



# MANITOU SPRINGS CITY COUNCIL REGULAR MEETING AGENDA

City Council meetings are held in hybrid form by Zoom  
(remote) or in-person at Memorial Hall.

Memorial Hall

606 Manitou Avenue

Manitou Springs, CO 80829

Remote: [www.manitouspringsgov.com](http://www.manitouspringsgov.com); click on meeting  
link under "Government; City Council" page

Position	Name	Term Expires
Mayor	Natalie Johnson	January 4, 2028
At-Large	Mayor Pro Tem Judith Chandler	January 4, 2028
At-Large	John Shada	January 4, 2028
At-Large	Julie Wolfe	January 4, 2028
Ward 1	Nate Nassif	January 8, 2030
Ward 2	Carey Storm	January 8, 2030
Ward 3	Gloria Latimer	January 8, 2030

**February 17, 2026**

**6:00 PM**

**THE CITY COUNCIL MAY TAKE ACTION ON ANY OF THE FOLLOWING AGENDA ITEMS AS PRESENTED OR MODIFIED PRIOR TO OR DURING THE MEETING, AND ITEMS NECESSARY TO EFFECTUATE THE AGENDA ITEMS**

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. APPROVAL OF AGENDA**
- E. PUBLIC COMMENT ON NON-AGENDA ITEMS**
- F. CONSENT CALENDAR**
  - 1. Presentation of Warrants
  - 2. February 3, 2026 City Council Regular Meeting Minutes
  - 3. Consider Reappointing Barbara Winter to the Urban Renewal Authority Board
  - 4. Contract Amendment with RockSol Consulting Group for Lover’s Lane Retaining Wall Reconstruction
  - 5. Requesting Approval of the Blinkay USA LLC Quote for New Parking Kiosks
- G. PRESENTATION**
  - 1. Proclamation No. 0126, A Century of Black History Commemorations
- H. BUSINESS**
  - 1. Pool and Fitness Center Mural Proposal — Presented by CRANE

2. Community Survey Direction
3. First Reading of Ordinance No. 0426, An Ordinance Repealing and Reenacting Title 15, Chapter 15.12 of the Manitou Springs Municipal Code and Adopting by Reference The 2021 Edition of the International Fire Code with Amendments Thereto
4. First Reading of Ordinance No. 0326, An Ordinance of the City of Manitou Springs, Colorado, Amending Section 1.32.150 of the Manitou Springs Municipal Code by the Addition of a New Subsection (D) Concerning Municipal Penalties

**I. RECEIVE OR ACT ON COUNCIL CORRESPONDENCE**

**J. CITY ADMINISTRATOR REPORT**

**K. EXECUTIVE SESSION**

1. An Executive Session pursuant to Section 5.1(b) of the Manitou Springs Home Rule Charter to consider the purchase or sale of property for public purpose. The particular details of the property at issue cannot be provided without jeopardizing the purpose of the executive session.

**ADJOURN**

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The City of Manitou Springs does not discriminate on the basis of disability in the admission to, access to, or operations of programs, services or activities. Reasonable accommodation will be provided to ensure equal access to all. Individuals who would like to request auxiliary aids or services should contact the ADA Coordinator at (719) 685-5481 or [jfryer@manitouspringsco.gov](mailto:jfryer@manitouspringsco.gov). You may also contact the City Clerk's Office at [cityclerk@manitouspringsco.gov](mailto:cityclerk@manitouspringsco.gov) or (719) 685-2554. Please provide a minimum of 3-5 days advance notice.



## Memorandum

Title: Presentation of Warrants  
From: Becca Davis CPFO, Finance Director  
To: Mayor and City Council  
CC: City Administrator Denise Howell  
Allocated Time: 5 Minutes

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February 17, 2026

### **Purpose:**

To present warrants, written from January 1, 2026, through January 31, 2026, to City Council.

### **Background:**

City Code 4.2. Powers and duties of Council

...the Council shall have the responsibility and power to:

(d) Prepare and administer an annual budget, and post monthly in City Hall and make available to the public the line by line expenditures authorized by the council.

### **Fiscal Impact:**

Total checks written: 172

Total amount: \$1,099,509.42

### **Workload Impact:**

Minimal

### **Recommended Action:**

Acknowledge presentation of the warrants by approval of the Consent Calendar.

Report Criteria:

Report type: Summary  
 Check.Type = {<->} "Adjustment"

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount	
01/26	01/12/2026	22058	615	CARDMEMBER SERVICE	10-202-100	6,663.73	M
01/26	01/14/2026	22059	615	CARDMEMBER SERVICE	55-202-100	1,270.68	M
01/26	01/14/2026	22060	615	CARDMEMBER SERVICE	10-202-100	1,183.92	M
01/26	01/08/2026	252016	20200156	T2 SYSTEMS CANADA INC	55-202-100	216.75-	V
01/26	01/13/2026	252701	551	XEROX FINANCIAL SVCS/MARLIN LEASING CORP	10-202-100	1,442.75-	V
01/26	01/15/2026	252753	270	LEXIPOL LLC	10-202-100	11,036.08-	V
01/26	01/12/2026	252760	1806	COMCAST	55-202-100	209.85-	V
01/26	01/02/2026	252880	568	HEALTHCARE MEDICAL WASTE SERVICES	10-202-100	230.00	
01/26	01/02/2026	252881	20200287	SHELDON'S AUTO REPAIR	10-202-100	294.99	
01/26	01/02/2026	252882	20221114	VALET MANAGER INC	55-202-100	495.00	
01/26	01/02/2026	252883	170	CIRSA	10-202-100	260,456.64	
01/26	01/02/2026	252884	530	CIVICPLUS	10-202-100	7,428.75	
01/26	01/06/2026	252885	170	CIRSA	10-202-100	1,483.00	
01/26	01/06/2026	252886	202158	MACDOUGALL & WOLDRIDGE PC	52-202-100	1,939.25	
01/26	01/06/2026	252887	213	WHISLER INDUSTRIAL SUPPLY	55-202-100	9.32	
01/26	01/07/2026	252888	145724	AMAZON CAPITAL SERVICES	10-202-100	197.93	
01/26	01/07/2026	252889	1516	CASELLE INC	10-202-100	2,431.00	
01/26	01/07/2026	252890	170	CIRSA	10-202-100	12,886.50	
01/26	01/07/2026	252891	106	MANITOU SPRINGS CHAMBER OF COMMERCE	10-202-100	137,500.00	
01/26	01/07/2026	252892	18922	PREFERRED DOCUMENT SOLUTIONS	10-202-100	57.49	
01/26	01/07/2026	252893	20200287	SHELDON'S AUTO REPAIR	10-202-100	494.99	
01/26	01/07/2026	252894	170	CIRSA	10-202-100	4,813.45	
01/26	01/07/2026	252895	188	GALLS, LLC	10-202-100	545.48	
01/26	01/07/2026	252896	20221067	NTIVA ACCOUNTING DEPT	10-202-100	1,825.87	
01/26	01/07/2026	252897	10064	WASTE CONNECTIONS	10-202-100	1,736.53	
01/26	01/07/2026	252898	20221181	WHISTLE EXPRESS CAR WASH	10-202-100	84.00	
01/26	01/07/2026	252899	10065	WASTE CONNECTIONS	10-202-100	4,417.64	
01/26	01/08/2026	252900	37	AFLAC	10-202-100	34.40	
01/26	01/08/2026	252901	1090	AMERICAN SIGNAL CORPORATION	39-202-100	2,500.00	
01/26	01/08/2026	252902	358	BOUND TREE MEDICAL,LLC.	10-202-100	1,160.49	
01/26	01/08/2026	252903	321	EL PASO COUNTY SHERIFFS OFFICE	10-202-100	12,500.00	
01/26	01/08/2026	252904	1027	WESTERN PAPER DISTRIBUTORS, INC.	10-202-100	510.26	
01/26	01/08/2026	252905	144506	ADVANCE AUTO PARTS	10-202-100	358.29	
01/26	01/08/2026	252906	145724	AMAZON CAPITAL SERVICES	39-202-100	15,283.32	
01/26	01/08/2026	252907	436	HOME DEPOT CREDIT SERVICES	10-202-100	263.56	
01/26	01/08/2026	252908	145606	MILE HIGH ACE HARDWARE	10-202-100	21.58	
01/26	01/08/2026	252909	169	NAPA AUTO PARTS	10-202-100	24.75	
01/26	01/08/2026	252910	20221186	633 CONSTRUCTION LLC	10-202-100	24,204.38	
01/26	01/08/2026	252911	20221214	DAN'S DRAINS AND DIGS	53-202-100	4,800.00	
01/26	01/08/2026	252912	658	EL PASO COUNTY PUBLIC HEALTH LABORATORY	52-202-100	460.00	
01/26	01/08/2026	252913	144886	KIEWIT INFRASTRUCTURE CO	10-202-100	196.31	
01/26	01/08/2026	252914	20220214	MUNICIPAL TREATMENT EQUIPMENT	52-202-100	1,401.68	
01/26	01/08/2026	252915	415	OLSON PLUMBING & HEATING	52-202-100	6,500.00	
01/26	01/08/2026	252916	20200156	T2 SYSTEMS CANADA INC	55-202-100	4,606.92	
01/26	01/08/2026	252917	20221211	WEST, AMANDA J	10-202-100	1,800.00	
01/26	01/12/2026	252918	20220017	CYBERSOURCE CORPORATION	55-202-100	548.00	
01/26	01/12/2026	252919	148807	HOFFMANN, PARKER, WILSON & CARBERRY	55-202-100	84,920.87	
01/26	01/12/2026	252920	20220432	IKON FIRE LLC	10-202-100	1,144.68	
01/26	01/12/2026	252921	160255	LIFEMED SAFETY, INC.	10-202-100	1,288.00	
01/26	01/12/2026	252922	20220393	ROCKSOL CONSULTING GROUP INC	55-202-100	18,151.85	
01/26	01/12/2026	252923	20200156	T2 SYSTEMS CANADA INC	55-202-100	2,663.10	
01/26	01/12/2026	252924	20220228	TELEFLEX LLC	10-202-100	1,650.00	
01/26	01/12/2026	252925	145724	AMAZON CAPITAL SERVICES	10-202-100	63.64	

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
01/26	01/12/2026	252926	426	AMERICAN LOCK & KEY	10-202-100	19.00
01/26	01/12/2026	252927	20220297	BARTLETT, DEREK	10-202-100	400.00
01/26	01/12/2026	252928	501	COLORADO CANYON SIGNS	10-202-100	175.00
01/26	01/12/2026	252929	20200048	HOOVER, HAROLD	10-202-100	400.00
01/26	01/12/2026	252930	20221217	HUTCHINSON, ANDREW	10-202-100	400.00
01/26	01/12/2026	252931	20220298	JAMES, MICHAELA	10-202-100	400.00
01/26	01/12/2026	252932	160306	JOHNSON, GARY	10-202-100	400.00
01/26	01/12/2026	252933	145606	MILE HIGH ACE HARDWARE	10-202-100	382.39
01/26	01/12/2026	252934	20221037	NEWKIRK, JAMES	10-202-100	400.00
01/26	01/12/2026	252935	20221216	NEWMAN, CODY	10-202-100	400.00
01/26	01/12/2026	252936	20200195	OTTO, WILLIAM	10-202-100	400.00
01/26	01/12/2026	252937	326	PERKINS, KYLE	10-202-100	400.00
01/26	01/12/2026	252938	20200045	SCHUELKE, JEFFREY	10-202-100	400.00
01/26	01/12/2026	252939	20200046	SEVENE, COREY	10-202-100	400.00
01/26	01/12/2026	252940	20221038	STINETTE, DILLON	10-202-100	400.00
01/26	01/12/2026	252941	20200047	STRAND, LEO	10-202-100	400.00
01/26	01/12/2026	252942	2022003	STRIDER, MANDY	10-202-100	400.00
01/26	01/12/2026	252943	20220228	TELEFLEX LLC	10-202-100	2,200.00
01/26	01/12/2026	252944	1027	WESTERN PAPER DISTRIBUTORS, INC.	10-202-100	158.47
01/26	01/12/2026	252945	20200273	WOLFCO COMMERCIAL SERVICES	10-202-100	325.00
01/26	01/12/2026	252946	177	COLORADO SPRINGS UTILITIES	55-202-100	13,830.01
01/26	01/12/2026	252947	20221028	FILANC	52-202-100	79,720.17
01/26	01/12/2026	252948	20220190	RIVET ENGINEERING GROUP LLC	39-202-100	975.00
01/26	01/12/2026	252949	231	VERIZON WIRELESS	10-202-100	4,667.92
01/26	01/12/2026	252950	20221202	VIKING PAINTING LLC	52-202-100	130,965.00
01/26	01/12/2026	252951	1806	COMCAST	55-202-100	209.85
01/26	01/13/2026	252952	125	CEM SALES & SERVICE	10-202-100	812.00
01/26	01/13/2026	252953	170	CIRSA	10-202-100	4,934.70
01/26	01/13/2026	252954	1806	COMCAST	10-202-100	470.63
01/26	01/13/2026	252955	685	PPACG	10-202-100	2,781.00
01/26	01/13/2026	252956	20200273	WOLFCO COMMERCIAL SERVICES	10-202-100	100.00
01/26	01/13/2026	252958	551	XEROX FINANCIAL SVCS/MARLIN LEASING CORP	10-202-100	1,442.75
01/26	01/14/2026	252959	144506	ADVANCE AUTO PARTS	53-202-100	17.70
01/26	01/14/2026	252960	20200156	T2 SYSTEMS CANADA INC	55-202-100	2,165.50
01/26	01/14/2026	252961	145724	AMAZON CAPITAL SERVICES	10-202-100	119.37
01/26	01/14/2026	252962	690	CENTURYLINK	52-202-100	2,576.63
01/26	01/14/2026	252963	20220883	DIVISION OF CHILD SUPPORT	10-202-100	312.00
01/26	01/14/2026	252964	2021089	NATIONSEARCH.COM LLC	52-202-100	61.85
01/26	01/14/2026	252965	529	ROCKY MOUNTAIN RESERVE	10-202-100	232.28
01/26	01/15/2026	252966	270	LEXIPOL LLC	10-202-100	11,036.08
01/26	01/15/2026	252967	133	EL PASO COUNTY ELECTION DEPARTMENT	10-202-100	3,309.10
01/26	01/15/2026	252968	148807	HOFFMANN, PARKER, WILSON & CARBERRY	55-202-100	15,726.86
01/26	01/15/2026	252969	177	COLORADO SPRINGS UTILITIES	53-202-100	45,131.39
01/26	01/16/2026	252970	145724	AMAZON CAPITAL SERVICES	10-202-100	90.93
01/26	01/16/2026	252971	530	CIVICPLUS	10-202-100	3,750.00
01/26	01/16/2026	252972	187	O'REILLY AUTO PARTS / FIRST CALL	10-202-100	22.20
01/26	01/16/2026	252973	20200287	SHELDON'S AUTO REPAIR	10-202-100	337.82
01/26	01/16/2026	252974	20200170	UNITED SITE SERVICES	55-202-100	737.00
01/26	01/16/2026	252975	20220010	WHOOSTER INC.	10-202-100	500.00
01/26	01/16/2026	252976	20221186	633 CONSTRUCTION LLC	54-202-100	10,540.00
01/26	01/20/2026	252977	20221159	BAILEYS TRAFFIC CONTROL SERVICES INC	55-202-100	4,025.00
01/26	01/20/2026	252978	20220208	KARLE COACHWORK INC.	10-202-100	4,119.47
01/26	01/20/2026	252979	20220652	7 SUMMIT'S ROOFING LLC	10-202-100	750.00
01/26	01/20/2026	252980	144506	ADVANCE AUTO PARTS	10-202-100	169.45
01/26	01/20/2026	252981	145724	AMAZON CAPITAL SERVICES	10-202-100	1,937.68
01/26	01/20/2026	252982	20220035	AMERITAS LIFE INSURANCE COMPANY	10-202-100	785.60
01/26	01/20/2026	252983	1410	BOBCAT OF THE ROCKIES	10-202-100	286.93

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
01/26	01/20/2026	252984	193	DANIELS LONG CHEVROLET	10-202-100	137.25
01/26	01/20/2026	252985	436	HOME DEPOT CREDIT SERVICES	10-202-100	201.69
01/26	01/20/2026	252986	20220432	IKON FIRE LLC	10-202-100	638.13
01/26	01/20/2026	252987	20220208	KARLE COACHWORK INC.	10-202-100	2,638.18
01/26	01/20/2026	252988	56	LOWE'S	10-202-100	94.98
01/26	01/20/2026	252989	145606	MILE HIGH ACE HARDWARE	10-202-100	280.79
01/26	01/20/2026	252990	20200300	MORENO, MARCUS	52-202-100	525.00
01/26	01/20/2026	252991	20221067	NTIVA ACCOUNTING DEPT	10-202-100	20,665.25
01/26	01/20/2026	252992	20220076	PATROL PC	10-202-100	148.98
01/26	01/20/2026	252993	20200217	PIKES PEAK REGIONAL HOSPITAL	10-202-100	709.10
01/26	01/20/2026	252994	1027	WESTERN PAPER DISTRIBUTORS, INC.	55-202-100	143.57
01/26	01/20/2026	252995	213	WHISLER INDUSTRIAL SUPPLY	10-202-100	245.30
01/26	01/20/2026	252996	20221207	GEORGE L. RINK	10-202-100	75.00
01/26	01/21/2026	252997	20220648	BROWN, LISA	10-202-100	1,353.42
01/26	01/22/2026	252998	500	BARNHART PUMP COMPANY, INC.	52-202-100	1,067.50
01/26	01/22/2026	252999	1410	BOBCAT OF THE ROCKIES	10-202-100	138.22
01/26	01/22/2026	253000	726	BURLAP BAG	53-202-100	332.40
01/26	01/22/2026	253001	789	CCP INDUSTRIES	53-202-100	125.16
01/26	01/22/2026	253002	642	CORE & MAIN LP	52-202-100	267.25
01/26	01/22/2026	253003	144502	EON OFFICE PRODUCTS	52-202-100	42.58
01/26	01/22/2026	253004	1024	GOODYEAR AUTO SERVICE CTR	10-202-100	438.50
01/26	01/22/2026	253005	432	GRAINGER	52-202-100	160.18
01/26	01/22/2026	253006	20221219	LEE, MARK	10-202-100	150.00
01/26	01/22/2026	253007	20220214	MUNICIPAL TREATMENT EQUIPMENT	52-202-100	18.76
01/26	01/22/2026	253008	187	O'REILLY AUTO PARTS / FIRST CALL	10-202-100	4.99
01/26	01/22/2026	253009	855	ROCKY MOUNTAIN AIR SOLUTIONS	52-202-100	1,808.46
01/26	01/22/2026	253010	20220237	RYAN HERCO PRODUCTS CORP	52-202-100	106.60
01/26	01/22/2026	253011	170078	TWIN BEARS	52-202-100	113.00
01/26	01/22/2026	253012	743	USA BLUEBOOK	52-202-100	796.35
01/26	01/22/2026	253013	20220331	VERIZON CONNECT FLEET USA LLC	55-202-100	349.16
01/26	01/22/2026	253014	213	WHISLER INDUSTRIAL SUPPLY	53-202-100	87.42
01/26	01/22/2026	253015	2021025	CHAVEZ CONSULTING INC	54-202-100	3,693.75
01/26	01/22/2026	253016	436	HOME DEPOT CREDIT SERVICES	10-202-100	123.70
01/26	01/22/2026	253017	144886	KIEWIT INFRASTRUCTURE CO	52-202-100	214.40
01/26	01/22/2026	253018	1118	MELCON COMMUNICATIONS LLP	10-202-100	3,050.00
01/26	01/29/2026	253019	145724	AMAZON CAPITAL SERVICES	10-202-100	8,622.04
01/26	01/29/2026	253020	20220677	ARTAIC GROUP, LLC	26-202-100	1,143.13
01/26	01/29/2026	253021	20220956	BASELINE ENGINEERING CORPORATION	10-202-100	1,150.00
01/26	01/29/2026	253022	20211028	BEAR'S ACCESS SOLUTIONS LLC	10-202-100	6,655.00
01/26	01/29/2026	253023	1410	BOBCAT OF THE ROCKIES	10-202-100	1,251.62
01/26	01/29/2026	253024	20221208	BUFFALO BUILDERS INC	53-202-100	12,733.80
01/26	01/29/2026	253025	726	BURLAP BAG	55-202-100	615.85
01/26	01/29/2026	253026	384	CLEARWAY ENERGY GROUP	10-202-100	1,871.83
01/26	01/29/2026	253027	1124	CLEARWAY ENERGY GROUP LLC	52-202-100	1,650.69
01/26	01/29/2026	253028	20221207	CURTIS CRAWLEY	10-202-100	25.00
01/26	01/29/2026	253029	20220883	DIVISION OF CHILD SUPPORT	10-202-100	312.00
01/26	01/29/2026	253030	681	HACH COMPANY	52-202-100	15,082.00
01/26	01/29/2026	253031	443	HINKLE & COMPANY, PC	10-202-100	11,000.00
01/26	01/29/2026	253032	436	HOME DEPOT CREDIT SERVICES	10-202-100	838.98
01/26	01/29/2026	253033	15009	JR ENGINEERING LLC	55-202-100	92.50
01/26	01/29/2026	253034	145606	MILE HIGH ACE HARDWARE	10-202-100	64.52
01/26	01/29/2026	253035	2021089	NATIONSEARCH.COM LLC	10-202-100	442.31
01/26	01/29/2026	253036	20221086	NOMATIX	26-202-100	1,875.00
01/26	01/29/2026	253037	160025	PRODUCTION PRINTING D11	10-202-100	1,013.05
01/26	01/29/2026	253038	855	ROCKY MOUNTAIN AIR SOLUTIONS	52-202-100	204.00
01/26	01/29/2026	253039	20220387	STUTZMAN, KARA	10-202-100	200.00
01/26	01/29/2026	253040	1194	TARGETSOLUTIONS LEARNING LLC	10-202-100	2,464.00

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
01/26	01/29/2026	253041	20200170	UNITED SITE SERVICES	55-202-100	1,018.00
01/26	01/29/2026	253042	439	WALT'S TOWING	55-202-100	506.25
01/26	01/29/2026	253043	202195	WATTERS H20 SERVICES	52-202-100	5,661.25
01/26	01/29/2026	253044	1027	WESTERN PAPER DISTRIBUTORS, INC.	10-202-100	542.04
01/26	01/29/2026	253045	20220651	WORKWELL OCCUPATIONAL MEDICINE	10-202-100	423.00
Grand Totals:		172				1,099,509.42

Report Criteria:

Report type: Summary

Check.Type = {<>} "Adjustment"



## Memorandum

Title: February 3, 2026 City Council Regular Meeting Minutes

From: City Clerk's Office

To: Mayor and City Council

CC: City Administrator Denise Howell

Allocated Time: 5 Minutes

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February 17, 2026

### **Purpose:**

To review and approve the meeting minutes from the February 3, 2026 City Council meeting.

### **Background:**

The City Council met in regular session on February 3, 2026.

### **Fiscal Impact:**

None.

### **Workload Impact:**

Approximately seven hours to attend the meeting and to prepare and review the minutes.

### **Recommended Action:**

Approve the February 3, 2026 City Council regular meeting minutes through the approval of the consent calendar.

**CITY OF MANITOU SPRINGS  
CITY COUNCIL**

Regular Meeting Minutes

606 Manitou Avenue

February 3, 2026

The City Council of Manitou Springs met in Regular Session on Tuesday, February 3, 2026, at 606 Manitou Avenue, in the City of Manitou Springs, County of El Paso, and State of Colorado.

**COUNCIL MEMBERS PRESENT FOR ROLL CALL:**

Mayor Natalie Johnson  
Mayor Pro Tem Judith Chandler  
Councilor John Shada  
Councilor Julie Wolfe  
Councilor Nate Nassif  
Councilor Gloria Latimer

**COUNCIL MEMBERS ABSENT FOR ROLL CALL:**

Councilor Carey Storm (Excused)

**A. CALL TO ORDER**

Mayor Johnson called the meeting to order at 6:00 PM.

**B. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**C. ROLL CALL**

All members of the City Council were present for the roll call, except for Councilor Storm.

**D. APPROVAL OF AGENDA**

Mayor Pro Tem Chandler moved to approve the agenda as presented. The motion was seconded by Councilor Nassif. The motion carried unanimously (6-0).

**E. PUBLIC COMMENT ON NON-AGENDA ITEMS**

Joan Stang, Volunteer Education Chair with Pedestrian and Cycle Manitou (PaC-MAN), requested Council's assistance in disseminating walk audit findings and safety education materials for motorists, bicyclists, and pedestrians developed in collaboration with regional partners. She highlighted PaC-MAN's Safety Education Toolkit and online

resources and emphasized the goal of fostering a community culture of lawful and courteous road and trail use.

Jeremy Wilson, 1013 Modes Street, Colorado Springs, CO 80904, stated that he had unintentionally violated the City's street performance regulations by using an amplifier and asserted that the prohibition on amplified sound is unconstitutional. He argued that amplified performance is protected expressive activity in a traditional public forum and objected to restrictions on amplification and performance on public benches. He requested that the City review and revise the ordinance to ensure it aligns with constitutional free speech protections.

Mike Casey, 315 Crystal Hills Boulevard, stated that he owns a building across from the Wichita Parking Lot and expressed concern about how the potential dissolution of the Manitou Springs Metropolitan District (Metro) could impact parking rates. He explained that he and a residential tenant currently pay \$24 per month for parking and cautioned that significant increases could make parking unaffordable, jeopardizing his tenant's housing and his ability to lease the property and sustain his business. He asked whether monthly parking options would continue to be available, whether overnight parking would be allowed, and whether existing users might be grandfathered in.

City Administrator Denise Howell commented that the City would return to the same rates or lower that were in place before the Metro managed the lot, which would be less than current rates.

Mayor Johnson read a comment into the record from resident Curtis Crawley, who reported a negative experience with recent code enforcement actions related to his properties at 18 Delaware Road and 19 Fox Path Road. He expressed concern that the actions may not have followed proper notice protocols and could violate U.S. postal regulations and requested that any further enforcement or abatement actions cease immediately.

## **F. CONSENT CALENDAR**

1. January 20, 2026 City Council Regular Meeting Minutes
2. January 23, 2026 City Council Special Meeting Minutes
3. Request to Change Michael Quintana from a Regular to Alternate Member of the Housing Advisory Board
4. Consideration of a Tavern Liquor License Renewal at 934 Manitou Avenue – Manitou Restaurant Group, Inc., d/b/a Border Burger Bar

It was noted that although the Border Burger Bar liquor license had a violation in the previous year, the case was closed with the State and no additional penalties could be applied. Council may request a hearing to review evidence against renewal.

Councilor Latimer moved to approve the consent calendar as presented. The motion was seconded by Councilor Nassif. The motion carried unanimously (6-0).

## **G. HEARINGS**

1. Second Reading and Public Hearing of Ordinance No. 0126, An Ordinance of the City of Manitou Springs, Colorado, Adding a New Chapter 3.55 to the Manitou Springs Municipal Code to Implement a Cost Recovery Mechanism for Emergency and Non-Emergency Services Provided by the Manitou Springs Fire Department in Response to Accidents Involving Motor Vehicles

Fire Chief Keith Buckmiller explained that the ordinance is intended to help recover funds spent on high-cost events and emphasized that only the insurance companies would be billed, not the driver. He clarified that in the event of an uninsured driver a bill would not be generated.

There was a discussion about the City's ability to submit claims to insurance in the event there is no party at fault. City Attorney Jeff Parker advised that the City could adjust the language in the ordinance to bill the party causing the need for services.

Fire Chief Buckmiller noted that he prefers the term "traffic collisions" rather than "traffic accidents," emphasizing that drivers are responsible for exercising due care in hazardous conditions, such as black ice.

There was a brief discussion about the Police Department's involvement, during which Fire Chief Buckmiller confirmed that the Police Department does report to traffic collisions and would determine fault.

Mayor Johnson opened the public hearing at 6:29 PM. Due to no public comment, Mayor Johnson subsequently closed the public comment portion of the hearing.

City Attorney Parker suggested changing the word "accidents" in the ordinance title to "incidents".

Councilor Wolfe moved to adopt Ordinance No. 0126, An Ordinance of the City of Manitou Springs, Colorado, Adding a New Chapter 3.55 to the Manitou Springs Municipal Code to Implement a Cost Recovery Mechanism for Emergency and Non-Emergency Services Provided by the Manitou Springs Fire Department in Response to Accidents Involving Motor Vehicles as amended, to include the change in language as advised by the City Attorney, and to change the title of the ordinance from "accidents" to "incidents". The motion was seconded by Mayor Pro Tem Chandler. The motion carried unanimously (6-0).

2. Second Reading and Public Hearing of Ordinance No. 0226, An Ordinance of the City of Manitou Springs, Colorado, Amending Provisions in Chapter 12.04 of the Manitou Springs Municipal Code to Modify How Encroachments Into City Rights-Of-Way and Other City Owned or Controlled Property Are Processed For Review and Approval

Planning Director Fred Rollenhagen explained that all inadvertent existing encroachments would be heard and decided upon by the City Council and that the ordinance clarifies that the City Administrator would be the approval authority for other types of encroachments. He explained that applicants may appeal administratively approved encroachment decisions to City Council.

Councilor Wolfe expressed concern about the wording in the proposed revisions to Code Section 12.04.040, that stated the encroachments shall be approved by the City Administrator. She suggested that the language be updated to clarify that the applications are subject to City Administrator approval.

Mayor Johnson opened the public hearing at 6:38 PM. Due to no public comment, Mayor Johnson subsequently closed the public comment portion of the hearing

Mayor Pro Tem Chandler moved to approve Ordinance No. 0226, An Ordinance of the City of Manitou Springs, Colorado, Amending Provisions in Chapter 12.04 of the Manitou Springs Municipal Code to Modify How Encroachments Into City Rights-Of-Way and Other City Owned or Controlled Property Are Processed For Review and Approval. The motion was second by Councilor Latimer. The motion carried unanimously (6-0).

## **H. BUSINESS**

1. Consideration of Resolution No. 0726, A Resolution Adopting An Updated Universal Fee Schedule

City Administrator Howell shared that it had been requested earlier in the day that staff adjust the Fee Schedule to highlight changes that are essential for the City Council to address during the meeting, separating them from other suggested changes.

Finance Director Rebecca Davis explained that the highlighted necessary changes were based on increased costs to the City, alignment with State statute or recently adopted ordinances. She added that the other suggested changes are mostly inflation increases.

There was a general discussion about the non-essential proposed changes, during which the consensus was that the Council would consider the changes at a later date.

Councilor Wolfe suggested a work session to review the broader fee schedule.

Councilor Latimer requested rationale be provided, particularly for the event fees and the Planning Department, before the City Council considers the additional fee changes at a later date. Finance Director Davis explained that changes in the Planning Department fees are largely based on personnel costs.

Councilor Shada expressed concern about the increase to the Fire Department search and retrieval of documents fee. He stated he would like to see all charges for the fee in the past year and suggested the change required more discussion.

Councilor Wolfe stated that she is in favor of postponing consideration of the Fire Department document retrieval fee, so that the Council can get more information about the cost for staff to do the work.

Mayor Pro Tem Chandler stated that she would like the postponed fees to have a date certain so that the Council could prepare and the community could provide input.

Councilor Wolfe suggested that the fees should be further discussed in March, after the election concerning the potential dissolution of the Metro, to allow the Council to address parking rates as well.

Mayor Johnson opened the floor for public comment at 7:01 PM.

Karole Campbell, with Mad Woman Marketing Strategies, shared that she is contracted to produce the Commonwheel Art Festival in 2026 and explained that major events such as the Commonweal Arts Festival begin budgeting and vendor negotiations months in advance. She noted that fees and budgets for the upcoming festival have already been set, and that unexpected increases could significantly disrupt planning and threaten the viability of events already underway. She urged Council to consider the timing and financial impacts during its work session.

Julia Wright, 106 Canon Avenue, shared that she has been a part of the Commonwheel art festival for 50 years, and requested that the vendor permit fee not be increased, noting that vendors are already facing higher costs. She emphasized the festival's long history, its significant contribution to city sales tax revenue, and warned that further fee increases could jeopardize the continuation of the event.

Mayor Johnson read a comment into the record from Visit Manitou Springs Executive Director Jenna Wells, who urged Council to reconsider continued increases to event fees. She noted recent increases to application and vendor fees and explained that, when combined with rising required service and operating costs, they place financial strain on long-standing nonprofit community events. She emphasized that these cumulative costs threaten the sustainability of free, community-defining events and requested that Council reconsider further fee increases for a second consecutive year.

Mayor Johnson closed the floor to public comment at 7:07 PM.

Councilor Shada moved to approve the proposed encroachment permit fee, postage fees, water meter installation fees and traffic collision reimbursement fees, and to direct staff to bring other proposed fee changes, including the proposed change to the Fire Department document retrieval fee, to the March 10, 2026 City Council Work Session for discussion. The motion was seconded by Councilor Wolfe. The motion carried unanimously (6-0).

**Note for the Record** – The City Council took a break at 7:08 PM and reconvened at 7:22 PM.

## 2. Direction on Community Engagement Budget

City Administrator Howell presented options for gathering community input. She noted that the City's prior Magellan Strategies survey had to be extended multiple times to achieve adequate participation. She outlined four approaches including an online survey, one in person meeting, multiple in person meetings, and a hybrid option combining both. She explained that surveys provide convenient, high-level feedback but are limited in two-way dialogue, while in person engagement supports education, discussion, and trust building, particularly around the budget. City Administrator Howell emphasized that business feedback could be included and tracked separately. She advised that the hybrid approach would offer the most comprehensive feedback.

There was a general discussion about the timeline for starting and completing any of the community engagement options. City Administrator Howell stated that the goal would be to launch a survey in the third week of March and have results by the end of May if the process does not require an extension to gather more input. She confirmed that the two less extensive options would take about 8 to 10 weeks once launched. She recommended waiting until at least mid-March to launch a survey, so that it does not get confused with the upcoming election.

Mayor Pro Tem Chandler expressed strong support for a hybrid approach, noting that it is worth the investment, and added her support for Magellan Strategies. She suggested two community engagement meetings.

Councilor Latimer emphasized the importance of engaging with the community, including the businesses. She stated that she would like for the Council to have input on the questions included on the survey to ensure that the City is able to get quality feedback and noted the high cost of the service. Councilor Latimer stated that she is in favor of a hybrid approach and acknowledged the urgency to get a survey out sooner rather than later. She suggested the City proceed with a survey and one informational meeting that could be recorded, rather than a community engagement meeting.

There was a brief discussion about paper surveys, during which City Administrator Howell confirmed that in-person surveys could be offered and remain confidential, as has been done in the past.

City Administrator Howell confirmed that the feedback could be broken up by ward, and that an informational meeting is an option, both of which have been done before.

Councilor Wolfe expressed concern that an in-depth process would delay the City's ability to make decisions to address budget cuts. She suggested meeting in March to consider changes prior to a community engagement process that would take several months. She noted that the City could adjust the 2026 and 2027 budgets after the process is complete.

City Administrator Howell clarified that the purpose of the engagement process is not to focus on the 2026 and 2027 budgets themselves, but to identify community priorities. She explained that understanding those priorities would guide future funding decisions and how resources are allocated.

Mayor Johnson stated she has heard from the community repeatedly that they want to participate. She stated that she is willing to complete the process to get community input before making changes. Mayor Johnson also suggested working with the Library District for help with filling out surveys.

Mayor Pro Tem Chandler requested that the community engagement plan be added to the February 28, 2026 City Council Retreat to discuss the framework in further detail. She noted that there are some core services that cannot be cut that the community needs to be aware of. She emphasized including businesses and suggested the Council consider one community meeting for businesses and one for residents.

Councilor Latimer expressed concern about waiting until February 28, 2026 to discuss the details of the survey, particularly the development of questions.

Councilor Nassif expressed support for the general process, particularly the opportunity to simplify financial reporting. He stated that his position largely hinges on the quality of the consultant and that he would prefer a well-respected consultant that would manage both the survey and the community engagement meetings.

Mayor Pro Tem Chandler suggested focusing on a survey first and revisiting the idea of community engagement meetings later, noting that time is of the essence.

Councilor Wolfe agreed with Councilor Latimer and suggested that the City Council should start considering survey questions early, so that they do not slow down the process. She added that it would be beneficial to mix businesses and residents during community engagement.

Mayor Johnson suggested that an experienced facilitator may be useful in the development of questions.

City Administrator Howell recommended that Council provide clear direction on whether to proceed with a survey or a survey combined with community meetings. She stated

that engaging Magellan Strategies would help develop appropriate questions and reduce assumptions by gathering factual data. She emphasized that once direction is given, staff can begin the necessary research and move the process forward.

There was a brief discussion about whether Magellan Strategies could manage both a survey and community engagement meetings. City Administrator Howell stated that she did not think they provided community engagement meeting services, but she could find out, and Magellan Strategies may be able to recommend a provider they have worked with before.

Councilor Latimer moved to direct the City Administrator to contract with Magellan Strategies for a written and text message survey of the residents' opinions pertaining to 2026 and 2027 budget issues with priorities determined by the City Council. The motion was seconded by Mayor Pro Tem Chandler. The motion carried unanimously (6-0).

Mayor Johnson shared that Councilor Storm had emailed to say that her preference would be at least one community engagement meeting in addition to the survey.

Mayor Pro Tem Chandler reiterated that she would like two community engagement meetings and agreed with Councilor Wolfe's suggestion to mix businesses and residents.

Councilor Latimer suggested conducting community engagement meetings after the survey begins circulating, so that early feedback might help direct the meetings.

Councilor Wolfe suggested an informational meeting before the launch of the survey to ensure that people are informed before taking the survey.

Mayor Pro Tem Chandler moved to direct the City Administrator to begin the process and return to Council with feedback on the earliest possible timeline for launching the community engagement process. The motion was seconded by Councilor Wolfe. The motion carried unanimously (6-0).

## **I. RECEIVE OR ACT ON COUNCIL CORRESPONDENCE**

Councilor Wolfe shared that she was notified of an illegal sign at the Armadillo. She requested that City Staff address the code enforcement issue.

Councilor Latimer stated that the Great Fruitcake Toss was a success. Councilor Latimer shared that resident Linda Morlan started a printed version of community news and clarified that the newsletter is community run and not part of the City.

Councilor Nassif echoed sentiments about the Great Fruitcake Toss. He expressed appreciation for City Administrator Howell and Parks and Recreation Director Gillian Rossi for their help in repairing a balance beam at Schriver Park that is beloved by the community.

Mayor Pro Tem Chandler expressed appreciation for the City Administrator's assistance with a resident water meter installation issue.

Councilor Latimer shared that there is a survey circulating for the Route 3 Bus Line, regarding keeping the line free.

Mayor Johnson announced that the Pool Ribbon Cutting to reopen the City pool will be on February 9, 2026. She shared that Pikes Peak Area Council of Governments (PPACG) has an opening for a new community representative.

## **J. CITY ADMINISTRATOR REPORT**

City Administrator Howell announced that registration for Citizens Academy is open online and that the educational program will start in March.

## **K. EXECUTIVE SESSION**

1. An Executive Session to hold a conference with the City Attorney for legal advice pursuant to Section 5.1(c) of the City of Manitou Springs Home Rule Charter concerning *Manitou and Pikes Peak Railway Company v. City of Manitou Springs, Colorado*, El Paso County District Court Case No. 2025CV30766

Mayor Johnson read the purpose of the Executive Session into the record at 8:37 PM.

Councilor Nassif moved to enter the Executive Session for the stated purpose. The motion was seconded by Councilor Latimer. The motion carried unanimously (6-0).

The City Council moved back to Regular Session at 9:36 PM. Mayor Johnson confirmed the Executive Session was held solely for the stated purpose and that no formal decision was made.

## **ADJOURN**

With no other items to discuss, Mayor Pro Tem Chandler moved to adjourn the meeting. The motion was seconded by Councilor Wolfe. The motion carried unanimously (6-0). The meeting adjourned at 9:37 PM.

Attest:

\_\_\_\_\_  
Natalie Johnson, Mayor

\_\_\_\_\_  
Elena Krebs, City Clerk

*If you need this document in an alternative format, such as large print, accessible PDF, or Braille, please contact the City Clerk's Office at [cityclerk@manitouspringsco.gov](mailto:cityclerk@manitouspringsco.gov) or (719) 685-2554.*



## Memorandum

Title: Consider Reappointing Barbara Winter to the Urban Renewal Authority Board

From: Mayor Natalie Johnson

To: Mayor and City Council

CC: City Administrator Denise Howell

Allocated Time: 5 Minutes

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February 17, 2026

### **Purpose:**

To reappoint Barbara Winter to the Manitou Springs Urban Renewal Authority (URA).

### **Background:**

The Board's President, Farley McDonough, has submitted a request to reappoint Barbara Winter to the URA. Under the state rules for URA Board appointments, the Mayor selects members, subject to City Council approval.

### **Fiscal Impact:**

None.

### **Workload Impact:**

Minimal.

### **Recommended Action:**

Move to approve Barbara Winter's reappointment to the Urban Renewal Authority Board.

Move to deny Barbara Winter's reappointment to the Urban Renewal Authority Board.

Farley McDonough  
Manitou Springs Urban Renewal Board, president  
[adamsmtcafe@gmail.com](mailto:adamsmtcafe@gmail.com)

2.9.2026

To: Mayor Natalie Johnson  
re: re-appointment of Barb Winter to MSURA

Dear Mayor Johnson,

I have received a request from Barbara Winter to continue serving another term on the MSURA Board effective immediately. Barb has been a dedicated and skilled member of the MSURA for several years and has brought insight and experience due to her background in banking, real estate development and community development along the front range. Additionally she has served, or currently serves, on numerous non-profits, Board foundations, and committees. Barb is an exceptional member of the MSURA and we would be pleased to retain her.

Thank you for your consideration in this matter.

Warm Regards,

Farley McDonough



## Memorandum

Title: Contract Amendment with RockSol Consulting Group for Lover's Lane Retaining Wall Reconstruction

From: Ben Schmitt, Public Services Director and City Engineer

To: Mayor and City Council

CC: City Administrator Denise Howell

Allocated Time: 15 Minutes

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February 17, 2026

### **Purpose:**

Formally amend the City's existing design services contract with RockSol Consulting Group to include the final design phase for the Lover's Lane Wall Reconstruction. The amendment authorizes an additional \$186,386.70 in design work, bringing the total contract value to \$345,803.02. This will advance the project from its 30% design stage to 100% construction plans and specifications, support the solicitation/selection of a CMGC contractor, and ensure the project stays on schedule for a late-2026 construction start. By setting a not-to-exceed fee for these services, the City and PPRTA (Pikes Peak Rural Transportation Authority) establish budget certainty for the design phase while leveraging the consultant's expertise developed in earlier project stages.

### **Background:**

The Lover's Lane Wall Reconstruction is being executed in phases to address immediate needs and future improvements:

#### **Phase 1:**

Emergency Stabilization (Completed): In late 2024, after a partial wall collapse, the City undertook emergency repairs. A soil nail wall was constructed in front of the failed section as a temporary fix. This stabilized the road in the short term; work was completed by April 2025.

#### **Phase 2: Current Phase**

Final Wall Reconstruction: The project will replace the remaining length of the old retaining wall with a new permanent structure. RockSol's design will deliver a long-term solution along the south side of Lover's Lane (right bank of Fountain Creek). This phase includes final engineering, permitting, and preparation for construction.

#### **Potential Phase 3:**

Water Line Relocation: If the budget allows, the project will also relocate the water main closer to the new wall to achieve better separation from the sewer line. This utility



relocation is currently considered a separate sub-project; its final inclusion depends on cost evaluations during design and input from the CMGC contractor. It may be executed concurrently with wall construction or in a follow-up phase if necessary.

### **Project Approach and Strategy**

City engineering staff and RockSol's team have evaluated multiple design alternatives and identified a preferred solution that meets the project goals and constraints:

#### **Selected Wall Design:**

The new wall will be a shot crete-faced micropile "A-frame" wall with a cast-in-place concrete moment slab and safety railing on top. This design was chosen after considering various options and is deemed optimal given the site's tight space and hydraulic constraints. The A-frame micropile system provides robust support within the existing alignment, avoiding creek encroachment or private property impacts.

#### **Hydraulic Considerations:**

The wall's design has been tailored to avoid raising the 100-year flood water surface elevation. Engineering consultants (including JR Engineering as a sub-consultant) will update the flood model and prepare a No-Rise Certification and floodplain permit application for El Paso County as part of the design scope.

#### **Schedule Milestones:**

The design and pre-construction schedule is aggressive to enable a construction start in late 2026. Key milestones include completion of 30% design by April 1, 2026, selection of the CMGC contractor by May 2026, and 90% design by September 1, 2026. Final "Issued for Construction" plans are expected by October 1, 2026, targeting construction completion by March 15, 2027.

#### **Original Contract (January 2025):**

City Council approved the original agreement with RockSol Consulting Group on January 8, 2025, and PPRTA approved the funding for this amendment.

#### **Fiscal Impact:**

The contract amendment will increase the total design contract value to \$345,803.02. This includes the original contract amount and the new not-to-exceed addition for final design services. All design costs are funded by PPRTA (no direct City general fund impact).

Key fiscal details are summarized below:



<b>Contract Phase</b>	<b>Date</b>	<b>Amount</b>	<b>Funding Source</b>
Original Design Contract	Jan 8, 2025	\$159,416.32	PPRTA-3 Capital Funds
Amendment #2 (Final Design)	Feb 18, 2026 (proposed)	\$186,386.70	PPRTA-3 Capital Funds
New Total Contract Value	–	\$345,803.02	PPRTA-3 Capital Funds

**Funding Source:** The Pikes Peak Rural Transportation Authority is the sole funding source for this project’s design and construction. The \$186k for this design amendment is a part of that allocation. No additional City capital is required.

**Contract Details:**

Amendment #2 is structured as a time-and-materials contract with a not-to-exceed (NTE) cap of \$186,386.70. This ensures design expenditures will not exceed the budgeted amount without further Council approval.

The amendment will fund: completion of engineering plans from the current ~30% level to 90% and 100% (ready for bid), preparation of technical specifications, updated cost estimates, utility relocation design (water line) if feasible, permitting support (floodplain no-rise certification), and assistance with CMGC contractor procurement and construction-phase support services (e.g. responding to RFIs, submittal reviews).

**Workload Impact:**

Substantial when project begins.

**Recommended Action:**

Approve the Amendment #2 to the contract with RockSol Consulting Group, LLC for the Lover’s Lane Retaining Wall Reconstruction design, in the amount of \$186,386.70 (PPRTA funds).

## AMENDMENT TO AGREEMENT

1. This amendment (the "Amendment") is made and entered into this **18<sup>th</sup> of February 2026**, by and between the City of Manitou Springs (the "City"), Pikes Peak Rural Transportation Authority (the "PPRTA") and **Rocksol Consulting Group, Inc.**, amending the Agreement entered on the **8<sup>th</sup> of January 2025** (the "Agreement") and amended on **21st day of April, 2025**.
  
2. The Agreement is amended as follows:
  - a. Additional Scope of Work and cost estimate for time and materials and Not to Exceed amount under Exhibit A.
  - b. Original Contract was **\$159,416.32**. The services identified in the preceding paragraph will correlate with the amendment Not to Exceed (NTE) for an additional **\$ 186,386.70** for a NTE new total contract amount of **\$345,803.02**.
  
3. Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this amendment and the Agreement or any earlier amendment, the terms of this amendment will prevail.

*[Remainder of page intentionally left blank. Signatures on following page.]*



# EXHIBIT A

## Scope of Work and Estimate for NTE for Design Lover's Lane Wall Reconstruction

# EXHIBIT A

## Scope of Work and Estimate for NTE for Design Lover's Lane Wall Reconstruction

January 28, 2026

Ben Schmidtt  
City of Manitou Springs  
606 Manitou Ave.  
Manitou Springs, CO 80829

**RE: Lovers Lane Retaining Wall  
Additional Services #1 Request**

Dear Ben,

As a brief recap of this project history, emergency repairs to the partially collapsed portion of wall consisted of constructing a soil nail wall immediately in front of the existing wall. This same basic design was envisioned to replace the remainder of the wall; however, various hydraulic and geometric constraints have negated this approach. To avoid right-of-way acquisition and to provide a no-rise solution to the 100-yr water surface elevation, it has been determined to replace the existing wall in its current location. To meet these parameters, several wall alternatives have been evaluated, and it has been determined that a shotcrete faced micropile A-frame wall is the optimal wall section. And as originally conceived, a moment slab with railing will be incorporated onto the top of wall. Relocating the existing waterline closer to the replacement wall to provide a greater horizontal offset to the sanitary line is also desired, if it can be performed within the overall project budget of \$2.4M.

As this wall type and proposed construction in general is complicated and involves specialty construction, it has been determined that the CMGC method of delivery will be utilized once the design is advanced to 30% completion. The CMGC contractor will also help determine the financial viability of relocating the waterline. We will utilize our current remaining budget to perform SUE QL-B and advance the plans as far as possible towards 30% completion.

This additional services request is to advance and complete the design of the proposed wall replacement and prepare associated construction documents. We will also assist Manitou Springs with the CMGC solicitation and selection and perform construction engineering, consisting of responding to RFI's, reviewing submittals and performing site visits. Survey, geotechnical hydraulic and environmental engineering have already been carried out or are included in our current contract, although we anticipate minor updates and/or modifications may be required.

Schedule: Our proposed schedule is outlined by the following key milestones:

- SUE QL-B Investigation & Plans (under existing contract) – Feb 2, 2026
- Wall Design & Advance Plans towards 30% (under existing contract) – Feb 2, 2026
- Add Service #1 NTP: March 2, 2026
- Complete 30% Design & Plans: April 1, 2026
- CMGC Solicitation & Selection: April 1 thru May 29, 2026
- Complete 90% Design, Plans & Specifications: September 1, 2026

- 100% IFC Documents: October 1, 2026
- Anticipated Construction Completion – March 15, 2027

We propose to provide these services in accordance with the terms and conditions of our on-call contract with the City, with an hourly not-to-exceed fee of \$186,386.70 as outlined in the attached scope and fee worksheet. Please feel free to contact me if you have any questions, otherwise we look forward to your response at your earliest convenience.

Respectfully submitted,



Dan Beltzer, P.E.  
Structures Group Manager

City of Manitou Springs -- Lovers Lane Wall -- Additional Services Request #1

Effort to Conduct Tasks needed to accomplish Scope of Work	RockSol Consulting Group									Subtotal Hours	Subtotal Fee	Subconsultants & Reimbursible Expenses	Total Fee
	Structural			Civil		Geotechnical	Environmental		Admin				
	Senior Structural Engineer	Structural Engineer III	Structural Engineer I	Engineer II	Engineer I	Geotechnical Engineer I	Environmental Manager	Environmental Specialist I	Project Control & Admin				
<b>All Disciplines. Note: NIC = Not Included</b>	Beltzer	Adams	Kaspersen	Parks	Osborne	Moens	Gentile	Updegraff	Bouley/Francis				
<b>Billing Rate:</b>	\$ 260.93	\$ 230.48	\$ 202.41	\$ 182.11	\$ 162.59	\$ 162.59	\$ 187.10	\$ 116.34	\$ 116.43				
<b>A. 30% Plans &amp; CMGC Solicitation</b>	<b>77</b>	<b>24</b>	<b>76</b>	<b>10</b>	<b>28</b>	<b>40</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>263</b>	<b>\$ 54,814.95</b>	<b>\$ -</b>	<b>\$ 54,814.95</b>
1. Project Management, Subconsultant & Client coordination	8								8	16	\$ 3,018.88		\$ 3,018.88
2. Wall Design	8	16	40			40				104	\$ 20,375.12		\$ 20,375.12
3. Roadway Geometric Design	4			2	16					22	\$ 4,009.38		\$ 4,009.38
4. 30% Plans										0	\$ -		\$ -
Title Sheet	1				4					5	\$ 911.29		\$ 911.29
Overall Site Plan	4		8		8					20	\$ 3,963.72		\$ 3,963.72
SUE QL-B Plans (JR -- cost covered under existing contract)										0	\$ -		\$ -
Wall General Layout	4		12							16	\$ 3,472.64		\$ 3,472.64
Wall Typical Section & Details	4		16							20	\$ 4,282.28		\$ 4,282.28
RockSol QMS		8		8						16	\$ 3,300.72		\$ 3,300.72
5. CMGC Contractor Solicitation										0	\$ -		\$ -
Prepare Solicitation RFP	28									28	\$ 7,306.04		\$ 7,306.04
Evaluate CMGC Submittals, Respond to RFI's, etc	12									12	\$ 3,131.16		\$ 3,131.16
Participate in CMGC Interviews & Selection	4									4	\$ 1,043.72		\$ 1,043.72
<b>90% Design Phase</b>	<b>97</b>	<b>24</b>	<b>144</b>	<b>16</b>	<b>156</b>	<b>42</b>	<b>26</b>	<b>20</b>	<b>0</b>	<b>525</b>	<b>\$ 102,286.75</b>	<b>\$ 29,285.00</b>	<b>\$ 131,571.75</b>
1. Project Management, Subconsultant & Client coordination	8									8	\$ 2,087.44		\$ 2,087.44
2. Regular Team Meetings (Assume 20; biweekly from March thru December)	20				10	10				40	\$ 8,470.40		\$ 8,470.40
3. SUE QL-A (JR Optional Service)	1				2					3	\$ 586.11	\$ 12,500.00	\$ 13,086.11
4. Advance Road & Structure Design (Wall IDC by CMGC Contractor)	1	16	40	4	16	24				101	\$ 19,277.05		\$ 19,277.05
5. 90% Plans										0	\$ -		\$ -
Title Sheet					2					2	\$ 325.18		\$ 325.18
Standard Plans List					2					2	\$ 325.18		\$ 325.18
General Notes					3					3	\$ 487.77		\$ 487.77
Summary of Approximate Quantities					4					4	\$ 650.36		\$ 650.36
Overall Site Plan	2				4					6	\$ 1,172.22		\$ 1,172.22
Typical Sections	2				4					6	\$ 1,172.22		\$ 1,172.22
Survey Tabulations					2					2	\$ 325.18		\$ 325.18
Survey Control Plan					1					1	\$ 162.59		\$ 162.59
Construction Details	1				8					9	\$ 1,561.65		\$ 1,561.65
Removal & Reset Plans	1				8					9	\$ 1,561.65		\$ 1,561.65
Channel Diversion Plans & Details	4		16		4					24	\$ 4,932.64		\$ 4,932.64
Waterline Relocation Plans (JR Optional Service)	2									2	\$ 521.86	\$ 12,380.00	\$ 12,901.86
Grading & Drainage Plans	2				8					10	\$ 1,822.58		\$ 1,822.58
Erosion & Sediment Control Plans					8		4	8		20	\$ 2,979.84		\$ 2,979.84
Stormwater Management Plans -- NIC -- assume < 1 acre										0	\$ -		\$ -
Construction Zone Traffic Control Plans (Assume road will be closed - barricades only)					8					8	\$ 1,300.72		\$ 1,300.72
Wall General Information	2		4							6	\$ 1,331.50		\$ 1,331.50
Engineering Geology	1					8				9	\$ 1,561.65		\$ 1,561.65
Wall Plan & Elevation	4		8		8					20	\$ 3,963.72		\$ 3,963.72
Wall Sections & Details	4		16							20	\$ 4,282.28		\$ 4,282.28
Scour Mitigation Details	2		4							6	\$ 1,331.50		\$ 1,331.50
Moment Slab Section & Details - includes railing terminals	2		4		12					18	\$ 3,282.58		\$ 3,282.58
6. Hydraulic Analysis (includes no-rise certification letter & floodplain development permit)	2							16		2	\$ 521.86		\$ 521.86
7. Environmental - Study updates, ongoing agency coordination										16	\$ 2,993.60		\$ 2,993.60
8. Supplemental hydraulics (includes no-rise certification letter & floodplain development permit - )	2									2	\$ 521.86	\$ 4,105.00	\$ 4,626.86
9. Specifications	2		8	2	8					20	\$ 3,806.08		\$ 3,806.08
10. Engineer's Opinion of Probable Construction Costs & Duration	2		8	2	8			2	4	26	\$ 4,645.64		\$ 4,645.64
11. RockSol QMS		8		8						16	\$ 3,300.72		\$ 3,300.72
12. Public Involvement (Not Included)										0	\$ -		\$ -
13. 90% Review Meeting - assume virtual	2				2		2			6	\$ 1,221.24		\$ 1,221.24
14. 100% Design - address comments, revise plans & submit Advertisement Set Docs	8		12		12		2	8		42	\$ 7,772.36		\$ 7,772.36
15. Construction Phase										8	\$ 2,087.44		\$ 2,087.44
Review Submittals	2		8		4					14	\$ 2,791.50		\$ 2,791.50
Address RFI's	2		8		8					18	\$ 3,441.86		\$ 3,441.86
Site Visits (Assume 2)	8		8							16	\$ 3,706.72	\$ 300.00	\$ 4,006.72
<b>Hours Sub-Total for Task defined above</b>	<b>174</b>	<b>48</b>	<b>220</b>	<b>26</b>	<b>184</b>	<b>82</b>	<b>26</b>	<b>20</b>	<b>8</b>	<b>788</b>			
<b>Engineering Fee Sub-Total for Task defined above</b>	<b>\$ 45,401.82</b>	<b>\$ 11,063.04</b>	<b>\$ 44,530.20</b>	<b>\$ 4,734.86</b>	<b>\$ 29,916.56</b>	<b>\$ 13,332.38</b>	<b>\$ 4,864.60</b>	<b>\$ 2,326.80</b>	<b>\$ 931.44</b>		<b>\$ 157,101.70</b>	<b>\$ 29,285.00</b>	<b>\$ 186,386.70</b>

UNDERSTANDING

**JR Engineering (JR)** appreciates the opportunity to submit the following proposal for additional engineering and surveying services for the Lover’s Lane Wall Repair project in Manitou Springs. JR Engineering understands that the City of Manitou Springs intends to replace the existing wall along the south side of Lover’s Lane, which is the right bank of Fountain Creek as part of Phase 1, with the potential to relocate the existing water line to provide better separation from the existing sanitary sewer system as part of Phase 2. JR Engineering will perform additional utility locates to pick up the relocated gas line, as well as document the utilities in accordance with SUE standards for the development of a set of SUE plans. JR Engineering will update the hydraulic modeling per the proposed wall design, and prepare the documentation for a No-Rise Certification letter, and a Floodplain Development permit application to El Paso County. JR Engineering will also prepare the design for the relocated water line. Additionally, JR Engineering performed additional hydraulic modeling of the creek during the emergency repairs project to assist the project team in evaluating alternatives beyond the original scope of the project. This amendment captures the costs associated with these additional efforts.

JR anticipates the following scope:

- SUE Utility locates and Test Holes
- Supplemental utility survey
- Updated CAD files with utility improvements
- Water main relocation design and plan set
- Floodplain analysis, No-Rise Certification letter, and Floodplain Development permit application

APPROACH

Upon issuance of notice to proceed, JR Engineering will begin Phase 1 efforts as outlined below.

**Phase 1**

**Additional Proposed Conditions Hydraulic Modeling:** JR Engineering previously provided additional hydraulic modeling to assist the project team in evaluating alternative approaches to ensure wall replacement and associated site grading would result in a no-rise condition.

**Utility Research, Locates, and Survey:** JR Engineering’s processes and procedures will incorporate the CI/ASCE 38-02, Standard Guideline for the Collection and Depiction of Existing Subsurface Utility Data, Senate Bill 18-167. Our initial task will be to request available utility information from all known utility owners within the project limits. It appears that the existing gas line in Lover’s Lane has been relocated, and the revised mapping will be requested. This data and the data collected in the original scoping will be designated as Quality Level D. Once all available utility information is collected, field efforts will proceed with the designating of subsurface utilities (utility locates). This effort will include the use of electromagnetic detection equipment. The designating of utilities is known as Quality Levels B and C. JR Engineering will then survey in the locate marks, and update the existing utility cad file.

**Subsurface Utility Engineering – SUE Plans:** JR will utilize and review the utility survey data to prepare SUE plans in accordance with CI/ASCE 38-02. These plans will be provided to the City for review. The plans will include all known utilities presented by their Quality Level designations (QL D, QL C, or QL B). JR will review the plans against the marks in the field to confirm they align with the survey data. This is required for the certification of the plans.

**Phase 2**

Upon direction from the project team, JR Engineering will begin Phase 2 efforts as outlined below. The actual scope of Phase 2 may change and be modified during Phase 1, therefore, the efforts and costs associated with those outlined below may be modified with a future amendment.

**SUE QL A (Test holes) and Report:** JR will complete the test hole efforts associated with the utility designation for all utility conflict points with the proposed water line replacement. These efforts will identify underground utility location, depth, size, and type. JR Engineering will prepare a test hole exhibit, stake the locations of each of these conflict points, work with Badger to hydro-excavate each test hole location, observe the utility, survey the top of the exposed utility, prepare a report documenting the findings at each test hole, and prepare test hole data report. It is anticipated that one day of test holes will be required.

**Water Main Design:** JR will design the relocation of the water line closer to the new wall to achieve better separation from the existing sanitary sewer system. It is anticipated that the relocation will be within the limits of the wall replacement work. The design will include connections to the existing water main, and connections to any laterals within the relocation limits. The plan set will be a stand along set, separate from the wall reconstruction set, and will include a cover sheet, notes, details, plan and profile sheets. Quantities will be prepared, and a cost estimate provided.

**No-Rise Certification and Floodplain Development Permit Applications:** JR will utilize the hydraulic modeling previously conducted, and update it according to the new wall design. JR will prepare a no-rise certification package for PPRBD and the City of Manitou Springs. We anticipate that the submittal will include Floodplain Development Permit application, No-Rise Certification Letter, modeling outputs, comparison tables, and a work map. We have budgeted for one (1) submittal and one (1) resubmittal to the City and PPRBD to achieve approval of the no-rise certification package.

**COST OF SERVICES SUMMARY**

The following are the summarized costs of engineering services. A Fee Schedule & Resource Allocation chart can be provided, upon request, that provides more detail of the person-hour breakdown for each individual task. This Scope of Services will be billed on a Not To Exceed Time and Material basis per the attached chart.

**JR Engineering Services Cost:**

**Task 300: Amendment #1 – Phase 1**

Additional Proposed Conditions Hydraulic Modeling	\$3,690.00
Supplemental SUE Research, Locates, and Survey	\$4,240.00
Update Utility Base File	\$1,190.00
Prepare SUE Plans	\$3,510.00
Coordination and Meetings	\$800.00
<b>Subtotal Task 300</b>	<b>\$13,430.00</b>

**Task 400: Amendment #1 – Phase 2**

QL A Testholes, Survey, and Report	\$12,500.00
Water Line Design, Plans, and Cost Estimate	\$12,380.00
Update Hydraulic Model	\$1,190.00
Update Data Tables	\$710.00
Update No-Rise Certification Letter	\$870.00
Prepare Floodplain Development Permit	\$535.00
Coordination and Meetings	\$800.00
<b>Subtotal Task 400</b>	<b>\$28,985.00</b>

<b>TOTAL COST</b>	<b>\$42,415.00</b>
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## Memorandum

Title: Requesting Approval of the Blinkyay USA LLC Quote for New Parking Kiosks

From: Felipe Lopez, Director of Mobility & Parking

To: Mayor and City Council

CC: City Administrator Denise Howell

Allocated Time: 5 Minutes

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February 17, 2026

### **Purpose:**

To obtain Council approval to purchase 14 Kiosks

### **Background:**

The City's Mobility & Parking Program is transitioning to an updated enforcement and parking management platform to improve operational efficiency, data collection, customer service, and overall management of the City's parking system.

The equipment package includes fourteen (14) parking payment kiosks, software, installation, connectivity, professional services, and related components from Blinkyay USA LLC, pursuant to the existing License, Supply, and Maintenance Agreement between Blinkyay USA LLC and the City, including all related schedules, quotations, and addenda.

Should this quote not be approved, implementation of the new kiosk system would be delayed, and the Mobility & Parking Department would continue utilizing Honk Mobile as the sole provider of payment management services with Manitou Springs.

### **Fiscal Impact:**

The total cost of the mobility and parking enforcement and management equipment will not exceed \$107,450.00.

The sum required for this purchase can be absorbed based on savings realized through the transition to a new vendor replacing the previous vendor.

### **Workload Impact:**

Staff time will be required from the Finance Department, the Mobility & Parking Division to complete payment processing, finalize purchase documentation, and coordinate with the equipment vendor. This work is estimated at approximately four hours of total staff time.



**Recommended Action:**

Move to approve the Blinkyay USA LLC quote through the approval of the consent calendar.

### Company

Blinkay USA LLC  
2706 Alt 19 North  
Palm Harbor FL 34683  
United States  
pbarsanti@blinkay.com

### Customer

MANITOU SPRINGS, CO  
FLopez@manitouspringsco.gov

## Quotation # S01358

### Quotation Date:

02/11/2026

### Salesperson:

Ryan Bonardi

Description	Quantity	Unit Price	Taxes	Amount
<b>ONE TIME COSTS - HARDWARE</b>				
Chasis chrono V3.1 Includes touch screen, EMV contactless, battery, solar panel 25W	14.00	5,800.0000		\$ 81,200.00
Installation of 14 meters to city prepared ground	14.00	250.0000		\$ 3,500.00
			<b>Subtotal</b>	\$ 84,700.00
<b>B.CHRONO WIRELESS PER YEAR</b>				
BCHRONO - Connectivity License (Months) * backoffice meter / chrono connection license * Monthly cost = \$75/ meter * cellular service included * 14 meters * 75 = 1050 per month	12.00	1,050.0000		\$ 12,600.00
			<b>Subtotal</b>	\$ 12,600.00
<b>PROFESSIONAL SERVICES</b>				
* Project Management * Managing the meter software configuration * Managing the installation schedule * Manage all communications with all team members * Configuration and Testing	14.00	725.0000		\$ 10,150.00

Signature Section for City Official:  
(Please print and then sign your name)

Printed Name Signature

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<b>Subtotal</b>	\$ 10,150.00
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<b>Total</b>	\$ 107,450.00
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**Holder**

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## Payment Terms

- Blinkay will ship all 14 meters in a single consolidated shipment.
- Payment, in full, will be expected 30 days after delivery of meters to Manitou Springs.



## Memorandum

Title: Proclamation No. 0126, A Century of Black History Commemorations

From: Mayor Johnson and Mayor Pro Tem Chandler

To: Mayor and City Council

CC: City Administrator Denise Howell

Allocated Time: 5 Minutes

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February 17, 2026

### **Purpose:**

The purpose of this agenda item is to present Proclamation No. 0126, proclaiming February as Black History Month in the City of Manitou Springs for City Council consideration and acknowledgment. The proclamation formally recognizes the historical significance, contributions, and enduring impact of people of African descent on the City, the nation, and the world.

### **Background:**

Black History Month began in February 1926, when historian Dr. Carter G. Woodson established Black History Week to address the exclusion of Black Americans from the nation's historical narrative. The observance expanded nationally in 1976 with presidential recognition and was formally designated by Congress in 1986 as Black History Month.

The 2026 theme, "A Century of Black History Commemorations," encourages reflection on the resilience, leadership, cultural contributions, and ongoing pursuit of justice by people of African descent. The proclamation recognizes the diversity of Black identities and affirms the City's commitment to honoring Black history and promoting equity and inclusion.

### **Fiscal Impact:**

None.

### **Workload Impact:**

Minimal.

### **Recommended Action:**

Read Proclamation No. 0126, A Century of Black History Commemorations, recognizing February as Black History Month and proclaim it so.



City of Manitou Springs  
Proclamation No. 0126

# *Proclamation*

## **Black History Month “A Century of Black History Commemorations”**

**WHEREAS**, historian, author, and journalist, Dr. Carter G. Woodson, known as “the Father of Black History Month,” founded the Association for the Study of African American Life and History and initiated Black History Week in February 1926, to coincide with the birthdays of Abraham Lincoln and Frederick Douglass. Its purpose was to make the nation face the truth after attempting to erase Black peoples from our nation’s story.

**WHEREAS**, on February 10, 1976, President Gerald R. Ford became the first President to issue a statement recognizing Black History month, and

**WHEREAS**, ten years later, in 1986, congress passed a law designating February as Black History Month, and

**WHEREAS**, these efforts have resulted in the month of February commemorating Black history in our schools, public forums, cultural heritage sites, places of work and worship, our neighborhoods, and communities across our nation and the globe. From slavery, through the civil rights movement to the politics shaping Black lives today, we acknowledge and honor the impact of African American history and contribution to our nation, and

**WHEREAS**, the theme “A century of Black History Commemorations” urges all of us to explore the profound meaning of Black history in transforming the status of Black people through their resiliency, leadership, cultural contributions, and the pursuit of justice and equality despite centuries of systemic oppression and discrimination that persists to this day, and

**WHEREAS**, we celebrate the diversity of Black peoples in our community, the state of Colorado, our nation, and across the globe whether they self-identify as African, African American, Afro-Latino, Afro-Caribbean, or Black, and

**WHEREAS**, despite these accomplishments, systematic racism persists generating calls for lasting institutional and societal changes so desperately needed in our country, and

**WHEREAS**, today and every day, we encourage everyone to recognize and confront systemic racism wherever it occurs, and improve representation of Black Americans in all aspects of life while celebrating their many contributions,

**NOW, THEREFORE, BE IT RESOLVED**, that the city of Manitou Springs City Council takes pride in proclaiming February 1 through February 28 as Black History Month, honoring the countless contributions that people of African descent have made to our country and the world, and calling upon us all to continue the important work of fighting for a just and inclusive society.

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Mayor Natalie Johnson

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Attest: City Clerk, Elena Krebs



## Memorandum

Title: Pool and Fitness Center Mural Proposal — Presented by CRANE

From: Ralph Routon

To: Mayor and City Council

CC: City Administrator Denise Howell

Allocated Time: 10 Minutes

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February 17, 2026

### **Purpose:**

To bring the proposed pool and fitness mural to Council for their consideration.

### **Background:**

The pool and fitness center has been working with Katie Curcio to propose a mural in the pool area. This project has been fully funded by the Manitou Springs Community Foundation. CRANE's board approved the design, and put it out on social media to garner public feedback. The proposed design received a lot of positive feedback.

### **Fiscal Impact:**

None.

### **Workload Impact:**

Minimal.

### **Recommended Action:**

Move to approve the design as submitted.

## Proposal: Pool and Fitness Center Mural



- Proposed by Phil Moya, funded by the Manitou Springs Community Foundation
- Has full support of CRANE's Board
- Received 100% positive feedback on social media - hundreds of likes and dozens of comments (shared on CRANE's Facebook and Instagram, Living in 80829, All About Manitou Springs)





## Memorandum

Title: Community Survey Direction  
From: Denise Howell, City Administrator  
To: Mayor and City Council  
CC: City Administrator Denise Howell  
Allocated Time: 45 Minutes

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February 17, 2026

### **Purpose:**

To obtain direction from City Council.

### **Background:**

City Council previously provided direction to the City Administrator to engage Magellan Strategies for the upcoming community survey. Ryan Winger from Magellan Strategies completed the 2023 Manitou Springs Community Survey and will also manage the upcoming survey.

The purpose of tonight's discussion is to receive direction from the City Council regarding the "givens" that will frame the community survey. These "givens" establish the parameters within which survey feedback will be considered and ensure alignment with legal, operational, and policy constraints. It's important to note that givens aren't preferences; they are legal, moral, ethical, safety, or financial constraints the City must honor. The City Council plays an important role in setting the givens. Those givens set the parameters of decision-making and clarify public expectations about what will be decided through the public process.

Examples of potential "givens" include:

- Decisions resulting from the survey will not violate federal, state, or local laws or regulations, nor compromise internal controls.
- Public safety and community welfare will not be compromised.
- The City will comply with its Charter, which mandates that certain offices and administrative services be provided to residents, including but not limited to City Council, City Administrator/Manager, City Clerk, City Attorney, City Treasurer, and City Assessor.
- Existing legal, contractual, or funding obligations of the City will be honored. *(For example, obligations tied to grant funding, deed restrictions, or other regulatory requirements.)*
- The public engagement process will be open to all residents, and all input will be considered equally.



- Final decisions informed by the survey results will remain the responsibility of City Council.

See the attached document from Magellan, where there are links embedded to other cities' surveys and results.

Once the Council has identified and agreed upon the “givens,” the next step will be to determine what information you want to learn from the survey that will best support your upcoming policy and budget decisions. For example, do you want to know the community's priorities, services, and revenue enhancements?

Once both items are finalized, staff will work with Magellan Strategies to develop the survey instrument, with the goal of having it ready for distribution by the third week of March.

**Fiscal Impact:**

\$12,000 - \$18,000

**Workload Impact:**

40 + hours

**Recommended Action:**

Provide specific "givens" and what information you need to help guide your decisions.

## About Magellan Strategies

Magellan Strategies is a professional public opinion research firm that measures and understands resident and voter opinions. Since 2007, we have managed community survey projects for local governments, school districts, special districts, and public policy organizations. We work closely with city, town, county managers, staff, and elected officials. We are also proud **members of the Colorado City and County Management Association (CCCMA)** and **Colorado Counties Incorporated (CCI)**. You can learn more about our community surveys [HERE](#).

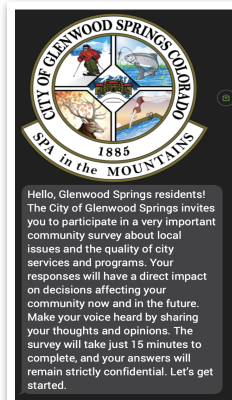
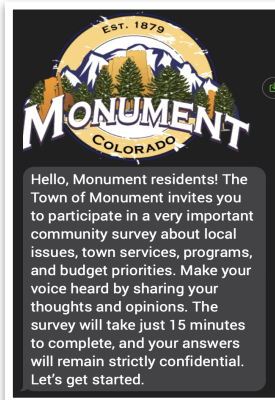
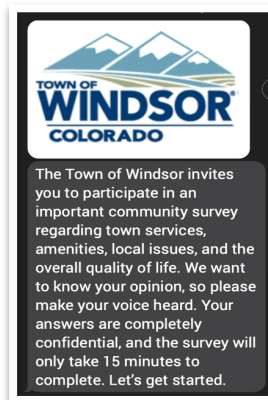


## The Magellan Strategies Community Survey Difference

When selecting an opinion research firm to conduct a high-quality community survey, staff and elected officials should understand the various survey data-collection methods and resident databases used for the project. Magellan Strategies uses modern data-collection techniques, such as MMS text message invitations and improved voter registration databases. Our methods consistently deliver a more engaging community survey than traditional “mail only” or “mail mostly” surveys, which depend on older, less accurate resident data. Our survey data collection and resident engagement strategies will reach more people, including hard-to-reach populations, than other opinion research firms that primarily rely on mail and phone data collection. Additionally, our community surveys with larger sample sizes provide greater value to governments at costs comparable to or lower than those of our competitors. Moreover, our online platform ensures residents have an inclusive, informative, and enjoyable survey experience.

## The Benefits of MMS Text Survey Data Collection

Our MMS text survey invitations are reliable and professional, including the government entity’s logo and an inviting message to participate in the survey.



The benefits of MMS text survey data collection include:

**Ability to Send Multiple Survey Invitations:** Unlike mail surveys, MMS text invitations are quick and cost-effective, and they can be sent multiple times to residents.

**Fantastic Respondent Engagement:** People from different demographic, ethnic, and socioeconomic backgrounds are more likely to participate in a community survey when the invitation text includes their local government’s logo. We have been testing this method since 2020, and it has undoubtedly delivered higher response rates than a mail-collection method.

**Larger Survey Sample Sizes:** When more people participate in a survey. These larger sample sizes result in smaller margins of error, higher confidence levels, and a more accurate, representative survey.

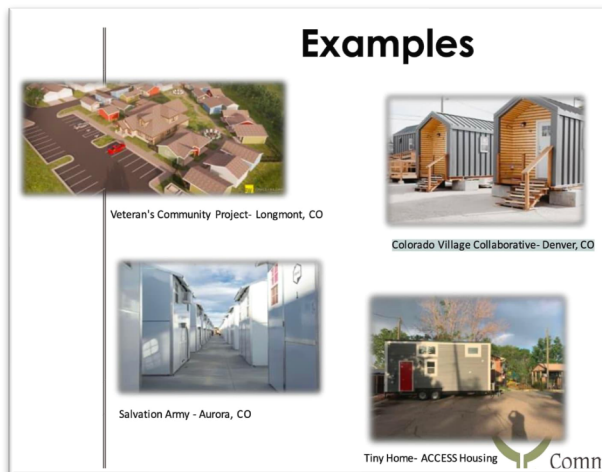
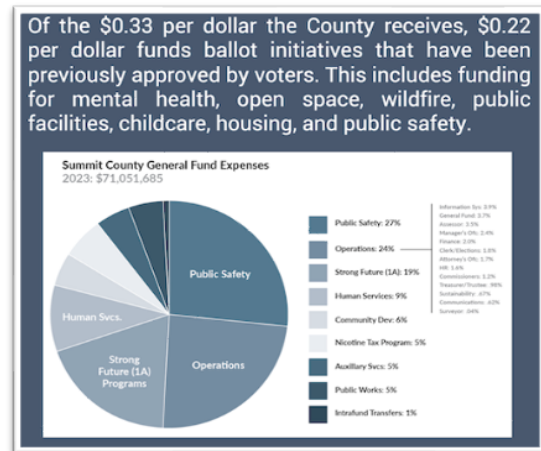
**An Online Survey Can Include More Questions:** It takes less time for a respondent to read and answer questions on their cellphone, desktop, or other electronic device than to complete a paper survey or to listen to an interviewer read questions and record responses. Therefore, online surveys can incorporate more questions without increasing respondent fatigue.

**A Trustworthy Communication:** An MMS text survey invitation from a government entity is a professional and trustworthy form of communication that respondents trust and appreciate. Moreover, it strengthens and enhances the government organization’s brand and image among its residents.

**Using Images to Improve the Respondent Experience:** Another advantage of MMS text survey data collection is the ability to include images. Images can improve the respondent experience and help government agencies communicate information that might be hard to share otherwise. Below are two examples of how our team has used images to make the survey experience more engaging for respondents.

**Summit County 2023 Community Survey**

This image informed residents and voters in Summit County about how their tax dollars are allocated and spent. Our team has extensive experience using images to convey complex tax and budget concepts to respondents.



**Commerce City Funding Survey**

This image demonstrates Bridge Housing options for families and individuals experiencing homelessness. These pictures helped Commerce City staff dispel negative assumptions that the city’s housing developments would resemble frightening “dorm-style” housing.

## Example Community Surveys

The following are two examples of community surveys. Keep in mind that these are simply examples, and that every community survey is different. The Town of Frisco survey is specifically more budget focused.

### Town of Frisco 2025 Community Survey

The Town of Frisco's Capital Projects Survey of 333 residents shows strong satisfaction with town services and finances, but also resistance to new taxes. Overall, 72% approve of the town's performance, and 58% believe Frisco spends taxpayer money wisely. Additionally, 77% think the town has the financial resources to maintain its services. However, only 33% support a tax increase to establish a dedicated funding source for capital projects, while 58% oppose it. Residents prioritized capital project categories, with fire mitigation and wildfire prevention receiving the strongest support (79% more likely to approve a tax for these projects), followed by multi-use pathways (57%), and road, lighting, and sidewalk improvements (56%). Support was lower for town facility upgrades, signage, and wayfinding.

Recreation and trail projects received mixed reactions. Most people supported new trail planning and additions (59%), more restrooms in parks and at the marina (56%), and overall park improvements (51%). However, projects like improved snowmaking (19%), bike park upgrades (34%), and marina facility enhancements (36%) were less popular. Residents identified fire mitigation (34%), trail expansion (31%), and basic infrastructure, such as roads and utilities (26%), as their top priorities. Meanwhile, marina improvements (28%), snowmaking (24%), and playground or bike park upgrades (21%) were seen as lower priorities.

When asked about potential funding measures, 46% said they would approve a 0.5% sales tax increase, while 49% opposed it. In contrast, a 4% lodging tax increase gained majority support, with 54% in favor and 41% opposed. If forced to choose, 47% preferred the lodging tax over the sales tax, with 19% choosing the latter. Many respondents highlighted that tourists and second homeowners should pay a larger share of the costs and expressed concern about losing Frisco's small-town character. Overall, residents value fiscal responsibility and support projects related to public safety, infrastructure, and outdoor access; however, they remain cautious about tax increases and want detailed project plans before supporting new funding.

To view the survey presentation, click [HERE](#).

### City of Manitou Springs 2023 Community Survey

Manitou Springs residents reported very high satisfaction with the overall quality of life, their neighborhoods, recreation options, and the community's arts and culture scene. Most rate the city as an excellent or good place to live, walk, raise a family, and enjoy trails and open spaces. However, several issues stand out as primary concerns: housing availability and affordability receive some of the lowest ratings, followed by dissatisfaction with grocery options, traffic flow, job opportunities, and childcare.

Residents also feel the city prioritizes tourists over locals, with 58% saying tourism gets more attention. Satisfaction with city services is generally high—especially parks, events, snow removal, emergency services, and water treatment—while lower ratings are given for street repair, mobility and parking, permitting and development, and services for people experiencing homelessness.

Residents' budget priorities clearly focus on core services and infrastructure. Fire and emergency medical services, emergency preparedness, parks and open space, and water/sewer infrastructure are seen as the top funding priorities. Roadway and sidewalk maintenance, stormwater improvements, clean-up and beautification, and police services also rank highly. In land use and planning, water conservation and historic preservation are considered very important, while affordable housing and downtown retail development are still meaningful but seen as somewhat less critical.

To view the survey presentation, click [HERE](#).

## **Project Timeline & Next Steps**

We will aim to launch the survey by the third week of March, with all final deliverables completed by the end of May. Following initial survey discussion and direction from City Council, Magellan Strategies will produce a draft survey questionnaire.



## Memorandum

Title: First Reading of Ordinance No. 0426, An Ordinance Repealing and Reenacting Title 15, Chapter 15.12 of the Manitou Springs Municipal Code and Adopting by Reference The 2021 Edition of the International Fire Code with Amendments Thereto

From: Fire Chief, Keith Buckmiller

To: Mayor and City Council

CC: City Administrator Denise Howell

Allocated Time: 20 Minutes

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February 17, 2026

### **Purpose:**

The purpose of this memo is to summarize the memorandum presented to City Council at its February 10 work session regarding the proposed adoption of the 2021 International Fire Code (IFC) and the Colorado Wildfire Resiliency Code (CWRC), and to provide context for the first reading of the ordinance.

### **Background:**

At the February 10, 2026 work session, the Manitou Springs Fire Department provided an overview of the major updates included in the 2021 International Fire Code (IFC) compared to the City's currently adopted 2015 IFC, as well as the new requirements associated with the Colorado Wildfire Resiliency Code. Council was advised that the El Paso County Fire Marshals Committee has worked to align all county jurisdictions on the 2021 IFC to promote consistency and coordinated enforcement.

In addition, the state now requires jurisdictions with authority to adopt fire or building codes to adopt the Colorado Wildfire Resiliency Code by April 1, 2026, with full compliance required by July 1, 2026. The work session memo explained that failure to adopt the CWRC could place the City at risk of losing eligibility for certain state funding and grant opportunities.

Key reasons for upgrading to the 2021 IFC discussed at the work session included addressing emerging hazards and technologies not covered in the 2015 code, strengthening fire protection standards for high-risk uses, improving emergency responder communications, enhancing construction fire safety, updating occupancy and egress requirements, and clarifying firestopping and structural protections. The adoption of the CWRC was described as supporting statewide wildfire resilience efforts and introducing new responsibilities related to wildland-urban interface construction, inspections, and public education.



### **Fiscal Impact:**

#### **Adopting the 2021 IFC Code:**

Increased upfront construction costs due to more stringent fire-resistant materials, sprinkler requirements, and updated safety provisions required by the 2021 IFC and CWRC. Potential long-term cost savings through lower insurance rates as a result of improved construction fire safety and reduced wildfire risk.

#### **Adopting the Colorado Wildfire Resiliency Code (CWRC):**

Implementation of the CWRC will require new oversight, rulemaking, code interpretation, and enforcement responsibilities.

### **Workload Impact:**

#### **Adopting the 2021 IFC**

The workload is limited due to all jurisdictions being on the same version of the code and all Fire Marshals have participated in the revisions and adoption and are therefore familiar with the 2021 code.

#### **Adopting the Colorado Wildfire Resiliency Code (CWRC):**

There will be additional staff time needed for plan review for WUI compliance, field inspections, public education, appeals and modification requests. There is also potential for ongoing annual costs for staffing, operations, enforcement and public education.

### **Recommended Action:**

Move to approve Ordinance No. 0426, an ordinance repealing and reenacting Title 15, Chapter 15.12 of the Manitou Springs Municipal Code and adopting by reference the 2021 edition of the International Fire Code with amendments thereto, on first reading and set a public hearing for March 3, 2026, at 6 p.m., or as soon thereafter as the matter may be heard.

ORDINANCE

**AN ORDINANCE REPEALING AND REENACTING TITLE 15, CHAPTER 15.12 OF THE MANITOU SPRINGS MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2021 EDITION OF THE INTERNATIONAL FIRE CODE WITH AMENDMENTS THERETO**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:**

**Section 1:** Chapter 15.12 of Title 15 of the City of Manitou Springs Municipal Code is hereby repealed in its entirety and reenacted as follows;

**15.12.010 – Adoption.**

- A. All prior editions of the Uniform Fire Code, as well as UFC Standards and Amendments to prior editions, are repealed. The 2021 edition of the International Fire Code ("IFC") and International Fire Code Standards are adopted by reference pursuant to Section 5.11 of the City Charter and shall have the same force and effect as though it were set out in its entirety in this chapter. Title 15 may be known and cited as the "Fire Prevention Code and Standards." The International Fire Code as adopted and all amendments thereto shall apply to every building, structure or asset, either within or outside the corporate limits of the City, the use of which the City has jurisdiction and authority to regulate.
- B. The International Fire Code is published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478. One copy of the 2021 International Fire Code and one copy of all the amendments to the International Fire Code shall be maintained in the Office of the City Clerk and may be inspected during regular business hours.

**Adoption of the Colorado Wildfire Resiliency Code (CWRC).**

The Manitou Springs City Council hereby adopts by reference the Colorado Wildfire Resiliency Code (CWRC), including applicable chapters, sections, and appendices governing the wildland–urban interface (WUI), ignition-resistant construction, defensible space, vegetation management, access, fuels mitigation, and other wildfire risk-reduction measures, as amended by this Resolution and Appendix O (CWRC is an entirely separate code that is adopted for reference purposes only).

**The CWRC shall apply to:**

- a) All new construction within designated WUI areas,
- b) Exterior building materials and assemblies,
- c) Defensible space requirements,
- d) Vegetation management and maintenance,
- e) Access standards for emergency response, and
- f) WUI risk reduction measures applicable within the District.

**Administration and Enforcement.**

The Fire Chief, Fire Marshal, or designees shall administer and enforce the adopted 2021 IFC and CWRC.

**Enforcement may occur:**

- a) Through plan review and inspection authority.
- b) In coordination with the Pikes Peak Regional Building Department; and
- c) Pursuant to authority granted through the El Paso County Board of County Commissioners as required by §32-1-1002(1)(d), C.R.S.

**Establishment and Duties of Life Safety Inspectors.** Organizational structure and duties of the Life Safety Division shall be as provided by the City’s rules and regulations, as established by Intergovernmental Agreement, and/or by the City's internal organizational structure.

**Definitions.** The following definitions shall be utilized in addition to those set forth in the 2021 International Fire Code:

- a) Wherever the word "jurisdiction" is used, it is meant to be inclusive of the boundaries of the City of Manitou Springs as they currently or may exist hereafter.

- b) Where the term "Chief" is used, it shall be held to mean the Fire Chief of the Manitou Springs Fire Department, or the departments Fire Marshal or a designated member of the department.
- c) Where the term "Council" is used, it shall be held to mean the City Council of the City of Manitou Springs.
- d) Wherever the term "International Building Code" is used, it shall be held to mean the International Building Code as adopted, amended and incorporated into the El Paso County Building Code for unincorporated portions of El Paso County or the International Building Code as adopted, amended and incorporated into the applicable municipality's Building Code within a municipality's territorial limits.
- e) Wherever the term "counsel" is used, it shall be held to mean the City Attorney.

**15.12.020 – Amendments to the International Fire Code**

Revisions to the 2021 International Fire Code. The following sections of the 2021 International Fire Code are hereby revised with local amendments as follows:

**Section 101.1.** Amend Section 101.1 to read as follows: "101.1 Title. These regulations shall be known as the Fire Code of the City of Manitou Springs, hereinafter referred to as "this code."

**SECTION 104 DUTIES AND POWERS OF THE FIRE CODE OFFICIAL**

**Section 104.1 General.** Amend Section 104.1 to read as follows:

[A] 104.1 General. The fire code official is hereby authorized to enforce the provisions of this code. The fire code official shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules, and shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for in this code. The fire chief or designee has authority in determining the application of this code and resolving any conflicts that may arise from enforcement of this code.

**Section 104.6 Official records.** Amend Section 104.6 to read as follows:

[A] 104.6 Official records. The fire code official shall keep official records as required by Sections 104.6.1 through 104.6.4. Such official records shall be retained for not less than seven (7) years or for as long as the structure or activity to which such records relate remain in existence, unless otherwise provided by other regulations.

**Section 104.7.2 Actions.** Add a new Section 104.7.2 to read as follows:

104.7.2 Actions, liability and legal defense. The Colorado Governmental Immunity Act, Article 10 of Title 24 Colorado Revised Statutes, shall apply to the actions, liability and legal defense of any Fire Code Official, officer or employee charged with the enforcement of this code.

## SECTION 105 PERMITS

**Section 105.1.2 Types of permits.** Amend Section 105.1.2 to read as follows:

105.1.2 Types of Permits. There shall be three types of permits as follows:

1. Operational Permit. An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Section 105.5 for either:
  - 1.1 A prescribed period.
  - 1.2 Until renewed or revoked.
2. Construction permit. A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by section 105.6.
3. Administrative permit. An administrative permit allows the applicant to modify fire protection or life safety systems and equipment, having a limited scope of work, for which a construction permit would otherwise be issued. Administrative permits apply to the following:
  - i. 20-Head letters.
  - ii. 5-device letters.
  - iii. Temporary removal of equipment during construction activities.
  - iv. Others as approved by the fire code official.

**Section 105.2.2 Inspection authorized.** Amend Section 105.2.2 to read as follows:

[A] 105.2.2 Inspection authorized. Before a new operational permit is approved, the fire code official is authorized to inspect the receptacles, vehicles, buildings, devices, premises, storage spaces, areas, activities, processes, procedures, and all other relevant items of fire and life safety to be used to determine compliance with this code or any operational constraints required.

**Section 105.3.4.1 Work at risk.** Add new Section 105.3.4.1 to read as follows:

105.3.4.1 Work at risk. Where a permit is required, and upon the request of a permit applicant, the fire code official may issue a work-at-risk permit to begin work prior to the issuance of a permit. The work at risk permit will allow the applicant to begin installation, modification, or commencement of a system, process, or activity for which the permit is required prior to approved plans or a construction permit. The holder of the work at risk permit shall be authorized to proceed at their own risk with the installation or modification of the system, or other work requiring a permit, but shall not entitle them to any required inspections of the system or work until construction documents or permit applications are approved and the required permits are posted on site. Any work performed on the system will be done at the risk of the installing the contractor. Any required changes or modifications based upon approved plan review or inspection activities will be the responsibility of the contractor and shall be made prior to final approval of the system and Certificate of Occupancy. A work at risk permit fee shall be assessed as set forth by the adopted fee schedule.

**Section 105.3.4.2 Temporary use permit.** Add a new Section 105.3.4.2 to read as follows:

105.3.4.2 Temporary use permit. A temporary use permit may be issued upon request to allow an activity or temporary use to occur within a given occupancy where the occupancy classification may not meet the intended temporary use, or temporary activity when it is determined to create a considerable risk based upon the activity itself or environmental hazards. A request for temporary use must be submitted in writing to the fire code official and include a permit application, code study with details on the occupant loads, means of egress, fire protection systems, and specific hazards or activities present. Inspections shall be performed in accordance with Section 108 prior to the issuance of the temporary use permit. A temporary use permit may be issued for a maximum of 180 days and may only be extended upon approval by the fire code official. A temporary use permit fee shall be assessed as set forth by the adopted fee schedule.

**Section 105.3.6 Compliance with code.** Amend Section 105.3.6 to read as follows:

[A] 105.3.6 Compliance with code. The issuance or granting of a permit 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 cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the fire code official from requiring the correction of errors in the construction documents and other data. Any addition to or alteration of approved construction documents shall be approved by the fire code official as evidenced by the issuance of a new or amended permit.

**Section 105.3.6.1 Liability.** Add a new Section 105.3.6.1 to read as follows:

105.3.6.1 Liability. The permittee shall indemnify the Fire Department, its officers, agents, and employees against any claim or liability arising from or based on the violation of this code or any other applicable law or regulation caused by any actions or omissions of the permittee arising out of the exercise of the activity authorized by the permit.

**Section 105.5 Required operational permits.** Amend Section 105.5 to read as follows:

105.5 Required operational permits. The fire code official is authorized to issue operational permits per fire department SOP for the operations set forth in Sections 105.5.1 through 105.5.55

**Table 105.5.9 Permit amounts for compressed gases.** Amend Table 105.5.9 to read as follows:

**TABLE 105.5.9 PERMIT AMOUNTS FOR COMPRESSED GASES**

TYPE OF GAS	AMOUNT (cubic feet at NTP)
Carbon dioxide used in carbon dioxide enrichment systems	875 (100 lbs.)
Carbon Dioxide used in insulated liquid carbon dioxide beverage dispensing applications	875 (100 lbs.)
Corrosive	200
Flammable (except cryogenic fluids and liquified petroleum gases)	200
Highly toxic	Any Amount
Inert and simple asphyxiant	6,000
Inert and simple asphyxiant in beverage dispensing applications	875 (100 lbs.)
Oxidizing (including oxygen)	504
Pyrophoric	Any Amount
Toxic	Any Amount

**Section 105.5.17 Fire hydrants and valves.** Amend Section 105.6.17 to read as follows:

105.5.17 Fire hydrants and valves. A Water District permit is required to use or operate fire hydrants or valves intended for fire suppression purposes that are installed on water systems and provided with ready access from a fire apparatus access road that is open to or generally used by the public.

**Exception:** A permit is not required for authorized employees of the water company that supplies the system or the fire department to use or operate fire hydrants or valves.

**Section 105.5.18 Flammable and combustible liquids.** Amend Section 105.5.18 to read as follows:

105.5.18 Flammable and combustible liquids. An operational permit is required:

1. To use or operate a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the off-site transportation in pipelines regulated by the Department of Transportation (DOTn) nor does it apply to piping systems.
2. To store, handle or use Class I liquids in excess of 20 gallons in a building or in excess of 50 gallons outside of a building, except that a permit is not required for the following:
  - 2.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant, or mobile heating plant, unless such storage, in the opinion of the fire code official, would cause an unsafe condition.
  - 2.2. The storage or use of paints, oils, varnishes, or similar flammable mixtures where such liquids are stored for maintenance, painting, or similar purposes for a period of not more than 30 days.
3. To store, handle or use Class II or Class III A liquids in excess of 55 gallons in a building or in excess of 100 gallons outside a building, except for fuel oil used in connection with oil-burning equipment. 3.1. To store, handle or use Class IIIB liquids of 120 gallons or more in a building or outside a building.

4. To store, handle or use Class IIIB liquids in tanks or portable tanks for fueling motor vehicles at motor fuel-dispensing facilities or where connected to fuel-burning equipment.  
Exception: Fuel oil and used motor oil used for space heating or water heating.
5. To remove Class I or II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary on-site pumps normally used for dispensing purposes.
6. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries, and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed, or used.
7. To place temporarily out of service (for more than 90 days) an underground, protected above-ground, or above-ground flammable or combustible liquid tank.
8. To change the type of contents stored in a flammable or combustible liquid tank to a material that poses a greater hazard than that for which the tank was designed and constructed.
9. To manufacture, process, blend or refine flammable or combustible liquids.
10. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental, or manufacturing establishments in accordance with Section 5706.5.4 or to engage in on-demand mobile fueling operations in accordance with Section 5707.
11. To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles, marine craft, and other special equipment at commercial, industrial, governmental, or manufacturing establishments in accordance with Section 5706.5.4 or, where required by the fire code official, to utilize a site for on-demand mobile fueling operations in accordance with Section 5707.
12. To manufacture, produce or store, alcoholic beverages, distilled spirits, or wines in excess of 16-percent alcohol content stored in containers/vessels greater than 1.3 gallons each.

**Section 105.5.25 Hot work operations.** Amend Section 105.5.25 to read as follows:

105.5.25 Hot work operations. An operational permit is required for hot work including, but not limited to:

1. Public exhibitions and demonstrations where hot work is conducted.
2. Use of portable hot work equipment inside an occupied structure.  
**Exception:** Work that is conducted under a construction permit.
3. Fixed-site hot work equipment, such as welding booths.
4. Hot work conducted within a wildfire risk area and/or during burn restrictions or during burn bans.
5. Application of roof coverings with the use of an open-flame device.
6. Where approved, the fire code official shall issue a permit to carry out a hot work program. This program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 35. These permits shall be issued only to their employees or hot work operations under their supervision. Organizations complying with sub-section 6 do not need an operational permit issued by the fire department.

**Section 105.5.29 LP-gas.** Amend Section 105.5.29 to read as follows:

105.5.29 LP-gas. An operational permit is required for:

1. Storage and use of LP-gas where a single container, cylinder, or tank is more than 125 gallons water capacity; or the aggregate capacity of containers is more than 125 gallons water capacity.  
Exception: A permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less or multiple container systems having an aggregate quantity not exceeding 500 gallons (1893 L) serving occupancies in Group R-3, one- and two-family dwellings and townhomes.
2. Operation of cargo tankers that transport LP-gas.
3. One or more LP-gas cabinets associated with a cylinder exchange program.

**Section 105.5.34. Open burning.** Amend Section 105.5.34 to read as follows:

105.5.34 Open burning and prescribed burns/fires. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be complied with.

**Section 105.5.36 Open flames and candles.** Amend Section 105.5.36 to read as follows:

105.5.36 Open flames and candles. An operational permit is required to use open flames or candles in connection with assembly areas, dining areas of restaurants, drinking establishments, or to use open flame effects before an audience.

**Section 105.5.42 Pyrotechnic special effects material.** Amend Section 105.5.42 to read as follows:

105.5.42 Pyrotechnic special effects material and display fireworks. An operational permit is required for use and handling of pyrotechnic special effects material. An operational permit is required for the storage, handling, and use of explosive material used in fireworks displays or for pyrotechnic special effect activities or flame effects before a proximate audience within the scope of Chapter 56 (See Section 105.6.16). An operational permit per 105.5.16 is required for the temporary storage and retail sale of consumer fireworks, 1.4G permitted by Section 5601.1.3.

**Section 105.5.53 Lithium batteries.** Add a new Section 103.5.53 to read as follows:

105.5.53 Lithium batteries. An operational permit is required for an accumulation of more than 15 cubic feet of lithium-ion and lithium metal batteries, where required by Section 321.1.

**Section 105.5.54 Temporary change of use.** Add a new Section 105.5.54 to read as follows:

105.5.54 Temporary change of use. An operational permit is required to temporarily change the use of a facility. A maximum of 90 days of use; no extensions or re-issue of permit for a minimum of 8 months.

**Section 105.5.55 Other permits not otherwise listed.** Add a new Section 105.5.55 to read as follows:

105.5.55 Other permits not otherwise listed. An operational permit may be required for hazardous activities or operations not otherwise specifically listed in this code that the fire code official determines creates a substantial risk or hazard.

**Section 105.6 Required construction permits.** Amend Section 105.6 to read as follows:

105.6 Required construction permits. The fire code official is authorized to issue construction permits for work as set forth in Sections 105.6.1 through 105.6.27.

**Section 105.6.15 LP-gas.** Amend Section 105.6.15 to read as follows:

105.6.15 LP-gas. A construction permit is required for:

1. Installation of or modification to an LP-gas system where a single container, cylinder, or tank is more than 125 gallons water capacity; or the aggregate capacity of containers is more than 125 gallons water capacity.  
Exception: A permit is not required for individual containers with a 500-gallon water capacity or less or multiple container systems having an aggregate quantity not exceeding 500 gallons, serving occupancies in Group R-3, townhomes, and serving one- and two-family dwellings.
2. One or more LP-gas cabinets associated with a cylinder exchange program.

Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

**Section 105.6.20 Solar photovoltaic power systems.** Amend Section 150.6.20 to read as follows:

105.6.20 Solar photovoltaic power systems. A construction permit is required to install or modify solar photovoltaic power systems. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

Exceptions: Group R-3 and structures designed and constructed in accordance with the International Residential Code.

**Section 105.6.25 Fire protection system demolition permit.** Add a new Section 105.6.25 to read as follows:

105.6.25 Fire protection system demolition permit. When a fire protection system, or portion thereof is no longer needed, desired, or required by code, a licensed fire protection contractor shall obtain a permit prior to any demolition or removal of any portion of the system. The request for a demolition permit must include a complete code study showing the system is no longer required and justification for the permanent removal of the system.

**Section 105.6.26 Direct Current Fast Charging (DCFC) stations.** Add a new Section 105.6.26 to read as follows:

105.6.26 Direct Current Fast Charging (DCFC) stations. A construction permit is required for the installation of any Direct Current Fast Charging (DCFC) stations.

**Section 105.6.27 Other permits not otherwise listed.** Add a new Section 105.6.27 to read as follows:

105.6.27 Other permits not otherwise listed. A construction permit is required for activities, installations, or operations not otherwise specifically listed in code that the fire code official determines creates a substantial risk or hazard.

## SECTION 106 CONSTRUCTION DOCUMENTS

**Section 106.1 Submittals.** Amend Section 106.1 to read as follows:

[A] 106.1 Submittals. Construction documents and supporting data shall be submitted in two or more sets with each application for a permit and in such form and detail as required by the fire code official. The construction documents shall be prepared by an approved design professional where required by the jurisdiction in which the project is to be constructed.

**Exception:** The fire code official is authorized to waive the submission of construction documents and supporting data not required to be prepared by an approved design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

**Section 106.3 Amended construction documents.** Amend Section 106.3 to read as follows:

[A] 106.3 Amended construction documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents. Where field conditions necessitate any substantial change from the approved construction documents, the fire code official shall have the authority to require the amended construction documents to be submitted for approval. Fees may be assessed for time spent on the review of corrected documents in accordance with Section 107 and the adopted fee schedule.

## SECTION 107 FEES

**Section 107.5 Related fees.** Amend Section 107.5 to read as follows:

[A] 107.5 Related fees. The payment of the fee for the construction, alteration, removal or demolition, or activity of work done in connection to or concurrently with the work or authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

**Section 107.7 Re-inspection fees.** Add a new Section 107.7 to read as follows:

107.7 Re-inspection fees. Re-inspection fee as set forth in the approved/adopted fee schedule may be assessed for each inspection or reinspection when any portion of work for which inspection is called is not complete or when required corrections have not been completed. This subsection is not to be interpreted as requiring reinspection fees upon initial rejection of work for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before work is ready for the inspection or reinspection's, or if hazards are not abated in the required timeframe. The reinspection fees may be assessed:

1. When the permit is not properly posted and/or the approved plans are not available on the work site; or
2. For failure to provide access on the date for which inspection is requested; or
3. For failure to maintain all work in an exposed condition until inspected and approved for installation; or
4. For deviating from plans requiring the approval of the fire code official; or
5. For lack of sufficient documentation, equipment, or personnel needed to complete the inspection; or
6. The work that an inspection has been called for has not been pretested or is not ready for inspection.
7. Failure to comply with the conditions of the permit.
8. When identified, violations or hazards are not corrected or abated within the specified timeframe.

## SECTION 111 MEANS OF APPEALS

**Section 111.1 Board of appeals.** Amend Section 111.1 to read as follows:

[A] 111.1 Board of appeals established. In order to hear and decide appeals of orders, decisions, or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be established by the provisions of Appendix A of this code. When hearing issues related to this code, the board of appeals shall operate in accordance with Appendix A of this code.

**Sections 111.2 Limitations on authority.** Delete Section 111.2 in its entirety.

**Section 111.3 Qualifications.** Delete Section 111.3 in its entirety.

**Section 111.4 Administration.** Delete Sections 111.4 in its entirety.

## SECTION 112 VIOLATIONS

**Section 112.1 Unlawful acts.** Amend Section 112.1 to read as follows:

[A] 112.1 Unlawful acts. It shall be unlawful for a person, firm, or corporation to erect, construct, alter, repair, remove, and/or conduct activities, demolish or utilize a building, occupancy, premises, or system regulated by this code, or cause the same to be done, in conflict with or in violation of any of the provisions of this code.

**Section 112.3.1 Service.** Amend Section 112.3.1 to read as follows:

[A] 112.3.1 Service. A notice of violation issued pursuant to this code shall be served on the owner, the owner's authorized agent, operator, occupant, or other person responsible for the condition or violation, either by personal service, mail, or by delivering the same to, and leaving it with, some person of responsibility on the premises. The fire code official is authorized to affix a stop work order, a cease and desist tag or similar notice prohibiting the use thereof, until such repairs or alterations are made. For unattended or abandoned locations, a copy of such notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the notice of violation shall be mailed by certified mail with a return receipt requested or a certificate of mailing, to the last known address of the owner, the owner's authorized agent, or occupant.

**Section 112.4 Violation penalties.** Amend Section 112.4 to read as follows:

[A] 112.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a Misdemeanor punishable by a fine of not more than Three hundred (\$300.00) dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Penalties shall be assessed for violations of this code as authorized by C.R.S. 32-1-1002 (3) and (4), or any other applicable federal, state or local law.

## SECTION 113 STOP WORK ORDER

**Section 113.4 Failure to comply.** Amend Section 113.4 Failure to Comply to read as follows:

[A] 113.4 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 a fines established by the authority having jurisdiction to be not more than Three Hundred (\$300.00) dollars.

**Section 113.5 Penalties.** Add a new Section 113.5 to read as follows:

113.5 Penalties. It is unlawful for any person to violate any of the provisions of this part including any provisions of the International Fire Code, International Fire Code Appendices, and International Fire Code Amendments, as adopted. Any person convicted of a violation of any provision set forth in this part shall be punished in accord with the penalties as authorized by C.R.S. 32-1-1002 (3) and (4), or any other applicable federal, state or local law.

## CHAPTER 2 DEFINITIONS

### SECTION 202 GENERAL DEFINITIONS

**Definition EXTRACTION.** Add a definition to read as follows:

EXTRACTION. The process of removing essential oils or other botanic material from a given plant material.

**Definition HOT WORK AREA.** Amend definition HOTWORK AREA to read as follows:

HOT WORK AREA. An area no less than a 35-foot radius and 15 feet in elevation; above and below, that is exposed to sparks, hot slag, radiant heat, or convective heat as a result of the hot work.

**Definition MINIMUM EXPLOSIVE CONCENTRATION (MEC).** Add a definition to read as follows:

MINIMUM EXPLOSIVE CONCENTRATION (MEC). The lowest mass to volume concentration of combustible dust that will propagate a flame (sometimes referred to as LFL). The MEC for grain dust is 0.055 oz. /ft<sup>3</sup>.

**Definition OCCUPANCY CLASSIFICATION.** [BG] Institutional Group I-2. Amend Occupancy Conditions to read as follows:

Occupancy Conditions. Buildings of Group I-2 shall be classified as one of the following occupancy conditions and shall comply with Section 407 of the International Building Code:

[BG] Condition 1. This occupancy condition shall include facilities that provide nursing and medical care but do not provide emergency care, surgery, obstetrics, or in-patient stabilization units for psychiatric or detoxification, including, but not limited to, nursing homes, memory care facilities, and foster care facilities.

**Definition PILE.** Add a definition to read as follows:

PILE. Independently stacked commodities possibly organized by separate spacers, dunnage, or pallets in which the demise of any storage container on a lower tier compromises the structural stability of the storage system.

**Definition POST OIL PROCESSING.** Add a definition to read as follows:

POST OIL PROCESSING. The process of refining essential oils after extraction from the plant material, including, but not limited to dewaxing, and winterization processes.

**Definition POWERED MICROMOBILITY DEVICES.** Add a definition to read as follows:

POWERED MICROMOBILITY DEVICES. Motorized bicycles, motorized scooters, and other personal mobility devices powered by a lithium-ion or lithium metal battery. The term does not include motor vehicles that are required to be registered with the Department of Motor Vehicles for the state or jurisdiction.

**Definition RACK.** Add a definition to read as follows:

RACK. Shelves or similar structural frame-supported system of tiers in which the demise of any storage container on a lower tier does not affect the structural stability of the storage system.

## Part II – General Safety Provisions

### CHAPTER 3 GENERAL REQUIREMENTS

#### SECTION 301 GENERAL

**Section 301.2 Permits.** Amend Section 301.2 to read as follows:

301.2 Permits. Permits shall be required as set forth in Section 105.5 for the activities or uses regulated by Sections 306, 307, 308, 315, 320, 322, and 324

#### SECTION 304 COMBUSTIBLE WASTE MATERIAL

#### SECTION 307 OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIRE PLACES

**Section 307.1.2 Burn restrictions and burn bans.** Add a new Section 307.1.2 to read as follows:

307.1.2 Burn restrictions and burn bans. The Fire Chief of a fire jurisdiction is authorized to issue a burn restriction or burn ban as deemed necessary when local conditions make recreational fires, open burning, other open flame, or similar activities hazardous or objectionable. County wide burn bans shall be issued by the Fire Warden (El Paso County Sherriff).

**Section 307.2.2 Air quality permits.** Add a new Section 307.2.2 to read as follows:

307.2.2 Air quality permits. Air quality permits may be required by the State of Colorado Department of Health Air Quality Program for any type of open burning listed in Section 307. It is the responsibility of the permit holder to contact the State of Colorado Department of Health and/or the El Paso County Department of Health to determine if an Air Quality Permit is required.

**Section 307.4.1 Bonfires.** Amend Section 307.4.1 to read as follows:

307.4.1 Bonfires. A bonfire shall not be conducted within 50 feet (15 240 mm) of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions that could cause a fire to spread within 50 feet (15 240 mm) of a structure shall be eliminated prior to ignition. A bonfire is generally classified as combustible products stacked or organized greater than 3 feet in diameter and 2 feet in height, utilized for any religious, celebratory, or similar purpose.

**Section 307.4.1.1 Materials.** Add a new Section 307.4.1.1 to read as follows:

307.4.1.1 Materials. Bonfires shall be constructed of solid wood products as approved by the fire code official and void of any trash, debris, or rubbish. Bonfires should not use flammable liquid as an ignition source.

**Section 307.4.2 Recreational fires.** Amend Section 307.4.2 to read as follows:

307.4.2 Recreational fires. Recreational fires shall not be conducted within 10 feet of a structure or combustible material. Conditions that could cause a fire to spread within 10 feet of a structure shall be eliminated prior to ignition.

**Section 307.4.3 Portable outdoor fireplaces.** Amend section 307.4.3 to read as follows:

307.4.3 Portable outdoor fireplaces. Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 10 feet of a structure or combustible material.

**Exception:** Occupants of one- and- two family dwellings:

1. Shall operate portable outdoor fireplaces in accordance with the manufacturer's instructions.
2. May operate portable outdoor fireplaces with no minimum distance requirement from a structure or combustible material affiliated with occupants of the one- or two-family dwelling.
3. Shall NOT operate a portable outdoor fireplace within 10 feet of a neighboring structure or combustible material, including but not limited to a tree, bush, or common fence.

**Section 307.4.3.1 Spark arrestor.** Add a new Section 307.4.3.1 to read as follows:

307.4.3.1 Spark arrestor. Use of a functional spark arrestor is required for all solid fuels such as wood or charcoal, for recreational fires, and all outdoor fireplaces.

**Section 307.5 Attendance.** Amend Section 307.5 to read as follows:

307.5 Attendance. Open burning, bonfires, recreational fires, and use of portable outdoor fireplaces shall be constantly attended by a minimum of one alert, ambulatory, unimpaired, responsible adult until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose, or water truck, shall be available for immediate utilization by the attendant responsible.

## SECTION 308 OPEN FLAMES

**Section 308.1.4 Open-flame cooking devices.** Amend Section 308.1.4 to read as follows:

308.1.4 Open-flame cooking devices. Charcoal and solid-fuel burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048mm) of combustible construction. Exceptions:

1. One- and two-family dwellings.
2. Where buildings, balconies, and decks are protected by an automatic sprinkler system.
3. LPG cooking devices having LPG container with a water capacity not greater than 47 pounds [nominal 20-pound LPG capacity].

**Section 308.1.4.1 Valves.** Add a new Section 308.1.4.1 to read as follows:

308.1.4.1. Valves. All valves shall be turned off when propane cylinders are not in use.

**Section 308.1.4.2 Egress from buildings.** Add a new Section 308.1.4.2 to read as follows:

308.1.4.2 Egress from buildings. Open flame devices shall never be used or stored in or near stairwells, corridors, or other areas that are intended to be used as a means of egress or considered an interior living space.

**Section 308.2 Permits required.** Amend Section 308.2 to read as follows:

308.2 Permits required. Permits shall be obtained from the fire code official in accordance with Section 105.5 prior to engaging in the following activities involving open flame, fire, and burning:

1. Use of a torch or flame-producing device to remove paint from a structure.
2. Use of open flame, fire, or burning in connection with Group A or E occupancies.
3. Use or operation of torches and other devices, machines, or processes liable to start or cause a fire in or on wildfire risk areas.

4. Use of flame effects before a proximal audience.

#### SECTION 316 HAZARDS TO FIRE FIGHTERS

**Section 316.3.1 Modifications and alterations.** Add a new section 316.3.1 to read as follows:

316.3.1 Modifications and alterations. Modifications, alterations, or changes made to buildings and structures that are of non-approved work and pose a threat to the life and safety of emergency responders are prohibited.

#### SECTION 319 MOBILE FOOD PREPARATION VEHICLES

**Section 319.4.1 Fire protection for cooking equipment.** Amend Section 319.4.1 to read as follows:

Section 319.4.1 Fire protection for cooking equipment. Cooking equipment shall be protected by automatic fire extinguishing systems in accordance with Section 904.13.

**Exception:** If the vehicle was designed and constructed or cooking appliances were installed prior to April 1, 2026, or an approval from the fire code official.

#### SECTION 322 STORAGE OF LITHIUM-ION AND LITHIUM METAL BATTERIES. ADD A NEW SECTION 322 TO READ AS FOLLOWS:

#### SECTION 322 - STORAGE OF LITHIUM-ION AND LITHIUM METAL BATTERIES

**Section 322.1.** Add a new Section 322.1 to read as follows:

322.1 General. The storage of lithium-ion and lithium metal batteries shall comply with Section 322.

**Exceptions:**

1. New or refurbished batteries installed in the equipment, devices, or vehicles they are designed to power.
2. New or refurbished batteries packed for use with the equipment, devices, or vehicles they are designed to power.
3. Batteries in original retail packaging that are rated at 300 watt-hours or less for lithium-ion batteries or contain 25 grams or less of lithium metal for lithium metal batteries.
4. Temporary storage of batteries or battery components during the battery manufacturing process before completion of final quality control checks.
5. Temporary storage of batteries during the vehicle manufacturing or repair process.

**Section 322.2 Permits.** Add a new Section 322.2 to read as follows:

322.2 Permits. Permits shall be required for an accumulation of more than 15 cubic feet of lithium-ion and lithium metal batteries, other than batteries listed in the exceptions to Section 322.1, as set forth in Section 105.5.53.

**Section 322.3 Fire safety plan.** Add a new Section 322.3 to read as follows:

**322.3 Fire safety plan.** A fire safety plan shall be provided in accordance with Section 403.10.6. In addition, the fire safety plan shall include emergency response actions to be taken upon detection of a fire or possible fire involving lithium-ion or lithium metal battery storage.

**Section 322.4 Storage requirements.** Add a new Section 322.4 to read as follows:

**322.4 Storage requirements.** Lithium-ion and lithium metal batteries shall be stored in accordance with Section 322.4.1, 322.4.2, or 322.4.3, as applicable.

**Section 322.4.1 Limited indoor storage in containers.** Add a new Section 322.4.1 to read as follows:

**322.4.1 Limited indoor storage in containers.** Not more than 5 cubic feet of lithium-ion or lithium metal loose discarded batteries shall be permitted to be stored in containers in accordance with all the following.

1. Containers shall be open-top and constructed of noncombustible materials or shall be approved for battery collection.
2. A second container or group of containers shall be separated by not less than 3 feet of open space, or 10 feet of space that contains combustible materials.
3. Containers shall be located not less than 5 feet from exits or exit access doors.

**Section 322.4.2 Indoor storage area.** Add a new Section 322.4.2 to read as follows:

**322.4.2 Indoor storage areas.** Indoor storage areas for lithium-ion and lithium metal batteries, other than those complying with Section 322.4.1, shall comply with Sections 322.4.2.1 through 322.4.2.6.

**Section 322.4.2.1 Technical opinion and report.** Add a new Section 322.4.2.1 to read as follows:

**322.4.2.1 Technical opinion and report.** A technical opinion and report complying with Section 104.8.2 shall be prepared to evaluate the fire and explosion risks associated with the indoor storage area and to make recommendations for fire and explosion protection. The report shall be submitted to the fire code official and shall require the fire code official's approval prior to issuance of a permit. In addition to the requirements of Section 104.8.2, the technical opinion and report shall specifically evaluate the following:

1. The potential for deflagration of flammable gases released during a thermal runaway event.
2. The basis of design for an automatic sprinkler system, approved fire suppression system, and fire alarm system. Such design basis shall reference relevant full-scale fire testing or another approved method of demonstrating sufficiency of the recommended design.

**Section 322.4.2.2 Construction requirements.** Add a new Section 322.4.2.2 to read as follows:

**322.4.2.2 Construction requirements.** Where indoor storage areas for lithium-ion and lithium metal batteries are in a building with other uses, battery storage areas shall be separated from the

remainder of the building by 2-hour rated fire barriers or horizontal assemblies. Fire barriers shall be constructed in accordance with Section 707 of the International Building Code, and horizontal assemblies shall be constructed in accordance with Section 711 of the International Building Code. Exceptions:

1. Where battery storage is contained in one or more approved prefabricated portable structures providing a complete 2-hour fire resistance rated enclosure, fire barriers and horizontal assemblies are not required.
2. Where battery storage is limited to new batteries in packaging that has been demonstrated to and approved by the fire code official as sufficient to isolate a fire in packaging to the package interior, fire barriers and horizontal assemblies are not required.

**Section 322.4.2.3 Fire protection systems.** Add a new Section 322.4.2.3 to read as follows:

322.4.2.3 Fire protection systems. Indoor storage areas for lithium-ion and lithium metal batteries shall be protected by an automatic sprinkler system complying with Section 903.3.1.1 or an approved alternative fire suppression system. The system design shall be based on recommendations in the approved technical opinion and report required by Section 322.4.2.1.

**Section 322.4.2.4 Fire alarm systems.** Add a new Section 322.4.2.4 to read as follows:

322.4.2.4 Fire alarm systems. Indoor storage areas for lithium-ion and lithium metal batteries shall be provided with an approved automatic fire detection and alarm system complying with Section 907. The fire detection system shall use air-aspirating smoke detection, radiant energy-sensing fire detection, or both. The system design shall be based on recommendations in the approved technical opinion and report required by Section 322.4.2.1.

**Section 322.4.2.5 Explosion control.** Add a new Section 322.4.2.5 to read as follows:

322.4.2.5 Explosion control. Where the approved technical opinion and report required by Section 322.4.2.1 recommends explosion control, explosion control complying with Section 911 shall be provided.

**Section 322.4.2.6 Reduced requirements.** Add a new Section 322.4.2.6 to read as follows:

322.4.2.6 Reduced requirements for storage of partially charged batteries. Indoor storage areas for lithium-ion and lithium metal batteries with a demonstrated state of charge not exceeding 30 percent shall not be required to comply with Sections 322.4.2.1, 322.4.2.2, or 322.4.2.5, provided that procedures for limiting and verifying that the state of charge will not exceed 30 percent have been approved.

**Section 322.4.3 Outdoor storage.** Add a new Section 322.4.3 to read as follows:

322.4.3 Outdoor Storage. Outdoor storage of lithium-ion or lithium metal batteries shall comply with Sections 322.4.3.1 through 322.4.3.3.

**Section 322.4.3.1 Distance from storage to exposures.** Add a new Section 322.4.3.1 to read as follows:

322.4.3.1 Distance from storage to exposures. Outdoor storage of lithium-ion or lithium metal batteries, including storage beneath weather protection in accordance with Section 414.6.1 of the International Building Code, shall comply with one of the following.

1. Battery storage shall be located not less than 20 feet from any building, lot line, public street, public alley, public way, or means of egress.
2. Battery storage shall be located not less than 3 feet from any building, lot line, public street, public alley, public way, or means of egress, where the battery storage is separated by a 2-hour fire-resistance-rated assembly without openings or penetrations and extending 5 feet above and to the sides of the battery storage area.
3. Battery storage shall be located not less than 3 feet from any building, lot line, public street, public alley, public way, or means of egress, where batteries are contained in approved prefabricated portable structures providing a complete 2-hour fire-resistance-rated enclosure.

**Section 322.4.3.2 Storage area size limits and separation.** Add a new Section 322.4.3.2 to read as follows:

322.4.3.2 Storage area size limits and separation. Outdoor storage areas for lithium-ion or lithium metal batteries, including storage beneath weather protection in accordance with Section 414.6.1 of the International Building Code, shall not exceed 900 sq. ft. The height of battery storage in such areas shall not exceed 10 feet. Multiple battery storage areas shall be separated from each other by not less than 10 feet of open space.

**Section 322.4.3.3 Fire Detection.** Add a new Section 322.4.3.3 to read as follows:

322.4.3.3 Fire detection. Outdoor storage areas for lithium-ion or lithium metal batteries, regardless of whether such areas are open, under weather protection, or in a prefabricated portable structure, shall be provided with an approved automatic fire detection and alarm system complying with Section 907. The fire detection system shall use radiant energy-sensing fire detection.

**SECTION 323 POWERED MICROMOBILITY DEVICES. ADD A NEW SECTION 323 TO READ AS FOLLOWS:**

**SECTION 323 POWERED MICROMOBILITY DEVICES**

**Section 323.1 General.** Add a new Section 323.1 to read as follows:

323.1 General. Lithium-ion and lithium metal battery-powered micromobility devices shall be operated and maintained in accordance with this section.

**Exceptions:**

1. Storage, repair, and charging in residential occupancies of battery-powered mobility devices, provided that such devices are for personal use by its owner.
2. Charging of a single powered mobility device in any occupancy by its owner.

**323.1.1 Prohibited locations.** The use of a residential occupancy as a business for the charging of commercially owned powered mobility devices as part of rental or sales service shall not be permitted.

**Section 323.2 Battery chargers and equipment.** Add a new Section 323.2 to read as follows:

**323.2 Battery chargers and equipment.** Powered micromobility devices shall be charged in accordance with their listing and the manufacturer's instructions using only the original equipment manufacturer-supplied charging equipment or charging equipment in accordance with the listing and manufacturer's instructions.

**Section 323.3 Listing.** Add a new Section 323.3 to read as follows:

**323.3 Listing.** Powered micromobility devices shall be listed and labeled in accordance with UL 2272 or UL 2849, as applicable.

**Section 323.4 Battery charging areas.** Add a new Section 323.4 to read as follows:

**323.4 Battery charging areas.** Where approved, powered micromobility devices shall be permitted to be charged in a room or area that complies with all the following:

1. Only listed devices utilizing listed charging equipment shall be permitted to be charged.
2. Is provided with sufficient electrical receptacles to allow the charging equipment for each device to be directly connected to a receptacle. Extension cords and relocatable power taps shall not be used.
3. Storage of combustible materials, combustible waste, or hazardous materials shall not be permitted.
4. The charging operation shall not be conducted in or obstruct any required means of egress.
5. Removable storage batteries shall not be stacked or charged in an enclosed cabinet unless the cabinet is specially designed and approved for such purposes.
6. A minimum distance of 18 inches shall be maintained between each removable storage battery during charging operations unless each battery is isolated from neighboring batteries by an approved fire-resistant material.
7. A minimum of 18 inches shall be maintained between the locations of the batteries on each powered micromobility device during charging operations.
8. The indoor room or area shall be protected by a fire alarm system utilizing air-aspirating smoke detectors or radiant energy-sensing fire detection.

**Section 323.5 Fire safety plan.** Add a new Section 323.5 to read as follows:

323.5 Fire safety plan. A fire safety plan shall be provided in accordance with Section 403.10.6. In addition, the fire safety plan shall include emergency response actions to be taken upon detection of a fire or possible fire involving lithium-ion or lithium metal battery storage.

**SECTION 324 ELECTRIC VEHICLE (EV) CHARGING STATIONS. ADD A NEW SECTION 324 TO READ AS FOLLOWS:**

**SECTION 324 ELECTRIC VEHICLE (EV) CHARGING STATIONS.**

**Section 324.1 Scope.** Add a new Section 324.1 to read as follows:

324.1 Scope. Electric vehicle charging stations installed inside of buildings or open parking lots shall be in compliance with the International Building Code, NFPA 70, and this Section as applicable.

**Section 324.2 Permit.** Add a new Section 324.2 to read as follows:

324.2 Permit. Permits shall be obtained for Direct Current Fast Charging (DCFC) stations as set forth in Section 105.6.

**Section 324.3 Access.** Add a new Section 324.3 to read as follows:

324.3 Access. Approved fire suppression access shall be provided for all electric vehicle charging stations.

**Section 324.4 Listing.** Add a new Section 324.4 to read as follows:

324.4 Listing. Electric vehicle charging system equipment shall be listed and labeled in accordance with UL 2202. Electric vehicle supply equipment shall be listed and labeled in accordance with UL 2594.

**Section 324.5 Landscape.** Add a new Section 324.5 to read as follows:

324.5 Landscape. Landscaping shall not obstruct access to electric vehicle charging stations. Weeds, grass, brush, trash, and other combustible materials shall be kept not less than 10 feet from electrical vehicle charging station.

**Section 324.6 Location.** Add a new Section 324.6 to read as follows:

324.6 Location. Electric vehicle charging equipment shall be designed and located in a manner that does not create a safety hazard or impede pedestrian, bicycle, or wheelchair movement. Direct current fast charging stations shall be located at grade and not within 25 feet of any exit discharge.

**Section 324.7 Emergency disconnect.** Add a new Section 324.8 to read as follows:

324.7 Emergency disconnect. An emergency disconnect switch shall be located at least 20 feet but not more than 100 feet away from all direct current fast charging stations.

**Section 324.8 Labeling and signage.** Add a new Section 324.9 to read as follows:

324.8 Labeling and signage. Permanently affixed labels shall be posted on electronic vehicle charging stations identifying voltage, amperage level, and emergency disconnect location as approved by the fire code official. Safety information related to the operation of the charging station may also be required.

**Section 324.9 Separation.** Add a new section 324.10 to read as follows:

321.9 Separation. Electric vehicle charging stations shall be segregated into groups not exceeding eight (8) parking spaces consecutively. Each group of charging stations shall be separated by one of the following methods:

1. A minimum of 9 feet separation from neighboring vehicles.
2. A 2-hour fire barrier constructed in accordance with Section 707 of the International Building Code and 2-hour horizontal assembly constructed in accordance with Section 711 of the International Building Code, as appropriate.
3. Alternative separation methods may be permitted as approved by the fire code official.

**Exception:** Fleet vehicles owned by a single entity may be exempt from separation requirements where approved by the fire code official.

**Section 324.10 Vehicle impact protection.** Add a new Section 324.11 to read as follows:

324.10 Vehicle impact protection. Where provided, vehicle impact protection shall be in accordance with Section 312.

**Section 324.11 Maintenance.** Add a new Section 324.12 to read as follows:

324.11 Maintenance. Electric vehicle charging stations shall be properly maintained. Contact information shall be provided on the equipment to address the responsible party of equipment malfunction.

**Section 324.12 Securing.** Add a new Section 324.13 to read as follows:

324.12 Securing. Electric vehicle charging stations shall be capable of securing electrical discharge when vehicles is not connected. Plug shall be secured from non-authorized use and/or tamper.

## CHAPTER 4 EMERGENCY PLANNING AND PREPAREDNESS

### SECTION 401 GENERAL

**Section 401.1 Scope.** Amend Section 401.1 to read as follows:

401.1 Scope. Reporting of emergencies, coordination with emergency response forces, emergency plans, and procedures for managing or responding to emergencies shall comply with the provisions of this section.

## SECTION 403 EMERGENCY PREPAREDNESS REQUIREMENTS

**Section 403.4.3 Assembly points.** Amend Section 403.4.3 to read as follows:

403.4.3 Assembly points. Outdoor assembly areas shall be designated and shall be located a safe distance from the building being evacuated so as to avoid interference with fire department operations. Outdoor assembly areas shall be accessed via an accessible route. The assembly areas shall be arranged to keep each class separate to provide accountability of all individuals.

**Section 403.10.6 Lithium-ion and lithium metal batteries.** Add a new Section 403.10.6 to read as follows:

403.10.6 Lithium-ion and lithium metal batteries. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for occupancies that involve activities for the research and development, testing, manufacturing, handling, storage of lithium-ion batteries or lithium metal batteries of a fire area exceeding 500 square feet, or the repair or servicing of vehicles powered by lithium-ion batteries or lithium metal batteries.

### **Exceptions:**

1. New or refurbished batteries are installed for use in the equipment or vehicles they are designed to power.
2. New or refurbished batteries are packed for use with the equipment or vehicles they are designed to power for merchandizing purposes.
3. New or refurbished lithium-ion batteries rated at no more than 300 Watt-hours and lithium metal batteries containing no more than 25 grams of lithium metal in their original retail packaging.
4. The storage, repair, and charging activities in detached one-and two-family dwellings and townhouses, provided that such devices are for personal use.
5. The storage, repair, and charging activities associated with personal use in sleeping units and dwelling units of Group R-1 and R-2 occupancies.

**Section 403.10.6.1 Mitigation planning.** Add a new Section 403.10.6.1 to read as follows:

403.10.6.1 Mitigation planning. The approved fire safety and evacuation plan shall include thermal runaway event mitigation; measures addressing activities undertaken to prevent thermal runaway; early detection of a thermal runaway event; and mitigation measures to be undertaken to limit the size and impact of the event on occupants and the facility.

## SECTION 404 FIRE SAFETY, EVACUATION AND LOCKDOWN PLANS

**Section 404.2.1 Fire evacuation plans.** Amend Section 404.2.1 to read as follows:

404.2.1 Fire evacuation plans. Fire evacuation plans shall include the following:

1. Emergency egress or escape routes and whether evacuation of the building is to be complete by selected floors or areas only or with a defend-in-place response.
2. Procedures for employees who must remain to operate critical equipment before evacuating.
3. Procedures for the use of elevators to evacuate the building where occupant evacuation elevators complying with Section 3008 of the International Building Code are provided.
4. Procedures for assisted rescue for persons unable to use the general means of egress unassisted.
5. Procedures for accounting for employees and occupants after evacuation has been completed.
6. Identification and assignment of personnel responsible for rescue or emergency medical aid.
7. The preferred and any alternative means of notifying occupants of a fire or emergency.
8. The preferred and any alternative means of reporting fires and other emergencies to the fire department or designated emergency response organization.
9. Identification and assignment of personnel who can be contacted for further information or explanation of duties under the plan.
10. A description of the emergency voice/alarm communication system alert tone and preprogrammed voice messages, where provided.
11. Outdoor assembly areas shall be accessible by all occupants. Outdoor assembly areas shall be designated and shall be located a safe distance, as approved by the fire code official, from the building being evacuated so as to avoid interference with fire department operations.

**Section 404.2.2 Fire safety plans.** Amend Section 404.2.2 to read as follows:

404.2.2 Fire safety plans. Fire safety plans shall include the following:

1. The procedure for reporting a fire or other emergency.
2. The life safety strategy includes the following:
  - 2.1. Procedures for notifying occupants, including areas with a private mode alarm system.
  - 2.2. Procedures for occupants under a defend in-place response.
  - 2.3. Procedures for evacuating occupants, including those who need evacuation assistance.
3. Site plans indicating the following:
  - 3.1. The occupancy assembly point.
  - 3.2. The locations of fire hydrants.
  - 3.3. The normal routes of fire department vehicle access.
4. Floor plans identifying the locations of the following:
  - 4.1. Exits.
  - 4.2. Primary evacuation routes.
  - 4.3. Secondary evacuation routes.
  - 4.4. Accessible egress routes.
    - 4.4.1. Areas of refuge.

- 4.4.2. Exterior areas for assisted rescue.
- 4.5. Refuge areas associated with smoke barriers and horizontal exits.
- 4.6. Manual fire alarm boxes.
- 4.7. Portable fire extinguishers.
- 4.8. Fire alarm annunciators and controls.
5. A list of major fire hazards associated with the normal use and occupancy of the premises, including maintenance and housekeeping procedures.
6. Identification and assignment of personnel responsible for maintenance of systems and equipment installed to prevent or control fires.
7. Identification and assignment of personnel responsible for maintenance, housekeeping, and controlling fuel hazard sources.

**SECTION 408 FIRE WATCH. ADD A NEW SECTION 408 TO READ AS FOLLOWS:**  
**SECTION 408 FIRE WATCH**

**Section 408.1 General.** Add a new Section 408.1 to read as follows:

**408.1 General.** Fire Watch shall be required at the discretion of the fire code official for a building with a disabled fire protection system, or when there are situations that could compromise the public's safety.

**Section 408.2 Fire Watch Duties.** Add a new Section 408.2 to read as follows:

**408.2 Fire Watch Duties.** The primary duty of fire watch personnel shall be to perform constant patrols and watch for the occurrence of fire. The combination of fire watch duties and site security duties is acceptable if approved by the fire code official.

1. Conduct continuous patrols of the entire facility (or affected area)
2. Identify any fire, life, or property hazards.
3. Immediately notify the Fire Department if a fire is discovered by calling 9-1-1.
4. Notify occupants of the facility of the need to evacuate.
5. Maintain a log of Fire Watch activities.
6. Fire Watch personnel cannot have other duties besides their assigned Fire Watch except those assigned or approved by the fire code official.
7. Fire Watch personnel must be familiar with the existing system of the facility.

**Section 408.2.1 Fire Watch patrol frequency.** Add a new Section 408.2.1 to read as follows:

**408.2.1 Fire Watch patrol frequency.** Fire Watch personnel shall continuously patrol the entire facility (or affected area) in a manner such that the entire patrol area is inspected every 30 minutes. If the patrol cannot be completed in 30 minutes more personnel are needed to perform the fire watch.

**Exception:** Based on the risk, facilities such as those with occupant's incapable of self-preservation, shall be patrolled every 15 minutes.

**Section 408.2.2 Fire Watch log.** Add a new Section 408.2.2 to read as follows:

408.2.2 Fire Watch log. A Fire Watch log shall be maintained on-site. The log must be available at all times until the Fire Watch has been terminated by fire code official. Records shall be made available for review by the fire code official upon request the log shall show the following:

1. Name of the person conducting the Fire Watch.
2. Times that each patrol was started and completed.

**Section 408.3 Fire Watch levels.** Add a new Section 408.3 to read as follows:

408.3 Fire Watch levels. Levels of Fire Watch are based on occupancy types and shall adhere to Table 408.3(1) and Table 408.3(2). Modification to Fire Watch shall be at the discretion of the fire code official prior to modifications are implemented.

**Table 408.3(1) Fire Watch level.** Add a new Table 408.3(1) to read as follows:

Table 408.3(1) Fire Watch level

LEVEL 1	Continuous monitoring of the affected area for signs of smoke or fire for the sole purpose of notifying emergency services (dialing 9-1-1)	One or more approved employees of the building owner; security guards; or qualified fire department personnel
LEVEL 2	Same as Level 1 and assist with evacuation	Same as LEVEL 1
LEVEL 3	Same as Level 2 and fire extinguishment / hazard mitigation	One or more qualified fire department personnel. NOTE: An emergency action plan may be required. Established only by fire code official

**Table 408.3(2) Fire Watch per occupancy classification.** Add a new Table 408.3(2) to read as follows:

Table 408.3 (2) Fire Watch per occupancy classification

Situation	Level of Fire Watch per Occupancy Classification					
	A	B, M	E	H	F, I, R	S
Loss of any required fire protection system	1 or 2	1A	2 <sup>B</sup>	2 or 3	1, 2, or 3	1 <sup>C</sup> , 2 <sup>D</sup> , or 3

Special circumstances such as an occupant load increase, or the nature of the activity.	3	ESTABLISHED ONLY BY THE FIRE CODE OFFICIAL. AS REQUIRED BY FIRE INSPECTION OR OTHER CIRCUMSTANCES
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- a. All building occupants and/or staff must be notified that the system(s) are out of service.
- b. Only while the building is occupied, and all staff must be notified that the system(s) are out of service.
- c. Stocked but no occupants.
- d. During operations.

**Section 408.4 Fire Watch fees.** Add a new Section 408.4, to read as follows:

408.4 Fire Watch fees. Fire Watch involving fire department personnel shall have fees assessed as set forth in the approved/adopted fee schedule.

Part III – Building and Equipment Design Features

CHAPTER 5 FIRE SERVICE FEATURES

SECTION 501 GENERAL

**Section 501.1 Scope.** Amend Section 501.1 to read as follows:

501.1 Scope. Fire service features for buildings, structures, and premises shall comply with this chapter and Appendix D.

SECTION 503 FIRE APPARATUS ACCESS ROADS

**Section 503.1 Where required.** Amend Section 503.1 to read as follows:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and Appendix D.

**Section 503.2 Specifications.** Amend Section 503.2 to read as follows:

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8 and Appendix D.

**Section 503.3 Marking.** Amend Section 503.3 to read as follows:

Section 503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words “NO PARKING – FIRE LANE” shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. Markings shall be provided for and maintained in accordance with section D103.6.

**Section 503.4 Obstruction of fire apparatus access roads.** Amend Section 503.4 to read as follows:

Section 503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1, 503.2.2, Appendix D, and any area marked as a fire lane as described in Section 503.3 shall be maintained at all times.

## SECTION 505 PREMISES IDENTIFICATION

**Section 505.1 Address identification.** Amend Section 505.1 to read as follows:

505.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 5 inches high with a minimum stroke width of 1/2 inch. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure. Address identification shall be maintained.

**Section 505.1.1 Suite numbers.** Add a new Section 505.1.1 to read as follows:

505.1.1 Suite numbers. Any area occupied by tenants of a mall or shopping center, or any area used for other than single-unit or multi-unit residential occupancy that abuts a public courtyard or other public space shall be identified by numbers that are a minimum of 4 inches (101.6 mm) in height with a minimum stroke of 1/2 inch (12.7mm) so as to be plainly visible and legible from a distance of at least fifty (50) feet (1.5 m) from the main entrance to the area.

**Section 505.1.2 Addressing of rear doors.** Add a new Section 505.1.2 to read as follows:

505.1.2 Addressing of rear doors. The rear door entrance of access doors of all malls, strip centers, commercial center buildings and other areas with multi-tenant spaces shall be identified with the appropriate address number and business name. The address numbers and/or letters shall be at least 3 inches (76.2 mm) in height and no less than three-eighths (3/8) inch (9.5 mm) stroke.

## SECTION 506 KEY BOXES

**Section 506.1 Where required.** Amend Section 506.1 to read as follows:

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for lifesaving, fire-fighting purposes, or where monitored fire protection systems or elevators exist in the building, the fire code official is authorized to require a key box to be installed on new and existing buildings; and in an approved location. The key box shall be of an approved type listed in accordance with UL 1037 and shall contain keys to gain necessary access as required by the fire code official.

## SECTION 507 FIRE PROTECTION WATER SUPPLIES

**Section 507.3 Fire Flow.** Amend Section 507.3 to read as follows:

507.3 Fire Flow. Fire flow requirements for buildings or portion of buildings and facilities shall be determined as outlined in Appendix B of this code.

**Section 507.5 Fire hydrant systems.** Amend Section 507.5 to read as follows:

507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6, NFPA 24, and Appendix C.

**Section 507.5.1 Where required.** Amend Section 507.5.1 to read as follows.

507.5.1 Where required. Where a portion of the facility of building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

### **Exceptions:**

1. For Group R3 and Group U occupancies, the distance requirement shall be 500 feet.
2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 500 feet.
3. Use of alternative water supply per NFPA 1142 or the International Wildland-Urban Interface Code as authorized by the fire code official.

**Section 507.5.1.1 Hydrant for standpipe.** Amend Section 507.5.1.1 to read as follows:

507.5.1.1 Hydrant for standpipe and fire sprinkler systems. Buildings equipped with a standpipe and/or fire sprinkler system installed in accordance with Chapter 9 shall have a fire hydrant within 100 feet (30.4 m) of the fire department connection.

## SECTION 509 FIRE PROTECTION AND UTILITY EQUIPMENT IDENTIFICATION AND ACCESS

**Section 509.2.1 Clear space.** Add Section 509.2.1 to read as follows:

Section 509.2.1 Clear space. A three (3) foot clear space shall be maintained in front of, to the side of, and around, fire protection equipment, to include all fire sprinkler riser assemblies, control valves, fire alarm control panels, fire alarm annunciators, and power supply panels. This clear space shall include an unobstructed path of travel to the fire protection system appurtenances.

## SECTION 510 EMERGENCY RESPONDER COMMUNICATION COVERAGE

**Section 510.4 Technical requirements.** Amend section 510.4 to read as follows:

510.4 Technical requirements. Systems, components, and equipment required to provide the emergency responder radio coverage system shall comply with this section, the published technical and performance rules and regulations of the Pikes Peak Radio Communications Network and NFPA 1225 Standard for Emergency Services Communications.

## SECTION 511 FIRE FIGHTER AIR REPLENISHMENT SYSTEMS. ADD A NEW SECTION 511 TO READ AS FOLLOWS:

### SECTION 511 FIRE FIGHTER AIR REPLENISHMENT SYSTEMS.

**Section 511.1 General.** Add a new Section 511.1 to read as follows:

511.1 General. Where required by the fire code official, a fire fighter air replenishment system shall be provided in accordance with Appendix L101.2.

## CHAPTER 6 BUILDING SERVICES AND SYSTEMS

### SECTION 603 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS

**Section 603.5 Relocatable power taps and current taps.** Amend Section 603.5 to read as follows:

603.5 Relocatable power taps and current taps. The construction and use of current taps and relocatable taps shall be in accordance with NFPA 70 and this code. Multiplug adapters, such cube adapters, unfused plug strips or any other device not complying with NFPA 70 shall be prohibited.

**Section 603.5.2 Application and use.** Amend Section 603.5.2 to read as follows:

603.5.2 Application and use. Relocatable power taps and current taps shall be directly connected to a permanently installed receptacle.

SECTION 611 MAGNETIC RESONANCE IMAGING FACILITIES. ADD A NEW SECTION 611 TO READ AS FOLLOWS:

SECTION 611 MAGNETIC RESONANCE IMAGING FACILITIES

**Section 611.1 General.** Add a new Section 611.1 to read as follows:

611.1 General. Magnetic resonance imaging (MRI) facilities shall be inspected, tested, and maintained in accordance with the most current American College of Radiology (ACR) safety Guidelines and NFPA 99 Health Care Facilities Code.

**Exception:** As approved by the fire code official, existing facilities may comply with the edition in effect at the time of installation.

**Section 611.2 Records.** Add a new Section 611.2 to read as follows:

611.2 Records. Records shall be maintained of all testing and repair conducted on the MRI device/facility and associated devices and equipment. Records shall be available to the fire code official.

**Section 611.3 Zones.** Add a new Section 611.3 to read as follows:

611.3 Zones. All MRI Zones shall be clearly established within the facility with proper signage per the ACR.

**Section 611.4 Signage.** Add a new Section 611.4 to read as follows:

611.4 Signage. In addition to the ACR required signage an NFPA 704 shall be required at the entry to the MRI Level IV zone.

**Section 611.4.1 Size.** Add a new Section 611.4.1 to read as follows:

611.4.1 Size. The NFPA 704 signage at the MRI level IV Zone shall be a minimum of 7-1/2 IN x 7-1/2 IN with each individual block being a minimum of 3-1/4 IN x 3-1/4 IN. The following shall be in each individual block. Blue-2, Red-0, Yellow-0, White MRI.

CHAPTER 7 FIRE AND SMOKE PROTECTION FEATURES

CHAPTER 8 INTERIOR FINISH, DECORATIVE MATERIALS, AND FURNISHINGS

SECTION 806 NATURAL DECORATIVE VEGETATION IN NEW AND EXISTING BUILDINGS

**Section 806.5 Maintenance.** Add a new Section 806.5 to read as follows:

806.5 Maintenance. Live natural vegetation shall be maintained. Dried out dead vegetation shall be removed.

## CHAPTER 9 FIRE PROTECTION SYSTEMS

### SECTION 901 GENERAL

**Section 901.1.1 Approved Contractors.** Add a new Section 901.1.1 to read as follows:

901.1.1 Approved Contractors. All fire protection systems and appliances referenced by this code shall be designed, installed, repaired, inspected, tagged, and maintained by an approved licensed contractor. Private fire hydrants shall be inspected and maintained by an approved licensed contractor.

**Exceptions:**

1. Non-rechargeable portable fire extinguishers are permitted to be inspected by a property owner or management company representative. These individuals are not required to maintain an FSC-D license or Service Technician D. Companies conducting inspections on fire extinguishers shall maintain a current copy of NFPA 10 Standard for Portable Fire Extinguishers as a reference for inspection requirements and shall maintain records of annual inspections as required by NFPA 10.
2. New portable fire extinguishers may be installed and tagged by a general contractor, or a business owner/manager without requiring a fire suppression contractor license.
3. The monthly inspection of portable fire extinguishers required by NFPA 10 Standard for Portable Fire Extinguishers, does not have to be performed by a licensed fire suppression contractor.

**Section 901.3.1 Administrative permits.** Add a new Section 901.3.1 to read as follows:

901.3.1 Administrative permits. Any additions or remodeling to existing commercial sprinkler systems involving 20 sprinkler heads or less, fire alarm systems involving 5 devices or less, or temporary removal of system components during construction, will not require a construction permit when approved by the fire code official. The approved letters shall become the de-facto permit for the scope of work described therein. The letter submittal and review process shall comply with the guidance documents provided by the fire code official.

**Section 901.4.8 System replacement.** Add a new Section 901.4.8 to read as follows:

901.4.8 System replacement. Where a fire protection or life safety system is being replaced, the system shall be designed and installed per the current edition of the appropriate NFPA standard. Replacement of fire alarm control units (FACU) shall fall under one of the following conditions:

1. Failure due to damage or age and cannot be repaired or replaced with an identical unit. If the new FACU is not listed as compatible with the remaining existing devices, components, or equipment, the existing required fire alarm system no longer functions as originally designed and installed and the entire system must be brought up to compliance with currently adopted codes and standards.

2. Building or system expansion or modification. If the existing FACU cannot support additional components or equipment resulting from a system expansion of building modification and a new FACU is not listed as compatible with the existing devices, components, or equipment the existing required system must be brought up to compliance with the currently adopted codes and standards.
3. Voluntary replacement. If a new FACU is desired, and one cannot be found that is compatible with the existing devices, components, or equipment, the system must either be left in place as-is or brought up to compliance with currently adopted codes and standards.

**Section 901.7 System out of service.** Amend Section 901.7 to read as follows:

901.7 Systems out of service. Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall be either evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service.

Where utilized, fire watches shall be provided with not less than one approved means for notification of the fire department, and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires. Follow fire watch requirements as required in section 408.

**Exception:** Facilities with an approved notification and impairment management program. The notification and impairment program for water-based fire protection systems shall comply with NFPA 25

**Section 901.7.7 Permanent removal from service.** Add a new Section 901.7.7 to read as follows:

901.7.7 Permanent removal from service. When a fire protection system is permanently removed from service it shall be completely removed from the structure, to include all valves, panels, devices, appliances, wiring, piping, appurtenances, fire department connections, etc. The only portion of the system permitted to remain includes portions concealed in walls or ceilings. The water riser stub coming out of the ground and associated fire line shall be abandoned in accordance with the responsible water district standards. A construction permit per 105.6.26 is required prior to any system removal.

## SECTION 903 AUTOMATIC SPRINKLER SYSTEM

**Section 903.2.4 Group F-1.** Amend Section 903.2.4 to read as follows:

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 12,000 square feet.
2. A Group F-1 fire area is located more than three stories above grade plane.

3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.
4. A Group F-1 occupancy used to manufacture lithium-ion or lithium metal batteries.
5. A Group F-1 occupancy used to manufacture vehicles, energy storage systems or equipment containing lithium-ion or lithium metal batteries where the batteries are installed as part of the manufacturing process.

**Section 903.2.7.3 Lithium-ion or lithium metal battery storage.** Add a new Section 903.2.7.3 to read as follows:

903.2.7.3 Lithium-ion or lithium metal battery storage. An automatic sprinkler system shall be provided in a room or space within a Group M occupancy where required for the storage of lithium-ion or lithium metal by Section 322 or Chapter 32 of this code.

**Section 903.2.9 Group S-1.** Amend Section 903.2.9. to read as follows:

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 12,000 square feet.
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.
4. A Group S-1 fire area used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet.
5. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 square feet.

**Section 903.2.9.1 Repair garages.** Amend Section 903.2.9.1 to read as follows:

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the International Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 10,000 square feet.
2. Buildings not more than one story above grade plane, with a fire area containing a repair garage exceeding 12,000 square feet.
3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 square feet.

5. A Group S-1 fire area used for the repair of vehicles powered by lithium-ion or lithium metal batteries that exceed 500 square feet.

**Section 903.2.11.1.4 Lithium battery laboratories.** Add a new Section 903.2.11.1.4 to read as follows:

903.2.11.1.4 Lithium battery laboratories; research and development or testing. An automatic sprinkler system shall be installed throughout the fire areas utilized for the research and development or testing of lithium-ion or lithium metal batteries.

**Section 903.3.1.1 NFPA 13 sprinkler system.** Amend Section 903.3.1.1 to read as follows:

903.3.1.1 NFPA 13 sprinkler systems. Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in Sections 903.3.1.1.1 and 903.3.1.1.3.

**Section 903.3.1.1.1 Exempt locations.** Amend Section 903.3.1.1.1 to read as follows:

903.3.1.1.1 Exempt locations. Automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved monitored automatic fire detection system in accordance with Section 907.2 and NFPA 72 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from a room merely because it is damp, of fire-resistance-rated construction, or contains electrical equipment.

1. A room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. A room or space where sprinklers are considered undesirable because of the nature of the contents, where approved by the fire code official.
3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
4. Safe deposit or other vaults of fire-resistive construction when used for the storage of records, files, and other documents, when stored in metal cabinets.
5. Elevator machine rooms, provided all of the following are met:
  - 5.1. The elevator equipment is to be installed within an enclosure having a fire-resistive rating no less than that specified by the International Building Code
  - 5.2. No combustible storage is permitted to be stored in the room.
  - 5.3. A portable fire extinguisher rated not less than 2A:20BC is provided at the door giving access into the room.

**Section 903.3.1.1.3 Shell building design.** Add a new Section 903.3.1.1.3 to read as follows:

903.3.1.1.3 Shell building design. Fire sprinkler systems in shell buildings, other than specified as a Group B Occupancy, shall be designed according to the requirements set forth in NFPA 13 for Ordinary Hazard Group II criteria.

**Section 903.3.1.1.4 Lithium-ion or lithium metal batteries.** Add a new Section 903.3.1.1.4 to read as follows:

903.3.1.1.4 Lithium-ion or lithium metal batteries. Where automatic sprinkler systems are required by this code for areas containing lithium-ion or lithium metal batteries, the design of the system shall be installed in accordance with Section 322.4.2.

**903.3.5.2 Residential combination services.** Amend Section 903.3.5.2 to read as follows:

903.3.5.2 Residential combination services. A single combination water supply shall be permitted provided that the domestic demand is added to the sprinkler demand as required by NFPA 13D.

**Section 903.3.5.3 Dead-end fire service mains.** Add new Section:903.3.5.3 to read as follows:

903.3.5.3 Dead-end fire service mains. Unless approved by the fire code official, dead-end fire service mains shall not be used when there is not a reliable secondary or redundant means of water supply within 500 feet of a structure along an approved route.

**Section 903.3.5.4 Safety factor in hydraulic information.** Add a new Section 903.3.5.4 to read as follows:

903.3.5.4 Safety factor in hydraulic information. A safety factor of 10% shall be incorporated into the fire flow information when designing water-based fire suppression systems.

**Section 903.4 Sprinkler system supervision and alarms.** Amend Section 903.4 to read as follows:

903.4 Sprinkler system supervision and alarms. Valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and waterflow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

**Exceptions:**

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Limited area sprinkler systems in accordance with Section 903.3.8.
3. Automatic sprinkler systems installed in accordance with NFPA ~~43R~~ 13D where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths, or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, pre-action, and deluge sprinkler systems that are sealed or locked in the open position.

8. Underground key or hub gate valves in roadway boxes.

**Section 903.4.2 Alarms.** Amend Section 903.4.2 to read as follows:

903.4.2 Alarms. An approved audible and visual device, located on the exterior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler waterflow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

**Section 903.4.2.1 Waterflow alarm systems.** Add a new Section 903.4.2.1 to read as follows:

903.4.2.1 Waterflow alarm systems. Additional initiating and/or notification devices may be required by the fire code official in normally occupied areas. To include separated occupancies being served by the same automatic sprinkler system.

#### SECTION 904 ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS

**Section 904.2.1 Restriction.** Amend Section 904.2.1 to read as follows:

904.2.1 Restriction on using automatic sprinkler system exceptions or reductions. Automatic fire-extinguishing systems shall not be considered alternatives for the purposes of exceptions or reductions permitted for automatic sprinkler systems or by other requirements of this code.

**Exception:** Data and/or server rooms not exceeding 800 square feet, protected with only an alternative extinguishing system.

**Section 904.13.2 System interconnection.** Amend Section 904.13.2 to read as follows:

904.13.2 System interconnection. The actuation of the fire extinguishing system shall automatically shut down the fuel and/or electrical power supply to the cooking equipment; any electrical receptacles under the hood and any receptacle that could be used to power equipment located under the hood shall also be shut down. The fuel and electrical power supply reset shall be manual.

**Section 904.13.2.1 Ventilation.** Add a new Section 904.13.2.1 to read as follows:

904.13.2.1 Ventilation system interconnection. Upon activation of the fire suppression systems, the exhaust for the hood shall remain on.

**Section 904.13.6 Monitoring.** Add a new Section 904.13.6 to read as follows:

904.13.6 Monitoring. Where an occupancy is equipped with a fire alarm system in accordance with this code, the cooking system shall be connected to the building fire alarm.

## SECTION 905 STANDPIPE SYSTEMS

**Section 905.3.1 Height Class III.** Amend Section 905.3.1 to read as follows:

905.3.1 Height Class I. standpipe systems shall be installed throughout a building where any of the following conditions exist:

1. Four or more stories are above or below grade plane.
2. The floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.
3. The floor level of the lowest story is located more than 30 feet below the highest level of fire department vehicle access.

### **Exceptions:**

1. Class I standpipes are permitted in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Class I standpipes are permitted in Group and E occupancies.
3. Class I standpipes are permitted in parking garages.
4. Class I standpipes are permitted in basements equipped throughout with an automatic sprinkler system.
5. Class I standpipes are permitted in buildings where occupant-use hose lines will not be utilized by trained personnel or the fire department.
6. In determining the lowest level of fire department vehicle access, it shall not be required to consider either of the following:
  - 6.1. Recessed loading docks for four vehicles or less.
  - 6.2. Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.

**Section 905.3.4 Stages.** Amend Section 905.3.4 to read as follows:

905.3.4 Stages. Stages greater than 1,000 square feet in area shall be equipped with a Class I wet standpipe system with 2½ inch hose connections on each side of the stage.

**Section 905.3.4.1 Hose and cabinet.** Delete Section 905.3.4.1 in its entirety:

**Section 905.3.6 Helistops and heliports.** Amend Section 905.3.6 to read as follows:

905.3.6 Helistops and heliports. Buildings with a rooftop helistop or heliport shall be equipped with a Class I standpipe system extended to the roof level on which the helistop or heliport is located in accordance with Section 2007.5.

**Section 905.3.8 Landscaped roofs.** Amend Section 905.3.8 to read as follows:

905.3.8 Landscaped roofs. Buildings or structures that have landscaped roofs and that are equipped with a standpipe system shall have the standpipe system extended to the roof level on which the rooftop garden or landscaped roof is located. Roof top valves shall be protected from tampering.

**Section 905.4 Location of Class I standpipe hose connections.** Amend Section 905.4 to read as follows:

905.4 Location of Class I standpipe hose connections. Class I standpipe hose connections shall be provided in all of the following locations:

1. In every required interior exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located on an intermediate landing unless otherwise approved by the fire code official.

**Exceptions:**

1. A single hose connection shall be permitted to be installed in the open corridor or open breezeway between open stairs that are not greater than 75 feet apart.
2. Where stairways are constructed with a vestibule in accordance with the International Building Code, the hose connections may be installed inside the floor level vestibule.
2. On each side of the wall adjacent to the exit opening of a horizontal exit.

**Exception:** where floor area adjacent to a horizontal exit are reachable from an interior exit stairway hose connection by a 30-foot hose stream from a nozzle attached to 100 feet of hose, a hose connection shall not be required at the horizontal exit.

3. In every exit passageway, at the entrance from the exit passageway to other areas of a building. Exception: Where floor areas adjacent to an exit passageway are reachable from an interior exit stairway hose connection by a 30-foot (9144 mm) hose stream from a nozzle attached to 100 feet (30 480 mm) of hose, a hose connection shall not be required at the entrance from the exit passageway to other areas of the building.
4. In covered mall buildings, adjacent to each exterior public entrance to the mall and adjacent to each entrance from an exit passageway or exit corridor to the mall. In open mall buildings, adjacent to each public entrance to the mall at the perimeter line and adjacent to each entrance from an exit passageway or exit corridor to the mall.
5. Where the roof has a slope less than 4 units vertical in 12 units horizontal (33.3-percent slop), a hose connection shall be located to serve the roof or at the highest landing of an interior exit stairway with access to the roof provided in accordance with Section 1011.2.
6. Where the most remote portion of a non-sprinklered floor or story is more than 150 feet (45 720 mm) from a hose connection or the most remote portion of a sprinklered floor or story is more than 200 feet (60 960 mm) from a hose connection, the fire code official is authorized to require that additional hose connections be provided in approved locations.

SECTION 906 PORTABLE FIRE EXTINGUISHERS

**Section 906.1 Where required.** Amend Section 906.1 to read as follows:

906.1 Where required. Portable fire extinguishers shall be installed in all of the following locations:

1. In new and existing Group, A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.

**Exceptions:**

1. In group R-2 occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each dwelling unit is provided with a portable fire extinguisher having a minimum rating of 1-A:10-B: C.
2. In Group E occupancies portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each classroom is provided with a portable fire extinguisher having a minimum rating of 2-A:20-B: C.
3. In storage areas of Group S occupancies where forklift powered industrial truck or powered cart operators are the primary occupants, fixed extinguishers, as specified in NFPA 10, shall not be required where in accordance with all of the following:
  - 3.1. Use of vehicle-mounted extinguishers shall be approved by the by the fire code official.
  - 3.2. Each vehicle shall be equipped with a 10-pound, 40A:80B:C extinguisher affixed to the vehicle using a mounting bracket approved by the extinguisher manufacturer of the fire code official for vehicular use.
  - 3.3. Not less than two spare extinguishers of equal or greater rating shall be available onsite to replace a discharged extinguisher.
  - 3.4. Vehicle operators shall be trained in the proper operation, use and inspection of extinguishers.
  - 3.5. Inspections of vehicle-mounted extinguishers shall be performed daily.
2. Within 30 feet (9144 mm) distance of travel from commercial cooking equipment and from domestic cooking equipment in Group I-1; I-2, Condition 1; and R-2 college dormitory occupancies.
3. In areas where flammable or combustible liquids are stored, used or dispensed.
4. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 3316.1
5. Where required by the sections indicated in Table 906.1.
6. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the fire code official.
7. Main electrical rooms not provided with fire sprinklers.

**Section 906.2.1.** Amend Section 906.2.1 by adding an exception, to read as follows:

906.2.1 Certification of service personnel for portable fire extinguishers. Service personnel providing or conducting maintenance on portable fire extinguishers shall possess a valid certificate issued by an approved governmental agency, or other approved organization for the type of work performed.

**Exception:** Certification or licensing is not required for fire authorities or their employees who are maintaining and recharging air-pressurized water (APW) extinguishers which are the property of the fire authority.

**Section 906.5.1 Storage of extinguishers.** Add a new Section 906.5.1 to read as follows:

906.5.1 Storage of extinguishers. Occupancies that store used, or serviced extinguishers shall have a storage closet or cabinet, enclosed by a solid surface, or by other means determined by the fire code official.

## SECTION 907 FIRE ALARM AND DETECTION SYSTEMS

**Section 907.1 General.** Amend Section 907.1 to read as follows:

907.1 General. This section covers the application, installation, performance, and maintenance of fire alarm systems and their components in new and existing buildings and structures. The requirements of Section 907.2 apply new buildings and structures, new fire alarm systems in existing buildings, and complete fire alarm system replacements. The requirements of Section 907.9 are applicable to new and existing buildings and structures.

**Section 907.2 Where required.** Amend Section 907.2 to read as follows:

907.2 Where required – new buildings and structures. An approved fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.25.1 and provide occupant notification in accordance with Section 907.5 unless other requirements are provided by another section of this code.

Not fewer than one manual fire alarm box shall be provided in an approved location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or waterflow detection devices. Where other sections of this code allow the elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

### **Exceptions:**

1. The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.
2. The manual fire alarm box is not required for Group R-2 occupancies unless required by the fire code official to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. Where provided, the manual fire alarm box shall not be located in an area that is open to the public.

**Section 907.2.2.2 Laboratories.** Add a new Section 907.2.2.2 to read as follows:

907.2.2.2 Lithium battery laboratories; research and development or testing. A fire alarm system shall be installed throughout the fire areas utilized for the research and development or testing of lithium-ion or lithium metal batteries.

**Section 907.2.4.1 Manufacturing involving lithium-ion or lithium metal batteries.** Add a new Section 907.2.4.1 to read as follows:

907.2.4.1 Manufacturing involving lithium-ion or lithium metal batteries. The fire alarm systems shall be required and designed in accordance with Section 322.4.2.

**Section 907.2.6.2 Group I-2.** Amend Section 907.2.6.2 to read as follows:

907.2.6.2 Group I-2. An automatic smoke detection system shall be installed in corridors in Group I-2, Condition 1 facilities, and spaces permitted to be open to the corridors by Section 407.2 of the International Building Code. The system shall be activated in accordance with Section 907.4. Group I-2, Condition 2 occupancies shall be equipped with an automatic smoke detection system as required in Section 407 of the International Building Code.

**Exceptions:**

1. Corridor smoke detection is not required in smoke compartments that contain sleeping units where such units are provided with addressable smoke detectors that comply with UL 268. Such detectors shall provide an audible and visual alarm at the care providers' station attending each unit.
2. Corridor smoke detection is not required in smoke compartments that contain sleeping units where sleeping unit doors are equipped with automatic door-closing devices with integral smoke detectors on the unit sides installed in accordance with their listing, provided that the integral detectors perform the required alerting function.

**Section 907.2.7.2 Storage of lithium-ion or lithium metal batteries.** Add a new Section 907.2.7.2 to read as follows:

907.2.7.2 Storage of lithium-ion or lithium metal batteries. The fire alarm systems shall be required in accordance with Section 322 and designed in accordance with Section 322.4.2.

**Section 907.2.10.1 Storage of lithium-ion or lithium metal batteries.** Add a new Section 907.2.10.1 to read as follows:

907.2.10.1 Storage of lithium-ion or lithium metal batteries. The fire alarm systems shall be required and designed in accordance with Section 322.4.2.

**Section 907.2.24 Main electrical rooms.** Add a new Section 907.2.24 to read as follows:

907.2.24 Main electrical rooms. Main electrical rooms permitted to be non-sprinklered under NFPA 13 shall be provided with an approved monitored automatic smoke detection system installed in accordance with NFPA 72 and electronically supervised by an approved supervising station in accordance with this code.

**Section 907.4.4 Lithium-ion or lithium metal batteries.** Add a new Section 907.4.4 to read as follows:

907.4.4 Lithium-ion or lithium metal batteries. Where fire alarm systems are required by this code for areas containing lithium-ion or lithium metal batteries, the design of the system shall be installed in accordance with Section 322.4.2.

**Section 907.5.2.2 Emergency voice/alarm.** Amend Section 907.5.2.2 to read as follows:

907.5.2.2 Emergency voice/alarm communication systems. Emergency voice/alarm communication systems required by this code shall be designed and installed in accordance with NFPA 72. The operation of any automatic fire detector, sprinkler water-flow device, or manual fire alarm box shall automatically sound an alert tone followed by voice instructions giving approved information and directions on a general or staged evacuation in accordance with the building's fire safety and evacuation plans required by Section 404. In high-rise buildings, the system shall operate on at least the alarming floor, the floor above, the floor below, the main ground level, and the highest occupied floor. Speakers shall be provided throughout the building by paging zones. At a minimum, paging zones shall be provided as follows:

1. Elevator groups.
2. Exit stairways.
3. Each floor.
4. Areas of refuge as defined in Chapter 2.

## SECTION 910 SMOKE AND HEAT REMOVAL

Section 910.3.5 Fusible link temperature rating. Amend Section 910.3.5 to read as follows:

910.3.5 Fusible link temperature rating. Where vents are installed in areas provided with automatic fire sprinklers and the vents operate by a fusible link, the fusible link shall have a temperature rating of at least 100 F above the operating temperature of the fire sprinklers.

## SECTION 912 FIRE DEPARTMENT CONNECTIONS

**Section 912.2.3 Multiple Fire Departments Connections (FDC).** Add a new Section 912.2.3 to read as follows:

912.2.3 Multiple Fire Department Connections (FDC). When the demand of a sprinkler system exceeds 1,500 gallons per minute, additional fire department connections shall be provided and located as required by the fire code official. All FDC's shall be of equal capacity.

**SECTION 914 FIRE PROTECTION BASED ON SPECIAL DETAILED REQUIREMENTS OF USE AND OCCUPANCY**

**Section 914.12 Extraction operations.** Add a new Section 904.12 to read as follows:

**914.12 Extraction operations.** Extraction rooms, booths, or hoods, including ductwork where required for hazardous exhaust systems, shall be protected by an approved automatic fire-extinguishing system complying with Chapter 9 where any of the following exist:

1. Extraction processes utilizing flammable and/or combustible materials, or off-gassing flammable vapors from spent plant material or oil.
2. Vapors are released exceeding 25% of the lower flammable limit from flammable liquid extraction processes or flammable liquid post-oil processing.

**Section 916.6.1.** Add a new table 916.1 to read as follows:

**Table 916.6.1 Location for Gas Detection Sensors**

<b>GAS NAME</b>	<b>SPECIFIC GRAVITY</b>	<b>DETECTOR LOCATION</b>
<b><i>Lighter than Air</i></b>		
Ammonia	0.6	12 to 18 Inches from Ceiling
Helium	0.14	12 to 18 Inches from Ceiling
Hydrogen	0.07	12 to 18 Inches from Ceiling
Methane	0.55	12 to 18 Inches from Ceiling
Neon	0.69	12 to 18 Inches from Ceiling
<b><i>Neutrally Buoyant</i></b>		
Ambient Air	1	
Acetylene	0.91	48 to 75 Inches from the Floor
Carbon Monoxide	0.97	48 to 75 Inches from the Floor
Nitrogen	0.97	48 to 75 Inches from the Floor
Oxygen	1.1	48 to 75 Inches from the Floor
<b><i>Heavier than Air</i></b>		
Argon	1.38	12 to 18 Inches from the Floor
Carbon Dioxide	1.52	12 to 18 Inches from the Floor
Chlorine	2.5	12 to 18 Inches from the Floor
Ozone	1.65	12 to 18 Inches from the Floor
Propane (LPG)	1.5	12 to 18 Inches from the Floor
Krypton	2.89	12 to 18 Inches from the Floor
Refrigerant R-22	3	12 to 18 Inches from the Floor
Refrigerant R-134A	3.5	12 to 18 Inches from the Floor
Refrigerant R-410A	3	12 to 18 Inches from the Floor

Sulfur Dioxide	2.25	12 to 18 Inches from the Floor
Xenon	4.53	12 to 18 Inches from the Floor

## CHAPTER 10 MEANS OF EGRESS

### SECTION 1009 ACCESSIBLE MEANS OF EGRESS

**Section 1009.8 Two-way communication.** Amend Section 1009.8 to read as follows:

1009.8 Two-way communication. A two-way communication system complying with Sections 1009.8.1, 1009.8.2, and NFPA 72 shall be provided at the landing serving each elevator or bank of elevators on each accessible floor that is one or more stories above or below the level of exit discharge.

**Exceptions:**

1. Two-way communication systems are not required at the landing serving each elevator or bank of elevators where the two-way communication system is provided within areas of refuge in accordance with Section 1009.6.5.
2. Two-way communication systems are not required on floors provided with ramps conforming to the provisions of Section 1012.
3. Two-way communication systems are not required at the landings serving only service elevators that are not designated as part of the accessible means of egress or serve as part of the required accessible route into a facility.
4. Two-way communication systems are not required at the landings serving only freight elevators.
5. Two-way communication systems are not required at the landing serving a private residence elevator.
6. Two-way communication systems are not required in Group I-2 or I-3 facilities.

## CHAPTER 11 CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS

### SECTION 1101 GENERAL

**Section 1101.4.4 Variance.** Add a new Section 1101.4.4 to read as follows:

1101.4.4 Variance. The authority having jurisdiction (AHJ) may issue a variance to any of the provisions of Chapter 11 where it is not practical or poses an undue hardship. Granting of a variance

shall be based on showing of good cause and a request shall be made in writing from the building owner.

**SECTION 1107 EXISTING HIGH PILED STORAGE FACILITIES. ADD A NEW SECTION 1107 TO READ AS FOLLOWS:**

**SECTION 1107 EXISTING HIGH PILED STORAGE FACILITIES**

**Section 1107.1 Scope.** Add a new Section 1107.1 to read as follows:

1107.1 Scope. Existing buildings utilizing high pile storage defined by Chapter 32 in which no official record exists; such as certificate of occupancy, fire department records, or similar verifying high pile use, the building shall comply with this section.

**Section 1107.2 General.** Add a new Section 1107.2 to read as follows:

1107.2 General. Based on the storage arrangement and commodity class, existing buildings shall comply with Table 3206.2.

**Section 1107.3 Performance requirements.** Add a new Section 1107.3 to read as follows.

1107.3 Performance requirements. Where structural limitations, as determined by an engineering analysis by a Colorado registered structural engineer, prohibits compliance with Chapter 32, storage arrangement and commodity class shall be in compliance with 104.9 of this code. Such performance alternatives shall be submitted for review and approved by the fire code official.

**SECTION 1108 EXISTING ELECTRICAL ENERGY STORAGE SYSTEMS. ADD A NEW SECTION 1108 TO READ AS FOLLOWS:**

**SECTION 1108 EXISTING ELECTRICAL ENERGY STORAGE SYSTEMS**

**Section 1108.1 Scope.** Add a new Section 1108.1 to read as follows:

1108.1 Scope. Existing buildings utilizing existing electrical energy storage systems (ESS) as defined by Section 1207, shall comply with this section.

**Section 1108.2 Permit.** Add a new Section 1108.2 to read as follows:

1108.2 Permit. An operational permit will be required per Section 105.5.14.

**Section 1108.2.1 Permit requirements.** Add a new Section 1108.2.1 to read as follows:

1108.2.1 Permit requirements. In order to obtain an operational permit, the following must be reviewed and approved by the fire code official:

1. Hazard mitigation analysis per Section 1207.1.4.
2. Fire remediation plan per Section 1207.1.6.
3. Decommissioning plan per Section 1207.2.3.

**Section 1108.3 Repairs.** Add a new Section 1108.3 to read as follows:

1108.3 Repairs. Repairs of ESS systems with OEM compatible parts shall comply with Section 1207.3.6.

**Section 1108.4 System replacement.** Add a new Section 1108.4 to read as follows:

1108.4 System Replacement. Replacement of ESS systems shall comply with Section 1207.3.8.

Section 1108.5 Inspection and testing. Add a new Section 1108.5 to read as follows:

1108.5 Inspection and testing. Inspection and testing of existing ESS systems shall comply with Section 1207.2.2.1.

## CHAPTER 12 ENERGY SYSTEMS

### SECTION 1207 ELECTRICAL ENERGY STORAGE SYSTEMS (ESS)

**Section 1207.1 Scope.** Amend Section 1207.1 to read as follows:

1207.1.1 Scope. ESS having capacities exceeding the values shown in Table 1207.1.1 shall comply with this section and NFPA 855 Standard for the Installation of Stationary Energy Storage Systems as required by the fire code official.

## CHAPTER 13 RESERVED

## CHAPTER 14 RESERVED

## CHAPTER 15 RESERVED

## CHAPTER 16 RESERVED

## CHAPTER 17 RESERVED

## CHAPTER 18 RESERVED

## CHAPTER 19 RESERVED

## PART IV – SPECIAL OCCUPANCIES AND OPERATIONS

### CHAPTER 20 AVIATION FACILITIES

#### SECTION 2006 AIRCRAFT FUELING

**Section 2006.4.1.1 Documentation.** Add a new Section 2006.4.1.1 to read as follows:

2006.4.1.1 Documentation. A vehicle maintenance checklist for aircraft-fueling vehicles shall be documented on a daily basis by the apparatus operator, in accordance with current Air Transport Association (ATA) Specification form 103.04A.

#### SECTION 2007 HELISTOPS AND HELISPORTS

**Section 2007.1 General.** Amend Section 2007.1 to read as follows:

2007.1. General. Helistops and heliports shall be maintained in accordance with Sections 2007.2 through 2007.8. Helistops and heliports on buildings shall be constructed in accordance with the International Building Code, and NFPA 418 Standard for Heliports.

**Section 2007.5 Standpipe systems.** Amend Section 2007.5 to read as follows:

2007.5 Standpipe systems. A building with a rooftop helistop or heliport shall be provided with a Class I standpipe system extended to the roof level on which the helistop or heliport is located. All portions of the helistop and heliport area shall be within 150 feet of a 2½-inch outlet on the standpipe system.

### CHAPTER 21 DRY CLEANING

### CHAPTER 22 COMBUSTIBLE DUST PRODUCING FACILITIES

### CHAPTER 23 MOTOR FUEL DISPENSING FACILITIES AND REPAIR GARAGES

#### SECTION 2303 LOCATION OF DISPENSING DEVICES

**Section 2303.2 Emergency disconnect switches.** Amend Section 2303.2 to read as follows:

2303.2. Emergency disconnect switches. Approved, clearly identified, and readily accessible emergency disconnect switches shall be provided at approved locations to stop the transfer of fuel to the fuel dispensers in the event of a fuel spill or other emergency.

Two emergency disconnect switches for exterior fuel dispensers shall be required as follows:

1. Exterior: Shall be located within 100 feet (30.4 m) of, but not less than 20 feet (6 m) from, the fuel dispensers. The switch shall be a mushroom-style switch/ that is readily accessible and must cut off power to all dispensers and pumps.
2. Interior: Shall be located at the attendant duty location. The switch shall be a mushroom-type switch/button which will shut off the flow of fuel and cut off power to all dispensers and pumps.
3. Emergency disconnect switches shall shut off the power in conformance with NFPA 70 and NFPA 30A.
4. Emergency controls shall be of a type that is only manually resettable.

For interior fuel-dispensing operations, the emergency disconnect switch shall be installed at an approved location along the path of egress.

**Section 2303.2.2 Emergency disconnect switch signage.** Add a new Section 2303.2.2 to read as follows:

2303.2.2 Emergency disconnect switch signage. Signs shall be provided in approved locations and of the legible size as follows:

1. Interior: At least 1 inch (25.2 mm) in height and 1/8-inch (3.175 mm) stroke red on white background.
2. Exterior: At least 2 inches (51 mm) in height and 1/4-inch (6.35 mm) stroke red on white background.

CHAPTER 24 FLAMMABLE FINISHES

CHAPTER 25 FRUIT CROP RIPENING

CHAPTER 26 FUMIGATION AND INSECTICIDAL FOGGING

CHAPTER 27 SEMICONDUCTOR FABRICATION FACILITIES

CHAPTER 28 LUMBER YARDS

CHAPTER 29 MANUFACTURE OF ORGANIC COATINGS

CHAPTER 30 INDUSTRIAL OVENS

CHAPTER 31 TENTS, TEMPORARY SPECIAL EVENT STRUCTURES

CHAPTER-32 HIGH-PILED COMBUSTIBLE STORAGE

## SECTION 3201 GENERAL

**Section 3201.5 Facility closure.** Add a new Section 3201.5 to read as follows:

3201.5. Facility closure. Facilities containing permitted high-piled storage areas, that are no longer utilizing high-piled storage practices shall comply with sections 3201.5.1 through 3201.5.2.

**Section 3201.5.1 Temporarily out-of-service facilities.** Add a new Section 3201.5.1 to read as follows:

3201.5.1. Temporarily out-of-service facilities. Facilities without a high-piled combustible storage operational permit; containing fire protection systems not being monitored or inspected on a regular basis shall be deemed permanently out of service and shall be closed in an approved manner complying with section 3201.5.2. Highpiled combustible storage facilities that do not meet this section are considered temporarily out of service and shall continue to maintain a permit, monitoring, and inspections.

**Section 3201.5.2 Facility closure plan.** Add a new Section 3201.5.2 to read as follows:

3201.5.2. Facility closure plan. When a high-piled combustible storage facility is considered for permanent closure as defined in Section 3201.5.1, the permit holder for the facility shall apply for closure approval by submitting an application to the fire code official a minimum of 30 days prior to facility closure. The closure plan shall be finalized by an owner/operator scheduled inspection to verify compliance with the application and close out the operational permit.

## SECTION 3205 HOUSEKEEPING AND MAINTENANCE

**Section 3205.7 Designation.** Amend Section 3205.7 to read as follows:

3205.7 Designation of storage heights. Where required by the fire code official, an approved visual method of indicating the maximum allowable storage height shall be provided.

## SECTION 3211 BUILDINGS CONTAINING AREAS CAPABLE OF ACCOMMODATING HIGH PILE COMBUSTIBLE STORAGE. ADD A NEW SECTION 3211 TO READ AS FOLLOWS:

### SECTION 3211 BUILDINGS CONTAINING AREAS CAPABLE OF ACCOMMODATING HIGH PILE COMBUSTIBLE STORAGE

**Section 3211.1 General.** Add a new Section 3211.1 to read as follows:

3211.1 General. Any building containing an area capable of high piled storage, but otherwise not meeting definitions and/or requirements of this chapter, shall be maintained in accordance with section 3211.2.

**Section 3211.2 Designation of storage heights.** Add a new Section 3211.2 to read as follows:

3211.2 Designation of storage heights. Areas capable of high piled combustible storage, but currently not being utilized as such, shall have visual storage height limits displayed in accordance with Section 3205.7.

**SECTION 3212 EXISTING BUIDLINGS. ADD A NEW SECTION 3212 TO READ AS FOLLOWS:**  
**SECTION 3212 EXISTING BUILDINGS**

**Section 3212.1 General.** Add a new Section 3212.1 to read as follows:

3212.1 General. Existing facilities containing high piled combustible storage areas shall be in accordance with Section 1107.

**CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION & DEMOLITION**

**SECTION 3301 GENERAL**

Section 3301.1 Scope. This chapter shall apply to structures in the course of construction, alteration or demolition, including those in underground locations. Compliance with NFPA 241 is required for items not specifically addressed herein. This scope applies to commercial, multi-family residential, and townhouse developments.

**Exception:** One and Two-Family Dwellings, not including townhouses as specified above, shall comply with Chapter 33 but shall be exempt from sections 3303.1, 3303.1.1, 3303.2, and 3303.3.

**SECTION 3303 OWNER'S RESPONSIBILITY FOR FIRE PROTECTION**

**Section 3303.3.1 Violations.** Delete Section 3303.3.1 in its entirety.

**SECTION 3311 ACCESS FOR FIRE FIGHTING**

**3311.1.1 Minimum specifications for temporary roads.** Add a new Section 3311.1.1 to read as follows:

3311.1.1. Minimum specifications for temporary roads. Temporary access roads shall be an all-weather surface comprised of either the first lift of asphalt or concrete/compacted gravel to a thickness capable of supporting the imposed loads of fire department apparatus. A 20-ft minimum width shall be maintained unless the permanent road is designed less than 20-ft, in which case the temporary road shall be the intended width of the permanent road. Adequate street signs and fire lane signs shall be installed where applicable. Temporary access roads must be approved by the fire code official and maintained in accordance with this section.

## SECTION 3312 MEANS OF EGRESS

**Section 3312.1 Stairways required.** Amend Section 3312.1 to read as follows:

3312.1 Stairways required. Where building construction exceeds 30 feet to an occupiable floor level in height above the lowest level of fire department vehicle access, a temporary or permanent stairway shall be provided. As construction progresses, such stairways shall be extended to within one floor of the highest point of construction having secured decking or flooring.

## SECTION 3313 WATER SUPPLY FOR FIRE PROTECTION

**Section 3313.2 Combustible building materials.** Amend Section 3313.2 to read as follows:

3313.2 Combustible building materials. When combustible building materials of the building under construction are delivered to a site, a minimum fire flow of that equal to the building size and type referenced in Table B105.1(2) shall be provided. The fire hydrants used to provide this fire-flow supply shall be within the requirements of Table C102.1 of the combustible building materials, as measured along an approved fire apparatus access lane.

**Section 3313.3.1 Fire separation up to 30 feet.** Amend Section 3303.3.1 to read as follows:

3313.3.1 Fire separation up to 30 feet. Where a building of Type III, IV, or V construction has a fire separation distance of less than 30 feet from property lot lines, and an adjacent property has an existing structure or otherwise can be built on, the water supply shall provide the minimum fire flow of that equal to the building size and type referenced in Table B105.1(2) for the building.

**Section 3313.3.2 Fire separation of 30 feet up to 60 feet.** Amend Section 3313.3.2 to read as follows:

3313.3.2 Fire separation of 30 feet up to 60 feet. Where a building of Type III, IV, or V construction has a fire separation distance of 30 feet up to 60 feet from property lot lines, and an adjacent property has an existing structure or otherwise can be built on, the water supply shall provide a minimum fire flow of that equal to the building size and type referenced in Table B105.1(2) for the building.

**Section 3313.3.3 Fire separation of 60 feet or greater.** Amend Section 3313.3.3 to read as follows:

3313.3.3 Fire separation of 60 feet or greater. Where a building of Type III, IV, or V construction has a fire separation of 60 feet or greater from a property lot line, a water supply shall provide the minimum fire flow required for the building size and type referenced in Table B105.1(2) for the building.

**Section 3313.4 Vertical construction.** Amend Section 3313.4 to read as follows:

3313.4 Vertical construction, Type I and II construction. When combustible building materials and/or fuel powered stationary equipment are delivered to the construction site, water supply in accordance with Section 3313.2 shall be provided.

#### SECTION 3314 STANDPIPES

**Section 3314.1 Where required.** Amend Section 3314.1 to read as follows:

3314.1 Where required. In buildings required to have standpipes by Section 905.3.1, not less than one standpipe shall be provided for use during construction. Such standpipes shall be installed prior to construction exceeding 30 feet in height above the lowest level of fire department vehicle access. Such standpipes shall be provided with fire department hose connections at locations adjacent to stairways complying with Section 3312.1. As construction progresses, such standpipes shall be extended to within one floor of the highest point of construction having secured decking or flooring. Additional standpipes may be required by request of the fire code official.

#### SECTION 3319 ONE AND TWO-FAMILY DWELLINGS. ADD A NEW SECTION 3319 TO READ AS FOLLOWS:

##### SECTION 3319 ONE AND TWO-FAMILY DWELLINGS.

**3319.1 Where required.** Add a new Section 3319.1 to read as follows:

3319.1 Where required. One and Two-Family Dwellings shall comply with this section. The following items are to be inspected by a qualified person and documented in accordance with section 3303.3.

This list shall include the following as applicable:

1. Fire hydrants are operational, clearly visible from access roads and are not obstructed.
2. Temporary heating equipment shall be in accordance with section 3304.
3. Street signs are visible and installed.
4. Construction site addressing visible and clear of obstructions.
5. Control of combustible waste material in accordance with section 3305.
6. Fire apparatus access roads required by section 3311 are maintained clear of obstructions that reduce the width of the usable roadway to less than 20 feet.
7. Portable fire extinguisher(s) on site and quickly accessible for use by all trades.
8. Any trades conducting hot work shall comply with section 3303.8.

## CHAPTER 34 TIRE REBUILDING AND TIRE STORAGE

### SECTION 3408 FIRE PROTECTION

**Section 3408.3 Fire sprinklers.** Add a new Section 3408.3 to read as follows:

3408.3 Fire sprinklers. Where the area for storage of tires exceeds the requirements of Section 903.2.9.2, the area shall be sprinklered in accordance with Section 903.3.1.1.

## CHAPTER 35 WELDING AND OTHER HOT WORK

## CHAPTER 36 MARINAS

## CHAPTER 37 COMBUSTIBLE FIBERS

## CHAPTER 38 HIGHER EDUCATION LABS

## CHAPTER 39 PROCESSING AND EXTRACTION FACILITIES

### SECTION 3903 PROCESSING AND EXTRACTION

**Section 3903.1 Construction.** Amend Section 3903.1 to read as follows:

3903.1 Construction. Processing shall be in a building complying with the International Building Code and Sections 3903.1.1 through 3903.7.1.

**Section 3903.1.1 Extraction rooms.** Add a new Section 3903.1.1 to read as follows:

3903.1.1 Extraction rooms. Extraction rooms utilizing hazardous materials shall be fully enclosed in accordance with the International Building Code.

**Exception:** Enclosed booths constructed in accordance with Chapter 24.

**Section 3903.1.2 Penetrations.** Add a new Section 3903.1.2 to read as follows:

3903.1.2 Penetrations. Shall be comply with Section 703

**Section 3903.1.3 Means of egress.** Add a new Section 3903.1.3 to read as follows:

3903.1.3 Means of egress. Means of egress shall comply with the following:

1. Exit doors leading from the extraction room shall swing in the direction of egress.

2. Exit doors from the extraction room must be provided with panic hardware.

**Section 3903.1.4 Fire protection.** Add a new Section 3903.1.4 to read as follows:

3903.1.4 Fire protection. Extraction rooms, booths, or hoods, including ductwork where required for hazardous exhaust systems, shall be protected by an approved automatic fire-extinguishing system complying with Chapter 9 where any of the following exist:

1. Extraction processes utilizing flammable and/or combustible materials, or off-gassing flammable vapors from spent plant material or oil.
2. Vapors are released exceeding 25% of the lower flammable limit from flammable liquid extraction processes or flammable liquid post-oil processing.

**Section 3903.1.5 Electrical equipment.** Add a new Section 3903.1.5 to read as follows:

3903.1.5 Electrical equipment. Extraction rooms, hoods, or booths utilizing hazardous materials shall be classified as a Class 1 Division 1 area in accordance with NFPA 70.

**Section 3903.7 Smoking and open flames.** Add a new Section 3903.7 to read as follows:

3903.7 Smoking and open flames. Smoking, open flames, direct-fired heating devices, and other similar equipment shall be prohibited in areas where flammable vapors exist.

**Section 3903.7.1 Smoking.** Add a new Section 3903.7.1 to read as follows:

3903.7.1 Smoking. Smoking shall be prohibited, and “No Smoking” signs shall be provided in accordance with Section 5003.7.1.

## SECTION 3904 SYSTEMS AND EQUIPMENT

**Section 3904.3 Equipment field verification.** Add a new Section 3904.3 to read as follows:

3904.3 Equipment field verification. All newly installed extraction equipment shall be inspected, and location field verified by the fire code official.

**Section 3904.3.1 Re-certification.** Add a new Section 3904.3.1 to read as follows:

3904.3.1 Re-certification. The extraction equipment shall be recertified every 2 years by the manufacturer or by an approved third party. The recertification report shall include the following items from 3904.2.2.2: 1-5, 7 & 9-11.

**Section 3904.4 Refrigerated equipment.** Add a new Section 3904.4 to read as follows:

3904.4 Refrigerated equipment. Refrigerators, freezers, and other cooling equipment used to store or process flammable and/or combustible materials shall be listed for the storage of flammable/combustible liquids or be listed for Class 1, Division 1 locations. Equipment shall be in accordance with NFPA 45 and applicable provisions of the International Building Code and this code.

**Section 3904.5 Explosion hazards.** Add a new Section 3904.5 to read as follows:

3904.5 Explosion hazards. Where an explosion condition exists, heating equipment such as vacuum ovens, heating mantels, heat guns, or other equipment shall not be used to heat flammable or combustible liquids or oils containing LPG.

## SECTION 3905 SAFETY SYSTEMS

**Section 3905.1 Gas detection.** Amend Section 3905.1 to read as follows:

3905.1 Gas detection. For extraction processes utilizing flammable gases as solvents, a continuous gas detection system complying with Section 916 shall be provided. The gas detection design shall be in compliance with Section 5001.3.3.19.

**Section 3905.1.2 Failure of the gas detection system.** Amend Section 3905.1.3 to read as follows:

3905.1.2 Failure of the gas detection system. Failure of the gas detection system shall result in the deactivation of the heating system; activation of the mechanical ventilation system where the system is interlocked with the gas detection system.

**Section 3905.1.3 Gas detection components.** Add a new Section 3905.1.2 to read as follows:

3905.1.3 Gas detection system components. Gas detection system control units shall be listed and labeled in accordance with UL 864 or UL 2017 for use with the vapors being detected.

**Section 3905.1.4 Interlocks.** Add a new Section 3905.1.4 to read as follows:

3905.1.4 Interlocks. Electrical components within the extraction room shall be interlocked with the gas detection system. Activation of the gas detection system shall disable all light switches and electrical outlets.

**Section 3905.3 LPG use.** Add a new Section 3905.3 to read as follows:

3905.3 LPG use. Extraction equipment utilizing LPG shall comply with Chapter 61 and NFPA 58

## SECTION 3906 EXHAUST. ADD A NEW SECTION 3906 TO READ AS FOLLOWS:

## SECTION 3906 EXHAUST

**Section 3906.1 Exhaust system.** Add a new Section 3906.1 to read as follows:

3906.1 Exhaust system. A hazardous exhaust system complying with this code and the International Mechanical Code shall be provided for flammable and/or combustible material extraction processes.

### **Exceptions:**

1. Unheated distillation process with less than 1/2 gallon of flammable and/or combustible materials performed under a listed and labeled chemical fume hood installation complying with this code.
2. Solvent distillation units in compliance with Section 5705.4.

## SECTION 3907 CO2 EXTRACTIONS. ADD A NEW SECTION 3907 TO READ AS FOLLOWS:

### SECTION 3907 CO2 EXTRACTIONS

**Section 3907.1 Carbon dioxide solvent.** Add a new Section 3901.1 to read as follows:

3907.1 Carbon dioxide solvent. Extraction facilities using carbon dioxide as a solvent shall comply with 5307.

**Section 3907.2 Calibration.** Add a new Section 3907.2 to read as follows:

3907.2 Calibration. Auto calibrating and self-zeroing devices or detectors shall be prohibited.

## CHAPTER 40 - STORAGE OF DISTILLED SPIRITS AND WINES

### SECTION 4003 PRECAUTIONS AGAINST FIRE

**Section 4003.3.4 Electrical.** Amend Section 4003.4 to read as follows:

4003.3.4 Electrical. Electrical wiring and equipment shall be installed and maintained in accordance with Section 603, Section 608, and NFPA 70.

**Section 4003.4 Lightning.** Amend Section 4003.4 to read as follows:

4003.4 Lightning. Structures containing barrel storage shall be protected from lightning. The lightning protection equipment shall be installed in accordance with NFPA 70 and NFPA 780.

**Section 4003.5 Standby or emergency power.** Add a new Section 4003.5 to read as follows:

4003.5 Standby or emergency power. Where mechanical ventilation, treatment systems, limit controls, alarm, detection, or other electrically operated systems are required, such systems shall be provided with an emergency or standby power system in accordance with NFPA 70 and Section 604.1, as amended.

**Exception:** Standby power for mechanical ventilation and limit control systems shall not be required where an approved fail-safe engineered system is installed.

**Section 4003.6 Security.** Add a new Section 4003.6 to read as follows:

4003.6 Security. The manufacture, production, and storage of distilled spirits and wines shall be safeguarded from unauthorized access in an approved manner.

## SECTION 4004 STORAGE

**Section 4004.1.1 Storage plan.** Add a new Section 4004.1.1 to read as follows:

4004.1.1 Storage plan. Aisle and storage plans shall be submitted in accordance with Chapter 50.

**Section 4004.1.2 Emergency planning.** Add a new Section 4004.1.2 to read as follows:

4004.1.2 Emergency planning. Fire safety and evacuation plans in accordance with Section 404, shall be prepared, and maintained.

## SECTION 4006 SIGNAGE

**Section 4006.1 Hazard identification signs.** Amend Section 4006.1 to read as follows:

4006.1 Hazard identification signs. Unless otherwise exempted by the fire code official, visible hazard identification signs, as specified in Section 5003.5 through 5003.6.2 and NFPA 704 for the specific material contained, shall be placed on stationary containers and above-ground tanks; at entrances to locations where hazardous materials are stored, dispensed, used, or handled in quantities requiring a permit; and at specific entrances and locations designated by the fire code official. Exception: Casks are not required to be labeled.

**Section 4006.1.1 Maintenance and style.** Amend Section 4006.1.1 to read as follows:

4006.1.1 Maintenance and style. Signs and markings required by Section 4006.1 shall not be obscured or removed; shall be in English as a primary language or in symbols permitted by this code; shall be durable; and the size, color, and lettering shall be as specified in Section 5003.6 through 5003.6.1.

*Part V – Hazardous Materials*

## CHAPTER 50 HAZARDOUS MATERIALS

### SECTION 5001 GENERAL

Section 5001.2.2 Hazard categories. Amend Section 5001.2.2 to read as follows:

5001.2.2 Hazard Categories. Hazardous materials shall be classified according to hazard categories. The categories include materials regulated by this chapter and materials regulated elsewhere in this code, including Appendix E for Hazard Categories.

**Section 5001.3.3.19 Detection of a gas or vapor.** Add a new Section 5001.3.3.19 to read as follows:

5001.3.3.19 Detection of a gas or vapor. Detection and alarm are required where a release of a hazardous material gas or vapor could cause immediate harm to any person by exceeding the permissible exposure level (PEL) of the gas, by decreasing the oxygen level to below 19.5 percent, or by exceeding 25 percent of the lower flammable limit (LFL) of a flammable gas. A detection and alarm system may initiate a means of mitigation of the dangerous effects of a release as well as notification to occupants.

### SECTION 5003 GENERAL REQUIREMENTS

**Section 5003.5 Hazard identification signs.** Amend Section 5003.5 to read as follows:

5003.5 Hazard identification signs. Unless otherwise exempted by the fire code official, visible hazard identification signs as specified in NFPA 704 for the specific material contained shall be placed on stationary containers and above-ground tanks and at entrances to locations where hazardous materials are stored, dispensed, used, or handled in quantities requiring a permit and at specific entrances and locations per section 5003.6.2 or designated by the fire code official.

**Section 5003.5.1 Markings.** Amend Section 5003.5.1 to read as follows:

5003.5.1 Markings. Individual containers, cartons, or packages shall be conspicuously marked or labeled in an approved manner. Rooms or cabinets containing hazardous materials shall be conspicuously labeled, for example: "COMPRESSED GAS"

**Section 5003.6.1 Size.** Add a new section 5003.6.1 to read as follows:

5003.6.1 Size. Exterior of the structure the NFPA 704 signs shall be a minimum of 10 IN X 10 IN with each individual block being a minimum of 5 IN X 5IN. The hazard ranking numbers shall be a minimum of 4 IN in height and 2.5 IN in width, with a 5/8 stoke. Interior door leading to rooms storing hazardous materials the NFPA 704 signs shall be a minimum of 7-1/2 IN X 7-1/2 IN with each individual block being a minimum of 3 1/4 IN X 3-1/4 IN. The hazard ranking numbers shall be a minimum of 3 IN in height and 2 IN in width, with a 13/32 stroke. NFPA 704 labels on containers,

cartons, cabinets, cylinders, and packages shall be a minimum of 5 IN X 5 IN with each individual block being a minimum of 2-1/2 IN X 2-1/2 IN. The hazard ranking numbers shall be a minimum of 2 IN in Height and 1.5 IN in width, with a 5/16 stroke. All letters and numbers on the NFPA 704 shall be black in color.

**Section 5003.6.2 Location of signs.** Add a new Section 5003.6.2 to read as follows:

5003.6.2 Location of signs. Signs shall be in locations approved by the fire code official and as a minimum shall be posted at the following locations:

1. Two exterior walls, doors, or enclosures containing a means of access to a building or facility.
2. Each access to a room or area that contains hazardous materials.
3. Each principal means of access to an exterior storage area that contains hazardous materials.

## SECTION 5004 STORAGE

**Section 5004.1 Scope.** Amend 5004.1 to read as follows:

5004.1 Scope. Storage of hazardous materials in amounts exceeding the maximum allowable quantity per control area as set forth Section 5003.1 shall be in accordance with Sections 5001, 5003, 5004, and 5005.

Storage of hazardous materials in amounts not exceeding the maximum allowable quantity per control area as set forth in Section 5003.1 shall be in accordance with Section 5001, 5003, and 5004.2. Retail and wholesale storage and display of nonflammable solid and nonflammable and noncombustible liquid hazardous materials in Group M occupancies and Group S storage shall be in accordance with Section 5003.11.

**Section 5004.2 Spill control and secondary containment for liquid and solid hazardous materials.** Amend Section 5004.2 to read as follows:

5004.2 Spill control and secondary containment for liquid and solid hazardous materials. Regardless of the MAQ, rooms, buildings or area for the storage of liquid or solid hazardous materials shall be provided with spill control and secondary containment in accordance with Section 5004.2.1 through 5004.2.3.

**Exception:** Outdoor storage of containers on approved containment palettes in accordance with Section 5004.2.3.

**Section 5004.2.1 Spill control for hazardous material liquids.** Amend Section 5004.2.1 to read as follows:

5004.2.1 Spill control for hazardous material liquids. Rooms, buildings or areas used for storage of hazardous materials liquids in individual vessels having a capacity of more than 55 gallons, or in which the aggregate capacity of multiple vessels exceeds 120 gallons, shall be provided with spill control to prevent the flow of liquids to adjoining areas. Floors in indoor locations and similar surfaces in outdoor locations shall be constructed to contain a spill from the largest single vessel by one of the following methods:

1. Liquid-tight sloped or recessed floors in indoor locations or similar areas in outdoor locations.
2. Liquid-tight floors in indoor locations or similar areas in outdoor locations provided with liquid-tight raised or recessed sills or dikes.
3. Sumps and collection systems.
4. Other approved engineered systems.

Except for surfacing, the floors, sills, dikes, sumps and collection systems shall be constructed of noncombustible material, and the liquid-tight seal shall be compatible with the material stored. When liquid tight sills or dikes are provided, they are not required at perimeter openings having an open-grate trench across the opening that connects to an approved collection system.

Section 5004.2.2 Secondary containment for hazardous material liquids and solids. Amend Section 5004.2.2 to read as follows:

5004.2.2 Secondary containment for hazardous material liquids and solids. Where required by Table 2704.2.2 buildings, rooms or areas used for the storage of hazardous materials liquids or solids shall be provided with secondary containment in accordance with this section when the capacity of an individual vessel or the aggregate capacity of multiple vessels exceeds the following:

1. Liquids: Capacity of an individual vessel exceeds 55 gallons (114 L) or the aggregate capacity of multiple vessels exceeds 120 gallons (454 L); and
2. Solids: Capacity of an individual vessel exceeds 550 pounds (136.1 kg) or the aggregate capacity of multiple vessels exceeds 1,000 pounds (249.5 kg).

## CHAPTER 51 AEROSOLS

## CHAPTER 52 RESERVED

## CHAPTER 53 COMPRESSED GASSES

## SECTION 5306 MEDICAL GASES

**Section 5306.5 Medical gas systems and equipment.** Amend Section 5306.5 to read as follows:

5306.5 Medical gas systems and equipment. Medical gas systems and equipment shall be installed, tested and labeled in accordance with NFPA 99 and the general provisions of this chapter. Existing medical gas systems and equipment shall be used and maintained in accordance with the use, maintenance, inspection and testing provisions of NFPA 99 for medical gas systems and equipment. Veterinary clinics shall comply with NFPA 99, Chapter 15 Dental Gas and Vacuum Systems.

## SECTION 5307 COMPRESSED GASES NOT OTHERWISE REGULATED

**Section 5307.2.1 Gas detection system.** Amend section 5307.2.1 to read as follows:

5307.2.1 Gas detection system. In rooms or areas not provided with ventilation in accordance with Section 5307.2 or where over 6,000 cubic feet of compressed gas is stored or used, a gas detection system complying with Section 916, or where approve, and oxygen depletion alarm system, either of which initiates audible and visual alarm signals in the room or area where sensors are installed, shall be provided.

**Section 5307.2.2 Auto Shutoff** Add Section 5307.2.2 to read as follows:

5307.2.2 Auto Shutoff. Where over 6,000 cubic feet of compressed gas is in use and connected to a system and ventilation per Section 5307.2 is not provided, a gas detection system that activates an automatic fail-safe feature that shuts off the flow from the supply tank upon activation is required.

**Section 5307.2.3 Signage.** Add Section 5307.2.3 to read as follows:

5307.2.3 Signage. Hazard identification signs shall be posted at the entrance to the room and indoor areas where the inert gas is located, and at the entrance to the room or indoor area where the inert gas containers are located. The sign shall be not less than 8 inches (200 mm) in width and 6 inches (150 mm) in height and indicate:

**Section 5307.2.3.1 Inert gas systems.** Add Section 5307.2.3.1 to read as follows:

5307.2.3.1 Inert gas systems.

CAUTION -INERT GAS IF ALARM IS SOUNDING VENTILATE THE AREA BEFORE ENTERING A HIGH INERT GAS CONCENTRATION IN THIS AREA CAN CAUSE ASPHYXIATION

**Section 5307.3.1 Ventilation** Amend section 5703.3.1 to read as follows:

5307.3.1 Ventilation. Where insulated liquid carbon dioxide storage tanks, cylinders, piping and equipment are located indoors, rooms or areas containing storage tanks, cylinders, piping and equipment, and other areas where a leak of carbon dioxide is expected to accumulate, shall be

provided with mechanical ventilation in accordance with Section 5004.3 and designed to maintain the room containing carbon dioxide at a negative pressure in relation to the surrounding area. These systems shall comply with the system requirements in 5004.3.1 and shall be equipped with Standby or emergency power per 5004.7.

**Exception:** A gas detection system with a fail-safe auto shut off, complying with Section 5307.3.1 shall be permitted in lieu of mechanical ventilation.

Section 5307.3.2 Gas detection system. Amend Section 5307.3.2 to read as follows:

5307.3.2 Gas detection system. Where a carbon dioxide system in accordance with Section 5307.3 is in use, a gas detection system shall be provided in rooms or indoor areas and in below-grade outdoor locations with insulated carbon dioxide systems. Carbon dioxide sensors shall be provided within 12 inches (305 mm) of the floor in the area where the gas is expected to accumulate or other approved locations.

The system shall be designed as follows:

1. Activates an audible and visible supervisory alarm at a normally attended location upon detection of a carbon dioxide concentration of 5,000 ppm (9000 mg/m<sup>3</sup>).
2. Activates an audible and visible alarm within the room or the immediate area where the system is installed upon detection of a carbon dioxide concentration of 30,000ppm (54 000 mg/m<sup>3</sup>).
3. Activates a fail-safe feature that shuts off flow from the supply tank upon reaching 5,000 ppm (9000 mg/m<sup>3</sup>) and/or loss of power.

**Exception:** A ventilation system complying with Section 5307.3.2 shall be permitted in lieu of a fail-safe auto shutoff.

**SECTION 5308 CARBON DIOXIDE (CO<sup>2</sup>) GAS ENRICHMENT SYSTEMS USING A NATURAL GAS BURNER IN PLANT GROWING (HUSBANDRY) APPLICATIONS. ADD A NEW SECTION 5308 TO READ AS FOLLOWS:**

**SECTION 5308 CARBON DIOXIDE (CO<sup>2</sup>) GAS ENRICHMENT SYSTEMS USING A NATURAL GAS BURNER IN PLANT GROWING (HUSBANDRY) APPLICATIONS**

**Section 5308.1 General.** Add a new Section 5308.1 to read as follows:

**5308.1 General.** Natural gas burners that are utilized to generate carbon dioxide (CO<sup>2</sup>) in plant growing (husbandry) applications shall comply with Sections 5308.2 through 5308.6. A mechanical exhaust system shall be provided as required by 5308.6 and the International Mechanical Code. This code section shall apply to all applications in new and existing buildings.

**Section 5308.2 Permits.** Add a new Section 5308.2 to read as follows:

**5308.2 Permits.** Permits shall be required in accordance with Sections 105.6 and 105.7.

**Section 5308.3 Equipment.** Add a new Section 5308.3 to read as follows:

5308.3 Equipment. Natural gas burners shall be listed, labeled, and installed in accordance with the manufacturer's installation instructions. Piping systems, combustion and ventilation air, and venting for natural gas appliances shall be designed and installed in accordance with approved standards, the International Fuel Gas Code, and manufacturer's recommendations.

**Section 5308.4 Required protection.** Add a new Section 5308.4 to read as follows:

5389.4 Required protection. A carbon dioxide (CO<sup>2</sup>) gas detection system shall be provided in accordance with Section 5308.4.1 and a carbon monoxide (CO) gas detection system shall be provided in accordance with Section 5308.4.2.

**Section 5308.4.1 Carbon dioxide (CO<sup>2</sup>) detection.** Add a new Section 5308.4.1 to read as follows:

5308.4.1 Carbon dioxide (CO<sup>2</sup>) detection. Rooms or areas where carbon dioxide is used indoors or in enclosed outdoor locations shall be provided with a carbon dioxide gas detection and alarm system.

**Section 5308.4.1.1 Detectors.** Add a new Section 5308.4.1.1 to read as follows:

5308.4.1.1. Detectors. Detectors shall comply with all of the following:

1. Suitable for the use intended and shall be listed or approved.
2. Permanently mounted.
3. Installed at a height of no more than 18 inches above the floor.
4. Directly connected to building electrical or fire alarm systems and protected from accidental disconnection or damage.
5. Auto calibrating and self "zeroing" devices are not permitted unless they can be zeroed and spanned.
6. Where the point of use is remote from the supply a detection and alarm system is required for each point of use.

**Section 5308.4.1.2 Notification.** Add a new Section 5308.4.1.2 to read as follows:

5308.4.1.2 Notification. The detection system shall be capable of notifying personnel in the immediate area of a leak at 5,000 parts per million. Upon reaching 30,000 parts per million this system must notify all building occupants of a mandatory evacuation.

**Exception:** Systems with a fail-safe feature that shuts off carbon dioxide flow from the source upon reaching 5,000 parts per million or loss of power are not required to notify building occupants at 30,000 parts per million.

**Section 5308.4.1.3 Signage.** Add a new Section 5308.4.1.3 to read as follows:

5308.4.1.3 Signage. Shall be in compliance with Section 5307.

**Section 5308.4.1.4 Shut down.** Add a new Section 5308.4.1.4 to read as follows:

5308.4.1.4 Shut down. All carbon dioxide (CO<sup>2</sup>) burner systems shall shut down in the event of a loss of electrical power to the carbon dioxide (CO<sup>2</sup>) detectors.

**Section 5308.4.2 Carbon monoxide (CO) detection.** Add a new Section 5308.4.2 to read as follows:

5308.4.2 Carbon monoxide (CO) detection. Rooms or areas where carbon dioxide burners are used indoors or in enclosed outdoor locations shall be provided with a carbon monoxide gas detection and alarm system.

**Section 5308.4.2.1 Detectors.** Add a new Section 5308.4.2.1 to read as follows:

5308.4.2.1 Detectors. Detectors shall comply with all of the following:

1. Shall be listed or approved for the intended use.
2. Permanently mounted.
3. Installed per manufacturer's recommendations and directions.
4. Directly connected to building electrical and protected from accidental disconnection or damage.

**Section 5308.4.2.2 Notification.** Add a new Section 5308.4.2.2 to read as follows:

5308.4.2.2 Notification. The CO detection system shall be capable of notifying personnel in the immediate area of a leak at 35 ppm and upon activation shall initiate the following:

1. Close the valve to each burner.
2. Activate the mechanical exhaust system.

**Section 5308.4.2.3 Shut down.** Add a new Section 5308.4.2.3 to read as follows:

5308.4.2.3 Shut down. All carbon dioxide (CO<sup>2</sup>) burner systems shall shut down in the event of a loss of electrical power to the carbon monoxide (CO) detectors.

**Section 5309.5 Detector testing.** Add a new Section 5309.5 to read as follows:

5309.5 Detector testing. The equipment, systems and devices listed in 5308.4 shall be tested annually and in accordance with the approved manufacturer's requirements.

**Section 5308.6 Ventilation.** Add a new Section 5308.6 to read as follows:

5308.6 Ventilation. Mechanical ventilation shall be installed in addition to a detection and alarm system as required in Section 5308.4. All gas systems shall have ventilation installed as required by Sections 5001.3.3.10, 5004.3 through 5004.3.1, and the International Mechanical Code. Construction plan data and/or a technical report by a registered design professional shall be submitted to the fire

code official demonstrating compliance with the requirements. Approved plans/permits for ventilation from the governing mechanical authority shall be prima facie evidence for compliance.

**Exception:** No ventilation is required for those systems equipped with a gas detection fail-safe feature, as described in the exception for 5308.4.1.2.

## CHAPTER-54 CORROSIVE MATERIALS

## CHAPTER-55 CRYOGENIC FLUIDS

## CHAPTER-56 EXPLOSIVES AND FIREWORKS

### SECTION 5601 GENERAL

**Section 5601.1.3 Fireworks.** Amend Section 5601.1.3 to read as follows:

5601.1.3 Fireworks. The possession of permissible fireworks as defined by 12-28-101 C.R.S. and as permitted by Article 28 of Title 12 C.R.S. shall be permitted by individuals over the age of sixteen years. No fire protection district shall prohibit the sale of permissible fireworks, as defined in section 32-1-1002 (1) (d).

**Exceptions:**

1. Storage handling of fireworks as permitted in Section 5604.
2. Manufacture, assembly and testing of fireworks as permitted in Section 5605.
3. The use of fireworks for fireworks display as permitted in Section 5608.
4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where permitted by applicable laws (Article 28 of Title 12 C.R.S.), ordinances and regulations, provided that such fireworks and facilities comply with the 2006 edition of NFPA 1124, CPSC 16 CFR Parts 1500 and 1507, and DOTn 49 CFR Parts 100-185, as applicable for consumer fireworks.

### SECTION 5608 FIREWORKS DISPLAY

**Section 5608.1 General.** Amend Section 5608.1 to read as follows:

5608.1 General. Outdoor fireworks display, use of pyrotechnics before a proximate audience, and pyrotechnic special effects in motion picture, television, theatrical, and group entertainment productions shall comply with Sections 5608.2 through 5608.10 and NFPA 1123, or NFPA 1126 and/or NFPA 160, as applicable.

**Section 5608.2.1.1 Fire extinguishers.** Add a new Section 5608.2.1.1 to read as follows:

5608.2.1.1 Fire extinguishers. The person, group, or organization sponsoring the firework display shall consult with the fire code official to determine the level of fire protection required. Four or more fire extinguishers of the classification and size as approved by the fire code official shall be readily accessible while the pyrotechnics are being loaded, prepared for firing, or fired.

**Section 5608.2.1.2 Standby personnel.** Add a new Section 5608.2.1.2 to read as follows:

5608.2.1.2 Standby personnel. Standby fire department personnel and equipment may be required by the fire department prior to and during the event. The fire department shall be reimbursed by the event coordinator or responsible party for all costs associated with providing this service.

**Section 5608.2.1.3. Weather conditions.** Add a new Section 5608.2.1.3 to read as follows:

5608.2.1.3 Weather conditions. Firework displays if permitted during “High” or “Very High” fire danger conditions shall require a minimum of one dedicated brush truck with sufficient staffing to operate said vehicle at the site of the display both prior to and throughout the event. The total number of equipment and staffing shall be approved by the fire code official. Firework displays are prohibited during any issued burn bans, extreme fire danger, or red flag warning conditions.

**Exception:** Scheduled public events held over well-irrigated landscaping and/or bodies of water as approved by the fire code official and the presence of standby equipment and personnel.

**Section 5608.6.1 Mortar rack reinforcement.** Add a new Section 5608.6.1 to read as follows:

5608.6.1 Mortar rack reinforcement. Aboveground mortar racks shall be constructed and secured to withstand a catastrophic malfunction in a mortar rack(s). Added sandbag reinforcement to the mortar rack(s) shall be required. Sandbags shall be used to secure mortar rack(s) and to prevent tip-over or movement. Placement of sandbags at the mortar rack(s) shall be on spectator sides of the rack(s) and on each end of a rack or group of racks at a minimum. The sandbags shall be stacked to a minimum height of three-fourths (3/4) of the rack(s) frame height.

**Section 5608.8.1 Wind speed.** Add new Section 5608.8.1 to read as follows:

5608.8.1 Wind speed. Firework displays shall not be fired when wind speeds measured by the fire code official are exceeding 15 mph.

CHAPTER-57 FLAMMABLE AND COMBUSTIBLE LIQUIDS

CHAPTER-58 FLAMMABLE GASES AND FLAMMABLE CRYOGENIC FLUIDS

CHAPTER-59 FLAMMABLE SOLIDS

CHAPTER-60 HIGHLY TOXIC AND TOXIC MATERIALS

CHAPTER-62 ORGANIC PEROXIDES

CHAPTER-61 LIQUEFIED PETROLEUM GASSES

SECTION 6109 STORAGE OF PORTABLE LP-GAS CONTAINERS AWAITING USE OR RESALE

**Section 6109.13 Protection of containers.** Amend Section 6901.13 to read as follows:

6109.13 Protection of containers. LP-gas containers shall be stored within a suitable enclosure or otherwise protected against tampering. Vehicle impact protection shall be provided as required by Section 6107.4.

CHAPTER-63 OXIDIZERS, GASSES, AND CRYOGENIC FLUIDS

CHAPTER-64 PYROPHORIC MATERIALS

CHAPTER-65 PYROXYLIN (CELLULOSE NITRATE) PLASTICS

CHAPTER-66 UNSTABLE (REACTIVE) MATERIALS

CHAPTER-67 WATER REACTIVE SOLIDS AND LIQUIDS

Part VI – Reference Standards

CHAPTER-80 REFERENCED STANDARDS

SECTION 8001 GENERAL. ADD A SECTION 8001 TO READ AS FOLLOWS:

8001 GENERAL

**SECTION 8001.1 Adoption of Standards.** Add a new Section 8001.1 as follows:

Section 8001.1 Adoption of Standards. In every case where this code references NFPA standards, the most current edition, to include TIA's and errata's of said standards is hereby adopted. The current edition shall become effective on January 1 of the year following NFPA's effective date for said standard.

AMEND CHAPTER 80 ADD REFERENCES TO READ AS FOLLOWS:

ACR	American College of Radiology safety guidelines
DISCUS	Distilled Spirits Council of U.S. 1250 Eye Street, NW Suite 400, Washington D.C. 20005 Recommended Fire Protection Practices for Distilled Spirits Beverage Facilities
NFPA 418	Standard for Heliports

NFPA 497	Recommended Practice for the Classification of Flammable Liquids, Gases, or Vapors and of Hazardous (Classified) Locations for Electrical Installations in Chemical Process Areas
NFPA 855	Standard for Installation of Stationary Energy Storage Systems
NFPA 1225	Standard for Emergency Services Communications
UL 2272	2016 Electrical Systems for Personal E-Mobility Devices
UL 2849	2020 Electrical Systems for eBikes
MUTCD	Manual on Uniform Traffic Control Devices for Streets and Highways

Part VII - Appendices

APPENDIX A - BOARD OF APPEALS

Appendix A is adopted with the following amendments.

SECTION A101 GENERAL

**Section A101.3 Membership of board.** Amend Section A101.3 to read as follows:

A101.3 Membership of board. The board shall consist of all elected members of the Fire Protection District Board of the authority having jurisdiction. The fire code official shall be an ex officio member of said board but shall not vote on any matter before the board.

Section A101.3.1 Qualifications. Delete Section A101.3.1 in its entirety.

Section A101.3.2 Alternate members. Delete Section A101.3.2 in its entirety.

Section A101.3.3 Vacancies. Delete Section A101.3.3 in its entirety.

Section A101.3.4 Chairperson. Delete Section A101.3.4 in its entirety.

Section A101.3.5 Secretary. Delete Section A101.3.5 in its entirety.

Section A101.3.6 Conflict of interest. Delete Section A101.3.6 in its entirety.

Section A101.3.7 Compensation of members. Delete Section A101.3.7 in its entirety.

Section A101.3.8 Removal from the board. Delete Section A101.3.8 in its entirety.

**Section A101.4 Rules and procedures.** Amend Section A101.4 to read as follows:

A101.4 Rules and procedures. The board should maintain current established policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence but should

mandate that only relevant information be presented. The fire code official may request outside fire code officials from neighboring jurisdictions to be present to assist with interpretation of this code.

**Section A101.5 Notice of meetings.** Amend Section A101.5 to read as follows:

A101.5 Notice of meetings. The board shall meet on their normal schedule of public meetings. Notice of meetings shall be within the board's normal notices and should not differ from existing proceedings.

**Section A101.5.1 Open hearing.** Delete Section A101.5.1 in its entirety.

**Section A101.5.2 Quorum.** Delete Section A101.5.2 in its entirety.

**Section A101.5.3 Postponed hearing.** Delete Section A101.5.3 in its entirety.

**Section A101.6 Legal counsel.** Amend Section A101.6 to read as follows:

A101.6 Legal counsel. The jurisdiction should consult with their currently established counsel to the board to provide general legal advice concerning matters before them for consideration.

**Section A101.7 Board decision.** Amend Section A101.7 to read as follows:

A101.7 Board decision. The board shall only modify or reverse the decision of the fire code official by a majority vote of the board members.

**Section A101.8 Court review.** Amend Section A101.8 to read as follows:

A101.8 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. The fire district board shall operate in accordance with their established rules, regulations and procedure in accordance with Colorado Revised Statute Title 32.

## APPENDIX B – FIRE FLOW REQUIREMENTS

**Appendix B is adopted in its entirety.**

## APPENDIX C FIRE HYDRANT LOCATION & DISTRIBUTION

**Appendix C is adopted in its entirety.**

## APPENDIX D – FIRE APPARATUS ACCESS ROADS

**Appendix D is adopted with the following amendments.**

### SECTION D102 REQUIRED ACCESS

**Section D102.1 Access and loading.** Amend Section D102.1 to read as follows:

D102.1 Access and loading. Facilities, buildings, or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with asphalt, concrete, or other approved driving surface capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds with a minimum single axle weight of 27,000 pounds. Alternative methods such as brick pavers, road, base, and gravel as approved by the fire code official.

**SECTION D103 MINIMUM SPECIFICATIONS**

Figure D103.1 Dead-End Fire Apparatus Access Roads. Amend Figure D103.1 to depict as follows:

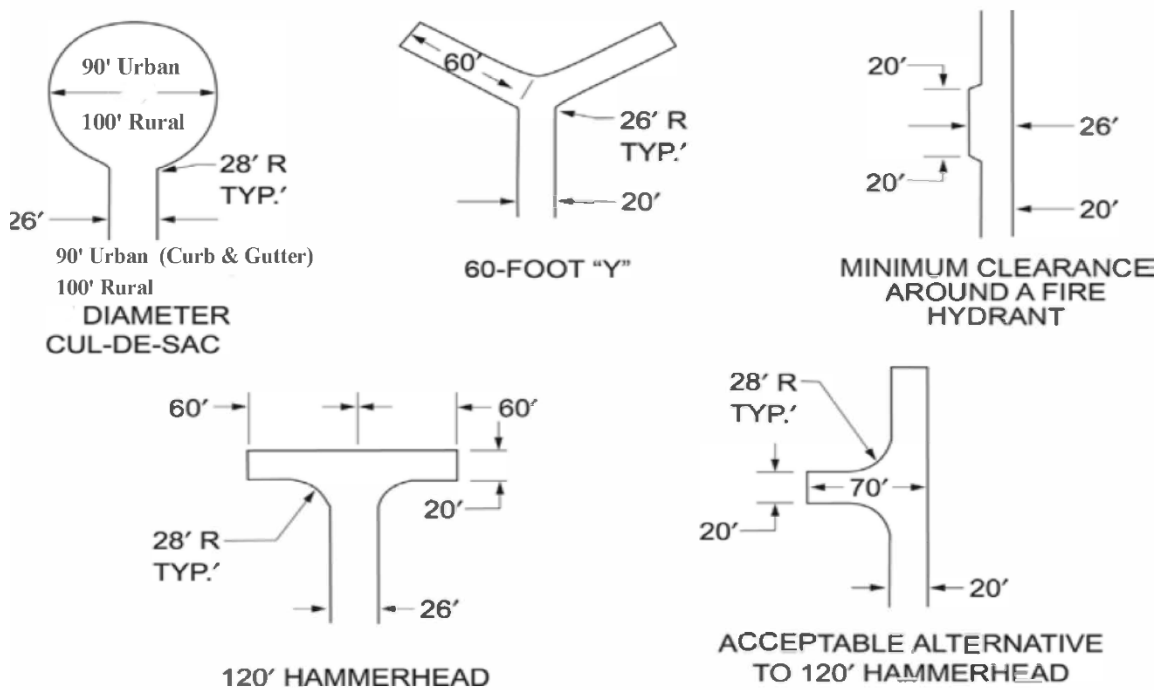


Table D103.4 Requirements for Dead-End Fire Apparatus Access Roads. Amend Table D103.4 to read as follows:

LENGTH (feet)	WIDTH (feet)	TURNAROUND REQUIRED
0-150	20	None required

151-500	20	120-foot Hammerhead, 60-foot “Y” or 90’ urban (curb & gutter), 100’ rural diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot “Y” or 90’ urban (curb & gutter), 100’ rural diameter cul-de-sac in accordance with Figure D103.1
Over 750	Special approval required	

For SI: 1 foot = 304.8 mm.

**Section D103.5 Fire apparatus road gates.** Amend Section D103.5 to read as follows:

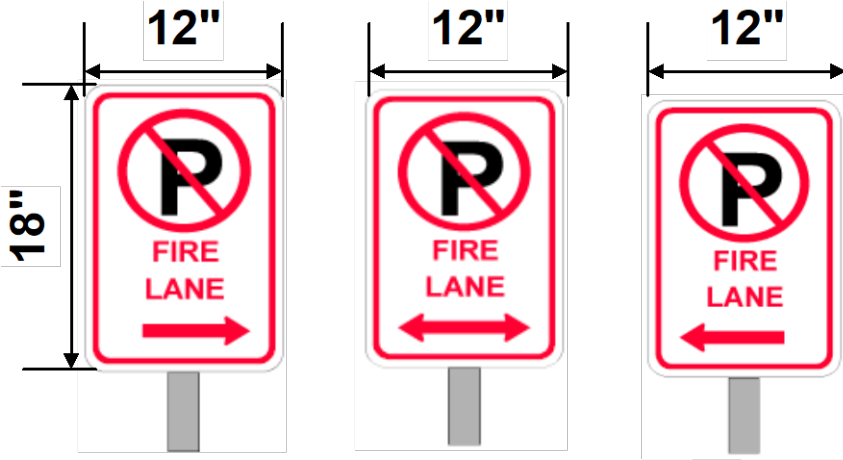
D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Where a single gate is provided, the gate clear opening width shall be not less than 16 or as approved as the approved as the fire code official. Where a fire apparatus road consists of a divided roadway, the gate clear opening width shall be not less than 16 or as approved as the approved as the fire code official.
2. Gates shall be approved by the fire code official.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. When outbound/egress movements do not include an automatic method of the gate opening when a vehicle is present, an approved means of opening the gate by the fire department shall be provided. Emergency opening devices shall be approved by the fire code official.
6. Methods of locking shall be submitted for approval by the fire code official.
7. Electric gate operators, where provided, shall be listed in accordance with UL 325.
8. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F2200.

**Section D103.6 Signs.** Amend Section D103.6 to read as follows:

D103.6 Signs. Where required by the fire code official, fire apparatus access roads shall be marked with permanent “NO PARKING – FIRE LANE” signs complying with Figure D103.6 or Figure D103.6.1. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

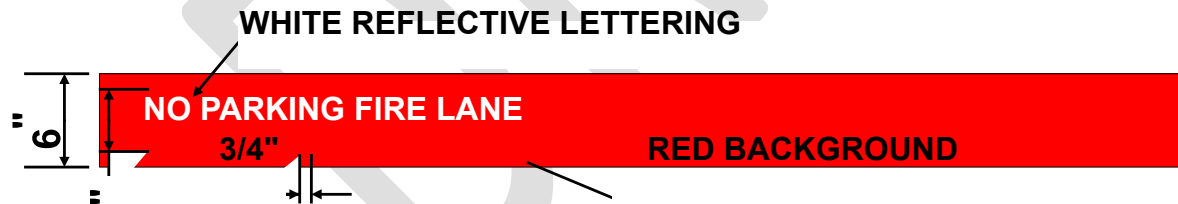
Add a new Figure D103.6.1 to read as follows:



Section D103.6.3 Striping. Add a new section D103.6.3 to read as follows:

D103.6.3 Striping. The curb or edge of the fire apparatus access roads shall be marked by painted lines of red traffic paint six (6) inches in width to show the boundaries of the lane. Where a posted fire lane sign is not used by the approval of the fire code official. The words “NO PARKING FIRE LANE” shall appear in four (4) inch white reflective letters at thirty (30) feet intervals on the red border marking complying with Figure D103.6.3.1. Where a curb is available, the striping shall be on the vertical face of the curb.

Add a new Figure D103.6.3.1 to read as follows:



SECTION D104 COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

**Section D104.3 Remoteness.** Amend Section D104.3 to read as follows:

D104.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

**Exception:** The fire code official is authorized to modify this requirement when the required remoteness is not possible due to the location on property, topography, waterways, non-negotiable grades or similar.

SECTION D106 MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

**D106.3 Remoteness.** Amend Section D106.3 to read as follows:

D106.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

**Exception:** The fire code official is authorized to modify this requirement when the required remoteness is not possible due to the location on property, topography, waterways, non-negotiable grades or similar.

## SECTION D107 ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

**Section D107.1 One- or two-family dwelling residential developments.** Amend D107.1 to read as follows:

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.

### **Exceptions:**

1. Where there are more than 30 dwelling units on accessed from a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.
2. The number of dwelling units on accessed from a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.
3. The fire code official is authorized to modify the requirement of two separate and approved fire apparatus access roads, when they are not possible due to location on property, topography, waterways, non-negotiable grades, or similar.

**Section D107.2 Remoteness.** Amend Section D107.2 to read as follows:

D107.2 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

**Exception:** The fire code official is authorized to modify this requirement when the required remoteness is not possible due to the location on property, topography, waterways, non-negotiable grades or similar.

## APPENDIX E – HAZARD CATEGORIES

Appendix E is adopted for informational purposes only.

## APPENDIX F – HAZARD RANKING

Appendix F is adopted for informational purposes only.

#### APPENDIX G – CRYOGENIC FLUIDS – WEIGHT AND VOLUME EQUIVALENTS

Appendix G is adopted for informational purposes only.

#### APPENDIX H – HAZARDOUS MATERIALS MANAGEMENT PLAN (HMMP) AND HAZARDOUS MATERIALS INVENTORY STATEMENT (HMIS) INSTRUCTIONS

Appendix H is adopted for informational purposes and details the required information and format for submittal of a Hazardous Material Management Plan.

#### APPENDIX I – FIRE PROTECTION SYSTEMS – NONCOMPLIANT CONDITIONS

Appendix I is adopted for informational purposes only.

#### APPENDIX J – BUILDING INFORMATION SIGN

Appendix J is adopted for informational purposes only.

#### APPENDIX K – CONSTRUCTION REQUIREMENTS FOR EXISTING AMBULATORY CARE FACILITIES

Appendix K is adopted for informational purposes only.

#### APPENDIX L – REQUIREMENTS FOR FIRE FIGHTER AIR REPLENISHMENT SYSTEMS

Appendix L is adopted for informational purposes only.

#### APPENDIX M – HIGH-RISE BUILDINGS – RETROACTIVE AUTOMATIC SPRINKLER REQUIREMENT

Appendix M is adopted for informational purposes only.

#### APPENDIX N – INDOOR TRADE SHOWS AND EXHIBITIONS

Appendix N is adopted for informational purposes only.

#### APPENDIX O – COLORADO WILDFIRE RESILIENCY CODE

Appendix O The CWRC with Appendices A, B, and C is an entirely separate code that is adopted for reference purposes only.

1. **Appendix A: Permits** – is adopted in its entirety.
2. **Appendix B: Construction Documents** – is adopted in its entirety.
3. **Appendix C: Inspection and Enforcement** – is adopted in its entirety.

If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

**Section 4:** This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Passed on first reading and ordered published this \_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
City Clerk, Elena Krebs

A Public Hearing on this ordinance will be held at the \_\_\_\_\_, 2026, City Council meeting. The Council Meeting will be held at 6:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: \_\_\_\_\_, 2026 (in full)

*City's Official Website and City Hall*

Passed on second reading and adopted by Council this \_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_

City Clerk, Elena Krebs

Published: \_\_\_\_\_, 2026 \_\_\_\_\_ (in full)

*City's Official Website and City Hall*



## Memorandum

Title: Proposed Ordinance for Adopting the 2021 International Fire Code and Colorado Wildfire Resiliency Code

From: Keith Buckmiller, Fire Chief

To: Mayor and City Council

CC: City Administrator Denise Howell

Allocated Time: 30 Minutes

---

February 10, 2026

### **Purpose:**

To provide an overview of the major updates contained in the 2021 International Fire Code (IFC) compared to the previously adopted 2015 IFC, in support of the City's consideration of adopting the 2021 IFC and the Colorado Wildfire Resiliency Code.

### **Background:**

The El Paso County Fire Marshals Committee has worked over the past year to move all jurisdictions within El Paso County to a common Fire Code (IFC 2021). In addition, the State of Colorado now requires all local jurisdictions with authority to adopt building or fire codes to adopt the Colorado Wildfire Resiliency Code (CWRC) by April 1, 2026, with full compliance required no later than July 1, 2026.

Upgrading from the 2015 IFC to the 2021 IFC is important because the 2021 edition addresses emerging hazards, modern technology, and fire protection challenges that the 2015 code simply did not cover. Key reasons are outlined below:

- Addresses new technology and hazards such as expanded requirements for 3D printing and energy storage systems (ESS) not covered in the 2015 IFC.
- Strengthens fire protection requirements for high risk uses, including upholstered furniture, mattresses, distilled spirits storage, and large parking garages.
- Improves emergency responder communication through updated in-building radio system performance requirements (UL 2524).
- Enhances construction fire safety with mandatory site safety plans, site safety directors, and improved construction phase protections.
- Updates occupancy and egress requirements, including new provisions for puzzle/escape rooms and special amusement areas.
- Clarifies firestopping, penetrations, and structural protections with improvements added across the 2012-2021 code cycle.
- Supports Colorado's statewide wildfire resilience requirements, including the mandated adoption of the CWRC by April, 1, 2026 and full compliance by July 1,



2026.

**Fiscal Impact:**

**Moving from 2015 IFC to 2021 IFC Codes:**

Increased upfront construction costs due to more stringent fire-resistant materials, sprinkler requirements, and updated safety provisions required by the 2021 IFC and CWRC.

Potential long-term cost savings through lower insurance rates as a result of improved construction fire safety and reduced wildfire risk.

**Adopting the Colorado Wildfire Resiliency Code (CWRC):**

Implementation of the CWRC will require new oversight, rulemaking, code interpretation, and enforcement responsibilities. Additionally, according to DFPC, if the CWRC is not approved, the City could be at risk of losing state funding and grant opportunities.

The City of Manitou Springs should expect additional staff time for:

- Plan review for WUI compliance
- Field inspections
- Public education and code adoption coordination
- Appeals and modification requests
- Potential Ongoing annual costs staffing, operations, enforcement, public education

Inspection and enforcement support from the Division of Fire Prevention and Control (DFPC), as permitted under Colorado law.

- DFPC provides state level support, but this assistance still signifies increased state expenditure and potential local state coordination costs.

**Workload Impact:**

**Adopting the 2021 IFC**

The workload is limited due to all jurisdictions being on the same version of the code and all Fire Marshals have participated in the revisions and adoption and are therefore familiar with the 2021 code.



### **Adopting the Colorado Wildfire Resiliency Code (CWRC):**

- **More Plan Reviews:** Increased review of WUI construction and exterior alterations.
- **More Field Inspections:** Additional inspections for structure-hardening and defensible space requirements.
- **Training Needs:** Staff must learn new WUI standards and materials requirements.
- **Higher Administrative Burden:** Public education, appeals, documentation, and adoption processes.
- **State Coordination:** Local agencies must coordinate with DFPC for enforcement support.
- **Ongoing Staffing Impacts:** Increased operational workload consistent with new statewide code duties.

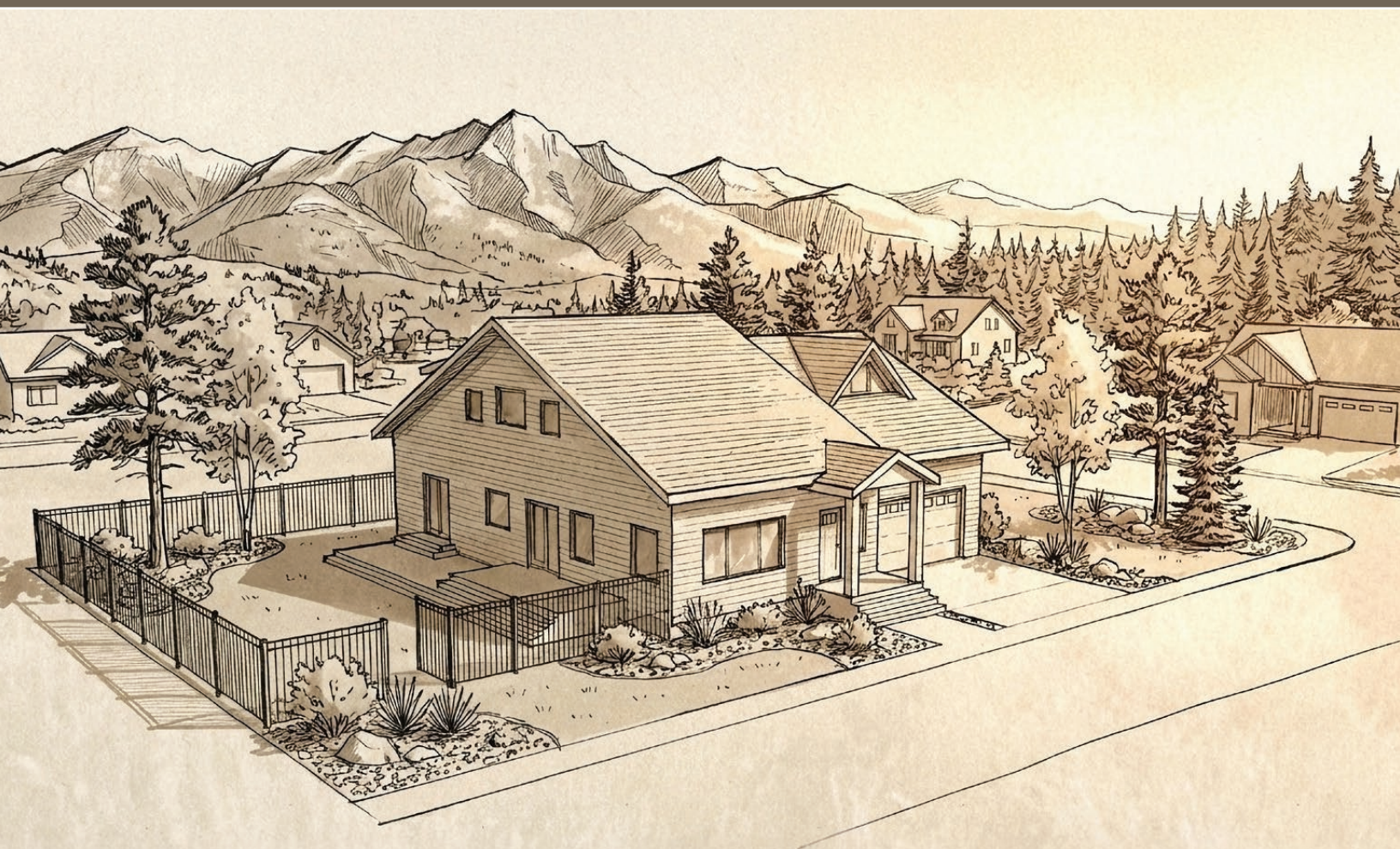
### **Recommended Action:**

Staff is seeking Council feedback and direction prior to scheduling the first reading of the ordinance to formally adopt the 2021 IFC and the Colorado Wildfire Resiliency Code.

# Building for Wildfire Resilience in Colorado

## A guide for builders and homeowners

cpaw.headwaterseconomics.org | December 2025



Working with communities to reduce wildfire risks through improved land use planning, compelling communication, and applied research. <https://cpaw.headwaterseconomics.org>



## Building a structure with wildfire in mind.

This document is intended to provide a readable breakdown of the requirements and applicability of the Colorado Wildfire Resiliency Code. In addition to the code requirements, it contains “best practice” measures that go beyond the code requirements. In general, the Colorado Wildfire Resiliency Code applies most broadly to new construction. Please reference the code for additional details on other types of construction or uses that must comply with regulations. While Colorado’s code applies to all types of structures, to include residences and commercial buildings, this guide primarily addresses home construction.

Wildfire risk reduction measures to a home and property, including using wildfire resistant building materials and managing vegetation, can increase a home’s chances of surviving a wildfire. Many commonly used building materials are wildfire resistant and provide better long-term maintenance and durability.

### Homes burn down from wildfires in one of three ways:



**Embers:** Traveling far ahead of a wildfire front, embers can directly threaten a home by landing on combustible (flammable) material on or around a home, such as the roof or open window.

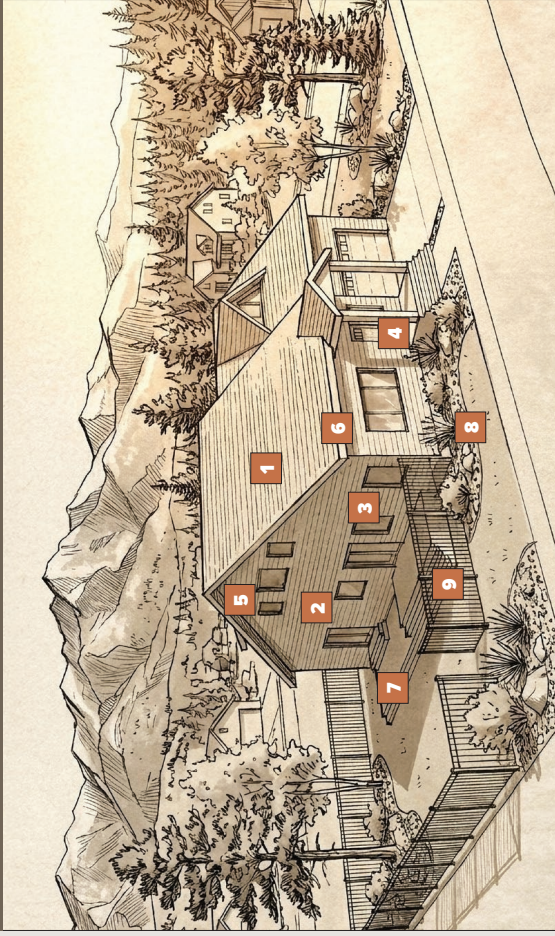


**Radiant heat:** Exposure from radiant heat occurs when nearby combustible materials and fuels ignite, such as a neighboring home. Influenced by duration and intensity, radiant heat can ignite a combustible material like wood siding or break the glass of windows and doors.



**Direct flame contact:** Direct flame contact occurs when combustible material provides a continuous pathway for flames to touch a building or home.

## Own Your Zone



<b>1</b>	<b>Roof</b>	Install a Class A-rated roof such as asphalt shingles or metal panels	<b>Class 1 &amp; Class 2</b>
<b>2</b>	<b>Exterior Walls</b>	Use non-combustible siding, such as fiber-cement cladding	<b>Class 2</b>
<b>3</b>	<b>Windows</b>	Use dual-paneled, tempered glass in windows and exterior doors	<b>Class 2</b>
<b>4</b>	<b>Doors</b>	Use fiberglass or metal exterior doors	<b>Class 2</b>
<b>5</b>	<b>Eaves</b>	Enclose open eaves with noncombustible soffit material Install metal soffit vents backed by 1/8 or smaller wire mesh	<b>Class 2</b>
<b>6</b>	<b>Gutters &amp; Vents</b>	Install metal gutters Install metal gutters and downspouts.	<b>Class 1 &amp; Class 2</b>
<b>7</b>	<b>Deck &amp; Porch</b>	Use ignition-resistant or non-combustible decking material; if exposed, under decking must follow exterior wall guidelines.	<b>Class 2</b>
<b>8</b>	<b>Landscaping</b>	Use rock, gravel, sand, concrete or stone/concrete pavers to create a 5-foot buffer zone around the home. Prune trees and maintain defensible space up to 100 feet around a home.	<b>Class 1 &amp; Class 2</b>
<b>9</b>	<b>Fencing</b>	Use noncombustible or ignition resistant fencing within the 8 feet surrounding a structure.	<b>Class 1 &amp; Class 2</b>

## Roof | Class 1 & Class 2



## Section 403.2

### Code Requirements:

- Use Class A-rated roofing material like asphalt shingles, metal or tile. (Follow installation requirements in Section 403.2 of the code.)
- Install flame and ember resistant approved vents or metal vents with install noncorrosive metal mesh screening 1/8" inch.
- Install metal flashing in roof valleys.

### Best Practices:

- Add a metal drip edge between your roof underlayment and roof deck to prevent embers from igniting the roof surface.
- If installing skylights, choose flat, tempered glass with metal clad frames.

### Why this matters:

- Roofs are highly vulnerable because they have a large, horizontal surface that can easily capture debris, vegetation, and other flammable materials that can ignite from embers.
- Gutters, roof valleys, and places where the roof surface meets walls (like dormers) can ignite from embers.

## Landscaping | Class 1 & Class 2



## Section 502 & 503

### Code Requirements:

- Use gravel, other rock mulch, concrete, stone, or tile in the 0 to 5-foot zone around your home to reduce the risk of ember ignition.

### Best Practices:

- Avoid using any plants in the 0 to 5-foot zone around your home.
- Do not use vinyl fencing.

### Why this matters:

- Embers are responsible for most home losses during a wildfire. Reducing places for embers to land and ignite within five feet of the home is especially important.
- Flammable materials near your home, like mulch or plants, can ignite from embers and spread to your home.
- Wood or plastic fences can carry fire to the home.

- Use a metal fence panel where the fence connects to your home (minimum of 8' length). Vinyl fencing is allowed.
- For Class 2, within 5 to 30 feet around a home: remove dead plant material; trim tree crowns to maintain a space of 10 feet from structures; prune lower branches on trees (see code for approved plants).

## Gutters & Vents | Class 1 & Class 2



## Section 403.3

### Code Requirements:

- Install noncombustible (i.e. metal) gutters and downspouts.
- Install flame and ember resistant vents complying with ASTM E2886 standards OR install noncombustible, noncorrosive mesh for vents in enclosed attics, enclosed rafter spaces, and underfloor areas (including crawl spaces and foundation vents).

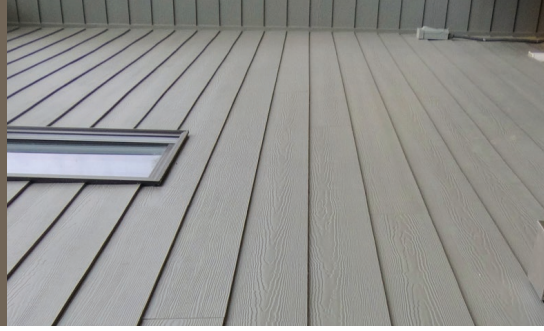
### Best Practices:

- Install metal drip edge behind the gutter, and between the roof underlayment and roof deck.
- Use noncombustible gutter guards or covers to reduce debris buildup in the gutters.

### Why this matters:

- Leaves and pine needles can gather in the gutter and catch fire from wind-blown embers.
- Gutters on higher floors of your home are harder to clean, making debris buildup more likely.
- If debris in the gutter ignites, it can expose the roof's edge, fascia, and roof sheathing to ignition.
- Plastic gutters can melt and fall, spreading fire along the home.

## Exterior Walls | Class 2



## Section 404.3

### Code Requirements:

- Install one or more of the following: non-combustible siding, such as fiber cement; fire-retardant treated wood; exterior wall assemblies with a 1-hour fire-resistance rating; heavy timber or log wall construction; or ignition resistant material siding, such as wood composite.
- Install 6 inches of vertical metal flashing or noncombustible material (such as fiber cement, brick or stone) where the ground, decking or roof intersects with the exterior wall.

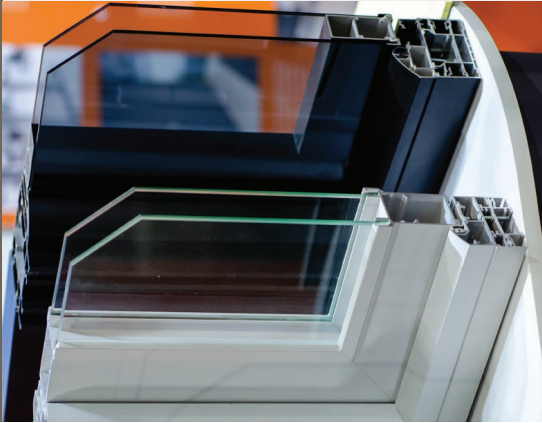
### Best Practices:

- Enclose the area under your home, porch, or deck with wire mesh with openings no larger than 1/8".
- Do not store combustible items (such as firewood, non-metal furniture) under the house, porch, deck or against the house walls.

### Why this matters:

- Intersections where the exterior wall meets the deck or ground can ignite from embers that collect at the base of the wall.
- When fire ignites the exterior siding, it can spread to other parts of the wall and can expose the eaves, doors, and windows to ignition.
- Embers can also get under your home and ignite anything flammable stored underneath the home and/or deck.

## Windows | Class 2



## Section 404.7

### Code Requirements:

- Install windows with double-pane, tempered glass. This applies to windows in exterior walls, window walls, glazed doors, windows in exterior doors, and skylights.

### Best Practices:

- Install metal clad frames on windows.
- Use 1/8" or smaller metal window screens.
- If you are using exterior shutters, opt for solid metal.

### Why this matters:

- Glass is one of the most vulnerable parts of a home during a wildfire because it can shatter under prolonged heat.
- Once the glass breaks, flames and embers can get inside the house and ignite flammable material like carpet and furniture.
- Wood and vinyl framed windows can burn or melt when exposed to heat or flames.
- Fiberglass or plastic screens can melt and expose the window frame to heat. Metal screens can help keep embers out.

## Deck & Porch | Class 2



## Section 404.5

### Code Requirements:

- Use noncombustible, ignition resistant or fire-retardant treated wood for all walking surfaces.
- Underdecks must be enclosed to the ground or comply with exterior wall standards.

### Best Practices:

- Enclose the area under your deck with wire mesh with openings no larger than 1/8".

### Why this matters:

- The large, flat surface of a deck can be easily exposed to flames from below and to wind-blown embers.
- Flammable material stored on top of the deck (like furniture and firewood) can be easily ignited by embers.
- The space under the deck is especially at risk for ember buildup, which can ignite any flammable items stored there.
- If the deck catches fire, it can expose the house to intense heat and flames.

## Doors | Class 2



## Section 404.8

### Code Requirements:

- Use noncombustible doors, such as fiberglass or metal exterior doors, or doors with a solid wood core not less than 1 3/4" thick.
- Install weather stripping around garage doors.

### Best Practices:

- Install a metal garage door with a garage door seal kit.

### Why this matters:

- During a wildfire, a door can be damaged by intense heat from nearby burning vegetation or structures.
- Debris like dead leaves often accumulate around doors, creating a place for embers to land and ignite the base of the door, frame, siding, or deck.
- Embers can accumulate in the small gaps between the door and frame, igniting the door frame.
- Once the door (or its window) fails, flames and embers can get inside the house and ignite flammable material like carpets and furniture.

## Eaves | Class 2



## Section 404.2

### Code Requirements:

- Protect exposed fascia and the underside of eaves and soffits with noncombustible material, ignition resistant material, OR fire-rated construction as specified in Section 404.2 of the code.

### Best Practices:

- For open eave design, install circular noncombustible vents and apply fire-rated caulk at all gaps in blocking between rafters.

### Why this matters:

- Eaves can trap heat, and embers and fire can spread quickly across the side of the home and the roof.
- Embers can enter the attic through vents in the eaves.
- Maintaining a noncombustible zone 0-5' around the home is important in reducing exposure of the exterior wall and eaves.

# You can tackle many effective wildfire-resilient projects in a weekend.



Some of the most effective strategies for safeguarding your home can be done yourself but must be regularly maintained. These measures may reflect best practices only, and may not reflect requirements of the Colorado Wildfire Resiliency Code, including:

- Keep your roof and gutters clean.** Clear away pine needles, leaves, and other debris from your roof, especially in the valleys, and clean out your gutters regularly.
- Secure the area under your home, porch, and deck.** If your home is raised or if you have a deck or porch, don't store combustible items underneath. Clear out any debris or flammable materials and use 1/8" wire mesh (instead of wood lattice) to close off the area. This helps keep out debris and prevents embers from getting underneath the deck area.
- Move flammable items away from your home.** During fire conditions, take flammable items like furniture and barbecue grills off your deck or porch. Make sure things like RVs and trailers are parked at least 30 feet from your home.
- Maintain your yard.** Regularly remove dead plants, grass, and leaves. Trim tree branches so they are at least 10 feet from other trees. Create space between trees, shrubs, and any items that could ignite, like patio furniture or sheds.



See the Colorado Wildfire Resiliency Code for additional details: <https://dfpc.colorado.gov/WRCB>

Throughout this report, we use the term "flammable" to mean combustible and/or flammable.

The information in this document is based on research by Headwaters Economics.

For more information, see <https://cpaw.headwaterseconomics.org> or email [ryan@headwaterseconomics.org](mailto:ryan@headwaterseconomics.org).

Community Planning Assistance for Wildfire (CPAW) produced this report for informational purposes. It provides general guidance and is not legal advice; consult your legal counsel for guidance specific to your situation. While every effort has been made to ensure accuracy, the information is provided "as is" without warranty of any kind, either expressed or implied. CPAW is a program of Headwaters Economics and is supported by the USDA Forest Service and private foundations. Headwaters Economics is an equal opportunity employer.



**COLORADO**  
Wildfire  
Resiliency  
Code Board

**2025**

# Colorado Wildfire Resiliency Code

01 June 2025



**COLORADO**  
Department of Public Safety



**COLORADO**  
Division of Fire  
Prevention & Control  
Department of Public Safety

**CWRC Version 1.0**

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**COLORADO**  
Department of Public Safety



**COLORADO**  
Division of Fire  
Prevention & Control  
Department of Public Safety

# Attributions

## ATTRIBUTIONS

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**COLORADO**  
Department of Public Safety



**COLORADO**  
Division of Fire  
Prevention & Control  
Department of Public Safety

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# Chapter 1 - Scope and Administration

## PART 1 GENERAL PROVISIONS

### SECTION 101 SCOPE AND GENERAL REQUIREMENTS

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

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

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

## SECTION 102—APPLICABILITY

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

**102.10 Work exempt from permit under this code.** Exemptions from code requirements shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of the jurisdiction. Compliance with this code shall not be required for the following:

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



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

## PART 2—ADMINISTRATION AND ENFORCEMENT

### SECTION 103—CODE COMPLIANCE AGENCY

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

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

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

### SECTION 104—DUTIES AND POWERS OF THE CODE OFFICIAL

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

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

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

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

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

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

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

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

**104.2.2 Alternative materials, design and methods.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*.

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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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.



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

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

## SECTION 106—FEES

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

## SECTION 107—STOP WORK ORDER

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

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

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

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



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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.

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

# Chapter 3 - Wildfire Hazard Identification

## SECTION 301 GENERAL

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

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

## SECTION 302 WILDLAND-URBAN INTERFACE AREA DESIGNATIONS

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

## SECTION 303 MAPPING AND APPLICABILITY

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

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

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

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

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



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

**Key Characteristics Include:**

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

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

**Key Characteristics Include:**

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

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



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

**Key Characteristics Include:**

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

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

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

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

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

## SECTION 304 GROUND-TRUTHING

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



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

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

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

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

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



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# Chapter 4- Structure Hardening

## SECTION 401 GENERAL

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

**Exceptions:**

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

## SECTION 402 BUILDING MATERIAL

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

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

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

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



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/m<sup>2</sup> 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/m<sup>2</sup> 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.



## 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.



## SECTION 404 CLASS 2 STRUCTURE HARDENING

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

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

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

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

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

### **Exceptions:**

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

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

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



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

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

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

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

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

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

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

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

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

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

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

**Exception:** Vehicle access doors.

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

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

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



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

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

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

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

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



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# Chapter 5- Site and Area Requirements

## SECTION 501 GENERAL

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

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

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

## SECTION 502 CLASS 1 REQUIREMENTS

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

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

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

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

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

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

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

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

### 502.2 Site Signage

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

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



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

### 502.3 Retaining Walls

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

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

### 502.4 Fencing

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

**Exception:** Vinyl fencing. Vinyl fencing may be allowed.

## SECTION 503 CLASS 2 REQUIREMENTS

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

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

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

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

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

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

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



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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.



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**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



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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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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*.



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

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

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



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## Memorandum

Title: First Reading of Ordinance No. 0326, An Ordinance of the City of Manitou Springs, Colorado, Amending Section 1.32.150 of the Manitou Springs Municipal Code by the Addition of a New Subsection (D) Concerning Municipal Penalties

From: City Attorney, Jeff Parker

To: Mayor and City Council

CC: City Administrator Denise Howell

Allocated Time: 10 Minutes

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February 17, 2026

### **Purpose:**

The purpose of this agenda item is to consider an ordinance amending Section 1.32.150 of the Manitou Springs Municipal Code to add a new subsection concerning municipal penalties. The amendment ensures that penalties imposed by the City do not exceed applicable state penalties when municipal and state law prohibit the same criminal conduct, as required by recent Colorado Supreme Court case law.

### **Background:**

On December 22, 2025, the Colorado Supreme Court issued its decision in *In re People v. Camp* and *In re People v. Simons*, 2025 CO 64 (the "Camp Decision"). The Court held that when a municipal ordinance and a state statute prohibit the same criminal conduct, the municipality may not impose penalties that exceed the corresponding penalties established under state law.

As a result of the Camp Decision, the City is required to modify its municipal code to ensure compliance with state law. The proposed ordinance amends Section 1.32.150 by adding a new subsection (D), which provides that when Title 18 C.R.S., establishes a maximum penalty that is less severe than the penalty set forth in the municipal code, the state penalty shall apply. This amendment aligns the City's penalty structure with state requirements and reduces legal risk while preserving the City's enforcement authority.

### **Fiscal Impact:**

Undetermined.

### **Workload Impact:**

Minimal.



**Recommended Action:**

Move to approve Ordinance No. 0326, an Ordinance of the City of Manitou Springs, Colorado, amending Section 1.32.150 of the Manitou Springs Municipal Code by the addition of a new subsection (D) concerning municipal penalties, on first reading and set a public hearing for March 3, 2026, at 6 p.m., or as soon thereafter as the matter may be heard.

ORDINANCE

**AN ORDINANCE OF THE CITY OF MANITOU SPRINGS, COLORADO, AMENDING SECTION 1.32.150 OF THE MANITOU SPRINGS MUNICIPAL CODE BY THE ADDITION OF A NEW SUBSECTION (D) CONCERNING MUNICIPAL PENALTIES**

**WHEREAS**, pursuant to the consolidated cases, *In re People v. Camp* and *In re People v. Simons*, 2025 CO 64 (Colo. Dec. 22, 2025) (the "Camp Decision"), where a municipal ordinance and state statute prohibit the same criminal conduct, "the municipal penalties for such conduct may not exceed the corresponding state penalties for that conduct";

**WHEREAS**, the City is required to modify the maximum penalties imposed by the City in accordance with the Camp Decision; and

**WHEREAS**, City Council wishes to amend Section 1.32.150 by the addition of a new Subsection (D) concerning municipal penalties.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:**

**Section 1:** Section 1.32.150 of the Manitou Springs Municipal Code is hereby amended by the addition of a new Subsection (D), as follows:

**1.32.150 - Power and jurisdiction of court.**

\* \* \*

D. For any criminal offense imposed by the municipal court for which a maximum penalty is established by Title 18, C.R.S., and such maximum penalty is less severe (lower in amount and/or jail time) than the maximum penalty established by this Code, the maximum penalty set forth in Title 18 shall apply in lieu of any penalty set forth in this Code.

**Section 2.** If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

**Section 3.** This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

**Section 4.** This ordinance shall take effect five (5) days after publication following final passage.

Passed on first reading and ordered published this \_\_\_\_ day of \_\_\_\_\_ 2026.

\_\_\_\_\_  
City Clerk, Elena Krebs

A Public Hearing on this ordinance will be held at the \_\_\_\_\_, 2026 City Council meeting. The City Council Meeting will be held at 6:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: \_\_\_\_\_, 2026 (in full).

*City's Official Website and City Hall*

Passed on second reading and adopted by Council this \_\_\_\_ day of \_\_\_\_\_ 2026.

\_\_\_\_\_  
Mayor, Natalie Johnson

Attest: \_\_\_\_\_  
City Clerk, Elena Krebs

Published: \_\_\_\_\_, 2026 (in full).  
*City's Official Website and City Hall*