ACCORDANCE WITH THE BUILDING CODE;

10 (c) HAS NO MORE THAN TWENTY FEET OF TRAVEL TO THE EXIT  
11 STAIRWAY FROM THE EXIT OR ENTRY DOOR OF ANY DWELLING UNIT;

12 (d) HAS NO MORE THAN ONE HUNDRED TWENTY-FIVE FEET OF  
13 TRAVEL TO THE EXIT STAIRWAY FROM ANY POINT IN A DWELLING UNIT;

14 (e) EXCEPT AS PROVIDED IN SUBSECTION (1)(e) OF THIS SECTION,  
15 DOES NOT HAVE A FLOOR WITH A SQUARE FOOTAGE GREATER THAN FOUR  
16 THOUSAND FEET AND HAS AN EXIT STAIRWAY THAT IS AT LEAST  
17 FORTY-EIGHT INCHES WIDE;

18 (f) DOES NOT HAVE A FLOOR WITH A SQUARE FOOTAGE GREATER  
19 THAN SIX THOUSAND FEET AND HAS AN EXIT STAIRWAY WHOSE WIDTH IS  
20 EQUAL TO OR GREATER THAN A NUMBER OF INCHES THAT IS IN THE SAME  
21 RATIO TO FORTY-EIGHT AS THE SQUARE FOOTAGE OF THE FLOOR IS TO  
22 FOUR THOUSAND BUT THAT IS LESS THAN FIFTY-FOUR INCHES;

23 (g) HAS NO MORE THAN FOUR DWELLING UNITS PER STORY;

24 (h) ONLY HAS OPENINGS TO THE EXIT STAIRWAY ENCLOSURE THAT  
25 ALLOW EXIT ACCESS FROM NORMALLY OCCUPIED SPACES, EXIT ACCESS  
26 FROM THE EXIT STAIRWAY ENCLOSURE TO ANOTHER PROTECTED EXIT  
27 COMPONENT, AND ACCESS TO THE EXTERIOR FROM THE EXIT STAIRWAY

1 ENCLOSURE;

2

3 (i) IS FULLY PROTECTED THROUGHOUT ALL COMMON AREAS WITH  
4 SMOKE DETECTION IN ACCORDANCE WITH THE NATIONAL FIRE  
5 PROTECTION ASSOCIATION'S STANDARD 72, KNOWN AS THE "NATIONAL  
6 FIRE ALARM AND SIGNALING CODE", AND THE FIRE CODE;

7 (j) DOES NOT HAVE ELECTRICAL RECEPTACLES IN AN EXIT  
8 STAIRWAY ENCLOSURE;

9 (k) DOES NOT HAVE PUBLICLY ACCESSIBLE ELECTRICAL  
10 RECEPTACLES IN CORRIDORS BETWEEN DWELLING UNITS AND THE EXIT  
11 STAIRWAY;

12 (l) HAS, IN ACCORDANCE WITH THE BUILDING CODE, AN  
13 EMERGENCY ESCAPE AND RESCUE OPENING ON EVERY FLOOR;

14 (m) HAS AN EXIT STAIRWAY THAT IS CONSTRUCTED IN  
15 ACCORDANCE WITH THE BUILDING CODE;

16 (n) HAS A FIRE-RESISTANT BOX THAT CONTAINS KEYS TO ACCESS  
17 THE BUILDING AND THE DWELLING UNITS IN THE BUILDING, IS ACCESSIBLE  
18 TO RELEVANT FIREFIGHTERS, AND IS ACCOMPANIED BY A SIGN INDICATING  
19 THAT THE BUILDING IS ONLY SERVED BY A SINGLE EXIT STAIRWAY;

20 (o) HAS AN EXIT STAIRWAY THAT IS PROTECTED WITH TWO-HOUR  
21 FIRE-RATED STAIR CONSTRUCTION REGARDLESS OF CONSTRUCTION TYPE;

22 (p) HAS AN EXIT STAIRWAY THAT IS WIDE ENOUGH TO ALLOW  
23 SIMULTANEOUS INGRESS AND EGRESS; AND

24 (q) HAS PASSIVE AND ACTIVE FIRE PROTECTION FEATURES IN  
25 OCCUPIABLE SPACES THROUGHOUT THE BUILDING, INCLUDING INDIVIDUAL  
26 DWELLING UNITS, THAT ARE PERIODICALLY INSPECTED AND MAINTAINED  
27 BY A THIRD-PARTY APPROVED BY THE SUBJECT JURISDICTION;

1 (r) HAS CORRIDORS THAT ALL HAVE A MINIMUM OF ONE HOUR OF  
2 FIRE RESISTANCE, IN ACCORDANCE WITH THE BUILDING CODE;

3 (s) HAS ELEVATOR AND EXIT STAIRWAY ENCLOSURES THAT ALL  
4 HAVE SMOKE CONTROL SYSTEMS, IN ACCORDANCE WITH THE FIRE CODE;

5 (t) HAS ELEVATORS THAT ARE ALL WITHIN TWO-HOUR SHAFT  
6 ENCLOSURES, IN ACCORDANCE WITH THE BUILDING CODE; AND

7 (u) DOES NOT ALLOW STORAGE, INCLUDING THE STORAGE OF  
8 DELIVERIES, TRASH, AND RECYCLING, WITHIN THE SPACE BETWEEN  
9 DWELLING UNIT DOORS AND THE EXIT STAIRWAY.

10 (2) TO SATISFY THE REQUIREMENTS OF SUBSECTION (1) OF THIS  
11 SECTION, THE GOVERNING BOARD OF A SUBJECT JURISDICTION MAY  
12 INCORPORATE BY REFERENCE, OR ADAPT AND ADOPT INTO THE SUBJECT  
13 JURISDICTION'S BUILDING CODE, LANGUAGE FROM A PORTION OF AN  
14 EXISTING BUILDING CODE OF ANY OTHER AMERICAN JURISDICTION THAT  
15 ALLOWS A SINGLE EXIT TO SERVE NO MORE THAN FIVE STORIES OF A GROUP  
16 R-2 OCCUPANCY IN THE SAME BUILDING, SO LONG AS THE INCORPORATED,  
17 ADAPTED, OR ADOPTED LANGUAGE WOULD SATISFY THE REQUIREMENTS  
18 OF THIS SECTION.

19 (3) IN ADDITION TO THE REQUIREMENTS DESCRIBED IN SUBSECTION  
20 (1) OF THIS SECTION, A SUBJECT JURISDICTION SHALL ONLY ALLOW A  
21 SINGLE EXIT IN A BUILDING IN WHICH, IN ADDITION TO THIRD-PARTY  
22 INSPECTIONS OF THE BUILDING'S DWELLING UNITS, THE BUILDING'S  
23 LANDLORD, MANAGER, OR OWNER CONDUCTS INSPECTIONS OF THE  
24 BUILDING'S DWELLING UNITS AND PERMISSION FOR THESE INSPECTIONS IS  
25 INCLUDED WITHIN THE LEASE AGREEMENTS OF EVERY ONE OF THE  
26 BUILDING'S RESIDENTS.

27 (4) IF A FIRE PROTECTION DISTRICT OR FIRE DEPARTMENT DOES

1 NOT SERVE AN ENTIRE SUBJECT JURISDICTION, THE GOVERNING BOARD OF  
2 THAT SUBJECT JURISDICTION MAY SATISFY THE REQUIREMENTS OF  
3 SUBSECTION (1) OF THIS SECTION BY ADOPTING OR AMENDING THE  
4 SUBJECT JURISDICTION'S EXISTING BUILDING CODE INSOFAR AS IT APPLIES  
5 ONLY TO THE PORTION OF THE SUBJECT JURISDICTION THAT IS SERVED BY  
6 A SINGLE FIRE PROTECTION DISTRICT OR FIRE DEPARTMENT.

7 (5) THE ADOPTION OF A BUILDING CODE, OR THE AMENDMENT OF  
8 A SUBJECT JURISDICTION'S EXISTING BUILDING CODE, BY THE GOVERNING  
9 BODY OF A SUBJECT JURISDICTION TO COMPLY WITH SUBSECTION (1) OF  
10 THIS SECTION, IS NOT ADOPTING OR ENFORCING A BUILDING CODE FOR  
11 PURPOSES OF DETERMINING WHETHER A GOVERNING BODY OF A  
12 MUNICIPALITY IS REQUIRED TO ADOPT AND ENFORCE AN ENERGY CODE  
13 PURSUANT TO SECTION 31-15-602.

14 (6) UPON GIVING PUBLIC NOTICE IN ACCORDANCE WITH SECTION  
15 24-6-402 FOR THE MEETING AT WHICH THE SUBJECT JURISDICTION WILL  
16 BEGIN TO DISCUSS ADOPTING OR AMENDING THE SUBJECT JURISDICTION'S  
17 BUILDING CODE PURSUANT TO SUBSECTION (1) OF THIS SECTION, A SUBJECT  
18 JURISDICTION MUST ALSO PROVIDE THE SAME NOTICE TO THE LOCAL  
19 INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS AFFILIATE, IF ONE EXISTS,  
20 WITHIN THE SUBJECT JURISDICTION'S JURISDICTION AND THE COLORADO  
21 PROFESSIONAL FIRE FIGHTERS ASSOCIATION.

22 (7) NOTHING IN THIS SECTION REQUIRES THE GOVERNING BODY OF  
23 A SUBJECT JURISDICTION TO AMEND A SUBJECT JURISDICTION'S ZONING  
24 CODE WITH RESPECT TO MULTIFAMILY RESIDENTIAL HOUSING.

25 (8) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
26 REQUIRES:

27 (a) "BUILDING CODE" MEANS THE MOST CURRENT EDITION OF THE



1 INTERNATIONAL BUILDING CODE PUBLISHED BY THE INTERNATIONAL CODE  
2 COUNCIL.

3 (b) "DWELLING UNIT" MEANS A SINGLE UNIT PROVIDING  
4 COMPLETE, INDEPENDENT LIVING FACILITIES FOR ONE OR MORE PERSONS,  
5 INCLUDING PERMANENT PROVISIONS FOR LIVING, SLEEPING, EATING,  
6 COOKING, AND SANITATION.

7 (c) "FIRE CODE" MEANS THE MOST CURRENT EDITION OF THE  
8 INTERNATIONAL FIRE CODE PUBLISHED BY THE INTERNATIONAL CODE  
9 COUNCIL.

10 (d) "GROUP R-2 OCCUPANCY" MEANS A RESIDENTIAL OCCUPANCY  
11 CONTAINING SLEEPING UNITS OR MORE THAN TWO DWELLING UNITS WHERE  
12 THE OCCUPANTS ARE PRIMARILY PERMANENT IN NATURE.

13 (e) "SUBJECT JURISDICTION" MEANS A MUNICIPALITY:

14 (I) WITH A POPULATION OF ONE HUNDRED THOUSAND OR GREATER;  
15 AND

16 (II) THAT IS SERVED BY A FIRE PROTECTION DISTRICT, FIRE  
17 DEPARTMENT, OR FIRE AUTHORITY THAT HAS BEEN ACCREDITED BY THE  
18 COMMISSION ON FIRE ACCREDITATION INTERNATIONAL, EVEN IF THE FIRE  
19 PROTECTION DISTRICT, FIRE DEPARTMENT, OR FIRE AUTHORITY LATER  
20 LOSES THAT ACCREDITATION, AND THAT MEETS THE AERIAL APPARATUS  
21 REQUIREMENTS FOR THE FIRE PROTECTION DISTRICT'S, FIRE DEPARTMENT'S,  
22 OR FIRE AUTHORITY'S INSURANCE SERVICES OFFICE PUBLIC PROTECTION  
23 CLASSIFICATION RATING.

24 (f) "TWO-HOUR FIRE-RATED STAIR CONSTRUCTION" MEANS  
25 CONTINUOUS WALL, FLOOR, OR ROOF ASSEMBLIES ENCLOSING A STAIRWAY  
26 THAT ARE DESIGNED TO RESTRICT THE SPREAD OF FIRE, EXCESSIVE HEAT,  
27 OR HOT GASES, SUCH THAT THE CONSTRUCTION CONTINUES TO PERFORM

1 ITS STRUCTURAL FUNCTION FOR AT LEAST TWO HOURS AS DETERMINED BY  
2 TEST PROCEDURES SET FORTH IN AMERICAN SOCIETY FOR TESTING AND  
3 MATERIALS STANDARD E-119, UNDERWRITERS LABORATORIES STANDARD  
4 263, OR OTHER METHODS APPROVED BY THE RELEVANT SUBJECT  
5 JURISDICTION.

6           **SECTION 3. Safety clause.** The general assembly finds,  
7 determines, and declares that this act is necessary for the immediate  
8 preservation of the public peace, health, or safety or for appropriations for  
9 the support and maintenance of the departments of the state and state  
10 institutions.