



TOWN BOARD WORK SESSION

February 23, 2026 - 5:30 PM
1st Floor Conference Room, 301 Walnut Street, Windsor, CO 80550

To view Town Board meeting broadcasts, visit
www.windsorgov.com/MeetingsOnDemand.

AGENDA

GOAL of this Work Session is to have the Town Board receive information on topics of Town business from the Town Manager, Town Attorney and Town staff in order to exchange ideas and opinions regarding these topics.

Members of the Public in attendance are asked to be recognized by the Mayor before participating in any discussions of the Town Board

WORK SESSION AGENDA ITEMS

1. New-Hire Meet the Board
2. Wastewater Treatment Plant Expansion Financing Discussion - Northland Securities
3. Wildfire Resiliency Code Direction - S. Ballstadt, Planning Director
4. Future Meetings Agenda

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 by noon on the Thursday prior to the meeting to make arrangements.



MEMORANDUM

Date: February 23, 2026
To: Mayor and Town Board
From: Kevin Cornelison, HR Manager
Re: New-Hire Meet the Board
Item #: 1.

Background / Discussion:

Employee Name	Position Title	DOH	Dept. Head
Tyrel Jackson	Records Specialist	1/5/2026	Stephen Garrison
Charlyn Reck	Deputy Municipal Court Clerk	1/12/2026	Karen Frawley
David Barker	Fleet Mechanic III (Heavy Duty)	1/12/2026	Brian Rowe
Elisabeth Brown	Head Lifeguard	1/12/2026	Tara Fotsch
Hailey Adams	Human Resources Generalist I	1/26/2026	Jennifer Butcher Trujillo
Eric Wharton	Volunteer Coordinator	1/26/2026	Tara Fotsch
Penelope Mascarenas	Assistant Town Clerk	2/2/2026	Karen Frawley

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

CC:

Attachments:



MEMORANDUM

Date: February 23, 2026
To: Mayor and Town Board
From:
Re: Wastewater Treatment Plant Expansion Financing Discussion - Northland Securities
Item #: 2.

Background / Discussion:

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

CC:

Attachments:

1. Town of Windsor WWTP Plan of Finance Final

Town of Windsor, Colorado

Plan of Finance

Wastewater Enterprise Revenue Bonds, Series 2026

Presented by:
Northland Securities | February 23, 2025



Thanks for joining us today.

We're going to cover:

01

Section 1: The Firm

Qualifications & Relevant Experience

02

Section 2: Plan of Finance

Team members



Trent Wells
Director, Senior Analyst

- Over 10 years of public finance expertise.
- Supports issuers with new issue structuring, refunding analysis, rate studies, and disclosure preparation.
- Analyzed over \$2 billion in municipal securities.

twells@northlandsecurities.com



Troy Bernberg
Managing Director
Public Finance

- Over 23 years of public finance expertise.
- Assists counties, municipalities, special districts, URAs, and DDAs on tax-exempt and taxable debt solutions.
- Delivers tailored public finance solutions for diverse public-sector clients.
- Structured and led financing for over \$2 billion in municipal securities.

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Jenny Broden
Client Services Manager

- Manages issuer documentation from initial financing stages to final closing, including bond transcript preparation for permanent records.

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The Firm

Northland Securities, Inc. is a nationally recognized leader in public finance investment banking, dedicated to serving our clients and the communities we support. With branch offices across Nebraska, Minnesota, Colorado, Iowa, Ohio, Missouri, Kansas and Wisconsin, Northland employs over 170 professionals in its public finance and fixed income divisions. Over the past five years, Northland has consistently ranked among the top 20 firms nationwide for the number of new municipal long-term debt issuances.

As a privately held subsidiary of First National of Nebraska, Inc. (FNNI), Northland benefits from the strength and stability of an independent, family-owned institution with over 165 years of history. FNNI and its affiliates manage more than \$30 billion in assets, with \$2.65 billion in equity capital, including \$1.45 billion in cash reserves. With a proven track record of underwriting over \$38 billion in fixed income securities, Northland brings substantial expertise and financial commitment to every transaction. We routinely commit capital to support client bond sales, maintaining the ability to hold up to \$150 million in inventory with no formal underwriting capacity limit, ensuring seamless execution and market stability for our clients.



A Partner in a Plan of Finance

Approach

- Lowest cost of capital available.
- Optionality for prepayment/refinancing.
- Flexible features.

Considerations

- Rate payer impact.
- Operational and fund balance sustainability.



Town Financial Standing

The Town of Windsor is well prepared to undergo a significant capital asset improvement project like the wastewater treatment plan liquid expansion

- **Standard & Poor's rated "A+" with a stable outlook. Just one rating notch below the "AA" category, this strong credit rating ensures capital access regardless of market conditions.**
- **Credit highlights:**
"...Proactive long term financial planning" and strong management practices – good assumptions; monthly budget-to-actual updates; annually updated long term capital financial planning.

Strong liquidity – fund balance reserves.

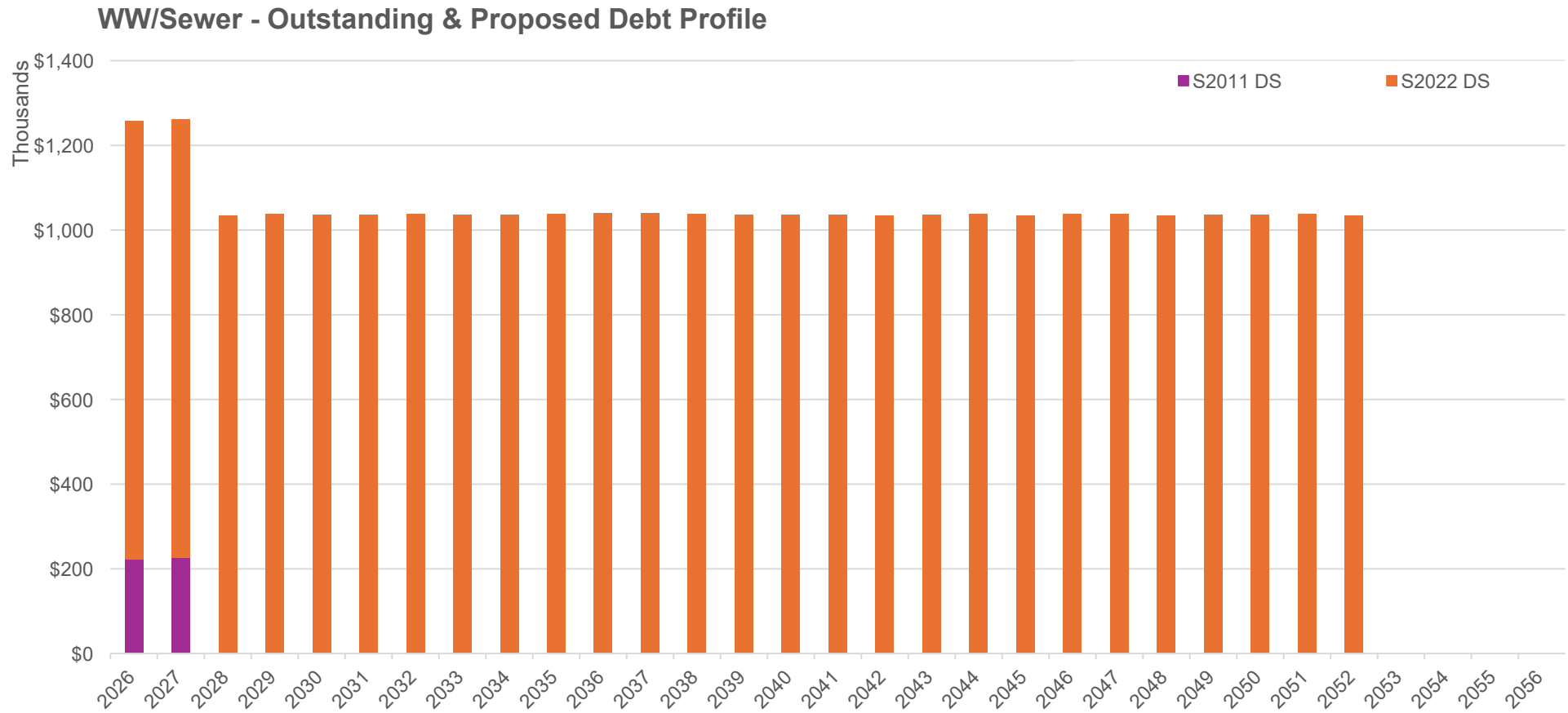
	FY2022	FY2023	FY2024	FY2025	FY2026
Operating Revenues					
Sewer Retail Rate Revenue*	3,492,126	3,990,043	4,502,106	5,253,600	6,794,215
Interest Income	59,549				
Plant Investment Fees	3,119,846	2,455,129	2,900,357	2,891,813	2,795,295
Miscellaneous	1,200	-	480	-	-
Total Operating Revenue	6,672,721	6,445,172	7,402,943	8,145,413	9,589,510
Operating Costs					
Personnel	(416,881)	(685,396)	(762,680)	(1,063,742)	(1,063,742)
Operations & Maintenance Costs	(1,091,257)	(1,462,913)	(1,519,212)	(1,702,632)	(1,702,632)
Net Operating Expenses	(1,508,138)	(2,148,309)	(2,281,892)	(2,766,374)	(2,766,374)
Net Pledged Revenues	\$5,164,583	\$4,296,863	\$5,121,051	\$5,379,039	\$6,823,136
Debt Service ("DS") & Debt Service Coverage ("DSC")					
Existing Debt Service Paid**	221,364	1,382,710	1,416,876	1,261,757	1,261,757
Existing Debt Service Paid DSC	23.331x	3.108x	3.614x	4.263x	5.408x
Proforma Combined MADS†	3,530,382	3,530,382	3,530,382	3,530,382	3,530,382
Proforma Combined MADS- DSC†	1.463x	1.217x	1.451x	1.524x	1.933x

* FY22-24 Audited; FY2025 Estimated; FY2026 Budgeted.

** FY2026 figure represents MADS on existing debt.

† Combined Maximum Annual Debt Service ("MADS") incl: 2011, 2022 and 2026 obligations.

Current Debt Profile Total Debt Service (“DS”)



Plan of Finance

Bond Structure

- **Parity issuance to outstanding debt**
 - Repaid by same net revenue pledge
 - 110% debt service coverage (“DSC”) for rate covenant & additional bonds test (“ABT”)
- **Capital access – Private Placements/Direct Lending**
 - More optionality, lower issuance costs
 - One, at most a few, engaged lenders in a partnership approach
 - Ideal for construction phasing

Private Placements

- **Wastewater Revenue Bonds, Series 2026**
 - Spring 2026
- **Wastewater Revenue Bonds, Series 2027**

Public Offer

- **Wastewater Refunding & Revenue Bonds, Series 2028**
 - Funds last phase of construction and take out of S2026 & S2027 Bonds

Next Steps & Timing

- **Receipt of bank financing proposals.**
 Review & compilation of submissions
 Follow up/Q&A with respondents, as necessary
 Initial selection made, subject to Town approval
February 27
- **Ordinance adoption process.**
 2 readings
 30 day effective period
Wk. of March 2
- **Bond closing.**
March 23 & April 13
Mid-May

Disclosure

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Disclosure

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Northland Public Finance

The Public Finance group of
Northland Securities, Inc.

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MEMORANDUM

Date: February 23, 2026
To: Mayor and Town Board
From: Scott Ballstadt, Planning Director
Re: Wildfire Resiliency Code Direction - S. Ballstadt, Planning Director
Item #: 3.

Background / Discussion:

The Wildfire Resiliency Code is a State of Colorado mandate that staff has been following along with SAFEbuilt and Windsor-Severance Fire Rescue (WSFR) and participating in peer group meetings to gather information. This memo is intended to provide a general overview of the code, challenges with implementation and potential options.

[Senate Bill 23-166](#) established a Wildfire Resiliency Code Board in the Division of Fire Prevention and Control to help enhance community safety and resiliency from wildfires through the adoption of codes and standards. "The act requires a governing body with jurisdiction in an area within the wildland-urban interface that has the authority to adopt building codes or fire codes to adopt and enforce a code that meets or exceeds the minimum standards of the codes adopted by the board within 3 months of the date the board adopts its codes." That deadline to adopt a code was subsequently extended to April 1, 2026, along with a deadline to enforce the code by July 1, 2026.

The State adopted the Colorado Wildfire Resiliency Code (WRC) July 1, 2025 (<https://dfpc.colorado.gov/WRCB>). The WRC includes minimum standards for hardening structures and reducing fire risk in the defensible space surrounding structures in the "Wildland-Urban Interface" (WUI). The State also adopted a map that depicts the WUI across the State, including Windsor. In Windsor the WUI is largely limited to larger estate lot subdivisions and natural areas such as the river corridor, bluffs and arroyos (map excerpts of Windsor area attached).

This will require property owners within areas designated as WUI to follow the WRC when building new structures, constructing additions (over 500 square feet), reconstruction of exterior walls (more than 25%) or re-roofing (more than 25%). These requirements will include specified building and roofing materials that meet fire resistant criteria and would be incorporated into the Town's existing building permit and inspection process.

Property owners within areas designated as WUI will also be required to follow rules for landscaping and fencing in the "defensible space" which is defined as follows: "DEFENSIBLE SPACE. An area either natural or man-made, where material capable of allowing a fire to spread unchecked has been treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur." This area varies by zone and includes varying standards regarding vegetation maintenance and fencing. For example, Section 502 Class 1 Requirements include:

502.1.4 Trees. There shall be no planting of new trees in the immediate zone. Mature trees of no less than ten inch (10") diameter at four and one-half (4.5') feet above ground level may be maintained. Tree crowns extending to within ten (10') feet of any structure shall be pruned to maintain a minimum clearance of ten (10) feet.

Prune tree branches to a height of six to ten (6'-10') feet from the ground or a third of the total height of the tree, whichever is less.

Enforcement is supposed to be conducted “in accordance with the rules and regulations for code enforcement adopted by the governing body” and “If the governing body does not have rules and regulations for code enforcement, the governing body may request support from the division to enforce the code.” However, Windsor does not require permits for landscape materials or fencing, and once a Certificate of Occupancy (CO) has been issued for a home, there is no mechanism for subsequent inspections or enforcement.

Furthermore, enacting such requirements for landscaping and fencing would require substantial staff time and resources that currently do not exist. Continual follow-up with property owners regarding vegetation that requires annual trimming and pruning simply would not be feasible with current staffing levels. This also raises numerous questions regarding liability and insurance should the property owner fail to maintain landscape in accordance with WRC requirements.

Challenges

- **Staffing** - Those items pertaining to building code and permit process can be incorporated into existing process, but other items not associated with a building permit such as vegetation and fencing would require substantial additional resources. Vegetation maintenance is currently not regulated.
- **Enforcement** – The WRC contains both building code elements and fire code elements requiring different expertise for enforcement. While some jurisdictions may have both building and fire expertise in house, Windsor does not. As previously noted, Windsor can incorporate and enforce the building code-related requirements, but not those requirements more aligned with the fire code. While a cooperative agreement with Windsor-Severance Fire Rescue (WSFR) could be an option, it is staff’s understanding that WSFR may not have the capacity to absorb these new requirements either.
- **Arbitrary Mapping** – The WUI area depicted on the state map was created using GIS polygons that do not neatly follow property lines and lead to arbitrary boundaries that split neighborhoods and individual properties. While the map follows consistent criteria, boundary lines that split neighborhoods and properties create inconsistent requirements for neighboring properties. It is also unclear how new development will be updated to be reflected on the state map and who would assume the cost associated with such updates. Jurisdictions can adopt separate mapping based on the same criteria to address accuracy; however, it is staff’s understanding that the entities that prepare this type of mapping have increased the cost dramatically with the increased demand.
- **Liability** – The town would not typically adopt code without the staffing capacity and realistic means to enforce. If the compliance responsibility is referred back to the property owner and they fail to comply with the WRC, there may be questions of liability. How will encroaching landscape and proximity to house be monitored and documented on an on-going basis?

Potential Options

Staff has been following options that other jurisdictions have been considering, but many questions remain as the April 1st deadline to adopt a WRC approaches. Therefore, staff has compiled the following examples for discussion and further direction.

Request the Colorado Division of Fire Prevention and Control Enforce Code – Colorado Revised Statutes (C.R.S.) Section 24-33.5-1237(2)(d) allows adopting governing bodies to request support from the Colorado Division of Fire Prevention and Control (CDFPC) in conducting inspections and enforcement:

C.R.S. 24-33.5-1237. Application of wildfire resiliency codes - enforcement - definitions.

(2)

(a) An adopting governing body shall adopt a code that meets or exceeds the minimum standards set forth in the codes within nine months of the board adopting the codes in accordance with section 24-33.5-1236 (4)(b)(II)(D).

(d) Notwithstanding subsection (2)(b) of this section, if an adopting governing body does not have rules and regulations or a cooperative agreement in place for the enforcement of a code adopted pursuant to subsection (2)(a) of this section, **the adopting governing body may request support from the division in conducting inspections and enforcing the code pursuant to the division's procedures set forth in section 24-33.5-1213**; except that any civil penalty collected pursuant to section 24-33.5-1213 (4) shall be deposited in the code board cash fund. The division may charge a reasonable fee to the property owner for conducting inspections and enforcing the code, and money from the fee shall be deposited in the code board cash fund." (emphasis added)

Attached is an example resolution from the Hudson Fire Protection District that adopts the WRC and formally proposes such a request to CDFPC and, if the request cannot be fulfilled for any reason, the resolution authorizes "Chief Staff" to develop a WRC Self-Compliance Program that would require some sort of affidavit or document to be completed by impacted properties.

Adopt WRC and Enforce Structure Hardening Requirements – The Town's current building permit process could be updated to enforce the structure hardening requirements and many builders are already meeting many of these requirements. However, this would leave the landscape and fencing unenforced unless other arrangements are made, such as a request that CDFPC enforce the non-building code requirements regarding landscaping and fencing.

Affidavit – In conjunction with a building permit within the designated WUI, the Town could require the property owner to submit an affidavit with any building permit application. In the affidavit language, the owner would acknowledge the WRC and owner's responsibility to comply with applicable requirements in perpetuity. Property owners would need to disclose this information to subsequent property owners, or something would need to be recorded at the Clerk and Recorder's Office to ensure the acknowledgment runs with the land. Staff would need to work with the attorneys on such a requirement to avoid any unintended consequences.

Cooperative Agreement – Larimer County Building Department is circulating a draft Cooperative Agreement to all the fire districts in the county proposing the building department enforce the building code aspects of the WRC and allow fire districts to enforce district codes.

Do Not Adopt / Opt out - Other jurisdictions are facing these same questions, leading some to consider "opting out" and invoking C.R.S. Sec. 29-1-304.5. Theoretically, this allows local governments to treat state mandates as optional if no funding accompanies them. It is staff's understanding that multiple counties have already sent formal notices to state officials asserting their right to decline implementation (see attached Crestone Eagle article).

Financial Impact:

Financial Impact would depend on direction taken.

Relationship to Strategic Plan:

Community Safety - Windsor ensures that safety of our community is at the forefront of every decision we make. We accomplish this through design, construction of infrastructure, prevention, and preparedness. We sustain an active emergency management system focused on prevention, preparedness, and recovery with key partnerships in place to effectively respond in crisis. We safeguard our infrastructure through best management practices and long-term planning to deliver safe and reliable Town-provided utilities and services.

Recommendation:

Discuss pros and cons of presented options and provide staff direction.

CC:

Sandra Friedrichsen, Fire Marshal, WSFR
Russ Weber, Building Official, SAFEbuilt

Attachments:

1. 2025 Colorado Wildfire Resiliency Code
2. Mapped Areas of Windsor Identified as Low Intensity and Moderate Intensity
3. 2.3.26 CML Newsletter - Colorado Wildfire Resiliency Code update
4. Larimer County Draft Cooperative Agreement
5. Hudson FPD Resolution Adopting Model WRC w DFPC Enforcement
6. 1.5.26 Crestone Eagle WUI article
7. Weld County Ordinance 2026-03 First Reading



COLORADO
Wildfire
Resiliency
Code Board

2025

Colorado Wildfire Resiliency Code

01 June 2025



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CWRC Version 1.0

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Attributions

ATTRIBUTIONS

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Chapter 1 - Scope and Administration

PART 1 GENERAL PROVISIONS

SECTION 101 SCOPE AND GENERAL REQUIREMENTS

101.1 Title. These regulations shall be known as the Colorado Wildfire Resiliency Code as adopted by [NAME OF JURISDICTION], hereinafter referred to as “this code.”

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, repair, maintenance and use of any building, structure or premises that contain *occupiable* and/or *habitable space*, or change in use resulting in an occupiable and/or habitable space, unless excepted, within the *wildland-urban interface* areas of Colorado, as designated in this code.

Buildings or conditions in existence at the time of the adoption of this code are allowed to have their use or occupancy continued, if such condition, use or occupancy was legal at the time of the adoption of this code, provided that such continued use does not constitute a distinct danger to life or property.

Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new buildings or structures.

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

101.2.2 Factory-Built Structures (nonresidential, residential, and tiny homes). Structure hardening provisions of this code for factory-built structures as defined by sections 24-32-3302(9), (10), (11), and (35), C.R.S., are in accordance with Rules adopted by the Division of Housing in 8 CCR 1302-1, Rule 2 Codes and Standards.

101.2.3 HUD Code Homes. Homes built to the HUD Manufactured Home Construction and Safety Standards are exempt from structure hardening requirements on their first installation. Homes built to the HUD Manufactured Home Construction and Safety Standards which are moved into an applicable Wildfire Resiliency code area are subject to the provisions of this code as required by the authority having jurisdiction.

101.3 Purpose. The purpose of this code is to establish minimum regulations for the safeguarding of life and for property protection. Regulations in this code are intended to mitigate the risk to life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate structure fires from spreading to wildland fuels. The extent of this regulation is intended to be tiered commensurate with the relative level of hazard present.

The unrestricted use of property in *wildland-urban interface* areas is a potential threat to life and property from fire and resulting erosion. Safeguards to prevent the occurrence of fires and to



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provide adequate fire protection facilities to control the spread of fire in *wildland-urban interface* areas shall be in accordance with this code.

This code shall supplement the jurisdiction's building and fire codes, if such codes have been adopted, to provide for special regulations to mitigate the fire- and life-safety hazards of the *wildland-urban interface* areas.

101.4 Retroactivity. The provisions of the code shall apply to conditions arising after the adoption thereof, conditions not legally in existence at the adoption of this code and conditions that, in the opinion of the *code official*, constitute a distinct hazard to life or property.

Exception: Provisions of this code that specifically apply to existing conditions are retroactive.

101.5 Additions or alterations. Additions or alterations shall be permitted to be made to any building or structure without requiring the existing building or structure to comply with all of the requirements of this code, provided that, when the work increases the footprint of the existing structure by 500 square feet or greater, the addition or alteration conforms to that required for a new building or structure.

Exception: Provisions of this code that specifically apply to existing conditions are retroactive.

Additions or alterations shall not be made to an existing building or structure that will cause the existing building or structure to be in violation of any of the provisions of this code nor shall such additions or alterations cause the existing building or structure to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or structure to become structurally unsafe or overloaded; will not provide adequate access in compliance with the provisions of this code or will obstruct existing exits or access; will create a fire hazard; will reduce required fire resistance or will otherwise create conditions dangerous to human life.

101.6 Roof coverings. The *roof covering* on buildings or structures in existence prior to adoption of this code that are replaced or have 25 percent or more of the surface area of the roof replaced, or where work to reconstruct, alter, or repair the *roof covering* effectively replaces such material, shall require the entirety of the *roof covering* to be replaced with a *roof covering* required for new construction specified in Sections 403.2 through 403.2.2.

Exception: Existing *roof coverings* that are compliant with Section 403.2.

101.7 Exterior walls. The exterior walls of building or structures in existence prior to adoption of this code where 25 percent or more of the total exterior wall surface area is replaced, or where work to reconstruct, alter or repair the exterior walls effectively replaces the exterior wall material, shall require the entirety of the exterior wall surface area, including attachments, to be replaced with materials required for new construction specified in Section 404.3 through 404.3.2



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and the immediate zone within 5 feet of the structure shall be made to comply with Section 503.1.

Exception: Existing exterior walls that are compliant with Section 404.3.

101.8 Maintenance. Buildings, structures, landscape materials, vegetation, *defensible space* or other devices or safeguards required by this code shall be maintained in conformance to the code edition under which installed. The owner or the owner's authorized agent shall be responsible for the maintenance of buildings, structures, landscape materials and vegetation.

SECTION 102—APPLICABILITY

102.1 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where, in any specific case, different sections of this code, or any other adopted code, specify different materials, methods of construction or other requirements, the most restrictive shall govern.

102.2 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.4 Referenced codes and standards. The codes and standards referenced in this code are listed throughout this code. Such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2.

102.4.1 Conflicts. Where conflicts occur between provisions of this code and the referenced codes and standards, the provisions of this code shall govern.

102.4.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced standard.

102.5 Subjects not regulated by this code. Where applicable standards or requirements are not set forth in this code, or are contained within other laws, codes, regulations, ordinances or policies adopted by the authority having jurisdiction, compliance with applicable standards of other nationally recognized safety standards, as *approved*, shall be deemed as prima facie evidence of compliance with the intent of this code. Nothing herein shall derogate from the authority of the *code official* to determine compliance with codes or standards for those activities or installations within the code official's jurisdiction or responsibility.

102.6 Matters not provided for. Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof,



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which are not specifically provided for by this code, shall be determined by the *code official* consistent with the necessity to establish the minimum requirements to safeguard the public health, safety and general welfare.

102.7 Partial invalidity. In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

102.8 Existing conditions. The legal occupancy or use of any structure or condition existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *International Fire Code* or the *International Property Maintenance Code*, or as is deemed necessary by the *code official* for the general safety and welfare of the occupants and the public.

102.9 Historic structures. A variance is authorized to be issued for the repair or rehabilitation of a historic structure or construction of a contributing structure upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure, and the variance is the minimum necessary to preserve the historic character and design of the structure, within the spirit of this code.

Exception: Within wildfire hazard areas, historic structures that do not meet one or more of the following designations:

1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places.
2. Determined as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district.
3. Designated as historic under a state or local historic preservation program.

102.9.1 Historic preservation exemption. The authority having jurisdiction may establish a historic preservation exemption or exemptions in their jurisdiction that consists of the spirit and intent of this code.

102.10 Work exempt from permit under this code. Exemptions from code requirements shall not be deemed to 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 jurisdiction. Compliance with this code shall not be required for the following:

1. Interior alterations of existing structures.
2. Additions that do not increase the footprint of a structure by more than 500 square feet.
3. The reconstruction, replacement, alteration, or repair of the exterior walls of an existing building, when less than 25 percent of the surface area of all exterior walls is affected.
4. The reconstruction, replacement, alteration, or repair of the exterior *roof covering* of an existing building, when less than 25 percent of the surface area of the exterior *roof covering* or an attachment thereto is affected.



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5. Alterations or repairs to the exterior of an existing structure, or an attachment to it, when less than twenty-five percent of the exterior of the structure is affected by the alteration or repair.
6. Painting, staining and similar maintenance or restorative work.
7. One-story detached accessory, nonhabitable structures, such as tool and storage sheds, playhouses and similar uses, provided that the floor area does not exceed 120 square feet and the structure is located greater than or equal to 10 feet from the nearest adjacent occupiable structure.
8. *Accessory structures* and buildings of an accessory character classified as Utility and Miscellaneous Group U (including Agricultural Structures) located more than 50 feet from a structure containing *occupiable* or *habitable space*.
9. Fences located more than 8 feet from a habitable structure.
10. Any thirty-five acre parcel with only one residential structure on it that does not abut a residential or commercial area.

PART 2—ADMINISTRATION AND ENFORCEMENT

SECTION 103—CODE COMPLIANCE AGENCY

103.1 Creation of agency. The [INSERT NAME OF DEPARTMENT] is hereby created and the official in charge thereof shall be known as the *code official*. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

103.2 Appointment. The *code official* shall be appointed by the chief appointing authority of the jurisdiction.

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *code official* shall have the authority to appoint a deputy *code official*, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the *code official*.

SECTION 104—DUTIES AND POWERS OF THE CODE OFFICIAL

104.1 Powers and duties of the code official. The *code official* is hereby authorized to enforce the provisions of this code.

104.2 Determination of compliance. The *code official* shall have the authority to determine compliance with this code, to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures:

1. Shall be in compliance with the intent and purpose of this code.
2. Shall not have the effect of waiving requirements specifically provided for in this code.



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104.2.1 Technical assistance. To determine compliance with this code, the *code official* is authorized to require the owner, the owner's authorized agent or the person in possession or control of the building or premises to provide a technical opinion and report.

104.2.1.1 Costs. A technical opinion and report shall be provided without charge to the jurisdiction.

104.2.1.2 Preparer qualifications. The technical opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the *code official*. The *code official* is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

104.2.1.3 Content. The technical opinion and report shall analyze the properties of the design, operation or use of the building or premises, the facilities and appurtenances situated thereon and fuel management to identify and propose necessary recommendations.

104.2.1.4 Tests. Where there is insufficient evidence of compliance with the provisions of this code, the *code official* shall have the authority to require tests as evidence of compliance. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized test standards, the *code official* shall approve the testing procedures. Such tests shall be performed by a party acceptable to the *code official*.

104.2.2 Alternative materials, design and methods. 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*.

104.2.2.1 Approval authority. An alternative material, design or method shall be *approved* where the *code official* finds that the proposed alternative is satisfactory and complies with Sections 104.2.2.2 through 104.2.2.7, as applicable.

104.2.2.2 Application and disposition. Where required, a request to use an alternative material, design or method of construction shall be submitted in writing to the *code official* for approval. Where the alternative material, design or method of construction is not approved, the *code official* shall respond in writing, stating the reasons the alternative was not approved.

104.2.2.3 Compliance with code intent. An alternative material, design or method of construction shall comply with the intent of the provisions of this code.



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104.2.2.4 Equivalency criteria. An alternative material, design or method of construction shall, for the purpose intended, be not less than the equivalent of that prescribed in this code with respect to all of the following, as applicable:

1. Quality.
2. Strength.
3. Effectiveness.
4. Durability.
5. Safety, other than fire safety.
6. Fire safety.

104.2.2.5 Tests. Tests conducted to demonstrate equivalency in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict performance of the end use configuration. Tests shall be performed by a party acceptable to the *code official*.

104.2.2.5.1 Fire tests. Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Tests shall be performed by a party acceptable to the *code official*.

104.2.2.6 Reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall comply with Sections 104.2.2.6.1 and 104.2.2.6.2.

104.2.2.6.1 Evaluation reports. Evaluation reports shall be issued by an *approved* agency and use of the evaluation report shall require approval by the *code official* for the installation. The alternate material, design or method of construction and product evaluated shall be within the scope of the *code official's* recognition of the *approved* agency. Criteria used for the evaluation shall be identified within the report and, where required, provided to the *code official*.

104.2.2.6.2 Other reports. Reports not complying with Section 104.2.2.6.1 shall describe criteria, including but not limited to any referenced testing or analysis, used to determine compliance with code intent and justify code equivalence. The report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the *code official*. The *code official* is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

104.2.2.7 Peer review. The *code official* is authorized to require submittal of a peer review report in conjunction with a request to use an alternative material, design or



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method of construction, prepared by a peer reviewer that is *approved* by the *code official*.

104.2.3 Modifications. Where there are practical difficulties involved in carrying out the provisions of this code, the *code official* shall have the authority to grant modifications for individual cases, provided that the *code official* shall first find that one or more special individual reasons make the strict letter of this code impractical, that the modification is in conformance with the intent and purpose of this code, and that such modification does not lessen health, life and fire safety requirements. The details of the written request and action granting modifications shall be recorded and entered into the files of the code enforcement agency.

104.3 Applications and permits. The *code official* is authorized to receive applications, review construction documents and issue permits for construction regulated by this code, issue permits for operations regulated by this code, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

104.4 Access to Property. For the purpose of inspecting and enforcing the provisions of this code and the terms and conditions of any permit issued under this code, the *code official* is authorized to enter upon private property at reasonable times and upon reasonable notice for the purpose of determining compliance with this code and to evaluate conditions relative to the permit application.

104.4.1 Authorization. The owner or occupant of the property having a permit under this code shall allow the *code official* access to the property to perform the required inspections. If access is denied, the *code official* shall apply to the Court with jurisdiction to seek authority to access the property.

104.5 Identification. The *code official* shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.6 Notices and orders. The *code official* shall issue all necessary notices or orders to ensure compliance with this code.

104.7 Official records. The *code official* shall keep official records as required by Sections 104.7.1 through 104.7.5. Such official records shall be retained for not less than 5 years or for as long as the structure or activity to which such records relate remains in existence, unless otherwise provided by other regulations.

104.7.1 Approvals. A record of approvals shall be maintained by the *code official* and shall be available for public inspection during business hours in accordance with applicable laws.

104.7.2 Inspections. The *code official* shall keep a record of each inspection made, including notices and orders issued, showing the findings and disposition of each.



104.7.3 Code alternatives and modifications. Application for alternative materials, design and methods of construction and equipment in accordance with Section 104.2.2; modifications in accordance with Section 104.2.3; and documentation of the final decision of the *code official* for either shall be in writing and shall be retained in the official records.

104.7.4 Tests. The *code official* shall keep a record of tests conducted to comply with Sections 104.2.1.4 and 104.2.2.5.

104.7.5 Fees. The *code official* shall keep a record of fees collected and refunded in accordance with Section 106.

104.8 Liability. The *code official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered personally liable, either civilly or criminally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of any act or omission in the discharge of official duties.

104.8.1 Legal defense. Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code or other laws or ordinances implemented through the enforcement of this code shall be defended by legal representatives of the jurisdiction until final termination of the proceedings. The *code official* or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

104.9 Approved materials and equipment. Materials, equipment and devices approved by the *code official* shall be constructed and installed in accordance with such approval.

104.9.1 Materials and equipment reuse. Materials, equipment and devices shall not be reused unless such elements are in good working order and *approved*.

104.10 Other agencies. When requested to do so by the *code official*, other officials of this jurisdiction shall assist and cooperate with the *code official* in the discharge of the duties required by this code.

SECTION 105—TEMPORARY USES, EQUIPMENT AND SYSTEMS

105.1 General. The *code official* is authorized to issue a permit for temporary uses, equipment and systems. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The *code official* is authorized to grant extensions for demonstrated cause.

105.2 Conformance. Temporary uses, equipment and systems shall conform to the requirements of this code as necessary to ensure health, safety and general welfare.



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105.3 Temporary service utilities. The *code official* is authorized to give permission to temporarily supply service utilities.

105.4 Termination of approval. The *code official* is authorized to terminate such permit for temporary uses, equipment and systems and to order the same to be discontinued.

SECTION 106—FEES

106.1 General. An AHJ has the authority to establish fees.

SECTION 107—STOP WORK ORDER

107.1 Authority. Where the *code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the *code official* is authorized to issue a stop work order.

107.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

107.3 Emergencies. Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

107.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the authority having jurisdiction.

Chapter 2 - Definitions

SECTION 201 GENERAL

201.1 Scope. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this code, have the meanings shown in this chapter.

201.2 Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; and the singular number includes the plural and the plural the singular.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in other International Codes, such terms shall have the meanings ascribed to them as in those codes.

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have their ordinarily accepted meanings such as the context implies.

SECTION 202 DEFINITIONS

ACCESSORY STRUCTURE. A building or structure used to shelter or support any material, equipment, chattel or occupancy other than a habitable building.

AGRICULTURAL BUILDING. A structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.

APPROVED. Acceptable to the *code official*.

BUILDING. Any structure intended for supporting or sheltering any occupancy.

CLASS A TESTS. Class A Tests are applicable to *roof coverings* that are expected to be effective against severe fire exposure, afford a high degree of fire protection to the *roof deck*, do not slip from position, and are not expected to present a flying brand hazard.

CODE OFFICIAL. The official designated by the jurisdiction to interpret and enforce this code, or the *code official's* authorized representative.

DEFENSIBLE SPACE. An area either natural or man-made, where material capable of allowing a fire to spread unchecked has been treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur.



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EMBELLISHMENTS. Elements incorporated in design and construction for ornamental or decorative purpose that are not integral to the structure or structural support.

FIRE INTENSITY CLASSIFICATION. The level of fire intensity identified for areas where significant fuel hazards and associated dangerous fire behavior may exist, based upon vegetative fuels, topography, weather conditions, and flame length value.

FIRE-RESISTANCE-RATED CONSTRUCTION. The use of materials and systems in the design and construction of a building or structure to safeguard against the spread of fire within a building or structure and the spread of fire to or from buildings or structures to the *wildland-urban interface* area.

FIRE-RETARDANT-TREATED WOOD. Fire-retardant-treated wood is any wood product that, when impregnated with chemicals by a pressure process or other means during manufacture, shall have, when tested in accordance with ASTM E84 or UL 723, a listed *flame spread index* of 25 or less. The ASTM E84 or UL723 test shall be continued for an additional 20-minute period and the flame front shall not progress more than 10.5 feet beyond the centerline of the burners at any time during the test.

FLAME SPREAD INDEX. A comparative measure, expressed as a dimensionless number, derived from visual measurements of the spread of flame versus time for a material tested in accordance with ASTM E84.

FUEL MODIFICATION. A method of modifying fuel load by reducing the amount of nonfire-resistive vegetation or altering the type of vegetation to reduce the fuel load.

HABITABLE SPACE. A space in a building for living, sleeping, eating or cooking.

HEAVY TIMBER CONSTRUCTION. As described in Section 602.4 of the 2024 *International Building Code*.

HOME IGNITION ZONE. Home Ignition Zone is the home and the area around the home (or structure). The HIZ takes into account both the potential of the structure to ignite and the quality of *defensible space* surrounding it.

IGNITION-RESISTANT BUILDING MATERIAL. A type of building material that resists ignition or sustained flaming combustion sufficiently so as to reduce losses from wildfire exposure of burning embers and small flames.



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IGNITION-RESISTANT VEGETATION. Plants that are less likely to readily ignite from a flame or other ignition source and produce fewer embers. While they can still be damaged by fire, their foliage and stems don't significantly contribute to the intensity of the fire.

LOG WALL CONSTRUCTION. A type of construction in which exterior walls are constructed of solid wood members and where the smallest horizontal dimension of each solid wood member is not less than 6 inches. Log wall construction shall follow requirements of ICC 400.

MULTILAYERED GLAZED PANELS. Window or door assemblies that consist of two or more independently glazed panels installed parallel to each other, having a sealed air gap in between, within a frame designed to fill completely the window or door opening in which the assembly is intended to be installed.

NONCOMBUSTIBLE. As applied to building construction material means a material that, in the form in which it is used, is either one of the following:

1. Material of which no part will ignite and burn when subjected to fire.
2. Any material conforming to ASTM E136 shall be considered noncombustible within the meaning of this section.
3. For the purposes of this code, fire-rated gypsum board tested in accordance with ASTM C1396 with no less than a 1-hour fire-resistance-rating with fire exposure from the outside only is considered a noncombustible material.

OCCUPIABLE SPACE. A room or enclosed space designed for human occupancy in which individuals congregate for amusement, education or similar purposes or in which occupants are engaged at labor.

ROOF ASSEMBLY. A system designed to provide weather protection and resistance to design loads. The system consists of a *roof covering* and *roof deck* or a single component serving as both the *roof covering* and the *roof deck*. A *roof assembly* can include an underlayment, thermal barrier, ignition barrier, insulation or a vapor retarder.

ROOF COVERING. The covering applied to the *roof deck* for weather resistance, fire classification or appearance.

ROOF DECK. The flat or sloped surface not including its supporting members or vertical supports.



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SLOPE. The variation of terrain from the horizontal; the number of feet rise or fall per 100 feet measured horizontally, expressed as a percentage.

STRUCTURE. That which is built or constructed.

STRUCTURE IGNITION ZONE. Structure Ignition Zone is the structure and the area around the structure (or home). The SIZ takes into account both the potential of the structure to ignite and the quality of *defensible space* surrounding it.

TREE CROWN. The primary and secondary branches growing out from the main stem, together with twigs and foliage.

WILDLAND-URBAN INTERFACE. That geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels.

Chapter 3 - Wildfire Hazard Identification

SECTION 301 GENERAL

301.1 Scope. The provisions of this chapter provide methodology to establish and record wildfire hazard based on the findings of fact to be regulated by this code.

301.2 Objective. The objective of this chapter is to provide simple baseline criteria for determining *wildland-urban interface* areas based on the wildfire hazard.

SECTION 302 WILDLAND-URBAN INTERFACE AREA DESIGNATIONS

302.1 Declaration. The AHJ shall declare the *wildland-urban interface* areas within the jurisdiction as defined by this code. The *wildland-urban interface* areas shall be based on the findings of fact.

SECTION 303 MAPPING AND APPLICABILITY

303.1 Mapping of Wildfire Hazard Areas. Wildfire Hazard shall be recorded on official maps. These maps identify areas subject to the provisions of this code and shall be available for public inspection through an accessible online platform and at designated local government offices.

303.1.1 Map. This map shall be based on a combination of factors including, but not limited to, vegetative fuels, topography, local weather patterns, and fire behavior modeling data.

303.1.2 Locally Developed Mapping. The AHJ may develop and adopt local maps designating wildfire hazard and *fire intensity classifications* within its jurisdictional boundaries in accordance with Sections 303.1 through 303.3.

303.2 Fire Intensity Classification. *Fire Intensity Classification* shall be identified on the map in accordance with Section 303.1. *Fire Intensity Classification* is determined by expected wildfire behavior, including flame length and suppression difficulty and is separated into three levels: low, moderate, and high. The identified *fire intensity classification* establishes code requirements for construction and mitigation.

303.2.1 Low Fire Intensity Classification. *Low Fire Intensity Classification* is identified in areas with light to medium surface fuels, such as grasses, shrubs, and scattered low-density vegetation. These fuels are often discontinuous, which limits flame propagation but can sustain burning under moderate weather conditions. Fires in this class may occur on gentle to moderate *slopes*, where topography begins to influence the rate of spread. Although flame lengths remain relatively small—typically less than two feet—limited spotting may occur, especially with wind. Trained firefighters with protective equipment and standard hand tools can usually suppress these fires through



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direct attack, particularly on *slopes* under 30 percent. Mechanized equipment is typically unnecessary.

Key Characteristics Include:

1. **Fuels:** Light to medium surface fuels, including grasses, shrubs, and scattered vegetation (e.g., WNL, USL fuel types).
2. **Flame Length:** Less than 2 feet.
3. **Rate of Spread:** Low, increasing with *slopes* over 20 percent.
4. **Spotting:** Very short-range spotting is possible under windy conditions.
5. **Terrain Influence:** More active fire behavior on moderate *slopes* (20 to 30 percent).
6. **Suppression Difficulty:** Easily suppressed by trained firefighters using basic protective gear and hand tools. Direct attack is effective, and mechanized support is rarely needed.

303.2.2 Moderate Fire Intensity Classification. *Moderate Fire Intensity Classification* is identified in areas with moderate to heavy fuel loads, such as dense shrubs, small trees, and accumulated ground fuels. Fires in this class present continuous horizontal and vertical fuel arrangements, allowing flames to reach up to 8 feet in length. Fire behavior is notably influenced by moderate to steep *slopes*, often accelerating the spread. Short-range spotting becomes more common, complicating suppression efforts. Ground crews typically require mechanized support, such as engines and dozers, to establish control lines. Aircraft assistance may be necessary, particularly in inaccessible terrain. There is a significant increase in the potential for property damage and risk to life, especially in *wildland-urban interface* areas.

Key Characteristics Include:

1. **Fuels:** Moderate to heavy fuels, including dense shrublands, small trees, timber litter, and canopy fuels (e.g., USH, UIH fuel types).
2. **Flame Length:** Up to 8 feet.
3. **Rate of Spread:** Moderate to high, increasing significantly on *slopes* over 30 percent.
4. **Spotting:** Short-range spotting is common.
5. **Terrain Influence:** Steep *slopes* (30 percent or greater) increase fire spread and intensity.
6. **Suppression Difficulty:** Challenging for ground crews without support from engines, dozers, or aircraft. Dozers and plows are generally effective on moderate terrain.

303.2.3 High Fire Intensity Classification. *High Fire Intensity Classification* is identified in areas with heavy, continuous fuel loads, such as dense forest canopies, thick



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understory growth, and heavy dead/downed material. Fires in this class frequently occur on steep *slopes*, often exceeding 40 percent, where topography dramatically increases the rate of spread and severity. Flame lengths can exceed 30 feet, and both short- and medium-range spotting are common, particularly in windy conditions. Direct suppression by ground crews is typically ineffective, requiring indirect attack strategies, such as backburns and aerial retardant drops. Fires in this class pose extreme risk to life, property, and firefighter safety, especially in rugged or remote areas.

Key Characteristics Include:

1. **Fuels:** Heavy fuels, including dense forests, urban core areas with heavy fuel loads, and canopy-dominated regions (e.g., WNH, USH, UCH fuel types).
2. **Flame Length:** Up to 30 feet or more.
3. **Rate of Spread:** Rapid, especially on *slopes* greater than 40 percent.
4. **Spotting:** Short-range spotting is common; medium-range spotting is possible under windy conditions.
5. **Terrain Influence:** *Slopes* over 40 percent amplify intensity and spread, creating dangerous conditions for suppression.
6. **Suppression Difficulty:** Direct attack by ground forces and dozers is generally ineffective. Indirect strategies (backburning, aerial support) are often necessary.

These fires present significant danger to life, property, and responder safety.

303.3 Applicability of Code Provisions. The requirements of this code shall apply to all parcels located within designated Wildfire Hazard Areas and corresponding *fire intensity classifications* as identified on the official maps. The level of structure hardening, *defensible space*, and other mitigation measures required shall correspond to the applicable *fire intensity classification*—Low, Moderate, or High—as established by the board.

Structures and parcels identified with low *fire intensity classification* shall be constructed and maintained in accordance with the provisions for Class 1 structure hardening and site and area requirements.

Structures and parcels identified with moderate to high *fire intensity classifications* shall be constructed and maintained in accordance with the provisions for Class 2 structure hardening and site and area requirements.

SECTION 304 GROUND-TRUTHING

304.1 Purpose. This section establishes a process for owners or the owners authorized representative to request a ground-truthing review of their property's Wildfire Hazard or *fire intensity classification* as identified on state or locally adopted maps. The intent is to provide an opportunity to verify that mapping accurately reflects current, site-specific conditions.



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304.2 Determination of Fire Intensity Classification and Code Requirements. As determined by the *code official*, the *fire intensity classification* and associated requirements shall be based on a review of the vegetative fuels on the parcel and within 300' of the parcel boundary, topography, local weather patterns, and fire behavior modeling data and in accordance with the following *fire intensity classifications*:

304.2.1 Low *Fire Intensity Classification* in accordance with Section 303.2.1

304.2.2 Moderate *Fire Intensity Classification* in accordance with Section 303.2.2

304.2.3 High *Fire Intensity Classification* in accordance with Section 303.2.3

This determination shall be made based on existing conditions or conditions that have been established by a development plan approved by the local jurisdiction. Technical documentation shall be submitted in support of such request by a qualified wildfire professional and in accordance with Section 104.2.



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Chapter 4- Structure Hardening

SECTION 401 GENERAL

401.1 Scope. Exterior design and construction of new buildings and structures within the *wildland-urban interface* areas of Colorado shall be constructed in accordance with this chapter.

Exceptions:

1. Buildings of an accessory character classified as Group U occupancy (including *agricultural buildings*) of any size located at least 50 feet from a structure containing *occupiable* or *habitable space*.
2. One-story detached accessory, nonhabitable structures, such as tool and storage sheds, playhouses and similar uses, provided that the floor area does not exceed 120 square feet and the structure is located greater than or equal to 10 feet from the nearest adjacent occupiable structure.
3. The reconstruction, replacement, alteration, or repair of the exterior walls of an existing building, when less than 25 percent of the surface area of all exterior walls is affected.
4. The reconstruction, replacement, alteration, or repair of the exterior *roof covering* of an existing building, when less than 25 percent of the surface area of the exterior *roof covering* or an attachment thereto is affected.
5. Alterations or repairs to the exterior of an existing structure, or an attachment to it, when less than twenty-five percent of the exterior of the structure is affected by the alteration or repair.
6. Additions that do not increase the footprint of a structure by more than 500 square feet.

SECTION 402 BUILDING MATERIAL

402.1 Building material. Building materials shall comply with any one of the requirements in Section 402.2 through 402.4.

402.2 Noncombustible material. *Noncombustible* material shall comply with the definition of *noncombustible* materials in Section 202.

402.3 Fire-retardant-treated wood. *Fire-retardant-treated wood* shall be identified for exterior use and shall meet the requirements of Section 2303.2 of the 2024 *International Building Code*.

402.4 Ignition-resistant building material. Material shall be tested on the front and back faces in accordance with the extended ASTM E84 or UL 723 test, for a total test period of 30 minutes, or with the ASTM E2768 test. The materials shall bear identification showing the fire test results. Panel products shall be tested with a ripped or cut longitudinal gap of 1/8 inch. The materials, when tested in accordance with the test procedures set forth in ASTM E84 or UL 723



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for a test period of 30 minutes, or with ASTM E2768, shall comply with Sections 402.4.1 through 402.4.3.3. Materials or products which melt, drip or delaminate to the extent that the flame front is interrupted are not permitted.

Exception: Materials composed of a combustible core and a noncombustible exterior covering made from either aluminum at a minimum 0.019 inch thickness or corrosion-resistant steel at a minimum 0.0149 inch thickness shall not be required to be tested with a ripped or cut longitudinal gap.

402.4.1 Flame spread. The material shall exhibit a *flame spread index* not exceeding 25.

402.4.2 Flame front. The material shall exhibit a flame front that does not progress more than 10 feet 6 inches beyond the centerline of the burner at any time during the test.

402.4.3 Weathering. *Ignition-resistant building materials* shall maintain their performance in accordance with this section under conditions of use. The materials shall meet the performance requirements for weathering (including exposure to temperature, moisture and ultraviolet radiation) contained in Sections 402.4.3.1 through 402.4.3.3, as applicable to the materials and conditions of use.

402.4.3.1 Evaluation requirements for weathering. Fire-retardant-treated wood, wood-plastic composite materials and plastic lumber materials shall be evaluated after weathering in accordance with Method A “Test Method for Accelerated Weathering of Fire-Retardant-Treated Wood for Fire Testing” in ASTM D2898.

402.4.3.2 Wood-plastic composite materials. Wood-plastic composite materials shall also demonstrate acceptable fire performance after weathering by the following procedure: first testing in accordance with ASTM E1354 at an incident heat flux of 50 kW/m² in the horizontal orientation, then weathering in accordance with ASTM D7032 and then retesting in accordance with ASTM E1354 and exhibiting an increase of no more than 10 percent in peak rate of heat release when compared to the peak heat release rate of the nonweathered material.

402.4.3.3 Plastic lumber materials. Plastic lumber materials shall also demonstrate acceptable fire performance after weathering by the following procedure: first testing in accordance with ASTM E1354 at an incident heat flux of 50 kW/m² in the horizontal orientation, then weathering in accordance with ASTM D6662 and then retesting in accordance with ASTM E1354 and exhibiting an increase of no more than 10 percent in peak rate of heat release when compared to the peak heat release rate of the nonweathered material.



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SECTION 403 CLASS 1 STRUCTURE HARDENING

403.1 General. Class 1 structure hardening shall be in accordance with Sections 403.2 through 403.4.2 and shall apply to buildings and structures hereafter constructed, modified or relocated into or within areas of the *wildland-urban interface* having a low fire hazard severity.

403.2 Roofing. Roofs shall have a *roof covering* or *roof assembly* classified as Class A when tested in accordance with ASTM E108 or UL 790.

403.2.1 Flame and ember protection of roofs. For roof assemblies where the roof covering profile creates a space between the roof covering and roof deck, the space shall resist the entry of flames and embers by one or more of the following methods:

1. Firestopping with noncombustible material of the space between the roof covering and the roof deck.
2. Installation of one layer of cap sheet complying with ASTM D3909 over the combustible roof deck.
3. Installation of a listed Class A classified roof assembly.

403.2.2 Roof valley flashings. Valley flashings shall be not less than 0.019 inch (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36-inch-wide underlayment consisting of one layer of cap sheet complying with ASTM D3909 running the full length of the valley.

403.3 Gutters and downspouts. Gutters and downspouts shall be constructed of *noncombustible* material.

403.4 Ventilation Openings. Ventilation openings for enclosed attics, enclosed rafter spaces, and underfloor spaces shall be in accordance with Section 403.4.1 or Section 403.4.2 as applicable.

403.4.1 Performance Requirements. Ventilation openings shall be fully covered with listed vents, tested in accordance with ASTM E2886, to demonstrate compliance with all the following requirements:

1. There shall be no flaming ignition of the cotton material during the Ember Intrusion Test.
2. There shall be no flaming ignition during the Integrity Test portion of the Flame Intrusion Test.
3. The maximum temperature of the unexposed side of the vent shall not exceed 662°F (350°C).

403.4.2 Prescriptive Requirements. Ventilation openings for enclosed attics, enclosed rafter spaces, and underfloor spaces shall be covered with *noncombustible* 404.3 corrosion-resistant mesh with openings not to exceed 1/8-inch.



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SECTION 404 CLASS 2 STRUCTURE HARDENING

404.1 General. Class 2 structure hardening shall be in accordance with Sections 404.2 through 404.10.1 as well as the provisions of Class 1 structure hardening in Sections 403.2-403.4.2 and shall apply to buildings and structures hereafter constructed, modified or relocated into or within areas of the *wildland-urban interface* having a moderate or high fire hazard severity. See also Sections 101.6-101.7.

404.2 Protection of eaves. Eaves and soffits shall be protected on the exposed underside by *noncombustible material, ignition-resistant materials*, or by materials approved for not less than 1-hour *fire-resistance-rated construction, 5/8-inch Type X drywall*, 2-inch nominal dimension lumber, or 1 inch nominal *fire-retardant-treated wood* or 3/4 inch nominal fire-retardant-treated plywood, identified for exterior use and meeting the requirements of Section 2303.2 of the 2024 *International Building Code*. Fascias are required and shall be protected on the backside by *noncombustible material, ignition-resistant materials*, or by materials approved for not less than 1-hour *fire-resistance-rated construction, 5/8-inch Type X drywall*, or 2-inch nominal dimension lumber.

404.3 Exterior Walls. Exterior walls of buildings or structures shall be constructed with one of the following methods:

1. Exterior wall assemblies with a minimum of 1-hour fire-resistance rating, rated for exposure on the exterior side.
2. *Approved noncombustible materials.*
3. *Heavy timber or log wall construction.*
4. *Noncombustible materials* complying with Section 402.2 on the exterior side.
5. *Fire-retardant treated wood* complying with Section 402.3 on the exterior side. The *fire-retardant-treated wood* shall be labeled for exterior use and meet the requirements of Section 2303.2 of the 2024 *International Building Code*.
6. *Ignition-resistant materials* complying with Section 402.4 on the exterior side.

Such material shall extend from the top of the foundation to the underside of the eave or the underside of the roof sheathing.

Exceptions:

1. Exterior wall *embellishments* and architectural trim (exclusive of trim on exterior windows and doors) not to exceed 5 percent of the square footage of the exterior wall.
2. Roof or wall top cornice projections and similar assemblies.
3. Solid wood rafter tails and solid wood blocking installed between rafters having minimum dimension 2 inch nominal.

404.3.1 Exterior Wall Coverings. Exterior wall coverings shall be limited to the following:

1. *Noncombustible materials.*
2. *Fire-retardant-treated wood.*
3. *Ignition-resistant building materials.*



Exception: Where options 1 or 2 in section 404.3 are used, vinyl siding may be used as an exterior covering.

404.3.2 Flashing. A minimum of 6 inches of metal flashing or *noncombustible* material applied vertically between the wall sheathing and the exterior cladding shall be installed at the ground, decking, and roof intersections.

Combustible sheathing products exposed by the gap created at the base of the exterior walls, posts, or columns must be protected with *noncombustible material* or *ignition-resistant building materials* while still permitting drainage and moisture control from behind exterior cladding.

404.4 Underfloor enclosure. Buildings or structures shall have underfloor areas enclosed to the ground or comply with exterior walls in accordance with Section 404.3.

404.5 Decking. Unenclosed decks shall have the deck walking surface constructed of one of the following:

1. *Approved noncombustible* materials
2. Class A rated material

Exception: Composite decking material with a minimum of Class B rating

3. *Fire-retardant-treated wood* identified for exterior use and meeting the requirements of Section 2303.2 of the 2024 *International Building Code*
4. *Ignition-resistant building materials* in accordance with Section 402.4.

404.6 Appendages and Projections. Appendages and projections shall be constructed in accordance with Section 404.3.

404.7 Exterior Glazing. Exterior windows, window walls and glazed doors, windows within exterior doors, and skylights shall be tempered glass, *multilayered glazed panels*, glass block or have a fire protection rating of not less than 20 minutes.

404.8 Exterior Doors. Exterior doors shall be *approved noncombustible* construction, solid core wood not less than 1 ¾-inches thick, or have a fire protection rating of not less than 20 minutes. Windows within doors and glazed doors shall be in accordance with Section 404.7.

Exception: Vehicle access doors.

404.9 Vehicle Access Door Perimeter Gap. Exterior vehicle access doors shall resist the intrusion of embers from entering by preventing gaps between doors and door openings, at the head, sill, and jamb of doors from exceeding ⅛ inch as approved by the AHJ.

Gaps between doors and door openings shall be controlled by one of the following methods:

1. Weather-stripping products made of materials that: (a) have been tested for tensile strength in accordance with ASTM D638 (Standard Test Method for Tensile Properties of Plastics) after exposure to ASTM G155 (Standard Practice for Operating Xenon Arc Light Apparatus for Exposure of Non-Metallic Materials) for a period of 2,000 hours, when the maximum allowable difference in tensile strength values between exposed and



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non-exposed samples does not exceed 10 percent; and (b) exhibit a V-2 or better flammability rating when tested to UL 94 (Standards for Tests for Flammability of Plastic Materials for Parts in Devices and Appliances).

2. Door overlaps onto jambs and headers.
3. Garage door jambs and headers covered with metal flashing.

404.10 Detached Accessory Structures. Detached *accessory structures* located less than 50 feet from a building containing *habitable* or *occupiable space* shall have exterior walls constructed in accordance with Section 404.3 through 404.3.2.

404.10.1 Underfloor areas. Where the detached structure is located and constructed so that the structure or any portion thereof projects over a descending *slope* surface greater than 10 percent, the area below the structure shall have underfloor areas enclosed to within 6 inches of the ground, with exterior wall construction in accordance with Section 404.3 or underfloor protection in accordance with Section 404.4 or with 1/8-inch metal corrosion-resistant screen with a hardened zone within 5 feet.

Exception: The enclosure shall not be required where the underside of exposed floors and exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour *fire-resistance-rated construction*, *heavy timber construction*, *noncombustible* materials on the exterior side, or *fire-retardant-treated wood* on the exterior side. The *fire-retardant-treated wood* shall be labeled for exterior use and meet the requirements of Section 2303.2 of the 2024 *International Building Code*.



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Chapter 5- Site and Area Requirements

SECTION 501 GENERAL

501.1 Scope. The provisions of this chapter shall apply to parcels subject to this code.

501.2 Reference. As needed, the *code official* shall refer to the Home Ignition Zone (HIZ) Guide as developed by the Colorado State Forest Service.

Where conflicts occur between provisions of this code and the HIZ Guide, the provisions of this code shall govern. The provisions of this code, as applicable, shall take precedence over the provisions in the referenced standard.

SECTION 502 CLASS 1 REQUIREMENTS

502.1 Structure Ignition Zone 1 (0-5 feet): Immediate Zone

502.1.1 Objective. This zone is designed to reduce or eliminate ember ignition and direct flame contact with the structure, decks, stairs, and attachments.

502.1.2 Materials. Use *noncombustible*, hard surface materials in this zone, such as rock, gravel, sand, concrete, bare earth or stone/concrete pavers.

Exception: Ignition-resistant plantings, per an approved list by the AHJ that is not less than that created by the Colorado State Forest Service, are allowed in the Immediate Zone.

502.1.3 Plantings. Remove all plantings including shrubs, slash, combustible mulch and other woody debris, with the exception of ignition-resistant vegetation.

502.1.4 Trees. There shall be no planting of new trees in the immediate zone. Mature trees of no less than 10-inch diameter at 4.5 feet above ground level may be maintained.

Tree crowns extending to within 10 feet of any structure shall be pruned to maintain a minimum clearance of 10 feet.

Prune tree branches to a height of 6-10 feet from the ground or a third of the total height of the tree, whichever is less.

502.2 Site Signage

502.2.1 Marking of roads. *Approved* signs or other *approved* notices shall be provided and maintained for access roads and driveways to identify such roads and prohibit the obstruction thereof.

502.2.2 Marking of fire protection equipment. Fire protection equipment and fire hydrants shall be clearly identified in a manner *approved* by the *code official* to prevent obstruction.



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502.2.3 Address markers. Buildings shall have a permanently posted address, which shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located in a manner *approved* by the *code official*.

502.3 Retaining Walls

502.3.1 Retaining Walls. Retaining walls shall be constructed with either *noncombustible* or ignition-resistant materials when any of the following conditions exist:

1. The retaining wall is within 8 feet of a structure regulated by this code or up to the property line when the property line is less than 8 feet away from the structure.
2. The retaining wall is integral to the support of a structure regulated by this code.
3. The retaining wall is integral to the egress from a structure regulated by this code to a public way, easement, or private road.

502.4 Fencing

502.4.1 Fencing. Fencing within 8 feet of a structure regulated by this code or up to the property line when the property line is less than 8 feet away from the structure shall be constructed with *noncombustible* or ignition-resistant materials.

Exception: Vinyl fencing. Vinyl fencing may be allowed.

SECTION 503 CLASS 2 REQUIREMENTS

503.1 General. Class 2 site and area requirements shall be in accordance with Sections 503.2 through 503.3.2 and include all requirements of Class 1 in Sections 502.1 through 502.4.

503.2 Structure Ignition Zone 2 (5-30 feet) Intermediate Zone

503.2.1 Objective. This zone is designed to give an approaching fire less fuel, which will help reduce its intensity as it gets nearer to structures.

503.2.2 Dead Materials. Within the *fuel modification* area, hazardous dead plant material must be removed from live vegetation.

503.2.3 Fuels Accumulation. Avoid large accumulations of surface fuels such as logs, branches, slash and combustible mulch.

503.2.4 Trees. *Tree crowns* extending to within 10 feet of any structure shall be pruned to maintain a minimum clearance of 10 feet.

Prune tree branches to a height of 6-10 feet from the ground or a third of the total height of the tree, whichever is less.



503.2.4.1 Tree Spacing. *Tree crowns* within this zone shall be spaced to prevent structure ignition and promote fuel discontinuity to limit fire spread.

503.2.5 Shrubs. Shrub groups within this zone shall be spaced to prevent structure ignition. Shrubs shall be at least 10 feet away from the edge of tree branches.

503.3 Structure Ignition Zone 3 (30-100 feet) Expanded Zone

503.3.1 Objective. This zone focuses on mitigation that keeps fire on the ground.

503.3.2 Tree Spacing. *Tree crowns* within this zone shall be spaced at a minimum of 6-10 feet.



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Appendix A: PERMITS

The provisions of this appendix apply only when adopted by the governing body in the final ordinance.

A101.1 General. Where not otherwise provided in the requirements of the *International Building Code* or *International Fire Code*, permits are required in accordance with Sections A101.2 through A101.9.

A101.2 Permits required. Unless otherwise exempted, buildings or structures regulated by this code shall not be erected, constructed, altered, repaired, moved, converted, changed, or changed in use or occupancy unless a separate permit for each building or structure has first been obtained from the *code official*.

For buildings or structures erected for temporary uses, see Section 105.

A101.3 Permit application. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

1. Identify and describe the work, activity, operation, practice or function to be covered by the permit for which application is made.
2. Describe the land on which the proposed work, activity, operation, practice or function is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building, work, activity, operation, practice or function.
3. Indicate the use or occupancy for which the proposed work, activity, operation, practice or function is intended.
4. Be accompanied by plans, diagrams, computation and specifications and other data as required in Appendix B.
5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
6. Be signed by the applicant or the applicant's authorized agent.
7. Give such other data and information as required by the *code official*.

A101.3.1 Preliminary inspection. Before a permit is issued, the *code official* is authorized to inspect and approve the systems, equipment, buildings, devices, premises and spaces or areas to be used.

A101.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that



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the *code official* is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

A101.4 Permit approval. Before a permit is issued, the *code official*, or an authorized representative, shall review and approve permitted uses, occupancies or structures. Where laws or regulations are enforceable by other agencies or departments, a joint approval shall be obtained from agencies or departments concerned.

A101.5 Permit issuance. The application, plans, specifications and other data filed by an applicant for a permit shall be reviewed by the *code official*. If the *code official* finds that the work described in an application for a permit and the plan, specifications and other data filed therewith conform to the requirements of this code, the *code official* is allowed to issue a permit to the applicant.

When the *code official* issues the permit, the *code official* shall endorse in writing or stamp the plans and specifications APPROVED. Such *approved* plans and specifications shall not be changed, modified or altered without authorization from the *code official*, and work regulated by this code shall be done in accordance with the *approved* plans.

A101.5.1 Refusal to issue a permit. Where the application or construction documents do not conform to the requirements of pertinent laws, the *code official* shall reject such application in writing, stating the reasons therefor.

A101.6 Validity of permit. The issuance or granting of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or conceal the provisions of this code or other ordinances of the jurisdiction shall not be valid.

A101.7 Expiration. Every permit issued by the *code official* under the provisions of this code shall expire by limitation and become null and void if the building, use or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building, use or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days.

Any permittee holding an unexpired permit is allowed to apply for an extension of the time within which work is allowed to commence under that permit where the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The *code official* is authorized to extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Permits shall not be extended more than once.



A101.8 Retention of permits. Permits shall at all times be kept on the premises designated therein and shall at all times be subject to inspection by the *code official* or other authorized representative.

A101.9 Revocation of permits. Permits issued under this code can be suspended or revoked where it is determined by the *code official* that:

1. It is used by a person other than the person to whom the permit was issued.
2. It is used for a location other than that for which the permit was issued.
3. Any of the conditions or limitations set forth in the permit have been violated.
4. The permittee fails, refuses or neglects to comply with any order or notice duly served on him or her under the provisions of this code within the time provided therein.
5. There has been any false statement or misrepresentation as to material fact in the application or plans on which the permit or application was made.
6. The permit is issued in error or in violation of any other ordinance, regulations or provisions of this code.

The *code official* is allowed to, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this code.

Appendix B: CONSTRUCTION DOCUMENTS

The provisions of this appendix apply only when adopted by the governing body in the final ordinance.

B101.1 General. Plans, engineering calculations, diagrams and other data shall be submitted in the format as required by the jurisdiction. The construction documents shall be prepared and submitted where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *code official* is authorized to require additional documentation.

Exception: Submission of plans, calculations, construction inspection requirements and other data, if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

B101.2 Information on plans and specifications. Plans and specifications shall be drawn to scale on substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed, and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations.

B101.3 Site plan. In addition to the requirements for plans in the *International Building Code*, site plans shall include topography, landscape and vegetation details and locations of structures or building envelopes. The *code official* is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted. Identify the *fire intensity classification*.

B101.3.1 Defensible Space Site Plans. Defensible space site plans shall be prepared and submitted to the *code official* for review and approval as part of the site plans required for a permit. The *code official* is authorized to waive or modify the requirement for a defensible space site plan where the application for permit is for alteration or repair or where otherwise warranted.

B101.5 Other data and substantiation. Where required by the *code official*, the plans and specifications shall include classification of fuel loading, fuel model light, medium or heavy, and substantiating data to verify classification of fire-resistive vegetation.

B101.6 Retention of plans. One set of *approved* plans, specifications and computations shall be retained by the *code official* for a period of not less than 180 days from date of completion of the permitted work or as required by state or local laws.

B101.7 Examination of documents. The *code official* shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.



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B101.8 Amended construction documents. Work shall be installed in accordance with the *approved* construction documents, and changes made during construction that are not in compliance with the *approved* documents shall be resubmitted for approval as an amended set of construction documents.

B101.9 Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

B101.10 Phased approval. The *code official* is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

Appendix C: INSPECTION AND ENFORCEMENT

The provisions of this appendix apply only when adopted by the governing body in the final ordinance.

C101.1 Inspection. Inspections shall be in accordance with Sections C101.1.1 through C101.1.4.3.

C101.1.1 General. Construction or work for which a permit is required by this code shall be subject to inspection by the *code official* and such construction or work shall remain visible and able to be accessed for inspection purposes until *approved* by the *code official*.

It shall be the duty of the permit applicant to cause the work to remain visible and able to be accessed for inspection purposes. Neither the *code official* nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

Where required by the *code official*, a survey of the lot shall be provided to verify that the mitigation features are provided and the building or structure is located in accordance with the *approved* plans.

C101.1.2 Authority to inspect. The *code official* shall inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the *code official* for the purpose of ascertaining and causing to be corrected any conditions that could reasonably be expected to cause fire or contribute to its spread, or any violation of the purpose of this code and of any other law or standard affecting fire safety.

C101.1.2.1 Approved inspection agencies. The *code official* is authorized to accept reports of approved inspection agencies, provided that such agencies satisfy the requirements as to qualifications and reliability.

C101.1.2.2 Inspection requests. It shall be the duty of the holder of the permit or their duly authorized agent to notify the *code official* when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

C101.1.2.3 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *code official*. The *code official*, upon notification, shall make the requested inspections and shall



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either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *code official*.

C101.1.3 Reinspections. To determine compliance with this code, the *code official* can cause a structure to be reinspected. A fee can be assessed for each inspection or reinspection where work for which inspection is called is not complete or where corrections called for are not made.

Reinspection fees can be assessed where the *approved* plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the *code official*.

To obtain a reinspection, the applicant shall pay the reinspection fee as set forth in the fee schedule adopted by the jurisdiction. Where reinspection fees have been assessed, additional inspection of the work will not be performed until the required fees have been paid.

C101.1.4 Testing. Installations shall be tested as required in this code and in accordance with Sections C101.1.4.1 through C101.1.4.3. Tests shall be made by the permit holder or authorized agent and observed by the *code official*.

C101.1.4.1 New, altered, extended or repaired installations. New installations and parts of existing installations that have been altered, extended, renovated or repaired, shall be tested as prescribed herein to disclose defects.

C101.1.4.2 Apparatus, instruments, material and labor for tests. Apparatus, instruments, material and labor required for testing an installation or part thereof shall be furnished by the permit holder or authorized agent.

C101.1.4.3 Reinspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the *code official* for inspection and testing.

C101.2 Enforcement. Enforcement shall be in accordance with Sections C101.2.1 and C101.2.2.

C101.2.1 Authorization to issue corrective orders and notices. Where the *code official* finds any building or premises that are in violation of this code, the *code official* is authorized to issue corrective orders and notices.

C101.2.2 Service of orders and notices. Orders and notices authorized or required by this code shall be given or served on the owner, the owner's authorized agent, operator, occupant or other person responsible for the condition or violation either by verbal notification, personal service, or delivering the same to, and leaving it with, a person of suitable age and discretion on the premises; or, if such person is not found on the



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premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of said premises and by mailing a copy thereof to such person by registered or certified mail to the person's last known address.

Orders or notices that are given verbally shall be confirmed by service in writing as herein provided.

C101.3 Compliance with orders and notices. Compliance with orders and notices shall be in accordance with Sections C101.3.1 through C101.3.8.

C101.3.1 General compliance. Orders and notices issued or served as provided by this code shall be complied with by the owner, the owner's authorized agent, operator, occupant or other person responsible for the condition or violation to which the corrective order or notice pertains.

If the building or premises is not occupied, then such corrective orders or notices shall be complied with by the owner or the owner's authorized agent.

C101.3.2 Compliance with tags. building or premises shall not be used when in violation of this code as noted on a tag affixed in accordance with Section C101.3.1.

C101.3.3 Removal and destruction of signs and tags. A sign or tag posted or affixed by the *code official* shall not be mutilated, destroyed or removed without authorization by the *code official*.

C101.3.4 Citations. Persons operating or maintaining an occupancy or premises subject to this code who allow a hazard to exist or fail to take immediate action to abate a hazard on such occupancy, premises or vehicle when ordered or notified to do so by the *code official* shall be guilty of a misdemeanor.

C101.3.5 Unsafe conditions. Buildings, structures or premises that constitute a fire hazard or are otherwise dangerous to human life, or that in relation to existing use constitute a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage or abandonment as specified in this code or any other ordinance, are unsafe conditions. Unsafe buildings or structures shall not be used. Unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal, pursuant to applicable state and local laws and codes.

C101.3.5.1 Record. The *code official* shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

C101.3.5.2 Notice. Where an unsafe condition is found, the *code official* shall serve on the owner, owner's authorized agent or person in control of the building, structure or premises, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or



COLORADO
Department of Public Safety



COLORADO
Division of Fire
Prevention & Control
Department of Public Safety

requires the unsafe structure to be demolished. Such notice shall require the person thus notified, or their designee, to declare to the *code official* within a stipulated time, acceptance or rejection of the terms of the order.

C101.3.5.2.1 Method of service. Such notice shall be deemed properly served where a copy thereof is served by one of the following methods:

1. Delivered to the owner or the owner's authorized agent personally.
2. Sent by certified or registered mail addressed to the owner or the owner's authorized agent at the last known address with a return receipt requested.
3. Delivered in any other manner as prescribed by local law.

Where the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner on the owner's authorized agent or on the person responsible for the structure shall constitute service of notice on the owner.

C101.3.5.3 Placarding. Upon failure of the owner, the owner's authorized agent or the person responsible to comply with the notice provisions within the time given, the *code official* shall post on the premises or on defective equipment a placard bearing the word "UNSAFE" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

C101.3.5.3.1 Placard removal. The *code official* shall remove the unsafe condition placard whenever the defect or defects on which the unsafe condition and placarding action were based have been eliminated. Any person who defaces or removes an unsafe condition placard without the approval of the *code official* shall be subject to the penalties provided by this code.

C101.3.5.4 Abatement. The owner, the owner's authorized agent, operator or occupant of a building, structure or premises deemed unsafe by the *code official* shall abate, correct or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action.

C101.3.5.5 Summary abatement. Where conditions exist that are deemed hazardous to life and property, the *code official* is authorized to abate or correct summarily such hazardous conditions that are in violation of this code.

C101.3.5.6 Evacuation. The *code official* shall be authorized to order the immediate evacuation of any occupied building, structure or premises deemed unsafe where such hazardous conditions exist that present imminent danger to the occupants. Persons so notified shall immediately leave the structure or premises and shall not enter or reenter until authorized to do so by the *code official*.

C101.3.6 Prosecution of violation. If the notice of violation is not complied with promptly, the *code official* is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

C101.3.7 Violation penalties. An AHJ has the authority to establish fees.

C101.3.8 Abatement of violation. In addition to the imposition of the penalties herein described, the *code official* is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.



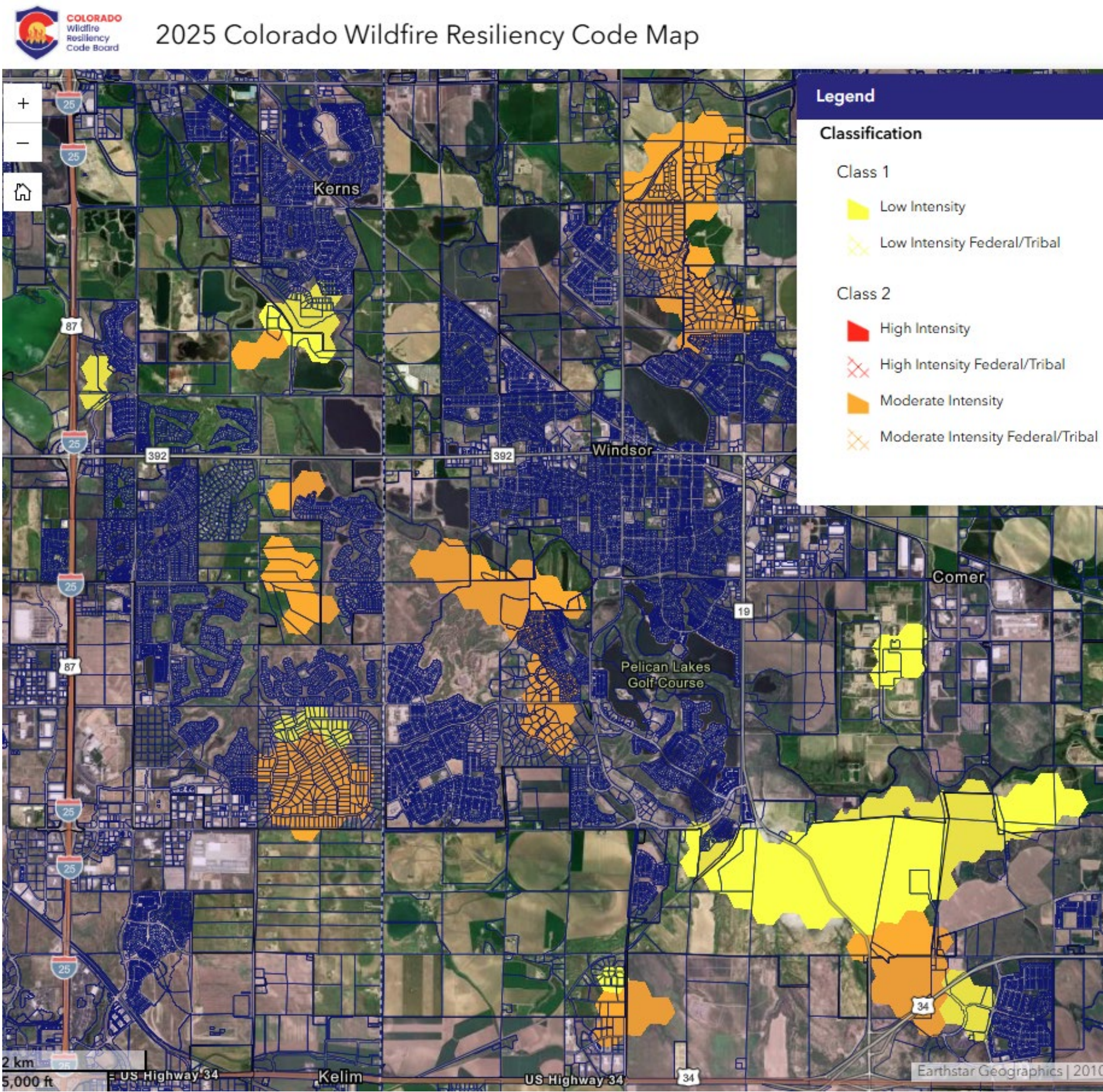
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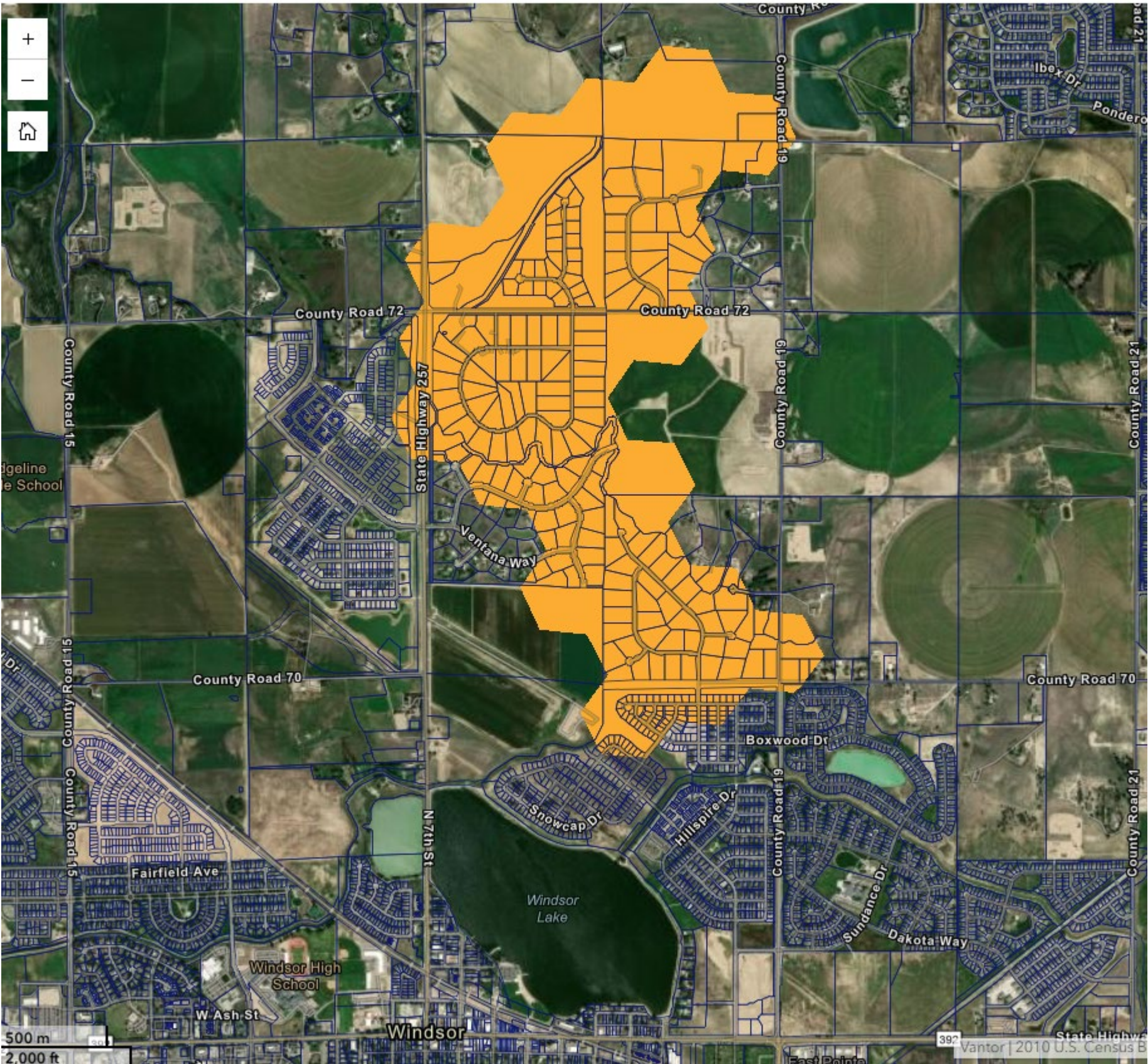


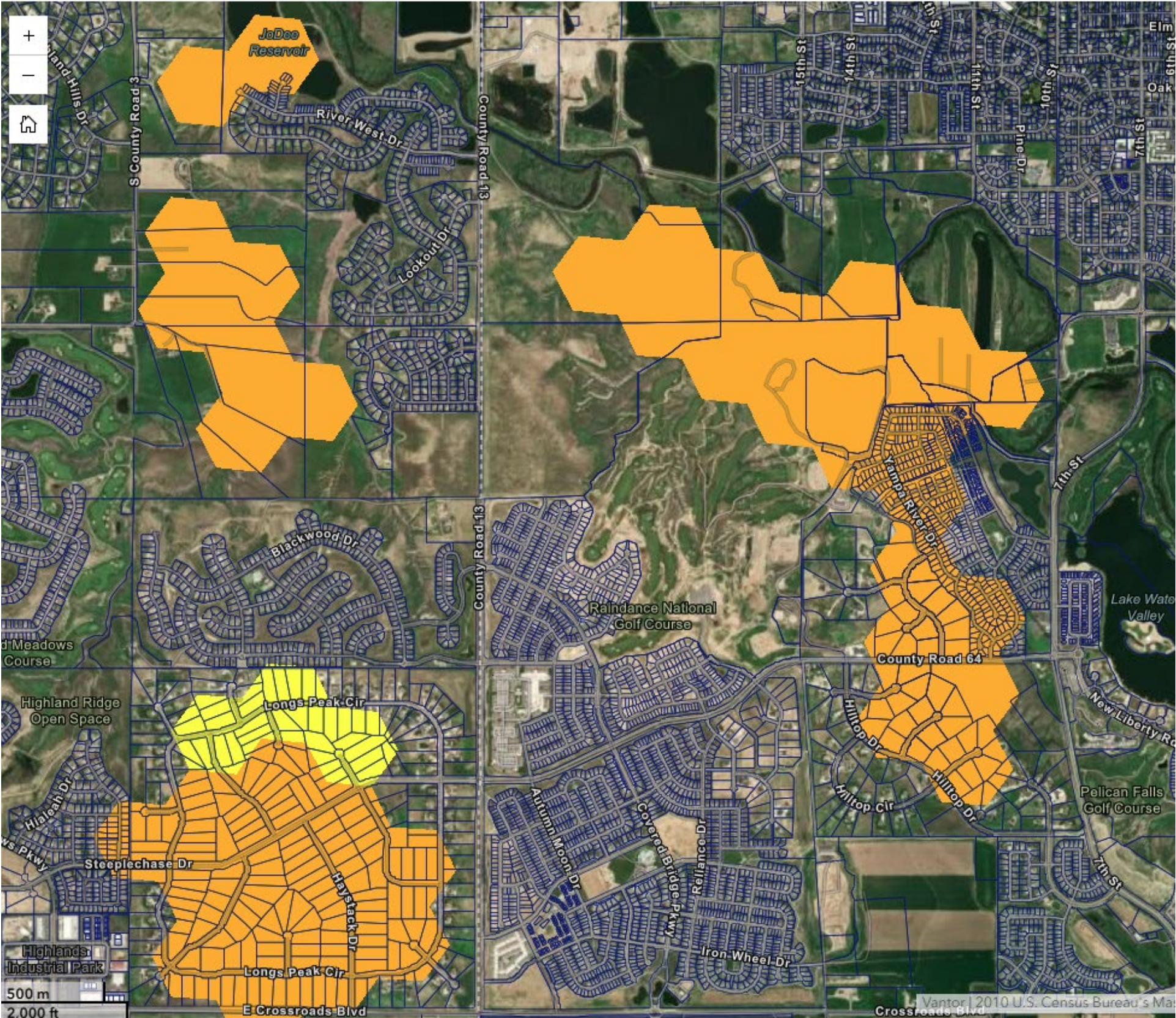
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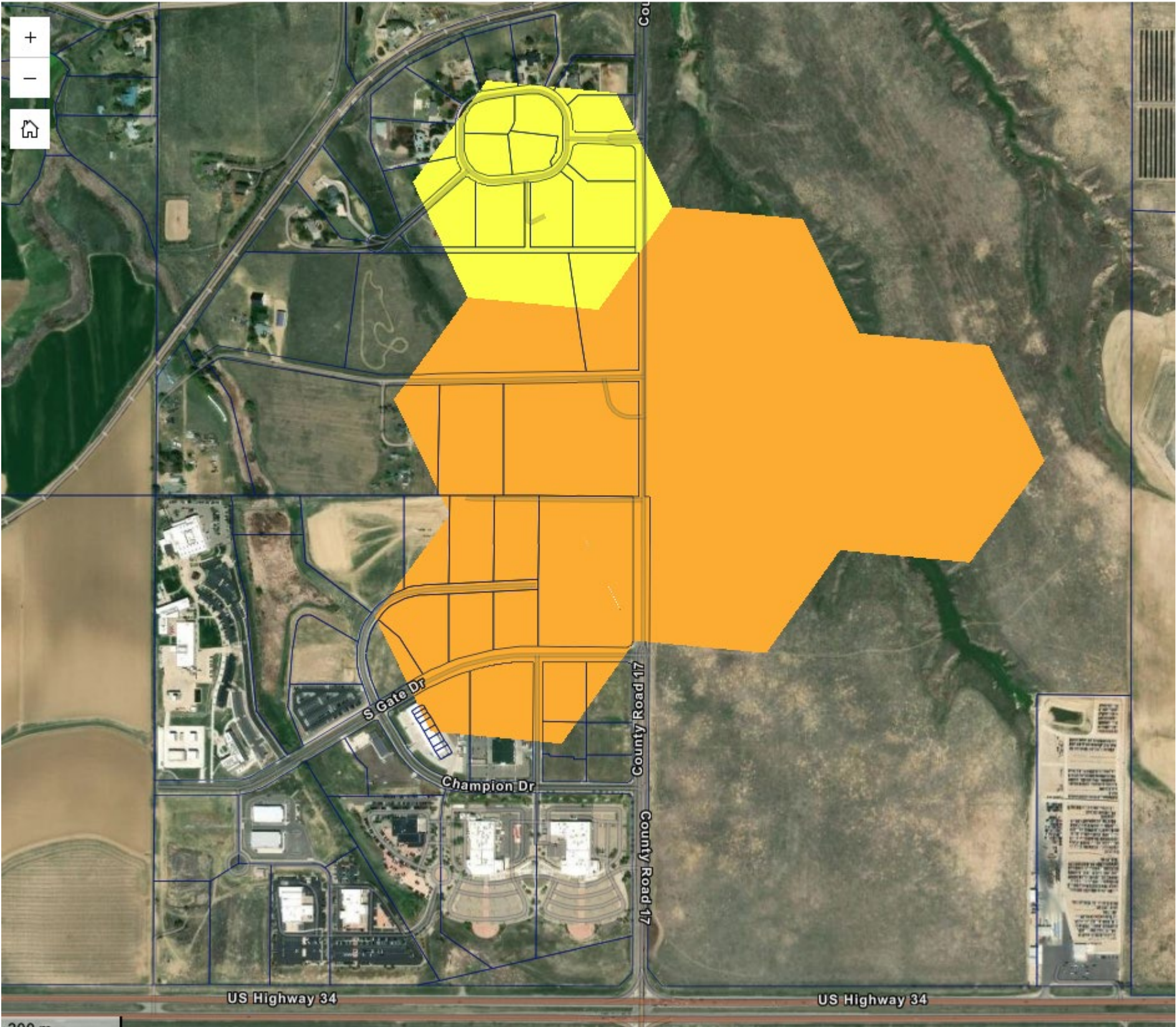
Wildfire Hazard Areas in Windsor as Identified by State of Colorado

(areas of Windsor not on the map are not classified as hazard areas)











COLORADO
MUNICIPAL
LEAGUE

Colorado Wildfire Resiliency Code update

[CML Newsletter](#)

Feb. 3, 2026

By Emma Donahue, CML legislative & policy advocate

Currently there are conversations happening around the Colorado Wildfire Resiliency Code (CWRC) implementation timeline. [SB23-166](#) created the Wildfire Resiliency Code Board, which was tasked with developing and adopting of the codes and standards. The code was adopted on July 1, 2025. Jurisdictions that have areas designated in the Wildland-Urban Interface have until April 1, 2026, to adopt the code and be fully compliant by July 1, 2026. The adopted code can be found [here](#).

As the adoption deadline nears, municipalities have raised concerns about their ability to meet the timeline. One major concern is that the state's CWRC application map is not accurate for all areas. While the legislation allows municipalities to develop their own map for approval by the board, two issues for municipalities remain: the board has not released the data or tools necessary for local mapping, and it has not indicated who will be reviewing and approving the municipality-developed maps. Without the map, municipalities can't complete code review and adoption processes in a timely manner.

Additional concerns include staff capacity to review, adopt, and enforce the new code, lack of support and guidance from the board, and the unfunded mandate implications of implementation.

CML and our members understand the importance of making our communities more resilient to wildfire but also understand the need for thoughtful code adoption. Additional time is needed for municipalities to develop their own maps if they would like to, review and adopt the code, and implement it within their communities. CML will continue to bring your feedback to the legislature and continue this important conversation.

If your municipality has feedback on any issues or concerns with the CWRC please send it to Emma Donahue at Edonahue@cml.org. This information will be used in conversations with legislators and other interested parties so we can advocate on your behalf.

COOPERATIVE AGREEMENT

Wildfire Resiliency Code Administration & Enforcement

The parties to this Cooperative Agreement (Agreement) are the Larimer County Board of County Commissioners (County) and the **FIRE DISTRICT NAME**.

WHEREAS, SB23-166 requires adopting governing bodies with jurisdiction in wildland-urban interface areas to adopt wildfire resiliency codes meeting state minimum standards; and

WHEREAS, SB25-142 amended the original requirements to allow for cooperative agreements and extended implementation timelines; and

WHEREAS, the definition of “cooperative agreement” is codified at C.R.S. section 24-33.5-1237(c.5) and means an agreement entered into by the adopting governing body and at least one other entity, such as a third-party contractor or another governing body, that provides for the enforcement of the codes; and

WHEREAS, the code contains both building code elements and fire code elements requiring different expertise for enforcement; and

WHEREAS, multiple jurisdictions may have overlapping authority creating potential conflicts and duplicative efforts; and

WHEREAS, the parties seek to establish clear enforcement responsibilities through a cooperative agreement as authorized under C.R.S. section 24-33.5-1237, *et seq.*, as in effect now and amended hereafter; and

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, the parties agree as follows:

1. **Purpose.** The purpose of this Agreement is to establish a cooperative agreement for the administration and enforcement of the Wildfire Resiliency Code as required by SB23-166 and amended by SB25-142, codified at C.R.S. section 24-33.5-1237, to eliminate duplicative enforcement efforts, clarify jurisdictional responsibilities, and ensure consistent application of building code and fire code elements within the wildland-urban interface areas.
2. **Term of Agreement.** This Agreement shall commence upon the day and date last signed and executed by the duly authorized representatives of the parties to this Agreement and shall remain in full force and effect until terminated. This Agreement may be terminated, without cause, by either party upon ninety (90) days written notice, which notice shall be delivered by hand or by certified mail, to allow for transition of pending permits and inspections.
3. **Payment.** No payment shall be made to either party by the other party as a result of this Agreement. Each party shall retain fees collected for services performed under their respective responsibilities. Any civil penalties collected pursuant to C.R.S. section 24-33.5-1213(4) shall be deposited according to C.R.S. section 24-33.5-1213(4)(b).

4. Responsibilities of Larimer County. The County shall:

- a. Administer and enforce all building code elements and construction hardening requirements of the Wildfire Resiliency Code throughout the unincorporated areas of Larimer County, including but not limited to:
 - i. Requirements for non-combustible building materials.
 - ii. Roof and exterior wall construction standards.
 - iii. Window and door specifications.
 - iv. Deck and attachment requirements.
 - v. Other construction-related provisions.
- b. Issue all building permits related to wildfire resiliency construction requirements and conduct associated plan reviews and inspections.
- c. Maintain primary enforcement authority for all building code violations related to the Wildfire Resiliency Code.
- d. Provide enforcement of the complete Wildfire Resiliency Code in unincorporated areas of Larimer County outside Fire District boundaries.
- e. Coordinate with the Fire District on overlapping requirements and refer fire code elements to the Fire District for properties within Fire District boundaries.
- f. Participate in joint inspections when both building and fire code elements are involved, upon request.
- g. Share information regarding permits, inspections, and violations with the Fire District as needed for coordinated enforcement.
- h. Maintain records of all enforcement actions taken under this Agreement and provide reports to the Wildfire Resiliency Code Board as required.

5. Responsibilities of Fire District. The Fire District shall:

- a. Subject to County Commissioner approval pursuant to C.R.S. section 32-1-1002, administer and enforce all fire code elements and site/area management requirements of the Wildfire Resiliency Code within Fire District boundaries, including but not limited to:
 - i. Vegetation management and defensible space requirements.
 - ii. Tree and shrub spacing standards.
 - iii. Fuel break requirements.
 - iv. Access road and driveway standards.

- v. Water supply requirements for fire protection.
 - vi. Other fire prevention and site management provisions.
- b. Conduct site inspections and issue notices of violation for fire code elements within their jurisdiction.
 - c. Coordinate with the County on properties requiring both building permits and fire code compliance.
 - d. Refer building code violations to the County for enforcement.
 - e. Participate in joint inspections when both building and fire code elements are involved, upon request.
 - f. Share information regarding inspections and violations with the County as needed for coordinated enforcement.
 - g. Maintain records of all enforcement actions taken under this Agreement and provide reports to the Wildfire Resiliency Code Board as required.

6. Special Provisions.

- a. **Code Modifications.** The parties agree to coordinate any petitions for modification of the Wildfire Resiliency Code submitted to the Board pursuant to C.R.S. section 24-33.5-1236(4)(b)(IV). Any party seeking a modification shall provide written notice to the other party at least thirty (30) days before submitting a petition to the Board.
- b. **Hazard Area Mapping.** The parties agree to use the wildland-urban interface maps as adopted by WHO? and updated from time to time.
- c. **Most Restrictive Standard.** When overlapping requirements exist, the most restrictive standard shall apply, and the agency responsible for that standard shall have enforcement authority.
- d. **Board Review & Cooperation.** The parties acknowledge that the Wildfire Resiliency Code Board may review codes adopted by the parties and their application of such codes to determine compliance with C.R.S. section 24-33.5-1237. The parties shall cooperate with the Board and be responsive to any requests for information from the Board made pursuant to the Board's review authority under C.R.S. section 24-33.5-1237(2)(c).

7. General Provisions.

- a. **Amendments.** Either party may request changes in this Agreement. Any changes, modifications, revisions, or amendments to this Agreement which are mutually agreed upon by the parties to this Agreement shall be incorporated by written instrument, executed and signed by all parties to this Agreement.

- b. **Choice of Law, Jurisdiction, & Venue.** Colorado law shall be applied in the interpretation, execution, and enforcement of this Contract. All suits or actions related to this Contract shall be filed and proceedings held in the State of Colorado and the venue shall be in Larimer County, Colorado.
- c. **Prohibition of Pledging Credit & No Aid to Corporations.** Pursuant to Colorado Constitution Article XI, Sections 1 and 2 and Article X, section 20, the County shall not indemnify or hold harmless any party related or operating under this Agreement. No provision in the Agreement shall limit or set the amount of damages available to the County to any amount other than the actual direct and indirect damages to the County, regardless of the theory or basis for such damages. Any provision included or incorporated herein by reference which purports to negate this provision in whole or in part shall not be valid or enforceable or available in any action at law or equity, whether by way of complaint, defense, or otherwise. Any provision rendered null and void by this provision shall not invalidate the remainder of the Agreement.
- d. **Separate Entities.** Both parties shall perform its duties hereunder as independent entities, and neither shall be deemed an employee or agent of the other.
- e. **Severability.** Should any portion of this Agreement be judicially determined to be illegal or unenforceable, the remainder of the Agreement shall continue in full force and effect, and the parties may renegotiate the terms affected by the severance.
- f. **Sovereign Immunity.** Larimer County does not waive sovereign or governmental immunity by entering into this Agreement, and fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this Agreement. This includes, but is not limited to, the understanding that no term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, notice requirements, or other provisions, of the Colorado Governmental Immunity Act, C.R.S. section 24-10-101, *et seq.*, as applicable now or hereafter amended. There is no intent to waive or restrict governmental immunity.
- g. **Third Party Beneficiary Rights.** The parties do not intend to create in any other individual or entity the status of third party beneficiary, and this Agreement shall not be construed so as to create such status. The rights, duties, and obligations contained in this Agreement shall operate only between the parties to this Agreement and shall inure solely to the benefit of the parties to this Agreement. The provisions of this Agreement are intended only to assist the parties in determining and performing their obligations under this Agreement.
- h. **Entirety of Agreement.** This Agreement, consisting of [number] pages, and Attachment A, Map of Jurisdictional Boundaries and [other documents or exhibits] consisting of [redacted] ([redacted]) page(s), represent(s) the entire and integrated agreement between the parties and supersede(s) all prior negotiations, representations, and agreements, whether written or oral.

- i. **Signature Authority.** This Agreement shall not be valid unless it has been approved and signed by someone authorized by Larimer County Administrative Policy and Procedure 100.2N. This Agreement may be executed in two (2) or more counterparts, each of which shall be deemed an original. The parties approve the use of electronic signatures, which shall be governed by the Uniform Electronic Transactions Act, C.R.S. section 24-71.3-101 *et seq.*
- j. **Enforcement & Regulatory Authority.** This Agreement is not intended to and does not remove or modify the parties' rights as otherwise outlined in law to adopt and enforce regulations. Each party is responsible for following the appropriate procedures such that any applicable codes or regulations are appropriately adopted.

SIGNATURE PAGE TO FOLLOW.

- k. **Signatures.** The parties to this Agreement, through their duly authorized representatives, have executed this Agreement on the dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this Agreement as set forth herein.
- l. **Effective Date.** The effective date of this Agreement is the date of the signature last affixed to this page.

**RESOLUTION OF THE
BOARD OF DIRECTORS OF THE
HUDSON FIRE PROTECTION DISTRICT**

RESOLUTION ADOPTING THE MODEL 2025 WILDFIRE RESILIENCY CODE AND REQUESTING THAT THE COLORADO DIVISION OF FIRE PREVENTION AND CONTROL ENFORCE SUCH CODE

WHEREAS, Hudson Fire Protection District ("**Fire District**") is a political subdivision of the State of Colorado, organized pursuant the Colorado Special District Act, Section §32-1-101, *et seq.* of the Colorado Revised Statutes ("**C.R.S.**") to provide, among other services, fire suppression and fire prevention services within its jurisdiction;

WHEREAS, Section 24-33.5-1237(2)(a), C.R.S. requires the Fire District's Board of Directors ("**Board**") to adopt a wildfire resiliency code;

WHEREAS, Section 24-33.5-1236(4), C.R.S. requires the State Wildfire Resiliency Code Board ("**WRCB**") to create a statewide wildfire resiliency code. On June 1, 2025, the WRCB adopted a model Wildfire Resiliency Code ("**Model WRC**"), which is intended to reduce the risk of wildfire through construction hardening and site and area design;

WHEREAS, the Board desires to adopt the Model WRC within the Fire District's jurisdiction; and,

WHEREAS, Section 24-33.5-1237(2)(d) authorizes the Fire District to request that the Colorado Division of Fire Prevention and Control ("**CDFPC**") enforce the Model WRC adopted by the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HUDSON FIRE PROTECTION DISTRICT:

1. The Board hereby adopts the Model WRC, as may be amended by the Board from time to time, as the Fire District's wildfire resiliency code within the Fire District's jurisdiction, effective immediately.

2. The Board hereby requests that CDFPC enforce the Model WRC within the Fire District's jurisdiction. Chief Staff is authorized and directed to take such actions as are necessary to make such request to CDFPC.

3. If for any reason CDFPC denies the Fire District's request, or is unable to enforce the Model WRC within the Fire District's jurisdiction, whether due to inadequate resources or otherwise, Chief Staff is directed to develop for the Board's approval, and implement upon such approval, a Wildfire Resiliency Code Self-Compliance Program ("**Program**") whereby those individuals and entities within the Fire District's jurisdiction that are subject to the Model WRC shall provide to the Fire District, at such times and in such manner as Chief Staff shall determine, a sworn and notarized document, whether in the form of an affidavit or otherwise, and such other

information and documentation as Chief Staff may require, that represents the individual's or entity's property and improvements comply with the requirements of the Fire District's Model WRC.

APPROVED AND ADOPTED this ___ day of January, 2026.

BOARD OF DIRECTORS
HUDSON FIRE PROTECTION DISTRICT

By: _____
D.J. Dowdy, Board President Date

Attested:

By: _____
Shirley Sellers, Board Secretary/Treasurer Date

The Crestone Eagle

WUI.woes.continue;Counties.push.back.on.unfunded.WUI-.fed.lawmakers.offer.
alternative

January 5, 2026

By.Tricia.Toney

As Colorado counties wrestle with whether to comply with the state's newly adopted Wildland-Urban Interface (WUI) code, a different approach to wildfire and disaster mitigation is emerging at the federal level—one that emphasizes incentives rather than mandates.

The WUI code, adopted by the state of Colorado in July, establishes stricter building requirements for new construction in wildfire-prone areas. While supporters say the measures are necessary to reduce wildfire risk, county leaders across Colorado argue that the code fails to account for alternative building materials, fails to respect the expertise of fire mitigation specialists and mandates costly new administrative burdens without providing funding for them.

In Saguache County, the debate has played out publicly for nearly a year. Commissioners have not yet announced a final decision on whether to implement or reject the code, although discussions are leaning towards one of two options: joining with other counties to present a united front against this unfunded mandate; or quietly declining to comply.

Counties may opt out by invoking Colorado Revised Statute 29-1-304.5, which allows local governments to treat state mandates as optional if no funding accompanies them. While the statute has never been tested in court, multiple counties, including Saguache, have already sent formal notices to state officials asserting their right to decline implementation.

Meanwhile, in mid-December, federal lawmakers reintroduced the Shelter Act, a bipartisan bill that many see as a response to the growing resistance to unfunded state and local mandates. Although the legislation does not explicitly reference Colorado's WUI code, it addresses the same underlying concern: who pays for disaster mitigation.

Introduced by U.S. senators Michael Bennet, of Colorado and Bill Cassidy, of Louisiana, the Shelter Act would establish a first-of-its-kind federal disaster mitigation tax credit. Under the proposal, families and small businesses could deduct 25 percent of qualifying mitigation expenses—up to \$3,750 per taxpayer—for improvements that reduce risks from wildfire, flooding, wind, hail and other natural disasters.

Unlike the WUI code, which prescribes specific building standards, the Shelter Act relies on voluntary participation. Supporters argue that incentives empower property owners to take proactive steps toward resilience without forcing compliance or overburdening local governments.

Colorado officials and organizations have voiced support for the bill. The Colorado Resiliency Office described the measure as a tool that could help communities of all sizes prepare for increasingly frequent and severe natural hazards. Fire Adapted Colorado, a statewide nonprofit focused on wildfire resilience, said tax incentives have already proven effective in encouraging fuel reduction and other mitigation efforts in wildfire-prone areas.

National organizations representing home builders, realtors, insurers, and architects echoed that support, emphasizing that mitigation costs far less than post-disaster recovery. Advocates note that every dollar invested in resilience can save as much as \$13 in recovery costs. In 2024 alone, the United States experienced 27 weather and climate disasters, each causing more than \$1 billion in damages.

For counties like Saguache, the contrast between the two approaches is striking. The WUI code places enforcement and compliance squarely on local governments, while the Shelter Act seeks to reduce risk by offsetting costs for individual property owners. Together, the policies highlight a broader debate over how wildfire resilience should be achieved—and who should bear the cost.

Meanwhile, Saguache County commissioners must decide how to respond to the state mandate. During the December 16 commissioners' meeting, Commissioner Tom McCracken called for a coordinated response through Colorado Counties Incorporated (CCI), arguing that counties would be stronger presenting a unified front. Commissioner Lynne Thompson said that the county should simply decline to implement the code, having already sent notice to the state reminding officials that unfunded mandates are optional.

The discussion grew tense at times, marked by overlapping interruptions and visible frustration.

Ultimately, commissioners agreed to authorize McCracken to raise the issue with other county leaders through CCI. Counties have until April 1 to either adopt or reject the WUI code.

Questions raised by the WUI Code and the Shelter Act extend beyond wildfire mitigation and disaster preparedness. They challenge the best approach for balancing governance, equity and the limits of unfunded mandates. These issues are now playing out from county commission chambers to the halls of Congress.

Ordinance #2026-03: First Reading

On display until February 25, 2026, 11:59 PM

Pursuant to the Weld County Home Rule Charter, Ordinance Number 2026-03 published below, was introduced and, on motion duly made and seconded, approved upon first reading on February 9, 2026. A public hearing and second reading is scheduled to be held in the Chambers of the Board, located within the Weld County Administration Building, 1150 O Street, Greeley, Colorado 80631, on February 25, 2026. All persons in any manner interested in the reading of said Ordinance are requested to attend and may be heard.

In accordance with the Americans with Disabilities Act, if special accommodations are required in order for you to participate in this hearing, please contact the Clerk to the Board's Office at [\(970\) 400-4225](tel:(970)400-4225) prior to the day of the hearing.

Any backup material, exhibits or information previously submitted to the Board of County Commissioners concerning this matter may be examined in the office of the Clerk to the Board of County Commissioners, located within the Weld County Administration Building, 1150 O Street, Greeley, Colorado 80631, between the hours of 8:00 a.m. and 5:00 p.m., Monday thru Friday, or may be accessed through the Weld County website (www.weld.gov). Email messages sent to an individual Commissioner may not be included in the case file. **To ensure inclusion of your email correspondence into the case file, please send a copy to egesick@weld.gov.**

Ordinance No. 2026-03

Ordinance Title: In the Matter of Repealing and Reenacting, with Amendments, Chapter 2 Administration of the Weld County Code

Date of Next Reading: February 25, 2026, at 9:00 a.m.

Board of County Commissioners

Weld County, Colorado

Dated: February 11, 2026

Published: February 13, 2026, in the Greeley Tribune

Ordinance Language:

Weld County Code Ordinance 2026-03

In the Matter of Repealing and Reenacting, with Amendments, Chapter 2 Administration of the Weld County Code

Be it ordained by the Board of County Commissioners of the County of Weld, State of Colorado:

Whereas, the Board of County Commissioners of Weld County, Colorado, pursuant to Colorado statute and the Weld County Home Rule Charter, is vested with the authority of administering the affairs of Weld County, Colorado, and

Whereas, the Board of County Commissioners, on December 28, 2000, adopted Weld County Code Ordinance 2000-1, enacting a comprehensive Code for the County of Weld, including the codification of all previously adopted ordinances of a general and permanent nature enacted on or before said date of adoption, and

Whereas, the Weld County Code is in need of revision and clarification with regard to procedures, terms, and requirements therein.

Now, therefore, be it ordained by the Board of County Commissioners of the County of Weld, State of Colorado, that certain existing Chapters of the Weld County Code be, and hereby are, repealed and re-enacted, with amendments, and the various Chapters are revised to read as follows.

Chapter 2

Administration

ARTICLE XVI Emergency Management

Amend Sec. 2-16-10. Definitions, as follows:

For the purposes of this Article, certain terms or words used herein shall be interpreted as defined in this Section. The following specific words and phrases, when appearing in this Chapter in uppercase letters, shall have the meanings stated in this Section:

Disaster means a severe or prolonged incident which threatens life, property, environment, or critical systems.

Emergency means an incident, natural or human caused, that requires responsive actions to protect life, property, environment, or critical systems.

Emergency epidemic means cases of an illness or condition, communicable or noncommunicable, caused by bioterrorism, pandemic influenza, or novel and highly fatal infectious agents or biological toxins.

Insert the following after EOC:

Mitigation means the sustained action to reduce or eliminate risk to people and property from hazards and their effects.

Insert the following after OEM:

Pandemic influenza means a widespread epidemic of influenza caused by a highly virulent strain of the influenza virus.

Insert the following after PIO:

Preparedness means a continuous cycle of planning, organizing, training, equipping, exercising, evaluating, and taking corrective action.

Prevention means preventing human-caused hazards, from potential natural **disasters** or terrorist attacks.

Recovery means the short, intermediate, and long-term actions taken to restore community functions, services, vital resources, facilities, programs, continuity of local government services and functions, and infrastructure to the affected area.

Response means the actions taken directly following the onset of an **emergency** or **disaster** to provide immediate assistance to maintain life, improve health, and protect property.

Amend Sec. 2-16-20. Statement of purpose and authorization.

Emergencies and **disasters** can occur at any time within Weld County and any of its municipalities. Local government has the primary responsibility for managing **emergency** and **disaster** management activities that reduce or eliminate hazardous events. This includes **preparedness**, **response**, and **recovery** efforts for significant **emergencies** and **disasters**. All areas of Weld County are at risk for three (3) types of **disasters**:

A. Natural **disasters**. Weld County is at risk from tornadoes, floods, severe storms (e.g., snow, rain, and hail), **emergency epidemic**, **pandemic influenza**, urban and wildland fires, and drought.

B. Technological **disasters**. Weld County is at risk for technological **disasters** such as power failures, dam failures, hazardous materials incidents along transportation routes or industrial areas, civil unrest, major air and ground transportation accidents and attacks by a foreign enemy or terrorist organization in the form of chemical, biological, or nuclear weapons.

C. Man-made **disasters**. Possible man-made **disasters** which could create an emergency response include transportation incidents involving hazardous substances, major air and ground transportation accidents, civil disturbances, terrorists, or bomb threats and conventional, nuclear, biological, or chemical attacks.

In recognition of the risks such as **disasters** pose to life and property, the Board of Weld County Commissioners had established the Office of Emergency Management (OEM), in accordance with C.R.S. §24-33.5-707, and has appointed a **director**.

Amend Sec. 2-16-30. Delegation of authority.

As directed by C.R.S §24-33.5-707, the Board of Weld County Commissioners directs and authorizes the **director** to provide and coordinate **emergency and disaster, prevention, preparedness, response, recovery and mitigation** services within unincorporated Weld County and among the various municipalities within Weld County. The **director** is responsible for planning and coordinating local **emergency and disaster** services. Additionally, the **director** is tasked with preparing and maintaining a current local comprehensive emergency plan and distributing a clear and complete written statement of the **emergency** responsibilities of all local agencies and officials and of the **emergency and disaster** response chain of command to all appropriate officials. The **director** is further authorized to act as the coordinating official with the Colorado Division of Homeland Security and Emergency Management.

The **director** shall chair the Local Emergency Planning Committee (LEPC) as approved by the Colorado Emergency Planning Commission.

In accordance with the Emergency Planning and Community Right-to-Know Act (EPCRA), 42 U.S.C. §11022 (Section 301-304, 312), the **director**, acting as Chair of the Local Emergency Planning Committee (LEPC), shall ensure the collection, maintenance, and availability of Tier II hazardous chemical inventory reports submitted by facilities within Weld County. These reports shall be used to support emergency planning, response, and public information consistent with federal and state law.

Per C.R.S. §29-22-102, the Weld County Board of County Commissioners has designated the **director** as the Designated Emergency Response Authority (DERA) for all unincorporated Weld County.

The **director** of OEM shall assign other staff members, both salaried and volunteer, and delegate such powers and duties within the means at his/her disposal as he/she sees proper. The scope of the activities of OEM shall be in accordance with the national standard of emergency management in the areas of **preparedness, prevention, response, recovery, and mitigation.**

The **director** of OEM is authorized to order an Incident Management Team (IMT) to provide a command-and-control infrastructure in order to manage the operational, logistical, informational, planning, fiscal, community, political, and safety issues associated with complex incidents.

Add Sec. 2-16-40. OEM Responsibilities.

OEM is responsible for coordinating preparedness and management activity related to **disasters** and major **emergencies** within Weld County and shall, in conformity with the rules and regulations provided hereinafter, perform the following:

- (1) Develop, revise, and exercise the Weld County Comprehensive Emergency Management Plan and its annexes in coordination with other municipalities and special districts.
- (2) Manage the EOC to provide a coordinated response by Weld County to **disasters** and other **emergencies.**
- (3) Coordinate and collaborate in activities with municipal and private agencies' emergency management programs.
- (4) Sponsor and deliver instruction and training to Weld County personnel, privately owned, or operated logistic support groups to secure unity, balance, and coordination in the emergency management program.

Amend Sec. 2-16-50. Weld County Emergency Operations Center activation and operation.

The Board of Weld County Commissioners directs and authorizes the **director** to activate the EOC during **emergencies or disasters** to assist with **response** and **recovery** efforts. Activation and operation of the EOC will be in accordance with National Incident Management System principles. The **director** is authorized to engage both Weld County and external personnel, as necessary, to operate the EOC to the level needed to support **emergency, response, and recovery** efforts. Resource ordering through the EOC will follow EOC ordering procedures determined by the **director.** Resources ordered through the EOC must be approved by the **director,** the Weld County Finance Officer, and the Weld County Controller, or the Director of Administration, in coordination with the designated Finance and Logistics Section Coordinators.

Add Sec. 2-16-60. Disaster and Emergency Declaration.

The **director** of OEM will inform and update the Board of Weld County Commissioners on the status of **emergencies** and **disasters** and, when needed, will recommend the Board of Weld County Commissioners declare a local **disaster** or **emergency**.

Amend Sec. 2-16-70. Contracts.

Upon the activation of the EOC, those contracts necessary for the support of EOC and incident command operations shall be approved by the **director**, the Weld Finance Officer, and the Weld County Controller or the Director of Administration, only if they are within the limits of such contract approval authority delegated to him or her by resolution of the Board of County Commissioners, as authorized in Sec. 5-4-80. Contracts shall be approved and executed pursuant to the procedures and requirements set forth in Sec. 2-1-40.

Amend Sec. 2-16-80. Purchasing rules.

Upon the activation of the EOC, all purchasing rules set forth in Chapter 5, Article IV, Section 10 of this Code shall be followed. The **director**, the Weld Finance Officer, and the Weld County Controller or the Director of Administration, shall have the authority to approve any purchases that are necessary in order to continue EOC and incident command operations.

Amend Sec. 2-16-90. Press releases.

All press releases concerning issues regarding emergencies or disasters will be coordinated with the OEM and the PIO. Inquiries for information about the response to an emergency or disaster and the activation of the EOC shall be referred to the PIO for response.

Amend Sec. 2-16-100. Reassignment of duties upon EOC activation.

Upon EOC activation, the **director** may temporarily reassign any County personnel, as a condition of employment, to facilitate the operation of the EOC and to support incident command operations.

Amend Sec. 2-16-110. Emergency and disaster review and after-action report.

Upon deactivation of the EOC after an **emergency** or **disaster**, the **director** shall be responsible for reviewing the incident and submitting an after-action report to the Board of County Commissioners.

Add Sec. 2-16-120. Adoption of 2025 Colorado Wildfire Resiliency Code with amendments.

Pursuant to the requirements of C.R.S. §24-33.5-1237(2)(a), the Board of Weld County Commissioners hereby adopts the 2025 Colorado Wildfire Resiliency Code ("the Code"), found at:

https://drive.google.com/file/d/1bhSESWE9pei6MMsv52VeGtC_WBgD7bVA/view, for the unincorporated area of Weld County not within fire district boundaries, with the following amendments:

A. Delete the entirety of Part 2 of Chapter 1.

B. Delete the entirety of Appendix C.

Because the Board does not have rules and regulations or a cooperative agreement in place for the enforcement of the Code in the unincorporated area of Weld County not within fire district boundaries, the Board will request support from the State of Colorado Department of Public Safety, Division of Fire Prevention and Control (“the Division”), to conduct inspections and enforce the Code in the area to which it applies, pursuant to the Division’s procedures set forth in C.R.S. §24-33.5-1213, as authorized by C.R.S. §24-33.5-1237(2)(d).

Be it further ordained by the Board that the Clerk to the Board be, and hereby is, directed to arrange for Municode to supplement the Weld County Code with the amendments contained herein, to coincide with chapters, articles, divisions, sections, and subsections as they currently exist within said Code; and to resolve any inconsistencies regarding capitalization, grammar, and numbering or placement of chapters, articles, divisions, sections, and subsections in said Code.

Be it further ordained by the Board, if any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is for any reason held or decided to be unconstitutional, such decision shall not affect the validity of the remaining portions hereof. The Board of County Commissioners hereby declares that it would have enacted this Ordinance in each and every section, subsection, paragraph, sentence, clause, and phrase thereof irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses, or phrases might be declared to be unconstitutional or invalid.



FUTURE TOWN BOARD MEETINGS

March 2, 2026	Canceled – 1 st Monday
March 9, 2026 5:30 p.m.	Town Board Work Session Board/Manager/Attorney Monthly Meeting DOLA Demographic Presentation Town Website Domain Discussion
March 9, 2026 6:45 p.m.	Kern Board Meeting
March 9, 2026 7:00 p.m.	Town Board Regular Meeting
March 16, 2026 5:30 p.m.	Town Board Work Session Drought Management Plan Review Monumental Entryway Sculpture Proposals Colorado's/USA – 150/250 Celebration Discussion
March 23, 2026 5:30 p.m.	Town Board Work Session New Hire – Meet the Board Future Recreation Center Facility Results Housing Needs Assessment Draft Discussion
March 23, 2026 7:00 p.m.	Town Board Regular Meeting
March 30, 2026	Canceled – 5 th Monday
April 6, 2026	Canceled – 1 st Monday
April 13, 2026 5:30 p.m.	Town Board Work Session Board/Manager/Attorney Monthly Meeting Leaf and Branch Drop Update
April 13, 2026 7:00 p.m.	Town Board Regular Meeting
April 20, 2026 5:30 p.m.	Town Board Work Session
April 27, 2026 5:00 p.m. 5:30 p.m.	Town Board Work Session Arbor Day Poster/Poetry Contest Winners' Recognition New Hire – Meet the Board

April 27, 2026 7:00 p.m.	Town Board Regular Meeting
May 4, 2026	Canceled – 1 st Monday
May 11, 2026 5:30 p.m.	Town Board Work Session Board/Manager/Attorney Monthly Meeting WDA Review and Evaluation
May 11, 2026 6:45 p.m.	Kern Board Meeting
May 11, 2026 7:00 p.m.	Town Board Regular Meeting
May 18, 2026 5:30 p.m.	Town Board Work Session Elected Officials Training with Sam Light
May 25, 2026	Canceled – Memorial Day Holiday

Future Work Session Topics

- Parking Plan update
- E-vehicles update (May)
- Camping Ban
- Backyard Chicken Ordinance Discussion
- Sign Code Update (Summer)
- Kyger Fishery Designation
- Compensation Study Review and Recommendations – September 21st
- October 19th meeting – Light Agenda (ICMA 2026)