



**Planning Commission
Wednesday, March 18, 2026
4:00 PM**

**130 Kearns Road
Town Council Chambers
Snowmass Village, CO 81615**

**You can watch the meeting live online on our website at tosv.com.
To join the meeting remotely please use the Teams Meeting information below:**

**Microsoft Teams meeting: <https://teams.microsoft.com/>
Meeting ID: 249 562 421 992 6
Passcode: zC2jJ7MJ**

Agenda

- 1. Roll Call**
- 2. Approval of Minutes**
 - 2.A. Approval of February 18, 2026 minutes
- 3. Items for Discussion**
 - 3.A. Wildfire Resiliency Code Amendment
 - 3.B. Community Development Director Updates
- 4. Adjournment**

TOWN OF SNOWMASS VILLAGE

**PLANNING COMMISSION
MEETING MINUTES**

February 18, 2026

Members Present:

Matt Dube, Chair
Brian Marshack, Vice Chair
Maggie Helmig
Jim Gustafson
David Seglin
Stan Clauson
Tom Di Napoli

Staff Present:

Dave Shinneman
Jeff Conklin
Ashleigh Huff
Megan Boucher

Members Absent: None

Others Present: None

Call to order: The meeting was called to order at 4:01 p.m. by Matt Dube, Chair. Tom Di Napoli was absent at roll call and joined the meeting shortly thereafter.

Item 1: Planning Commission Member Oaths:

Megan Boucher, Town Clerk, administered the oath of office to returning and newly appointed members of the Snowmass Village Planning Commission. Commissioners affirmed their support of the Constitution of the United States, the Constitution of the State of Colorado, and the ordinances of the Town of Snowmass Village, and committed to faithfully performing the duties of their office to the best of their abilities. Members then signed their oaths for official recording. Former Commissioners Jami McMannes and Doug Faurer were recognized and thanked for their service to the Planning Commission.

Item 2: Meeting Minutes of December 3, 2025:

The minutes from the December 17, 2025, meeting were presented for approval. The minutes were unanimously approved 7-0.

Item 3: Election of Chair and Vice Chair:

The Commission conducted the election of officers for the upcoming year. Matt Dube was nominated and unanimously approved to continue as Chair. Brian Marshack was nominated and unanimously approved as Vice Chair.

Item 4: Wildfire Resiliency Code Amendment:

Jeff Conklin, Town Attorney, provided an overview of recent state legislation establishing a Wildfire Resiliency Board to develop a model code regulating wildfire hazard risk in the wildland-urban interface (WUI). Local governments with building departments and fire protection agencies are required to adopt a code meeting or exceeding the state model by the end of June. Because Snowmass Village is entirely designated as moderate or severe wildfire risk under state mapping, the Town must apply the higher “Class 2” standards community-wide.

Mr. Conklin explained the code’s two primary components: structure hardening requirements and site/area (landscaping) requirements. Structure hardening focuses on ignition-resistant construction materials, including Class A roofing, noncombustible or fire-resistant siding assemblies, fire-rated glazing, and ventilation protections. These standards primarily apply to new construction but may also be triggered during significant remodels, such as replacement of 25 percent or more of siding or roofing. Site and area requirements establish defensible space standards through three zones surrounding structures, including removal of combustible plantings in the immediate zone, pruning and spacing of trees in intermediate zones, and broader vegetation management in outer zones.

Commissioners discussed plant definitions, ignition-resistant vegetation, potential impacts on community character, and coordination with HOA landscaping guidelines. Fire Marshal John Mele noted Colorado State University maintains an approved fire-resistant plant list that Roaring Fork Fire will reference, and that the Building Official retains reasonable discretion in applying the code.

Implementation concerns were also addressed, including staffing impacts, interpretation of percentage thresholds for remodel triggers, potential insurance implications, and the need to align state requirements with existing HOA regulations. Commissioner Gustafson emphasized the importance of ensuring consistency between Town standards and HOA architectural review processes to avoid conflicting guidance for homeowners. The Commission unanimously voted to continue the item to the March 4 meeting to allow further coordination with the HOA Architectural Review Board and gather additional feedback before making a recommendation to Town Council.

Item 5: Planning Commission Training:

Community Development Director Dave Shinneman and Town Attorney Jeff Conklin conducted the Planning Commission’s annual training, focusing on legal responsibilities and procedural standards. Mr. Shinneman reviewed the Commission’s dual roles in comprehensive planning and development review. He emphasized that the Comprehensive Plan serves as a guiding policy document and is frequently referenced in land use findings. In its development review role, the Commission evaluates subdivisions, Planned Unit Developments (PUDs),

92 special reviews, and zoning matters, making recommendations to Town Council.
93 Mr. Shinneman also discussed Snowmass Village's history of Specially Planned
94 Areas and the flexibility provided through the PUD process.

95 Mr. Conklin explained the distinction between legislative and quasi-judicial
96 actions. Legislative actions, such as code amendments, allow broader
97 community engagement. Quasi-judicial matters, involving site-specific
98 applications, require Commissioners to act impartially, avoid ex-parte
99 communications, and base decisions solely on evidence presented at public
100 hearings. He emphasized the importance of due process, proper notice, and
101 maintaining a clear record.

102
103 Mr. Shinneman reviewed best practices for conducting public hearings,
104 including maintaining decorum, focusing deliberations on adopted review
105 criteria, managing public comment fairly, and clearly articulating motions and
106 amendments. He stressed findings—whether for approval or denial—must be
107 tied directly to code standards rather than personal preferences. The training
108 concluded with a discussion of ethics and conflicts of interest. Commissioners
109 were reminded to recuse themselves when financial or personal interests could
110 compromise impartiality and to consult staff or the Town Attorney when in
111 doubt. The overall emphasis was on transparency, fairness, professionalism, and
112 legally defensible decision-making.

113
114 Item 4: Community Development Director Updates:

- 115 • Dave is retiring, Michelle Bonfils Thibeault will be the new Community
116 Development Director
- 117 • Kevin Kiernan has been hired as the Town's newest Senior Planner.
- 118 • March 2nd – Town Council Joint Meeting: Discussion of the SRA site
- 119 • March 4th – Regular Planning Commission Meeting: Resumption of the
120 wildfire resiliency code discussion
- 121 • March 16th – Town Council Joint Meeting: Ritz-Carlton / Viewline Pre-
122 Sketch

123
124 Adjournment: The meeting adjourned at 6:49 p.m.

Town of Snowmass Village

Agenda Item Summary

DATE OF MEETING:

March 18, 2026 – Planning Commission

AGENDA ITEM:

PC Resolution No. 1, Series of 2026

A RESOLUTION RECOMMENDING APPROVAL OF AMENDMENTS IF THE TOWN OF SNOWMASS VILLAGE MUNICIPAL CODE BY ADDING CHAPTER 18, ARTICLE XVI AND THEREBY ADOPTING BY REFERENCE THE 2025 COLORADO WILDFIRE RESILIENCY CODE; AND AMENDING SECTION 16A-4-240, RELATING TO WILDFIRE RESILIENCY STANDARDS

PRESENTED BY:

Jeff Conklin, Town Attorney

BACKGROUND:

This item was continued to the March 18, 2026 meeting to allow time for additional review.

Senate Bill 23-166 established a State Wildfire Resiliency Code Board (the “Board”) tasked with promulgating regulations and developing minimum codes and standards to reduce fire risk around structures in the wildland-urban interface (“WUI”) of Colorado. The Board ultimately published the Colorado Wildfire Resiliency Code (the “CWRC” or “Wildfire Resiliency Code”) that went into effect on July 1, 2025 and establishes minimum standards for the construction and maintenance of habitable structures, while also setting criteria for assessing risk within WUI areas and mapping wildfire hazard areas. Senate Bill 25-142 requires local governments to adopt a code that meets or exceeds the standards of the CWRC.

Town Staff has been working with Roaring Fork Fire Rescue Authority and neighboring jurisdictions to analyze adoption of the Wildfire Resiliency Code and to determine what are appropriate local amendments. Town Staff has also been working on adopting an updated Building Code, which will work in conjunction with the Wildfire Resiliency Code.

The existing Town Code contains provisions in Chapter 16A (Land Use and Development Code) and Chapter 18 (Building Regulations) regarding wildfire hazards. Adoption of the Wildfire Resiliency Code would largely replace those existing provisions.

Overview of Wildfire Resiliency Code

The Board has developed WUI Maps, which identify fire intensity classifications for areas within the WUI that are either low intensity, moderate intensity, or high fire intensity. All property within the WUI must apply with the applicable provisions of the Wildfire Resiliency Code. All of the Town is either moderate intensity or high fire intensity.

The Wildfire Resiliency Code contains two general areas of regulation: (1) Structure Hardening (Chapter 4); and (2) Site and Area Requirements (Chapter 5). With specific exceptions, the Code requires the construction, alteration, movement, repair, maintenance, and use of any building, structure, or premises that contains occupiable or habitable space to comply with these provisions of the Code.

The main requirements for Structure Hardening include:

- Use of noncombustible materials, fire-retardant-treated wood, and ignition resistant building materials.
- Class A roof materials.
- Covered ventilation openings.
- Fire-rated glass
- Eaves and soffits must be enclosed.

The Code distinguishes between Class 1 and Class 2 structure hardening; however, because all property in the Town is identified as either moderate or high intensity, Class 2 applies. Further, as noted below, the Town is proposing a local amendment to require Class 2 hardening regardless of fire intensity classification.

The main Site and Area Requirements include:

- Structure Ignition Zone 1 (0-5 feet): Immediate Zone.
 - o Use of noncombustible hard surface materials.
 - o Remove plantings.
 - o No new trees.
 - o Mature trees of no less than 10-inch diameter at 4.5 feet above ground level may be maintained.
- Structure Ignition Zone 2 (5-30 feet): Intermediate Zone
 - o Removal of dead plant material.
 - o Prune tree branches to a height of 6-10 feet from the ground.
 - o Tree crowns maintain 10 foot clearance from structure.
 - o Tree spacing.
- Structure Ignition Zone 3 (30-100 feet): Expanded Zone
 - o Spacing of tree crowns a minimum of 6-10 feet.
- Retaining Walls
 - o Use of noncombustible or ignition resistant materials if meeting certain conditions.
- Fencing.
 - o Use of noncombustible or ignition resistant materials within 8 feet of a structure.

The Code contains a number of exceptions from compliance with the Code for minor additions (up to 500 square feet), roof replacement (25%), and exterior walls (25%).

Local Amendments

The draft Ordinance proposes to adopt the Wildfire Resiliency Code in its entirety, with several local amendments. This is a similar regulatory approach as with other building code adoptions.

The primary amendments are:

1. To apply the Code to all property in Town, regardless of fire risk designation.
2. To provide the Building Official discretion to determine if certain work will cause the structure to become unsafe or a hazard, notwithstanding whether an exception applies.
3. To provide a definition of “unsafe,” largely using existing language in the Code.
4. To sync the roof replacement exception with the building code.
5. To clarify nuisance provisions.

Clarifications on Application

Under the Code, the requirements for compliance with Chapter 4 – Structure Hardening are fairly clear; however, triggers for compliance with Chapter 5 – Site and Area Requirements less so. Although the Code is not perfectly clear, my understanding is as follows:

- Triggers for compliance: new site development, new landscaping installations, replacement of landscaping, and, with respect to replacement of more than 25% of exterior walls, compliance the 0-5 foot zone (Immediate Zone) requirements of Chapter 5.
- Not triggers for compliance: structure hardening work or building alterations (other than the wall replacement mentioned above).

We confirmed this interpretation with Carrie Larsen, the Code Board Administrator.

I also wish to note that many communities are struggling with the questions regarding the implementation of the Wildfire Resiliency Code. CML may press the State to delay deadlines for compliance to allow these implementation concerns to be addressed and the Board to make clarifying changes to the Code. We'll keep you updated on that issue.

FINANCIAL IMPACT:

N/A

APPLICABILITY TO COUNCIL GOALS & OBJECTIVES:

N/A

COMMISSION OPTIONS:

1. Approve Resolution No. 1, Series of 2026.
2. Approve Resolution No. 1, Series of 2026 with amendments.
3. Deny Resolution No. 1, Series of 2026.

STAFF RECOMMENDATION:

Town Staff recommend Planning Commission approve Resolution No. 1 Series of 2026 recommending Town Council approve Ordinance No. 4, Series of 2026.

ATTACHMENTS:

Planning Commission Resolution

Wildfire Resiliency Code (Model Code)

Wildfire Resiliency Code incorporating Local Amendments from Ordinance (for clarity).

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**TOWN OF SNOWMASS VILLAGE
PLANNING COMMISSION**

**RESOLUTION NO. 1
SERIES OF 2026**

**A RESOLUTION RECOMMENDING APPROVAL OF AMENDMENTS TO THE TOWN
OF SNOWMASS VILLAGE MUNICIPAL CODE BY ADDING CHAPTER 18, ARTICLE
XVI AND THEREBY ADOPTING BY REFERENCE THE 2025 COLORADO WILDFIRE
RESILIENCY CODE; AND AMENDING SECTION 16A-4-240, RELATING TO
WILDFIRE RESILIENCY STANDARDS**

WHEREAS, The Town of Snowmass Village ("TOSV" or the "Town") is a home-
rule municipality, duly organized and existing under the TOSV's Charter adopted pursuant
to Article XX of the Constitution of the State of Colorado; and

WHEREAS, Section 3.3 of the TOSV's Charter confers upon Town Council the
power to amend the TOSV Municipal Code (the "Code"); and

WHEREAS, the Planning Commission reviews and makes recommendations
regarding amendments to Chapter 16A – Land Use and Development Code; and

WHEREAS, Senate Bill 23-166 established a Wildfire Resiliency Code Board (the
"Board") tasked with promulgating regulations and developing minimum codes and
standards to reduce fire risk around structures in the wildland-urban interface ("WUI") of
Colorado; and

WHEREAS, the Board recently published the Colorado Wildfire Resiliency Code
(the "CWRC" or "Wildfire Resiliency Code") that went into effect on July 1, 2025 and
establishes minimum standards for the construction and maintenance of habitable
structures, while also setting criteria for assessing risk within WUI areas and mapping
wildfire hazard areas; and

WHEREAS, Senate Bill 25-142 requires local governments to adopt a code that
meets or exceeds the standards of the CWRC and ensure compliance with the Code's
standards no later than three months after the local government's adoption of the CWRC;
and

WHEREAS, Section 16A-4-240 of the Code establishes land use standards for
adequate fire protection; and

WHEREAS, Section 7-21 of the Code declares certain activities and
circumstances as public nuisances; and

WHEREAS, provisions of the CWRC pertain to the Town's Nuisance and Building

Regulations and Land Use Code and the TOSV wishes to amend such relevant provisions of the Code to comply with the standards of the CWRC; and

WHEREAS, the TOSV wishes to protect the health, safety, and welfare of residents within the Town by adopting comprehensive wildfire resiliency standards; and

WHEREAS, Town staff has reviewed the CWRC and recommends to Town Council that the TOSV adopt it as amended below; and

WHEREAS, Planning Commission finds and determines that it is necessary to adopt the CWRC as amended below and that the following amendments to Section 16A-4-240 of the Code are necessary to protect the public health, safety, and welfare of the citizens of the TOSV; and

WHEREAS, Planning Commission finds that the adoption of this Ordinance is in the best interest of the TOSV.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the Town of Snowmass Village, as follows:

1. Recitals. The foregoing recitals are incorporated herein as findings of the Planning Commission.
2. Findings. The Planning Commission finds that:
 - a. The procedural requirements set forth in Section 16A-5-210 of the Code have been satisfied.
 - b. The proposed amendments comply with the review standards set forth in Section 16A-5-210(e) of the Code.
3. Recommendation to Town Council. The Planning Commission recommends the following amendments to the Town Code:
 - a. Amendment to Chapter 16A – Land Use and Development Code. Section 16A-4-240, as set forth in **Exhibit A**.
 - b. Amendment to Chapter 18 – Building Regulations. Chapter 18 addition of Article XVI – Wildfire Resiliency Code, as set forth in **Exhibit A**.
4. Severability. If any provision of this Resolution or application hereof to any person or circumstance is held invalid, the invalidity shall not affect any other

provision or application of this Ordinance which can be given effect without the invalid provision or application, and, to this end, the provisions of this Ordinance are severable.

INTRODUCED, READ, APPROVED AND ADOPTED by the Planning Commission of the Town of Snowmass Village on February 18th, 2026, upon a motion by Commissioner _____, the second of Commissioner _____, and upon a vote of _____ in favor and _____ against.

**TOWN OF SNOWMASS VILLAGE
PLANNING COMMISSION**

Matthew Dube, Chair

ATTEST:

Ashleigh Huff, Planning Commission Secretary

**EXHIBIT A
AMENDMENT TO TOWN CODE**

Section 16A-4-240 of the Code is hereby amended with **bold, underlined** additions and ~~striketrough~~ deletions as follows:

Sec. 16A-4-240. Fire protection.

- (a) Service by Fire Authority. Developments and new construction on existing lots shall be located and designed in a manner that enables them to be served by the Roaring Fork Fire Rescue Authority and complies with the adopted standards of said Fire Authority **and the Wildfire Resiliency Code, as set forth in Chapter 18, Article XVI of the Municipal Code.**

(1) Unusual Fire Hazards. No future development and construction on existing lots shall be approved that, due to design, size (including height) or building materials, could present unusual fire hazards that are beyond the fire-fighting capability of the Roaring Fork Fire Rescue Authority.

(2) Location. Development and new construction on existing lots shall not be located in such a way as to adversely affect the capability of the fire authority or other public service entities to respond to fires or other non-fire emergencies in any other structure or area of the Town.

(3) Fire Access. Fire lanes, emergency access and fire apparatus access roads shall conform to the provisions of the Fire Code, as set forth in Chapter 18, Article VII of the Municipal Code.

- (b) Development and New Construction on existing lots in Areas Subject to Wildfire Hazards. **All development subject to this Chapter 16A must comply with the standards of the Wildfire Resiliency Code, as set forth in Chapter 18, Article XVI of the Municipal Code, to the extent applicable. All development applications must include the submission of a Wildfire Mitigation Plan, as required by Section 18-32, for review by the Roaring Fork Fire Rescue Authority. Such plans shall demonstrate compliance with the Wildfire Resiliency Code, and the Town must approve such Plan before issuing a Certificate of Occupancy or Certificate of Completion.**

~~a. Purpose. All lands within the Town have the potential to pose hazards to human life and safety and to property due to wildfire. The purpose of this Section is to ensure that development and new construction on existing lots~~

avoids these wildfire hazard areas whenever possible. Where it is not possible for development or new construction to avoid these areas, standards are provided to reduce or minimize the potential impacts of these hazards on the occupants of the property and, as applicable, the occupants of adjacent properties.

Applicability. The Planning Director and the Roaring Fork Fire Authority have determined that due to the vegetation, slopes and other factors present on lands within the Town, there is a potential for development within the Town to be threatened by wildfire hazards, as such, the Planning Director shall refer all applications for new development and new construction on existing lots to the Roaring Fork Fire Rescue Authority (RFFR) for review and comment.

(3) RFFR shall review the application and determine the degree of wildfire hazard posed to persons and property. RFFR shall consider the proposed design of the development or new construction on existing lots (including the planned or existing roads and water supply facilities and the configuration and location of lots), the topography of the site, the types and density of vegetation present, the fire protection measures proposed by the applicant and other related factors in making its determination.

(4) Recommendations by RFFR. If RFFR finds that any degree of severity of wildfire hazard may be posed to persons and property, RFFR shall make recommendations as to the mitigation techniques that should be incorporated in the development or construction on existing lots. These recommendations shall be based on guidelines promulgated by the Colorado State Forest Service (CSFS) (see, for example, CSFS publications entitled "Wildlife Protection in the Wildland Urban Interface" and "Wildfire Safety Guidelines for Rural Homeowners") and may include, but are not limited to, the following mitigation techniques:

i. Locations. Recommendations to locate structures outside of severe hazard areas, off of steep slopes and outside of draws and canyons.

ii. Manipulate Vegetation. Recommendations to manipulate the density and form of vegetation, so as to create defensible space buffers around proposed building envelopes, to remove hanging tree limbs near chimneys and to establish fuelbreaks or reduce the severity of the hazard. The form and the extent of the recommended vegetation manipulation shall be based on the severity of the hazard that is

found to be present.

- iii. ~~Structural Design. Recommendations to use noncombustible materials, to require pitched roofs and to sheath, enclose or screen projections and openings above and below the roof line, as applicable.~~
- iv. ~~Water Supply. If access to a pressurized water system with fire hydrants is not provided, recommendations may be made to ensure the availability of a water supply for individual structures, in the form of access to a pond, installation of an underground water storage tank, provision of dry hydrants or similar methods.~~
- v. ~~Access. Recommendations to provide for separate routes of entrance and exit into a subdivision, existing lot or PUD, to lay out roads so as to create fuel breaks and to ensure the adequacy of access by emergency vehicles, including the provision of regularly spaced turnouts along roadways, the establishment of adequate grades and sight distances and the prohibition of dead-end streets (but not cul-de-sacs) in the project.~~
- vi. ~~Utility Approaches. Access to all building exterior electrical and/or gas utilities, meters, regulators, and piping shall remain free and clear of all obstructions including fencing, or vegetation. Enclosures are permitted provided proper ventilation is installed.~~
- g. ~~Maintenance. Maintenance and Miscellaneous Recommendations:~~
 - 1. ~~Roofs and gutters shall be kept clear of debris.~~
 - 2. ~~Roof vents shall be screened with corrosive-resistant wire mesh, with mesh one-eighth ($\frac{1}{8}$) inch maximum.~~
 - 3. ~~Yards shall be kept clear of all litter, slash and flammable debris.~~
 - 4. ~~All flammable materials shall be stored on a parallel contour a minimum of fifteen (15) feet away from any structure.~~
 - 5. ~~Weeds and grasses within the ten (10) foot perimeter shall be maintained to a height not more than six (6) inches.~~
 - 6. ~~Firewood/wood piles shall be stacked on a parallel contour a minimum of fifteen (15) feet away from the structure.~~
 - 7. ~~Swimming pools and ponds shall be accessible by the local fire authority.~~
 - 8. ~~Fences shall be kept clear of brush and debris.~~

- 235 ~~9. Wood fences shall not connect to other structures.~~
236 ~~10. Fuel tanks shall be installed underground with an approved~~
237 ~~container.~~
238 ~~11. Propane tanks shall be buried, if possible, or installed~~
239 ~~according to NFPA 58 standards and on a contour away from~~
240 ~~the structure with standard defensible space vegetation~~
241 ~~mitigation around any aboveground tank. Any wood enclosure~~
242 ~~around the tank shall be constructed with materials approved~~
243 ~~for two (2) hour fire resistive construction on the exterior side~~
244 ~~of the walls.~~
245 ~~12. Each structure shall have a minimum of one ten (10) pound~~
246 ~~ABC fire extinguisher.~~
247 ~~13. Addresses shall be clearly marked with two (2) inch non-~~
248 ~~combustible letters and shall be visible at the primary point of~~
249 ~~access from the public or common access road and installed~~
250 ~~on a non-combustible post.~~

- 251
252 ~~(5) Compliance. The Town Council shall consider the recommendations of~~
253 ~~RFFR, and shall apply those recommendations they deem to be appropriate~~
254 ~~as conditions of new development. Proposed construction on existing lots~~
255 ~~will be reviewed as part of a building permit submission that will be referred~~
256 ~~to the RFFR for their approval.~~
257

258 Chapter 18 of the Code is hereby amended with the addition of Article XVI – Wildfire
259 Resiliency Code as follows:
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261 **ARTICLE XVI - Wildfire Resiliency Code**

262 **Sec. 18-341. - Adoption.**

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264
265 The Colorado Wildfire Resiliency Code, 2025 Edition, published by the Colorado
266 Wildfire Resiliency Code Board in the Colorado Division of Fire Prevention and Control,
267 1697 Cole Blvd, Unit 200, Lakewood, CO 80401, including the appendices thereto, is
268 hereby adopted, as amended, as the Wildfire Resiliency Code of and for the Town.
269

270 **Sec. 18-342. - Amendments.**

- 271
272 (a) Section 101.1 is hereby amended as follows:
273

274 **“101.1 Title.** These regulations shall be known as the Colorado Wildfire
275 Resiliency Code as adopted by the Town of Snowmass Village, hereinafter

referred to as “this code.”

(b) Section 101.2.1 is hereby amended to read as follows:

“101.2.1 Appendices. ~~Provisions in the appendices shall not apply unless specifically adopted.~~ **The appendices hereto are specifically adopted with this code.**”

(c) Section 101.5 is hereby amended to read as follows:

“101.5 Additions or alterations. ~~Minor A~~additions or alterations, as determined by the code official, 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 **(a)** increases the footprint of the existing structure by 500 square feet or greater, **(b) constitutes a distinct hazard or danger to life or property, or (c) causes the building, structure, or premises to become unsafe,** 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.”~~

(d) Section 101.6 is hereby amended to read as follows:

“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)~~ **or 100 square feet** of the surface area of the roof replaced, **whichever is less**, or where work to reconstruct, alter, or repair the *roof covering* **(a)** effectively replaces such material, **(b) constitutes a distinct hazard or danger to life or property, or (c) causes the building, structure, or premises to become unsafe,** 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.

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

(e) Section 101.7 is hereby amended to read as follows:

“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 **(a) effectively replaces the exterior wall material, (b) constitutes a distinct hazard or danger to life or property, or (c) causes the building, structure, or premises to become unsafe**, 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 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.”

(f) Section 102.10 is hereby amended to read as follows:

“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 **that do not constitute a substantially complete renovation of the interior, as determined by the code official.**
2. Additions that do not increase the footprint of a structure by more than 500 square feet **and such work does not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe.**
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 **and such work does not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe.**
4. The reconstruction, replacement, alteration, or repair of the exterior *roof covering* of an existing building, when less than 25 percent **or 100 square feet** of the surface area of the exterior *roof covering* or an attachment thereto is affected **whichever is less, and such work does**

not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe.

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 and such work does not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe.
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 that comply with this code.
10. ~~Any thirty-five acre parcel with only one residential structure on it that does not abut a residential or commercial area.~~

(g) Section 103.1 is hereby amended to read as follows:

"103.1 Creation Designation of agency. The Town of Snowmass Village ~~[INSERT NAME OF DEPARTMENT]~~ **Building Department** is hereby created **designated as the code compliance agency** 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."

(h) Section 104.2.1 is hereby amended to read as follows:

"104.2.1.1 Costs. A technical opinion and report shall be provided, **at the owner or applicant's sole expense,** without charge to the jurisdiction."

(i) Section 106.1 is hereby amended to read as follows:

106.1 General. ~~An AHJ~~ **The Town** has the authority to establish fees **related to permitting under this code.**

(j) Section 202 is hereby amended to read as follows:

“UNSAFE. An unsafe condition shall be deemed to have been created if the action 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 unreasonably increase the risk of fire ignition; will reduce required fire resistance; or will otherwise create conditions dangerous to human life.

WILDLAND-URBAN INTERFACE. That geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels. **All property in the corporate limits of the Town shall be considered within the wildland-urban interface.**

(k) Section 303.3 is hereby amended to read as follows:

“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.~~

All buildings, structures, and premises ~~and parcels identified with moderate to high fire intensity classifications~~ **within the Town, regardless of the fire intensity classification,** shall be constructed and maintained in accordance with the provisions for Class 2 structure hardening and site and area requirements.

(l) Section 401.1 is hereby amended to read as follows:

“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 and such work does not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe.
4. The reconstruction, replacement, alteration, or repair of the exterior roof covering of an existing building, when less than 25 percent or 100 square feet of the surface area of the exterior roof covering or an attachment thereto is affected whichever is less, and such work does not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe.
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, and such work does not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe.
6. Additions that do not increase the footprint of a structure by more than 500 square feet and such work does not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe.

(m) Section 501.1 is hereby amended to read as follows:

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

(n) Section 502.2.3 is hereby amended to read as follows:

“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. **Each lot or parcel shall be clearly marked with three-(3) inch minimum non-combustible numbers and installed on a non-combustible post or monument.** 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 **primary point of access from the public or common access** road on which the address is located in a manner *approved by the code official.*"

(o) Appendix C, Section C101.3.5 is hereby amended to read as follows:

"C101.3.5 Buildings, structures or premises that constitute a fire hazard, **will unreasonably increase the risk of fire ignition,** 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, **structures, and premises** 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."

(p) All references to "AHJ" shall be amended to "Town."

Sec. 18-343. – Permit requirements.

Prior to approval of any building permit or land use application, the applicant must submit for review to the Town and Roaring Fork Fire Rescue Authority a Wildfire Mitigation Plan that demonstrates compliance with the Wildfire Resiliency Code. Such plan may be based on the Colorado State Forest Service guidelines for "The Home Ignition Zone" provided it is no less stringent than the Wildfire Resiliency Code. The Town shall conduct a site inspection and approve the Wildfire Mitigation Plan prior to issuing a Certificate of Occupancy or Certificate of Completion.



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Code Board

2025

Colorado Wildfire Resiliency Code

01 June 2025



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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 the Town of Snowmass Village, 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.~~ The appendices hereto are specifically adopted with this code.

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. Minor Aadditions or alterations, as determined by the code official, 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 (a) increases the footprint of the existing structure by 500 square feet or greater, (b) constitutes a distinct hazard or danger to life or property, or (c) causes the building, structure, or premises to become unsafe, 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) **or 100 square feet** of the surface area of the roof replaced, whichever is less, or where work to reconstruct, alter, or repair the *roof covering* (a) effectively replaces such material, (b) constitutes a distinct hazard or danger to life or property, or (c) causes the building, structure, or premises to become unsafe, 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.



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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 (a) effectively replaces the exterior wall material, (b) constitutes a distinct hazard or danger to life or property, or (c) causes the building, structure, or premises to become unsafe, 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 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



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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, 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 **Chapter 4 – Structure Hardening of** this code shall not be required for the following:

1. Interior alterations of existing structures **that do not constitute a substantially complete renovation of the interior, as determined by the code official.**
2. Additions that do not increase the footprint of a structure by more than 500 square feet **and such work does not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe.**
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



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and such work does not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe.

4. The reconstruction, replacement, alteration, or repair of the exterior *roof covering* of an existing building, when less than 25 percent **or 100 square feet** of the surface area of the exterior *roof covering* or an attachment thereto is affected, **whichever is less, and such work does not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe.**
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 **and such work does not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe..**
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 **that comply with this code.**
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 Designation of agency. The Town of Snowmass Village ~~[INSERT NAME OF DEPARTMENT]~~ **Building Department** is hereby created **designated as the code compliance agency** 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



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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.

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 at the owner or applicant's sole expense, 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.

104.2.2.4 Equivalency criteria. An alternative material, design or method of



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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.



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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~~ The Town has the authority to establish fees related to permitting under this code.

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.



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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.

UNSAFE. An unsafe condition shall be deemed to have been created if the action 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 unreasonably increase the risk of fire ignition; will reduce required fire resistance; or will otherwise create conditions dangerous to human life.

WILDLAND-URBAN INTERFACE. That geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels. **All property in the corporate limits of the Town shall be considered within the wildland-urban interface.**



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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~~Town 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~~Town 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.~~

All buildings, structures, and premises ~~and parcels identified with moderate to high *fire intensity classifications*~~ **within the Town, regardless of the fire intensity classification,** 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.

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 **and such work does not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe..**
4. The reconstruction, replacement, alteration, or repair of the exterior *roof covering* of an existing building, when less than 25 percent **or 100 square feet** of the surface area of the exterior *roof covering* or an attachment thereto is affected, **whichever is less, and such work does not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe..**
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, **and such work does not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe..**
6. Additions that do not increase the footprint of a structure by more than 500 square feet **and such work does not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe.**

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,



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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 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.*



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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 Town.

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



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~~Town 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.

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. **Each lot or parcel shall be clearly marked with three- (3) inch minimum non-combustible numbers and installed on a non-combustible post or monument.** 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 **primary point of access from the public or common access** 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.



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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.



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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.



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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, **will unreasonably increase the risk of fire ignition**, 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, **structures, and premises** 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



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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 ~~AH~~**Town** 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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