

**AGENDA
OURAY CITY COUNCIL**

Monday, March 2, 2026 - 6:00 PM

**Ouray Community Center
320 6th Ave
Ouray, CO 81427**

VIRTUAL OPTION - <https://zoom.us/j/9349389230>

Meeting ID: 934 938 9230 Passcode: 491878 Or dial: 408 638 0968 or 669 900 6833

Ouray City Council Regular Meeting

- Changes to this agenda can be found on the bulletin board at City Hall
- Electronic copies of the Council Packet are available on the City website at www.cityofouray.com. A hard copy of the Packet is also available at the Administrative Office for interested citizens.
- Notice is hereby given that a majority or quorum of the Planning Commission, Ouray Economic Development Committee, Beautification Committee, Tourism Advisory Committee, Main Streets Committee, and/or Parks and Recreation Committee may be present at the above noticed City Council meeting to discuss any or all of the matters on the agenda below for Council consideration

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. RULES OF ORDER MAYOR UNDERWOOD
5. CITIZEN COMMUNICATION
6. CONSENT AGENDA
 - a. Liquor License Renewal - Box Canyon Lodge & Hot Springs
 - b. Letter of Engagement with Blair & Associates - 2025 Financial Audit
 - c. Letter of Support - Uncompahgre Watershed Partnership
7. ACTION ITEMS
 - a. Resolution 2, Series 2026 - Remote Participation
 - b. Ordinance 3, Series 2026 - Colorado Wildfire Resiliency Code (FIRST READING)
 - c. City Attorney Engagement Letter
8. CEREMONIAL/INFORMATIONAL
 - a. Full-Scale Evacuation Exercise (Ouray County Emergency Manager)
9. DISCUSSION ITEMS
 - a. Future Agenda Items
10. DEPARTMENT REPORTS
 - a. City Administrator Metteer
 - b. Fire Chief Kunz
 - c. Public Works Director Coleman
 - d. Parks and Recreation Director Brown
 - e. Marketing & Communication Director Rhoten
11. CITY COUNCIL COMMUNICATION - Peggy Lindsey, Michael Underwood, Jenny Hart, Dave Doherty, and Kevin Schiffer
12. ADJOURNMENT

DR 8400 (02/16/24)
COLORADO DEPARTMENT OF REVENUE
Liquor Enforcement Division
PO BOX 17087
Denver CO 80217-0087
(303) 205-2300

Submit to Local Licensing Authority

**BOX CANYON LODGE &
HOT SPRINGS
PO BOX 439
Ouray CO 81427**

To State
chk #3194 \$750.-
To City
chk #396 \$75.-

Fees Due	
Annual Renewal Application Fee	\$
Renewal Fee	750.00
Storage Permit \$100 X _____	\$
Sidewalk Service Area \$75.00	\$
Additional Optional Premise Hotel & Restaurant \$100 X _____	\$
Related Facility - Campus Liquor Complex \$160.00 per facility	\$
Amount Due/Paid	750

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

Retail Liquor License Renewal Application

Please verify & update all information below. Return to city or county licensing authority by due date.

Note that the Division will not accept cash.

Paid by check

Uploaded to MoveIt on Date

Paid Online

Licensee Name

TMC LODGE LLC

Doing Business As Name (DBA)

BOX CANYON LODGE & HOT SPRINGS

Liquor License Number

License Type

[REDACTED]

Hotel & Restaurant (city)

Sales Tax License Number

Expiration Date

Due Date

[REDACTED]

05/02/2026

03/18/2026

Business Address

Street Address

45 3RD AVENUE

Phone Number

9707082025

City, State, ZIP Code

Ouray CO 81427

Mailing Address

Street Address

PO BOX 439

City, State, ZIP Code

Ouray CO 81427

Email

MaloriLynne@gmail.com

Operating Manager

Date of Birth

Malori Callender

[REDACTED]

Home Address

Street Address		Phone Number
[Redacted]		[Redacted]
City	State	ZIP Code
Montrose	CO	81403

1. Do you have legal possession of the premises at the street address?..... Yes No

Are the premises owned or rented? Owned

*If rented, expiration date of lease

Rented*

[Empty box for expiration date]

2. Are you renewing a storage permit, additional optional premises, sidewalk service area, or related facility?..... Yes No

If yes, please see the table in the upper right hand corner and include all fees due.

3. Are you renewing a takeout and/or delivery permit?..... Yes No

(Note: must hold a qualifying license type and be authorized for takeout and/or delivery license privileges) If selecting 'Yes', an additional \$11.00 is required to renew the permit.

If so, which are you renewing?..... Delivery Takeout Both Takeout and Delivery

4. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business?..... Yes No

Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.?..... Yes No

5. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)?..... Yes No

If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.

6. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? Yes No

If yes, attach a detailed explanation.

7. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? Yes No

If yes, attach a detailed explanation.

8. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? Yes No

If yes, attach a detailed explanation.

Affirmation & Consent

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business

Troy Callender

Title
Owner/Manager

Signature
Troy Callender

Date (MM/DD/YY)
2/20/2026

Report & Approval of City or County Licensing Authority

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 44, Articles 4 and 3, C.R.S., and Liquor Rules.

Therefore this application is approved.

Local Licensing Authority For

Title Attest

Signature Date (MM/DD/YY)

DR 8495 (02/16/24)
COLORADO DEPARTMENT OF REVENUE
Liquor Enforcement Division
PO BOX 17087
Denver CO 80217-0087
(303) 205-2300

Tax Check Authorization, Waiver, and Request to Release Information

I, Troy Callender

am signing this Tax Check Authorization, Waiver and Request to Release Information (hereinafter "Waiver") on behalf of

(the "Applicant/Licensee")

TML Lodge LLC

to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documentation that may otherwise be confidential, as provided below. If I am signing this Waiver for someone other than myself, including on behalf of a business entity, I certify that I have the authority to execute this Waiver on behalf of the Applicant/Licensee.

The Executive Director of the Colorado Department of Revenue is the State Licensing Authority, and oversees the Colorado Liquor Enforcement Division as his or her agents, clerks, and employees. The information and documentation obtained pursuant to this Waiver may be used in connection with the Applicant/Licensee's liquor license application and ongoing licensure by the state and local licensing authorities. The Colorado Liquor Code, section 44-3-101. et seq. ("Liquor Code"), and the Colorado Liquor Rules, 1 CCR 203-2 ("Liquor Rules"), require compliance with certain tax obligations, and set forth the investigative, disciplinary and licensure actions the state and local licensing authorities may take for violations of the Liquor Code and Liquor Rules, including failure to meet tax reporting and payment obligations.

The Waiver is made pursuant to section 39-21-113(4), C.R.S., and any other law, regulation, resolution or ordinance concerning the confidentiality of tax information, or any document, report or return filed in connection with state or local taxes. This Waiver shall be valid until the expiration or revocation of a license, or until both the state and local licensing authorities take final action to approve or deny any application(s) for the renewal of the license, whichever is later. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license, if requested.

By signing below, Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority or agency in the possession of tax documents or information, release information and documentation to the Colorado Liquor Enforcement Division, and is duly authorized employees, to act as the Applicant's/Licensee's duly authorized representative under section 39-21-113(4), C.R.S., solely to allow the state and local licensing authorities, and their duly authorized employees, to investigate compliance with the Liquor Code and Liquor Rules. Applicant/Licensee authorizes the state and local licensing authorities, their duly authorized employees, and their legal representatives, to use the information and documentation obtained using this Waiver in any administrative or judicial action regarding the application or license.

Name (Individual/Business)

TMC Lodge LLC Dna Box Canyon Lodge R Hot Springs

Social Security Number/Tax Identification Number

[Redacted]

Home Phone Number

[Redacted]

Business/Work Phone Number

970-765-1069

Street Address

45 3rd Avenue

City

Ouray

State ZIP Code

CO

81427

Printed name of person signing on behalf of the Applicant/Licensee

Troy Callender

Applicant/Licensee's Signature (Signature authorizing the disclosure of confidential tax information)

Troy Callender

Date Signed

2/20/26

Privacy Act Statement

Providing your Social Security Number is voluntary and no right, benefit or privilege provided by law will be denied as a result of refusal to disclose it. § 7 of Privacy Act, 5 USCS § 552a (note).

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Blair and Associates, P.C.

Cedaredge, Colorado

February 26, 2026

To the City Council and management
City of Ouray, Colorado
P.O. Box 468
Ouray, Colorado 81427

We are pleased to confirm our understanding of the services we are to provide for the City of Ouray, Colorado for the year ended December 31, 2025.

Audit Scope and Objectives

We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the disclosures, which collectively comprise the basic financial statements, of the City of Ouray, Colorado as of and for the year ended December 31, 2025. Accounting standards generally accepted in the United States of America (GAAP) provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City of Ouray, Colorado's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City of Ouray, Colorado's RSI in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient appropriate evidence to express an opinion or provide any assurance. The following RSI is required by GAAP and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis.
- 2) Budgetary comparison information for major governmental funds
- 3) Schedule of changes in net pension liability/asset
- 4) Schedule of contributions to pension fund

We have also been engaged to report on supplementary information other than RSI that accompanies the City of Ouray, Colorado's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS, and we will provide an opinion on it in relation to the financial statements as a whole:

- 1) Schedule of expenditures of federal awards.
- 2) Combining statements for non-major governmental funds
- 3) Budgetary comparison information for non-major governmental funds
- 4) Budgetary comparison information for enterprise funds
- 5) Local Highway Finance Report

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and issue an auditor's report that includes our opinions about whether your financial statements are fairly presented, in all material respects, in conformity with GAAP, and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists.

Certified Public Accountants

105 S.E. Frontier Ave, Suite A Cedaredge, CO 81413 | 970-856-7550 | 970-856-2122 | www.bandacpas.com

Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements.

The objectives also include reporting on:

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

Auditor's Responsibilities for the Audit of the Financial Statements and Single Audit

We will conduct our audit in accordance with GAAS; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements or noncompliance may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will also request written representations from your attorneys as part of the engagement.

Our audit of financial statements does not relieve you of your responsibilities.

Audit Procedures—Internal Control

We will obtain an understanding of the government and its environment, including internal control relevant to the audit, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control.

Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City of Ouray, Colorado's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance, and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the City of Ouray, Colorado's major programs. For federal programs that are included in the Compliance Supplement, our compliance and internal control procedures will relate to the compliance requirements that the Compliance Supplement identifies as being subject to audit. The purpose of these procedures will be to express an opinion on the City of Ouray, Colorado's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Other Services

We will also assist in preparing the financial statements, schedule of expenditures of federal awards, and related notes of the City of Ouray, Colorado in conformity with accounting principles generally accepted in the United States of America and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statements, schedule of expenditures of federal awards, and related notes services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

You agree to assume all management responsibilities for the financial statements, schedule of expenditures of federal awards, and related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, the schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, the schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Responsibilities of Management for the Financial Statements and Single Audit

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for (1) designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal awards, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements.

You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with accounting principles generally accepted in the United States of America; and for compliance with applicable laws and regulations (including federal statutes), rules, and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

You are also responsible for making drafts of financial statements, schedule of expenditures of federal awards, all financial records, and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance; (3) additional information that we may request for the purpose of the audit; and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and related matters.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. You are also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received, and COVID-19-related concepts, such as lost revenues, if applicable) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains, and indicates that we have reported on, the schedule of expenditures of federal awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles (GAAP). You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information.

You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relating to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions for the report, and for the timing and format for providing that information.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditor's reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditor's reports or nine months after the end of the audit period.

We will provide copies of our reports to the city; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Blair and Associates, P.C. and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to oversight agencies or their designees, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Blair and Associates, P.C. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the oversight agencies or pass-through entities. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Pete Blair is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them.

Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, will not exceed \$22,000. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the engagement.

If significant additional time is necessary, we will keep you informed of any problems we encounter and our fees will be adjusted accordingly.

Reporting

We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the City Council of the City of Ouray, Colorado. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add a separate section, or add an emphasis-of-matter or other-matter paragraph to our auditor's report, or if necessary, withdraw from this engagement. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will state that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will state that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

We appreciate the opportunity to be of service to the City of Ouray, Colorado and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the attached copy and return it to us.

Very truly yours,

Blair and Associates, P.C.

RESPONSE:

This letter correctly sets forth the understanding of the City of Ouray, Colorado.

Management signature: _____ Governance signature: _____

Title: _____ Title: _____

Date: _____ Date: _____

320 6th Avenue
PO Box 468
Ouray, Colorado 81427



CITY OF
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February 26, 2026

Colorado Healthy Rivers Fund
Colorado Watershed Assembly
P.O. Box 460736
Glendale, CO 80246

Re: Letter of Support for the Uncompahgre Watershed Partnership Colorado Healthy Rivers Fund Grant Application

Dear Members of the Review Committee:

On behalf of the City of Ouray, I am pleased to offer our strong support for the Colorado Healthy Rivers Fund grant application submitted by the Uncompahgre Watershed Partnership (UWP). The City fully endorses the three initiatives proposed in this application and recognizes their direct alignment with both the intent of the Colorado Healthy Rivers Fund and the goals of the City of Ouray's 2021 Community Plan.

Our community is defined by water. Located at the headwaters of the Uncompahgre River, Ouray's environmental health, recreation-based economy, and quality of life are inseparable from the condition of our watershed. The legislative intent of the Healthy Rivers Fund—supporting collaborative, locally driven watershed restoration and protection efforts—is reflected in UWP's long-standing work and in these proposed projects.

First, the City strongly supports funding for a River Corps member dedicated to stream measurement, technical support for River Watch volunteers, and collaboration with mine site owners.

Water quality monitoring and data collection are foundational to successful watershed restoration. The proposed River Corps position will enhance the quality and consistency of stream gauge and water quality data, directly supporting the State's Total Maximum Daily Load (TMDL) process administered through the Colorado Water Quality Control Commission and the Colorado Water Conservation Board. Reliable, locally generated data strengthens regulatory decision-making, informs prioritization of impaired segments, and ensures that restoration strategies are grounded in sound science.

In addition, advancing both passive and active water treatment solutions through voluntary, collaborative engagement reflects the multi-objective, partnership-based approach envisioned by the Healthy Rivers Fund. These efforts complement regional mine remediation initiatives without duplicating them and position our watershed for measurable improvements in water quality and aquatic habitat.

This initiative directly advances the City of Ouray 2021 Community Plan goals related to environmental stewardship, watershed protection, intergovernmental collaboration, and sustaining a resilient local economy built on clean water and healthy natural systems.

Second, the development of a first-ever publicly accessible GIS map of the Uncompahgre watershed is an essential planning and transparency tool. By integrating water quality data, stream gauge information, mine site locations, and other watershed assets into a single, user-friendly platform, UWP will significantly enhance public understanding and informed decision-making.

For the City, this mapping resource will support: evidence-based policy discussions by City Council and advisory boards, improved coordination with state and federal partners, public education regarding watershed conditions and restoration priorities and increased transparency around data trends and project outcomes

The 2021 Community Plan emphasizes the importance of accessible information, public engagement, and science-based decision-making. A centralized GIS resource will serve residents, visitors, elected officials, and partner agencies alike, strengthening collaborative watershed management across jurisdictional boundaries.

Lastly, the proposed website redesign will ensure that UWP's digital presence reflects its strategic plan, improves usability, and enhances community engagement. In a rural mountain community such as ours, a well-organized and intuitive website is not merely a communications upgrade—it is critical infrastructure for collaboration.

An updated website redesign effort complements the City of Ouray's Community Plan goals of strengthening partnerships, fostering civic engagement, and maintaining open, transparent governance. By making watershed information easier to access and understand, UWP is advancing community capacity for shared stewardship of our natural resources.

The Uncompahgre Watershed Partnership exemplifies the collaborative, locally based watershed effort envisioned in the Colorado Healthy Rivers Fund statute. The proposed initiatives—enhanced monitoring and TMDL support, mine remediation partnerships, development of a watershed GIS platform, and strategic website improvements—collectively advance restoration, protection, education, and long-term sustainability within the Uncompahgre watershed.

The City of Ouray is proud to partner with UWP and strongly encourages the Colorado Healthy Rivers Fund to support this application. These investments will yield measurable water quality benefits, strengthen interagency collaboration, and help ensure that our watershed remains a healthy foundation for our community's environmental and economic future.

Please feel free to contact me if additional information would be helpful.

Sincerely,

Michael Underwood
Mayor
City of Ouray, Colorado



320 6th Avenue
PO Box 468
Ouray, Colorado 81427



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COLORADO

970.325.7211
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info@cityofouray.com

To: City Council
From: Kara Rhoades City Clerk - Treasurer
Date: March 2, 2026
Agenda Item: Resolution 2, Series 2026 – Remote Participation

REQUEST:

Consider Resolution 2, Series 2026, adopting an updated Remote Participation Policy for member of the City Council, by Council direction at the February 17, 2026 meeting.

INTRODUCTION:

Council directed staff to revise the Remote Participation Policy after discussing limitations in Resolution No. 14, Series 2022. The request reflects a Councilor’s interest in expanded flexibility for remote attendance.

ANALYSIS:

The resolution updates procedures for remote participation by removing the six-meeting limit and clarifying executive-session requirements. These changes increase flexibility for members with travel or work constraints. They also introduce operational considerations related to meeting management, expectations for in-person representation, and long-term governance practices. Staff notes these impacts while recognizing that policy direction rests with Council.

BUDGET / STAFF IMPACT:

No direct financial impact is anticipated. Additional staff time may be needed to support technology and meeting logistics, but this is expected to be manageable within current capacity.

ORGANIZATIONAL ALIGNMENT:

The resolution may be less aligned with objectives emphasizing in-person engagement and strengthening public trust. The policy represents a shift in governance practice and may influence future expectations for Council participation.

RECOMMENDED ACTION OR PROPOSED MOTION:

“I move to approve Resolution 2, Series 2026, adopting a Remote Participation Policy.”

ATTACHMENT(S):

- Resolution 2, Series 2026 – Remote Participation



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RECOMMENDED ACTION OR PROPOSED MOTION:

“I move to approve Resolution 2, Series 2026, adopting a Remote Participation Policy.”

ATTACHMENT(S):

- Resolution 2, Series 2026 – Remote Participation



RESOLUTION NO. 2 (SERIES 2026)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OURAY, COLORADO
ADOPTING A POLICY FOR REMOTE PARTICIPATION IN MEETINGS
BY MEMBERS OF CITY COUNCIL**

WHEREAS, members of the City Council may be unable to attend Council meetings in person;
and

WHEREAS, the City Council wishes to adopt clear and consistent standards to allow members to participate in meetings through telephone or other electronic means; and

WHEREAS, the City Council intends for this resolution and the attached Remote Participation Policy to repeal and replace Resolution No. 14, Series 2022, in order to modernize and clarify the standards governing remote participation; and

WHEREAS, the City Council recognizes that advances in communication technology, increased mobility of residents, and the realities of modern work and family obligations make remote participation a valuable tool for ensuring continued representation and continuity of governance;
and

WHEREAS, the City Council affirms that remote participation is a privilege intended for extraordinary or unavoidable circumstances, and not a routine substitute for physical attendance;
and

WHEREAS, the City Council finds that adopting a formal written policy governing remote participation serves the public interest and supports transparency and compliance with the Colorado Open Meetings Law, C.R.S. § 24-6-402;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OURAY, COLORADO, hereby adopts the updated Remote Participation Policy attached hereto.

ADOPTED this 2nd of March 2026, by the Ouray City Council.

CITY OF OURAY, COLORADO

Michael Underwood, Mayor

ATTEST:

Kara Rhoades, City Clerk

CITY OF OURAY
Remote Participation Policy

A. Background and Purpose

1. This policy sets the standards and procedures for remote participation in City Council meetings. The City of Ouray complies with the Colorado Open Meetings Law, C.R.S. § 24-6-402, and this policy supports that compliance.
2. “Remote participation” means that a Council member attends a regular or special meeting - including work sessions - through telephone, video conferencing or other methods of communication instead of being physically present.
3. Council members may participate remotely when circumstances prevent in-person attendance.
4. Council members may participate remotely in executive sessions. Executive sessions involve sensitive legal advice, confidential communications with the City Attorney, and records that state law protects from disclosure. To preserve confidentiality and maintain the integrity of the attorney–client relationship, Council members participating remotely must: (a) have a secure telephone or electronic connection; and (b) certify that they are the only person in the room and that no other person has access to the executive session. Any executive session conducted under this policy shall be recorded electronically as provided by statute.

B. Policy

1. A written request for remote participation must be submitted to the Mayor, City Administrator, and City Clerk no less than four (4) business days prior to the meeting at which the member seeks to participate remotely, unless exceptional, unavoidable, or unforeseen events make a last-minute request unavoidable, in which case the Council may still consider the request.
2. Consideration of the request shall be the first order of business. Approval requires a formal motion and second by any participating Council members whether remote or in person.
3. No more than two (2) Council members may participate remotely in any single meeting, including work sessions.
4. Council members may participate remotely as often as needed. If the Council determines that a member is using remote participation excessively or inconsistently with this policy, the Council may review the member’s usage and set limits on future remote participation.
5. A Council member who participates remotely counts as present for a quorum and may vote on all matters before the Council.
6. Technology used for remote participation must allow clear, uninterrupted, two-way communication between the remote participant, Council members, staff, and the public. The system must allow the remote member to hear and be heard at all times.
7. If equipment failure, poor connectivity, or other disruptions interfere with the meeting or impede communication, the Mayor (or Mayor Pro Tem in the Mayor’s absence) may

terminate the remote connection. If terminated, the member may not continue participating or voting for the remainder of that meeting.

8. A Council member approved for remote participation connects to the meeting at least ten (10) minutes before the scheduled start time. If the member cannot establish a stable connection before the meeting begins, the meeting proceeds without that member.

C. Hybrid Meeting Technology Standards

1. The City maintains and operates technology capable of supporting hybrid meetings, including audio, video, and screen-sharing capabilities that allow remote participants to engage fully and transparently.
2. The meeting room includes microphones, speakers, cameras, and display systems that ensure:
 - Clear audio for both in-person and remote participants
 - A stable video feed that allows remote participants to view the Council dais and presenters
 - Visibility of remote participants to those attending in person
3. The City uses secure, reliable, and accessible platforms for remote participation and incorporates ADA-compliant features when reasonably available.
4. Staff tests hybrid meeting equipment before each meeting and reports any issues to the Mayor, City Administrator, or City Clerk.
5. The City periodically reviews and updates its hybrid meeting technology to maintain security, accessibility, and effectiveness, and will evaluate and plan future upgrades in alignment with available funding and budgetary priorities.

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To: Mayor & City Council
From: Dan Murphy, Community Development Director
Date: March 2, 2026
Agenda Item: Colorado Wildfire Resiliency Code

REQUEST:

Consideration of Resolution No. 3, Series 2026 regarding the adoption of the state-mandated 2025 Colorado Wildfire Resilience Code.

INTRODUCTION:

In 2023, the Colorado General Assembly directed the development of the Colorado Wildfire Resilience Code (CWRC) to address increasing wildfire risk in the Wildland–Urban Interface (WUI) areas. Senate Bill 23-166 established the Wildfire Resiliency Code Board, a multidisciplinary body responsible for defining the WUI, adopting minimum wildfire safety standards, and establishing enforcement procedures.

Wildfires are a natural part of Colorado’s environment; however, their increasing severity is driven in part by expanding development into fire-prone landscapes. The CWRC is intended to reduce risk to life, property, and infrastructure by establishing minimum standards for building construction, vegetation management, emergency access, and related infrastructure. The code is designed to supplement existing local building and fire codes and to ensure consistent wildfire resilience standards statewide.

ANALYSIS:

Adoption of the CWRC is mandatory for communities with mapped wildfire risk. Pursuant to C.R.S. §24-33.5-1237(2)(d), all Colorado communities are required to adopt and implement the CWRC as a minimum code. Communities may exceed the state standards but may not adopt regulations that are less restrictive. Formal adoption of the code is required by April 2026, with full implementation in effect by July 2026. The code applies to new construction in areas identified on the Colorado wildfire risk map as low, moderate, or high intensity.

Governing bodies responsible for adoption and enforcement include municipal and county governments and, where applicable, fire protection or improvement districts that have land use or code enforcement authority. In most cases, implementation will occur through planning, building, or community development departments. The state code allows limited flexibility through approved alternative materials, designs, or methods, provided equivalency criteria are met.

Communities have several options regarding wildfire risk mapping, which is an additional component of the code. A jurisdiction may adopt the state wildfire risk map as published, adopt a more restrictive version that expands coverage or increases intensity classifications, or adopt a locally developed map supported by technical documentation and approved by the state. Parcels

designated as low intensity are subject to Class 1 requirements, while parcels designated as moderate or high intensity are subject to more stringent Class 2 requirements.

Failure to adopt the CWRC may have broader implications beyond regulatory noncompliance. Jurisdictions that do not adopt the code may be precluded from eligibility for state and federal wildfire mitigation grants and related assistance programs, many of which prioritize or require alignment with adopted wildfire resilience standards. These funding sources are critical for supporting defensible space projects, infrastructure hardening, emergency access improvements, and long-term community wildfire planning. Non-adoption could therefore limit the City's ability to proactively reduce wildfire risk, leverage external funding, and respond effectively to future wildfire threats.

BUDGET / STAFF IMPACT:

Implementation of the CWRC will require staff training and public education prior to enforcement. As a one-person department, administration of the code will be a new and ongoing workload that will need to be absorbed in addition to existing responsibilities. In terms of cost, there are currently no known anticipated direct financial impacts to staffing; nominal increases in short-term building costs are expected.

ORGANIZATIONAL ALIGNMENT:

The CWRC aligns with the Community Plan's themes of implementing sound land use policies and fostering a responsive government through clear, consistent, and transparent development review and permitting processes. Adoption of the CWRC supports proactive planning measures that reduce wildfire risk while providing predictability for applicants and the public.

More broadly, land use regulations, including the CWRC, serve as essential tools to protect the health, safety, and welfare of the City's constituents by guiding development in a manner that mitigates hazards, promotes resilience, and supports long-term community well-being.

RECOMMENDED ACTION OR PROPOSED MOTION:

Based on the statutory requirements, increasing wildfire risk, and potential funding consequences, staff recommends adoption of the CWRC by the City Council. Adoption will position the City of Ouray to meet state mandates while strengthening community resilience to wildfire hazards.

ATTACHMENT(S):

- Resolution No. 3, Series 2026
- 2025 Colorado Wildfire Resiliency Code
- Exhibit A – Amendments to the Ouray Municipal Code



ORDINANCE NO. 3 (Series No. 2026)

AN ORDINANCE OF THE CITY OF OURAY, COLORADO, AMENDING THE OURAY MUNICIPAL CODE BY ADDING SECTION 6-16 AND THEREBY ADOPTING BY REFERENCE THE 2025 COLORADO WILDFIRE RESILIENCY CODE; AMENDING SECTIONS 6-1, 6-2, 6-10, 6-12, 7-2, 7-5, 7-7, 7-8, AND 13-11 OF THE MUNICIPAL CODE RELATING TO WILDFIRE RESILIENCY STANDARDS

WHEREAS, the City of Ouray (the “City”) is a home-rule municipality, duly organized and existing under the City’s Home Rule Charter (the “Charter”) adopted pursuant to Article XX of the Constitution of the State of Colorado; and

WHEREAS, the City of Ouray acting by and through its City Council has the power to amend the Ouray Municipal Code (the “Municipal Code”) pursuant to state statutes, Section 2.7.C. of the Charter, and Section 1-3 of the Municipal Code, and all such amendments shall become a part of the Municipal Code; and

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

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

WHEREAS, Senate Bill 25-142 requires local governments to adopt a code that meets or exceeds the standards of the CWRC no later than April 1, 2026 and ensure compliance with the Code’s standards no later than three months after the local government’s adoption of the CWRC; and

WHEREAS, Chapter 6 of the Municipal Code contains the City’s Building Regulations and adoption of codes by reference; and

WHEREAS, the City Council wishes to amend the Ouray Land Use Code (the “OLUC”), codified in Chapter 7 of the Municipal Code, to require land use applications conform with the Wildfire Resiliency Code standards; and

WHEREAS, the City Council wishes to amend Section 13-11, Trees, Shrubs, and Bushes, to be in accordance with the CWRC; and

WHEREAS, provisions of the CWRC pertain to the City’s Building Regulations and the OLUC, and the City wishes to amend such relevant provisions of the Municipal Code

to comply with the standards of the CWRC; and

WHEREAS, City staff has reviewed the CWRC and recommends to City Council that the City adopt it as amended below and add it to the Municipal Code as Section 6-16; and

WHEREAS, at a public hearing held on February 2, 2026, the Planning Commission considered and recommended City Council deny the proposed amendments; and

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

WHEREAS, the City Council finds and determines that the proposed amendments to the Municipal Code outlined herein are reasonably necessary to promote the legitimate public purposes of the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OURAY, COLORADO, as follows:

SECTION 1: Recitals

The City Council hereby incorporates by reference and conclusively makes the above recitals as findings of fact.

SECTION 2: Amendments

Sections 6-1, 6-2, 6-10, 6-12, 7-2, 7-5, 7-7, 7-8, AND 13-11 of the Municipal Code of the City of Ouray, Colorado are hereby amended with **bold underlined** additions and ~~strike through~~ deletions, as set forth in **Exhibit A**.

SECTION 3: Adoption of Code by Reference

The City Council hereby adopts by reference the CWRC, as amended and shown by the addition of Section 6-16 to the Municipal Code, as set forth in **Exhibit A**.

SECTION 3: Effective Date

The provisions of this Ordinance shall become effective thirty (30) days after final publication of the Ordinance in accordance with the Charter.

SECTION 4: Savings Clause

The repeal and amendment of various provisions of the Ouray Municipal Code by this ordinance shall not affect any offense or act committed, any penalty incurred, any contract, right, or duty established or accruing before the effective date of this ordinance.

SECTION 5: Severability

If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

INTRODUCED, READ, APPROVED AS INTRODUCED AND ORDERED PUBLISHED on first reading by _____ vote of the Ouray City Council, this __ day of _____, 2026.

CITY OF OURAY, COLORADO

By _____
Michael Underwood, Mayor

ATTEST:

Kara Rhoades, City Clerk

INTRODUCED, READ, AND ADOPTED on second reading by _____ vote of the Ouray City Council, this __ day of _____, 2026.

CITY OF OURAY, COLORADO

By _____
Michael Underwood, Mayor

ATTEST:

Kara Rhoades, City Clerk

CERTIFICATE OF ATTESTATION

I, Kara Rhoades, Ouray City Clerk, hereby certify that Ordinance No. 3 (Series No. 2026), was introduced, read, passed on first reading on _____, 2026. The Ordinance was published, by title and summary, in the *Ouray County Plaindealer* on _____, 2026, and thereafter introduced, read, and adopted by the Ouray City Council on _____, 2026, and thereafter published in the *Ouray County Plaindealer* as required by law.

Kara Rhoades, City Clerk

EXHIBIT A

AMENDMENT TO THE OURAY MUNICIPAL CODE

*Section 6-1 of the Ouray Municipal Code (the “Municipal Code”) is hereby amended with **bold underlined** additions and ~~striketrough~~ deletions as follows:*

6-1 International Building Code (IBC)

* * * *

C. Amendments

1. The International Building Code, 2018 Edition, is amended as follows:

a. **Section 101.1** (Title) is amended so that any references to jurisdiction shall mean the City of Ouray.

b. **Section 101.4.1** (Gas) is amended as follows:

The provisions of the International Fuel Gas Code as amended and adopted by the State of Colorado Plumbing Board (see 3 CCR 720-1 of the Code of Colorado Regulations) shall be enforced by the State of Colorado.

c. **Section 101.4.4** (Property Maintenance) is deleted in its entirety.

d. **Section 105.2** (Work exempt from permit), **Building Subsection 1** is amended as follows:

One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet. Such structures shall be in accordance with Chapter 7 of the Ouray Land Use Code. Only one such structure per lot is allowed without a permit. **Exemption from a permit pursuant to this Section is subject to compliance with the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code.**

- e. **Section 105.2** (Work exempt from permit), **Building Subsection 2** is amended as follows:

Fences not over 6 feet high; however, a site-plan is required and subject to approval with regards to setback requirements for fence plans over six (6) feet. **Exemption from a permit pursuant to this Section is subject to compliance with the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code.**

- f. **Section 105.2** (Work exempt from permit), **Building Subsection 3** is deleted in its entirety.

- g. **Section 105.2** (Work exempt from permit), **Building Subsection 14** is added as follows:

Window and door replacement provided no structural changes are needed or proposed. **Exemption from a permit pursuant to this Section is subject to compliance with the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code.**

- h. **Section 105.2** (Work exempt from permit), **Building Subsection 15** is added as follows:

Decks not exceeding 120 square feet in area, that are not more than 30 inches (762 mm) above grade at any point; however, a site-plan is required and subject to approval with regards to setback requirements **and compliance with the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code.**

- i. **Section 105.2** (Work exempt from permit), **Building Subsection 16** is added as follows:

Re-siding without alteration of wall structure; provided, however, the proposed weather barrier is not a stucco-type product. However, if the stucco-type product is applied over an existing masonry or concrete

surface it too shall be exempt from requiring a permit. **Exemption from a permit pursuant to this Section is subject to compliance with the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code.**

* * * *

Section 6-2 of the Municipal Code is hereby amended with **bold underlined** additions and ~~strikethrough~~ deletions as follows:

6-2 International Residential Code (IRC)

* * * *

C. Amendments

The International Residential Code, 2018 Edition, is hereby modified by the following amendments:

* * * *

3. **Section R105.2** (Work exempt from permit), **Building Subsection 1** is amended as follows:

One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided 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.**

4. **Section R105.2** (Work exempt from permit), **Building Subsection 2** is amended as follows:

Fences not over 6 feet high; however, a site plan is required and subject to approval with regards to setback requirements for fence plans over six (6) feet. **Exemption from a permit pursuant to this Section is subject to compliance with the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code.**

5. **Section R105.2** (Work exempt from permit), **Building Subsection 10** is amended as follows:

Decks not exceeding 120 square feet in area, that are not more than 30 inches (762 mm) above grade at any point; however, a site plan is required and subject to approval with regards to setback requirements. **Exemption from a permit pursuant to this Section is subject to compliance with the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code.**

6. **Section R105.2** (Work exempt from permit), **Building Subsection 11** is added as follows:

Window and door replacement, provided no structural changes are needed or proposed. **Exemption from a permit pursuant to this Section is subject to compliance with the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code.**

7. **Section R105.2** (Work exempt from permit), **Building Subsection 12** is added as follows:

Re-siding without alteration of wall structure provided, however, the proposed weather barrier is not a stucco-type product. However, if the stucco-type product is applied over an existing masonry or concrete surface it too shall be exempt from requiring a permit). **Exemption from a permit pursuant to this Section is subject to compliance with the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code.**

8. **Section R105.2** (Work exempt from permit), **Electrical Subsection 6** is added as follows:

All exemptions are subject to the laws established by the Colorado State Electrical Board **and the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code.**

9. **Section R105.2** (Work exempt from permit), **Plumbing Subsection 3** is added as follows:

All exemptions are subject to the laws established by the Colorado State Plumbing Board.

* * * *

25. **Section R908.3.1.1** (Roof cover not allowed) Subsection 3 is amended to as follows:

Where the existing roof has two or more applications of any type of roof covering unless the third covering is metal panels and appropriate length fasteners are used. **Regarding any conflict between this and the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code, the most restrictive standard shall apply.**

26. **Section R908** (Reroofing) is amended with the following new Subsection:

R908.7 Attic Ventilation

Attic ventilation shall comply with **the most restrictive standards set forth by Section R806 (Roof ventilation) and the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code.**

27. **Section G2445** (Unvented Room Heaters) is amended as follows:

Unvented room heaters are prohibited.

* * * *

*Section 6-10 of the Municipal Code is hereby amended with **bold underlined** additions and ~~strike through~~ deletions as follows:*

6-10 **Manufactured Housing Installation Handbook**

* * * *

E. *Permit for Location and Installation*

2. d. Every mobile home and modular home shall be supported on solid masonry or concrete footings which shall be of sufficient size to safely support the loads imposed as determined from the character of the soil. The foundation walls or piers shall extend at least six (6) inches above the finished grade adjacent to the wall at all points. The foundation walls or piers shall be directly below the load-bearing beams or stringers of the mobile home or modular home. If piers are used, they shall be installed pursuant to requirements of the home manufacturer and State Laws, except that design and specifications shall be provided by a Colorado Licensed Engineer for all “permanent foundations.” Every mobile home and modular home shall be anchored in such a way as to resist wind loads established per the IRC and approved as per State Laws, except that design and specifications for anchoring shall be provided by a Colorado Licensed Engineer for all “permanent foundations.” Foundations for all mobile homes and modular homes shall be level or shall be stepped so that both the top and bottom of such foundation are level. After such foundations have been constructed, each mobile home or modular home shall have a wood or metal skirt firmly attached to all exterior walls and extended to the ground along the entire outside perimeter. **Regarding any conflict between this Section and the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code, the most restrictive standard shall apply.**

* * * *

*Section 6-12 of the Municipal Code is hereby amended with **bold underlined** additions and ~~strikethrough~~ deletions as follows:*

6-12 **Administration and Enforcement**

A. The City Council may appoint a Building Inspector or designate such other employee as it deems appropriate to perform all duties related to the enforcement and administration of the building codes adopted by reference in this chapter, the Colorado

Plumbing Code, the National Electrical Code, and other city building and zoning regulations.

B. The City Council may appoint a Fire Official or designate such other employee as it deems appropriate to perform all duties related to the enforcement and administration of the fire code adopted by reference in this chapter.

C. The City Council shall appoint a Code Official to perform all duties related to the implementation, administration, and enforcement of the provisions of the Colorado Wildfire Resiliency Code adopted by reference in this chapter. For any permit issued under this chapter, the applicant must submit a wildfire mitigation plan in accordance with the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code. The City shall not issue a certificate of occupancy or certificate of completion until the applicant has implemented, and the City has approved, the wildfire mitigation plan.

DC. The City Administrator, the Building Official, Fire Official, **Wildfire Resiliency Code Official**, or their designated representative shall have the right of entry to inspect and enforce the provisions of the codes adopted by reference in this chapter, and other City building and zoning regulations in accordance with the procedures and provisions of Section [6-1](#), in addition to any other provisions provided by law.

ED. Any building or structure in violation of any of the provisions of this chapter, any of the codes adopted by reference herein, the Colorado Plumbing Code, or the National Electrical Code is hereby declared to be a nuisance and may be abated by the City in any lawful manner.

FE. The City may maintain an action in any court of competent jurisdiction to enforce any provision of this chapter; the codes adopted by reference therein, the Colorado Plumbing Code, or the National Electrical Code.

GF. The City may elect to have the Colorado Plumbing Code administered and enforced by the Colorado State Plumbing Inspector. (Source: Ordinance No. 6, 2023)

H. In the case of any conflict between the codes adopted by reference in this chapter and the Colorado Wildfire Resiliency Code, the strictest standard shall apply.

* * * *

Chapter 6 of the Municipal Code is hereby amended with the addition of Section 16 – Wildfire Resiliency Code as follows:

6-16 Wildfire Resiliency Code

A. Adoption

The Colorado Wildfire Resiliency Code, 2025 Edition, Chapters 1 through 5 inclusive, as published by the Colorado Wildfire Resiliency Code Board in the Colorado Division of Fire Prevention and Control, 1697 Cole Blvd, Unit 200, Lakewood, CO 80401, together with the additions, deletions, insertions, and changes set forth in subsection B of this section, is hereby adopted by reference, as amended, as the Wildfire Resiliency Code of and for the City of Ouray, State of Colorado. The official Colorado Wildfire Resiliency Code map, as promulgated by the Colorado Wildfire Resiliency Code Board, is hereby adopted, as amended. The provisions of such 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. The code also establishes criteria for assessing risk within the wildland-urban interface and mapping wildfire hazard areas.

B. Copy on File

A copy of the Colorado Wildfire Resiliency Code, 2025 Edition, is on file in the office of the City of Ouray Clerk.

C. Wildfire Mitigation Plan

Wildfire Mitigation Plans shall be submitted for review by the City Administrator or designee on all qualifying building permit and/or land use applications subject to Chapters 6 and 7 of the Ouray Municipal Code. These plans are subject to approval by the *code official* as part of the site plans required for building permit and/or land use application. The plans shall be based on the Colorado State Forest Service guidelines for “The Home Ignition Zone” or Wildfire Resiliency Code; whichever is more strict. The approved Wildfire Mitigation Plan shall be implemented, inspected, and approved prior to the issuance of a Certificate of Occupancy or Certificate of Completion.

D. Amendments

3. The Colorado Wildfire Resiliency Code, 2025 Edition, is amended as follows:

- a. Section 101.1 is hereby amended as follows:

101.1 Title. These regulations shall be known as the Colorado Wildfire Resiliency Code as adopted by the City of Ouray, hereinafter referred to as “this code.”

- b. Section 101.5 is hereby amended as follows:

101.5 Additions or alterations. Minor Additions or alterations, as determined by the code official, shall be permitted to be made to any building or structure without requiring the existing building or structure to comply with all of the requirements of **Chapter 4 – Structure Hardening of** this code, provided that, when the work (a) increases the footprint of the existing structure by 500 square feet or greater within a five-year period, (b) constitutes a distinct hazard or danger to life or property, or (c) causes the building, structure, or premises to become unsafe, the addition or alteration conforms to that required for a new building or structure.

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

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

- c. Section 101.6 is hereby amended as follows:

101.6 Roof coverings. The *roof covering* on buildings or structures in existence prior to adoption of this code that are replaced or have twenty-five (25) percent or more of the surface area of the roof replaced within a five-year period, or where work to reconstruct, alter, or repair the *roof*

covering (a) effectively replaces such material, (b) constitutes a distinct hazard or danger to life or property, or (c) causes the building, structure, or premises to become unsafe, shall require the entirety of the roof covering to be replaced with a roof covering required for new construction specified in Sections 403.2 through 403.2.2.

Exception: Existing roof coverings that are compliant with Section 403.2

d. Section 101.7 is hereby amended as follows:

101.7 Exterior walls. The exterior walls of building or structures in existence prior to adoption of this code where twenty-five (25) percent or more of the total exterior wall surface area is replaced within a five-year period, or where work to reconstruct, alter or repair the exterior walls (a) effectively replaces the exterior wall material, (b) constitutes a distinct hazard or danger to life or property, or (c) causes the building, structure, or premises to become unsafe, shall require the entirety of the exterior wall surface area, including attachments, to be replaced with materials required for new construction specified in Section 404.3 through 404.3.2 and the immediate zone within 5 feet of the structure shall be made to comply with Section 503.1.

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

e. Section 102.10 is hereby amended as follows:

102.10 Work exempt from permit under this code. Exemptions from code requirements shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of the jurisdiction. Compliance with Chapter 4 – Structure Hardening of this code shall not be required for the following:

1. Interior alterations of existing structures that do not constitute a substantially complete renovation of the interior, as determined by the code official.

2. Additions that do not increase the footprint of a structure by more than 500 square feet **within a five-year period, and such work does not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe.**
3. The reconstruction, replacement, alteration, or repair of the exterior walls of an existing building, when less than **twenty-five (25)** percent of the surface area of all exterior walls is affected **within a five-year period, and such work does not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe.**
4. The reconstruction, replacement, alteration, or repair of the exterior *roof covering* of an existing building, when less than **twenty-five (25)** percent of the surface area of the exterior *roof covering* or an attachment thereto is affected **within a five-year period, and such work does not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe.**
5. Alterations or repairs to the exterior of an existing structure, or an attachment to it, when less than twenty-five **(25)** percent of the exterior of the structure is affected by the alteration or repair **within a five-year period, and such work does not (a) constitute a distinct hazard or danger to life or property or (b) cause the building, structure, or premises to become unsafe.**
6. Painting, staining and similar maintenance or restorative work.
7. One-story detached accessory, nonhabitable structures, such as tool and storage sheds, playhouses and similar uses, provided that the floor area does not exceed 120 square feet and the structure is located greater than or equal to 10 feet from the nearest adjacent occupiable structure.
8. *Accessory structures* and buildings of an accessory character classified as Utility and Miscellaneous Group U (including Agricultural

Structures) located more than 50 feet from a structure containing *occupiable or habitable space*.

9. Fences located more than 8 feet from a habitable structure **that comply with this code**.

10. Any thirty-five acre parcel with only one residential structure on it that does not abut a residential or commercial area.

f. Section 103.1 is hereby amended as follows:

103.1 ~~Creation~~ Designation of agency. The **City Administrator, or designee, for the City of Ouray** ~~[INSERT NAME OF DEPARTMENT]~~ is hereby ~~created~~ **designated** 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.

g. Section 104.2.1 is hereby amended as follows:

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

h. Section 106.1 is hereby amended as follows:

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

i. Section 202 is hereby amended with the addition of the following:

UNSAFE. An unsafe condition shall be deemed to have been created if the action will cause the existing building or structure to become structurally unsafe or overloaded; will not provide adequate access in compliance with the provisions of this code or will obstruct existing exits or access; will create a fire hazard; will unreasonably increase the risk of fire ignition; will reduce required fire resistance; or will otherwise create conditions dangerous to human life.

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

vegetative fuels. **All property in the corporate limits of the City shall be considered within the wildland-urban interface.**

- j. Section 303.3 is hereby amended as follows:

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

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

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

- k. Section 401.1 is hereby amended as follows:

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

Exceptions:

1. Buildings of an accessory character classified as Group U occupancy (including *agricultural buildings*) of any size located at least 50 feet from a structure containing *occupiable* or *habitable space*.
2. One-story detached accessory, nonhabitable structures, such as tool and storage sheds, playhouses and similar uses, provided that the floor area does not exceed 120 square feet and the structure is

located greater than or equal to 10 feet from the nearest adjacent occupiable structure.

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

l. Section 501.1 is hereby amended as follows:

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

m. All references to “AHJ” shall be amended to “City.”

* * * *

Section 7-2 of the Municipal Code is hereby amended with **bold underlined** additions and ~~strikethrough~~ deletions as follows:

7-2 Administration and Enforcement

* * * *

L. For any permit under the OLUC or Building Regulations in Chapter 6 of the Municipal Code, the applicant must submit a wildfire mitigation plan that demonstrates compliance with the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code. The City shall not issue a certificate of occupancy or certificate of completion until the applicant has implemented, and the City has approved, the wildfire mitigation plan.

* * * *

Section 7-5 of the Municipal Code is hereby amended with **bold underlined** additions and ~~strikethrough~~ deletions as follows:

7-5 Development Review Procedures

* * * *

C. Development Review Procedures

* * * *

2. Application.

- a. *Application Requirements.* A uniform application is used for every process under this code. However, additional information may be required at each level of a multi-level application such as a subdivision. Every application under this code shall include, or be accompanied by, the following information, unless waived by the Administrator:
 - i. The name, mailing address, and telephone number(s) of the applicant for the permit.
 - ii. The owner(s) of the property upon which the improvement or use is to take place.

- iii. Any agents authorized to act on behalf of the owner or the applicant.
- iv. Any contractor retained or to be retained to accomplish any portion of the improvement.
- v. Proof of ownership of the property in question and concurrence in the purpose of the application by the owner.
- vi. Legal description of the property in question, to include:
 - A. Legal address;
 - B. Account number; or
 - C. Other recorded identifying parcel number.
- vii. Current zoning classification of the parcel.
- viii. A copy of a certified survey plat may be required or a sketch plan which shows the relative location of existing and proposed improvements, buildings, structures, roads, driveways, slope, parking, ditches, utilities, fences, and other significant features present on the site.
- ix. A written description of the nature of the improvement planned, if any.
- x. Architect or engineer drawings, floor plans, and diagrams as may be required by the Administrator.
- xi. Proof that a request for a driveway permit has been submitted to the Colorado Department of Transportation, if a new access road or driveway to the property intersects with the state highway.
- xii. A wildfire mitigation plan that demonstrates compliance with the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code. The City shall not issue a certificate of occupancy or certificate of completion until the applicant has implemented, and the City has approved, the wildfire mitigation plan.**

* * * *

D. Specific Procedures and Approval Criteria

* * * *

2. *Site Development Permits.*

a. The purpose of this subsection [D-2](#) is to establish site development standards applicable to site permits. All development subject to this subsection shall comply with the standards of this subsection and with the City's construction standards. Site planning is required to ensure that all sites within the community are designed, arranged, and developed in a safe, consistent, and efficient manner. The arrangement of functions, uses and improvements should reflect the natural capabilities and limitations of the site, as well as the characteristics and limitations of the adjacent property or properties. These standards are developed so every project consistently adheres to the same standards. **Prior to approval of a permit under this section, the applicant must submit a wildfire mitigation plan that demonstrates compliance with the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code.**

* * * *

Section 7-7 of the Municipal Code is hereby amended with **bold underlined** additions and ~~strike through~~ deletions as follows:

7-7 Use Regulations

* * * *

C. *Manufactured Home and Recreation Vehicle (RV) Park Standards*

* * * *

2. *Manufactured Home Park Design Requirements.*

a. Manufactured home parks may be located only where allowed by City zoning regulations and shall be a minimum of two (2) acres.

b. All manufactured home parks shall, as a minimum, comply with the regulations for manufactured home parks issued by the State of Colorado, **the Colorado Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code,** and the requirements of this subsection [C-2](#). In the event of

any conflict between the State regulations and the requirements of this subsection C-2 or other ordinances and regulations of the City, those regulations, which are more stringent, shall apply.

c. Each space may have only one (1) manufactured or mobile home located on it and shall comply with the dimensional requirements of this subsection C-2. All spaces shall be adequately identified by a number or letter.

d. Minimum space area shall be 2,500 square feet.

e. Minimum setbacks within each space:

i. Front setback shall be 12 feet;

ii. Rear setback shall be 8 feet;

iii. Side on Corner Space setback shall be 7.5 feet;

iv. Side setback shall be 5 feet.

f. **Unless otherwise required under the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code, a** Accessory structures which are not attached to the manufactured home are not subject to the rear and side yard setbacks but shall be set back a minimum of two (2) feet. **All accessory structures located less than ten (10) feet from the primary structure shall be subject to the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code.**

* * * *

F. *Accessory Dwelling Units (ADUs)*

1. Dwelling units which meet the criteria of this subsection F may be allowed as an accessory use to a principal residential unit in the R-1, R-2, C-1 and C-2 districts; provided, that the dwelling units conform to the applicable requirements of said Districts.

2. The accessory dwelling unit must be constructed in accordance with applicable requirements of Code adopted by the City pursuant to Chapter 6, including the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code. It may be attached to or detached from the principal residential unit. Applicable

dimensional requirements for a single-family dwelling as set out in Table 7-8-A must be met for the premises.

* * * *

*Section 7-8 of the Municipal Code is hereby amended with **bold underlined** additions and ~~strikethrough~~ deletions as follows:*

7-8 Dimensional Requirements and Development Standards

F. Landscaping

A Landscape Plan shall be completed for any new development project requiring a site development permit and detail the site showing all natural and manmade features of the site. Proposed landscaping shall be shown on the site development plan or on a separate landscaping plan and must include the following:

- a. Existing and proposed landscaping features should be identified as to location, common name, botanical name, and size.
- b. Fences, walls, terraces, paving, berms, and all other manmade structures shall be identified as to location, materials and height.
- c. A minimum of one tree per 2,000 square feet of gross lot area, except in the C-1 District between 3rd and 10th Avenues, shall be provided.
- d. Trees shall have a minimum caliper of 1-1/2" for deciduous and five-foot minimum height for coniferous species. Trees should be located so that they will not infringe on solar access and views of adjoining properties or block vehicular sight lines to public streets.
- e. Retention of existing trees and ground cover on the property is encouraged. These will be counted towards the minimum standards.
- f. Xeriscape landscaping and drip irrigation are encouraged. If irrigation is proposed, water line and plumbing details must be included on site development plans and building permit plans.
- g. Landscaping of public rights-of-way may extend to the curb line of adjacent City-owned right-of-way consistent with a permit pursuant to Chapter [13](#).

h. Notwithstanding the foregoing, the Landscape Plan must comply with the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code.

* * * *

K. Wildfire Mitigation Plan

For any permit issued under this chapter, the applicant must submit a wildfire mitigation plan in accordance with the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code. The City shall not issue a certificate of occupancy or certificate of completion until the applicant has implemented, and the City has approved, the wildfire mitigation plan.

* * * *

*Section 13-11 of the Municipal Code is hereby amended with **bold underlined** additions and ~~strikethrough~~ deletions as follows:*

13-11 Trees, Shrubs, and Bushes

A. Care of Trees on City-Owned Property

1. It shall be unlawful to remove any tree on City-owned property unless the City has approved of the proposed removal.
2. It shall be unlawful for any person other than a public utility, the owner or party in lawful possession of abutting property, a licensed tree trimmer, or City employees or agents to remove, trim, or treat City-owned trees.
3. All trimming, treatment, or removal of City-owned trees shall be done in compliance with the City's tree care specifications.
4. The City reserves the rights to plant, prune, maintain, remove, treat, or trim all trees, bushes or shrubs, and other plantings located upon all City-owned property, including street rights of way. However, it shall be the responsibility of the owner of property abutting trees located on street rights of way to maintain the trees so that they do not become a nuisance as defined in subsection **C**, below.

B. City Tree Care Specifications

1. City Council may adopt tree care specifications and any other regulations necessary to implement the provisions of this Chapter.

2. It shall be unlawful for any person to top any City-owned tree by severe cutting back of the limbs to stubs larger than three inches (3") in diameter within the tree's crown to such a degree as to remove the normal canopy and disfigure the tree, unless the City specifically authorizes such topping due to special circumstances such as storm damage or obstruction of utility lines which make normal trimming impractical; **or to comply with the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code.**

C. Nuisances Created by Trees, Shrubs, and Bushes

1. The following are hereby declared to be a nuisance:

a. Any tree, shrub, or bush upon public or private property which obstructs the proper view of traffic control devices or signs, or unreasonably obstructs the view from vehicles or by pedestrians of traffic at intersections, or which obstructs vehicular or pedestrian traffic.

b. Any tree, shrub, or bush upon public or private property with dead, diseased, or decaying limbs which create a safety hazard to persons or property.

c. Any dead or decaying shrub, bush, or tree upon public or private property which harbors insects or is diseased, which could cause the infestation or infection of other trees or plantings within the City.

D. Conflict of Provisions

In the case of any conflict between this Section and the Wildfire Resiliency Code, as set forth in Section 6-16 of the Municipal Code, the strictest standard shall apply.



COLORADO
Wildfire
Resiliency
Code Board

2025

Colorado Wildfire Resiliency Code

01 June 2025



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Attributions

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Table of Contents

Chapter 1 - Scope and Administration.....	5
PART 1 GENERAL PROVISIONS.....	5
SECTION 101 SCOPE AND GENERAL REQUIREMENTS.....	5
SECTION 102—APPLICABILITY.....	7
PART 2—ADMINISTRATION AND ENFORCEMENT.....	9
SECTION 103—CODE COMPLIANCE AGENCY.....	9
SECTION 104—DUTIES AND POWERS OF THE CODE OFFICIAL.....	9
SECTION 105—TEMPORARY USES, EQUIPMENT AND SYSTEMS.....	13
SECTION 106—FEES.....	14
SECTION 107—STOP WORK ORDER.....	14
Chapter 2 - Definitions.....	15
SECTION 201 GENERAL.....	15
SECTION 202 DEFINITIONS.....	15
Chapter 3 - Wildfire Hazard Identification.....	19
SECTION 301 GENERAL.....	19
SECTION 302 WILDLAND-URBAN INTERFACE AREA DESIGNATIONS.....	19
SECTION 303 MAPPING AND APPLICABILITY.....	19
SECTION 304 GROUND-TRUTHING.....	21
Chapter 4- Structure Hardening.....	23
SECTION 401 GENERAL.....	23
SECTION 402 BUILDING MATERIAL.....	23
SECTION 403 CLASS 1 STRUCTURE HARDENING.....	25
SECTION 404 CLASS 2 STRUCTURE HARDENING.....	26
Chapter 5- Site and Area Requirements.....	29
SECTION 501 GENERAL.....	29
SECTION 502 CLASS 1 REQUIREMENTS.....	29
SECTION 503 CLASS 2 REQUIREMENTS.....	30
Appendix A: PERMITS.....	33
Appendix B: CONSTRUCTION DOCUMENTS.....	36
Appendix C: INSPECTION AND ENFORCEMENT.....	38



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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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COLORADO
Division of Fire
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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,



COLORADO
Department of Public Safety



COLORADO
Division of Fire
Prevention & Control
Department of Public Safety

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.



COLORADO
Department of Public Safety



COLORADO
Division of Fire
Prevention & Control
Department of Public Safety

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.



COLORADO
Department of Public Safety



COLORADO
Division of Fire
Prevention & Control
Department of Public Safety

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.



COLORADO
Department of Public Safety



COLORADO
Division of Fire
Prevention & Control
Department of Public Safety

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



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.



COLORADO
Department of Public Safety



COLORADO
Division of Fire
Prevention & Control
Department of Public Safety

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.



COLORADO
Department of Public Safety



COLORADO
Division of Fire
Prevention & Control
Department of Public Safety

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.



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.



COLORADO
Department of Public Safety



COLORADO
Division of Fire
Prevention & Control
Department of Public Safety

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.



COLORADO
Department of Public Safety



COLORADO
Division of Fire
Prevention & Control
Department of Public Safety

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.



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Department of Public Safety



COLORADO
Division of Fire
Prevention & Control
Department of Public Safety

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



COLORADO
Department of Public Safety



COLORADO
Division of Fire
Prevention & Control
Department of Public Safety

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



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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COLORADO
Division of Fire
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Department of Public Safety

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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Department of Public Safety

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/m² in the horizontal orientation, then weathering in accordance with ASTM D7032 and then retesting in accordance with ASTM E1354 and exhibiting an increase of no more than 10 percent in peak rate of heat release when compared to the peak heat release rate of the nonweathered material.

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



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COLORADO
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Department of Public Safety

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*.



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.



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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Department of Public Safety



COLORADO
Division of Fire
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Department of Public Safety

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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COLORADO
Division of Fire
Prevention & Control
Department of Public Safety

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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Division of Fire
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Department of Public Safety

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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Department of Public Safety

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.



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



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*.



COLORADO
Department of Public Safety



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Department of Public Safety

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.



COLORADO
Department of Public Safety



COLORADO
Division of Fire
Prevention & Control
Department of Public Safety

320 6th Avenue
PO Box 468
Ouray, Colorado 81427



CITY OF
OURAY
COLORADO

970.325.7211
Fax 970.325.7212
info@cityofouray.com

To: Mayor & City Council
From: Michelle Metteer, City Administrator
Date: March 2, 2026
Agenda Item: Karp Neu Hanlon Engagement Letter

REQUEST:

Approve the Karp Neu Hanlon Engagement letter for attorney services.

INTRODUCTION:

Former City Attorney Carol Viner submitted her resignation in the late Summer / early Fall of 2025. At that point Karp Neu Hanlon was brought on as the firm to handle interim City Attorney Services. Once the election in November 2025 was completed, the then three-member City Council directed staff to move forward with the City Attorney RFP process. The City Attorney RFP was published for approximately 30-days in a variety of media outlets. Before the closing of the City Attorney RFP the remaining two Council seats were filled by appointment, allowing for a fully-seated Council to review all RFP submittals.

ANALYSIS:

Three proposals for fulfilling the City Attorney Request for Proposal were submitted and the City Council interviewed all three firms during a Special Council meeting on February 12, 2026. At the following regularly scheduled Council meeting on February 17, 2026, the City Council unanimously directed staff to work toward a contract with Karp Neu Hanlon. The included Letter of Engagement represents that request.

BUDGET / STAFF IMPACT:

Included with the Letter of Engagement are two hourly rate charts:

- Hourly Rate Chart - General
- Hourly Rate Chart - Reimbursement Accounts

ORGANIZATIONAL ALIGNMENT:

The City of Ouray 2021 Community Plan established 14 themes to realize the Overall Vision which are broken into four main sections. The securing of a permanent legal firm to handle City matters falls under the following section: *Exceptional governance with modern and maintained infrastructure.*

RECOMMENDED ACTION OR PROPOSED MOTION:

I make a motion to approve the Karp Neu Hanlon Letter of Engagement.

ATTACHMENT(S):

- Karp Neu Hanlon Letter of Engagement



February 19, 2026

Via Email

City of Ouray
c/o Michelle Metteer, City Administrator
mmetteer@cityofouray.com

Re: Engagement Agreement

Dear Michelle:

This engagement letter covers our work as General Counsel to the City. In accordance with our regular practice and consistent with the Rules of Professional Conduct, before commencing representation of a new client, we want to make certain that you know how we determine our fees and how we intend to handle your matter in our office. We ask that you review this engagement and, if acceptable, have the Mayor countersign in the space provided below and return to us.

Services to be Provided. Harper Powell, with support from Jeff Conkin and Mike Sawyer, will serve as the primary attorney on this matter. Other attorneys and firm personnel may work on the matter from time to time. We will be rendering legal services only to the City and to no other person or entity in connection with our work. As long as our advice to the City is kept confidential, the attorney-client privilege and confidential relationship between us will not be inadvertently waived. We are happy to review our representation and performance with the City Council when requested.

Fees. Our rates and fees are based on factors set forth in Rule 1.5 of the Colorado Rules of Professional Conduct adopted by the Colorado Supreme Court, a copy of which is enclosed. Unless otherwise agreed, you will be billed for professionals' time primarily at increments of 1/10th hour. A copy of the firm's current general Municipal – General Hourly Rate and Expense Chart is enclosed as **Enclosure A**. For municipal matters that allow for reimbursement of legal fees for land use and for litigation matters, we bill at the rates in the Municipal - Reimbursement/Litigation Rate and Expense Chart enclosed as **Enclosure B**. These rates are changed occasionally to reflect changes in experience of our personnel and inflation. While we may, from time to time, furnish you with estimates of the amount of fees which we anticipate will be charged for services provided, such estimates are by their nature inexact and cannot be binding on either of us. Therefore, absent a specific written agreement, any estimates made by us are for planning purposes only and are in all respects subordinate to our regular billing procedures.

Client Relationship. The firm will be representing the City as its client. As with any entity representation, from time to time the client representative may be either the City Council or a member of staff. For most matters, the primary point of contact will be the City Administrator unless directed otherwise by the Council.

Mail to:

Glenwood Springs
201 14th Street, Suite 200
P.O. Drawer 2030
Glenwood Springs, CO 81602

Aspen
0133 Prospector Road
Suite 4102-J
Aspen, CO 81611

Basalt
200 Basalt Center
Suite 200
Basalt, CO 81621

Ridgway
565 Sherman Street
Suite 6
Ridgway, CO 81432

Expenses. The City agrees to reimburse us for all out-of-pocket costs and expenses incurred in connection with the legal services that we perform for the City. Without limitation, these costs and expenses may include filing and recording fees, expert costs, photocopy and document handling fees, court and deposition reporter fees, travel expenses, research, document retrieval, and other similar charges. Standard costs are identified on the enclosed Hourly Rate and Expense Chart.

Billing and Payment. We agree to keep records of all time spent and expenses incurred and, unless otherwise advised, you will be invoiced on a timely basis. Payment is due upon receipt of our invoice, but no later than thirty (30) days after a statement is sent understanding that the City Council may need to approve payments at a regular meeting. Payments not received within sixty (60) days will accrue interest at the rate of 1.5% per month (18% A.P.R.).

Work Product. In accordance with the Colorado Rules of Professional Responsibility, we will retain our work product produced on your behalf for a reasonable period of time after the completion of representation. We reserve the right, in our sole discretion, to store our work product either in a paper or electronic format. In the event that our work product is stored in an electronic format, paper documents may be destroyed.

Termination of Services. The City has the right at any time to terminate our services upon written notice, and we shall immediately, after receiving such notice, cease to render additional services. If you elect to exercise such right, we shall cooperate with you in facilitating the orderly transfer of your files and records to you or your new attorneys, upon payment in full of any balance owing to us. Such termination will not, however, relieve you of the obligation to pay the fees due for services rendered and expenses incurred prior to such termination and as a result of a transition. If our representation is terminated by the client or the firm, the firm shall seek an order from the court allowing withdrawal from any pending litigation matters.

Notice per Colorado's Law for Protections Against Deceptive Pricing Practices (HB 25-1090; C.R.S. § 6-1-737 et seq.): THE TOTAL PRICE FOR LEGAL SERVICES CANNOT BE PRECISELY DETERMINED DUE TO THE VARIABLE NATURE OF LEGAL WORK, WHETHER IT BE A TRANSACTION, LITIGATION, OR OTHER TYPE OF LEGAL MATTER. THE LAWYER SELDOM KNOWS WHAT THE ULTIMATE TIME REQUIREMENT WILL BE, AND DESPITE THE BEST EFFORTS OF THE LAWYER, TIME AND COSTS FREQUENTLY VARY AND EXPAND BECAUSE OF FACTORS SUCH AS ACTIONS AND OBJECTIVES OF THE CLIENT, OPPOSING COUNSEL, THE OPPOSING PARTY(S), AND THE COURTS/ARBITRATORS. KNH CANNOT ESTIMATE THE TOTAL COST GIVEN THE UNCERTAIN NATURE OF LEGAL WORK. TIME SPENT BY LAWYERS, PARALEGALS, AND STAFF PLUS COSTS AND EXPENSES ARE VARIABLE AND WILL AFFECT TOTAL PRICE. HOURLY RATES ARE SET FORTH IN THE MOST RECENT RATE SHEET PROVIDED TO YOU, AS SUCH RATES ARE AMENDED AND INCREASED FROM YEAR TO YEAR BY KNH. BILLING AMOUNTS WILL VARY MONTHLY DEPENDING ON MATTER NEEDS AND PROGRESS.

The foregoing covers the essential elements of our engagement. We would be happy to discuss these or any other aspects of our representation. If you have questions about a particular bill or any other aspect of our services for you in the future, please bring these to our attention as we believe communication resolves most misunderstandings. We look forward to a successful long-term relationship with the City.

Very truly yours,

KARP NEU HANLON, P.C.



Jeffrey J. Conklin

Enclosures: Rule 1.5, C.R.P.C.
Hourly Rate and Expense Chart

AGREED AND ACCEPTED:

CITY OF OURAY

Mayor

Date

C.R.P.C. RULE 1.5 FEES

A lawyer shall not make an agreement for, charge, or collect an unreasonable fee or an unreasonable amount for expenses. The factors to be considered in determining the reasonableness of a fee include the following:

- (1) The time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;
- (2) The likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer;
- (3) The fee customarily charged in the locality for similar legal services;
- (4) The amount involved and the results obtained;
- (5) The time limitations imposed by the client or by the circumstances;
- (6) The nature and length of the professional relationship with the client;
- (7) The experience, reputation, and ability of the lawyer or lawyers performing the services; and
- (8) Whether the fee is fixed or contingent.

When the lawyer has not regularly represented the client, the basis or rate of the fee and expenses shall be communicated to the client, in writing, before or within a reasonable time after commencing the representation. Except as provided in a written fee agreement, any material changes to the basis or rate of the fee or expenses are subject to the provisions of Rule 1.8(a).

A fee may be contingent on the outcome of the matter for which the service is rendered, except in a matter in which a contingent fee is otherwise prohibited. A contingent fee agreement shall meet all of the requirements of Chapter 23.3 of the Colorado Rules of Civil Procedure, "Rules Governing Contingent Fees."

Other than in connection with the sale of a law practice pursuant to Rule 1.17, a division of a fee between lawyers who are not in the same firm may be made only if:

- (9) The division is in proportion to the services performed by each lawyer or each lawyer assumes joint responsibility for the representation;
- (10) The client agrees to the arrangement, including the basis upon which the division of fees shall be made, and the client's agreement is confirmed in writing; and
- (11) The total fee is reasonable.

Referral fees are prohibited.

Fees are not earned until the lawyer confers a benefit on the client or performs a legal service for the client. Advances of unearned fees are the property of the client and shall be deposited in the lawyer's trust account pursuant to Rule 1.15(f)(1) until earned. If advances of unearned fees are in the form of property other than funds, then the lawyer shall hold such property separate from the lawyer's own property pursuant to Rule 1.15(a).

Nonrefundable fees and nonrefundable retainers are prohibited. Any agreement that purports to restrict a client's right to terminate the representation, or that unreasonably restricts a client's right to obtain a refund of unearned or unreasonable fees, is prohibited.

KARP NEU HANLON, P.C.			
2026 HOURLY RATE CHART - GENERAL			
POSITION	NAME	INITIALS	HOURLY RATE
Partner	James S. Neu	JSN	\$295.00
Partner	Karl J. Hanlon	KJH	\$295.00
Partner	Michael J. Sawyer	MJS	\$295.00
Partner	James F. Fosnaught	JFF	\$295.00
Partner	Jeffrey J. Conklin	JJC	\$295.00
Partner	Aaron T. Berne	ATB	\$295.00
Partner	Shoshana Rosenthal	SR	\$295.00
Partner	Richard Peterson-Cremer	RJP	\$295.00
Partner	Wilton E. Anderson	WEA	\$295.00
Of Counsel	Erika S. Gibson	ESG	\$275.00
Of Counsel	Matthew L. Trinidad	MLT	\$275.00
Associate	Danielle T. Skinner	DTS	\$250.00
Associate	Jenya C. Berino	JCB	\$250.00
Associate	Harper E. Powell	HEP	\$250.00
Associate	Rachel A. Sigman	RAS	\$250.00
Associate	JJ W. Carl	JWC	\$200.00
Paralegals	Paralegals		\$175.00
Legal Assistants	Legal Assistants		\$125.00
EXPENSES			RATE
Mileage current IRS rate as it may be amended throughout the year			(current IRS rate)
EXPENSES ARE BILLED AT ACTUAL COSTS			

The above rates are subject to change annually. All Accounts Due in 30 days.

Overdue Accounts will be Assessed 1.5% per month (18% A.P.R.).

In the event an action is required to collect payment, client agrees to pay reasonable attorneys' fees and costs of collection.

KARP NEU HANLON, P.C.			
2026 HOURLY RATE CHART - REIMBURSEMENT ACCOUNTS			
POSITION	NAME	INITIALS	HOURLY RATE
Partner	James S. Neu	JSN	\$375.00
Partner	Karl J. Hanlon	KJH	\$375.00
Partner	Michael J. Sawyer	MJS	\$375.00
Partner	James F. Fosnaught	JFF	\$375.00
Partner	Jeffrey J. Conklin	JJC	\$375.00
Partner	Aaron T. Berne	ATB	\$375.00
Partner	Shoshana Rosenthal	SR	\$375.00
Partner	Richard Peterson-Cremer	RJP	\$375.00
Partner	Wilton E. Anderson	WEA	\$375.00
Of Counsel	Erika S. Gibson	ESG	\$300.00
Of Counsel	Matthew L. Trinidad	MLT	\$300.00
Associate	Danielle T. Skinner	DTS	\$300.00
Associate	Jenya C. Berino	JCB	\$300.00
Associate	Harper E. Powell	HEP	\$300.00
Associate	Rachel A. Sigman	RAS	\$300.00
Associate	JJ W. Carl	JWC	\$250.00
Paralegals	Paralegals		\$175.00
Legal Assistants	Legal Assistants		\$125.00
EXPENSES			RATE
Mileage current IRS rate as it may be amended throughout the year			(current IRS rate)
EXPENSES ARE BILLED AT ACTUAL COSTS			

The above rates are subject to change annually.

All Accounts Due in 30 days. Overdue Accounts will be Assessed 1.5% per month (18% A.P.R.)

In the event an action is required to collect payment, client agrees to pay reasonable attorneys' fees and costs of collection.

Future Agenda Items / Work Session Topics

- Discussion: LOT Ballot Language (Fall 2026 Election) – March 16, 2026
- Work Session: 2nd Street Sidewalk – March 16, 2026
- Ordinance Modification: 04-2000 – Terms of the Planning Commission – May 2026
- Council Retreat – May 2026
- Discussion: Wayfinding Way Forward – TBD
- Discussion: Oak Street Paving – TBD
- Ordinance: DOLA Prop 123 ‘Fast Track’ – TDB
- 2nd Ice Park Meeting; City Fund Management & Operational Costs – TBD
- Discussion: Definition of Light Industrial EQR (Occupancy Rates) – TBD
- Ordinance: City Lighting Code – TBD
- Discussion: Bed & Breakfast – TBD
- Resolution: Police Response Time – TBD
- Discussion: Tobacco Retail Licensing – TDB

2027 Items / Topics



P.O. Box 468
320 6th Avenue
Ouray, CO 81427
(970) 325-7211

Date: March 2, 2026
To: Ouray City Council
From: Michelle Metteer, City Administrator
Re: City Council Administration Report

Police Department Town Hall – Save the Date

Please save the date: Tuesday March 24th from 4:00 – 6:00 PM for a community discussion on a variety of topics related to the rebuilding of the City of Ouray Police Department (to be held at the Ouray City Hall building) and community policing expectations. We will also try to have a virtual attendance option available. In addition to gathering in-person feedback, the City will also conduct a survey as we understand not everyone can attend specific meeting times. The goal of this session will be to better understand the expectations from residents and business owners for community policing in the City.

Pool House Open House

I attended the Pool House Open House on Monday, February 23rd where we heard feedback from the community pertaining to the construction of a new pool house. Currently, the City is repaying two loans from the repairs of the pools. These loans currently sit right around \$6M with an approximate payoff date of 2041. The current estimated construction cost for a new pool house is estimated between \$10M to \$12M and the City is looking for ways to bring this total dollar amount down.

City Website Improvements

I'm working with Kailey Rhoten and the communications team to make improvements to the City website. This will include clean-up and removal of out-of-date materials, correcting broken links and increasing transparency by providing a portal that not only will include Council and Planning Commission minutes but also Ordinances and Resolutions. We are also looking at an option that would create the ability for the public to have access to prior Council Zoom meeting links. More to come on this.

Agenda Item Cover Sheets

I have created a template for staff to complete and submit with each Council packet agenda item. This template will serve the purpose of providing an overview of the topic, background and analysis, budgetary impacts, acknowledgement of how the agenda item will align with current City Plans, budgetary impact and staff recommendations. I hope this will help to foster more informed and robust Council discussions on each Action and Discussion Item being reviewed at Council meetings.

Perimeter Trail

I had the privilege of meeting with longtime local Bob Risch representing the Ouray Trail Group (OTG). The OTG has been reviewing the opportunity to connect a portion of the perimeter trail that would allow for users to utilize a new section of singletrack trail rather than the current route which pushes users onto City street(s) – see included letter and photos. This effort will require the purchase of a parcel of land, of which the OTG has the funding available. The

current request being made is to present this opportunity to the City Council in an upcoming work session to discuss the opportunity, answer questions and consider next steps.

Special Event Permit Updates

Staff is reviewing potential updates to the special events permit process which would allow for the consideration of temporary camping on private property. Given the limited lodging in the City and the goal of diversifying revenue opportunities, this may be an option for the Council to consider.

Vehicle Take-Home Policy

I have reviewed the City's vehicle take home policy which requires approval by the supervisor for take-home use. There are only four staff members approved for City vehicle take-home use, one is a police officer, fire chief and the other two are in the public works department and both PW team members are on call 24/7 due to their direct oversight of both the water treatment plant and waste water treatment plant. I am not making any modifications to these three per-approved take-home vehicle uses.

Biota Building

Staff continues to look for prior information pertaining to the approval of the Biota Building and any required fencing. The property file is limited and we are now reviewing old codes and handwritten Planning Commission minutes to determine requirements from the original building approval which may not have been enforced by the then Commission/Council and staff.

Dear Councilors,

In 2006, the Ouray Trail Group began construction of the Perimeter Trail, designed to circle the town and provide residents and visitors with an accessible, scenic, and rewarding hiking experience. Despite many challenges, the trail was largely completed as planned two years ago, with the addition of a new trail segment and entrance on Ouray's west cliffs. As is now well known, the trail is very highly rated and is enjoyed by over 50,000 residents and visitors annually.

Unfortunately, the trail is still not complete as originally planned because of an error seven years ago in identifying a boundary marker on the privately owned Box Cannon mining claim. The result was an unintended encroachment on the claim by a recently constructed steel staircase on the cliff above the high bridge. (Photo 1). At the time, the mining claim owner, Paul Chesley of Hawaii, was disinclined to cooperate with the Trail Group through either an easement or the sale of a small portion of the claim, and the staircase was later disassembled. The Perimeter Trail was then consigned to a route that incorporated a section of Pinecrest Road. (Photo 2) That trail segment can never really be considered an acceptable part of the optimal Perimeter Trail, as walking on a rocky road will always be inferior to walking a forested trail with significantly better scenery. (Photos 3 and 4)

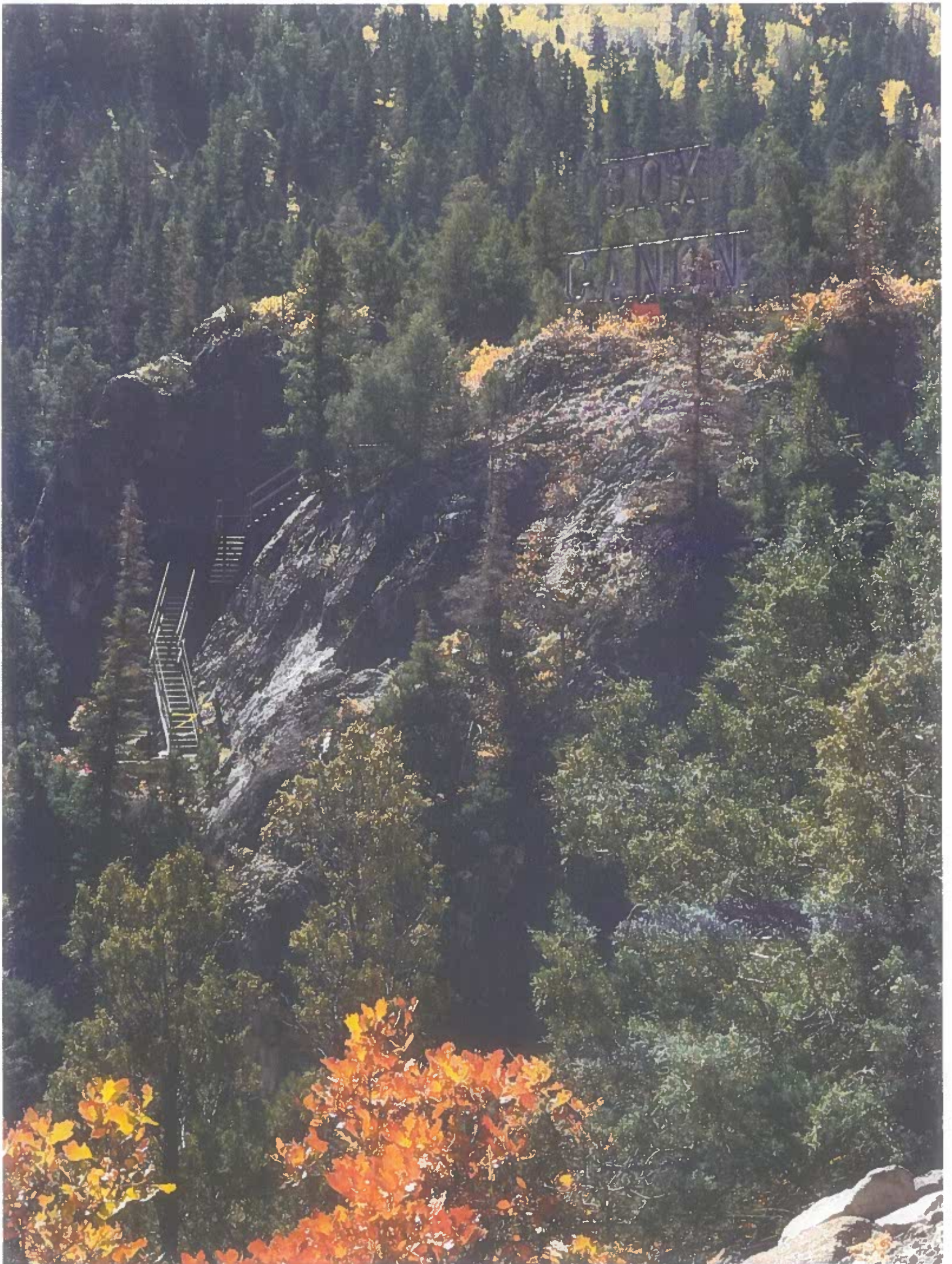
Given the indisputable value of a completed Perimeter Trail to hikers, Box Cañon visitors, and residents, we believe it is time to revisit the prospect of acquiring either an easement or purchase of a small parcel of the Box Cannon claim that will allow for the reconstruction of the staircase. The needed parcel is approximately a ½ acre of the cliff face above the high bridge at Box Cañon Park, (Photo 5) The triangular parcel is bounded by the southeast corner of Box Cannon 1, the northwest corner of the city-owned C. L. Weston lode, and a point approximately 10 feet west of the Box Cañon sign on the west boundary of BC 1. If purchased, the parcel could then be merged with the C.L Weston lode through a boundary adjustment. The Trail Group is prepared to cover all expenses associated with any completed transaction.

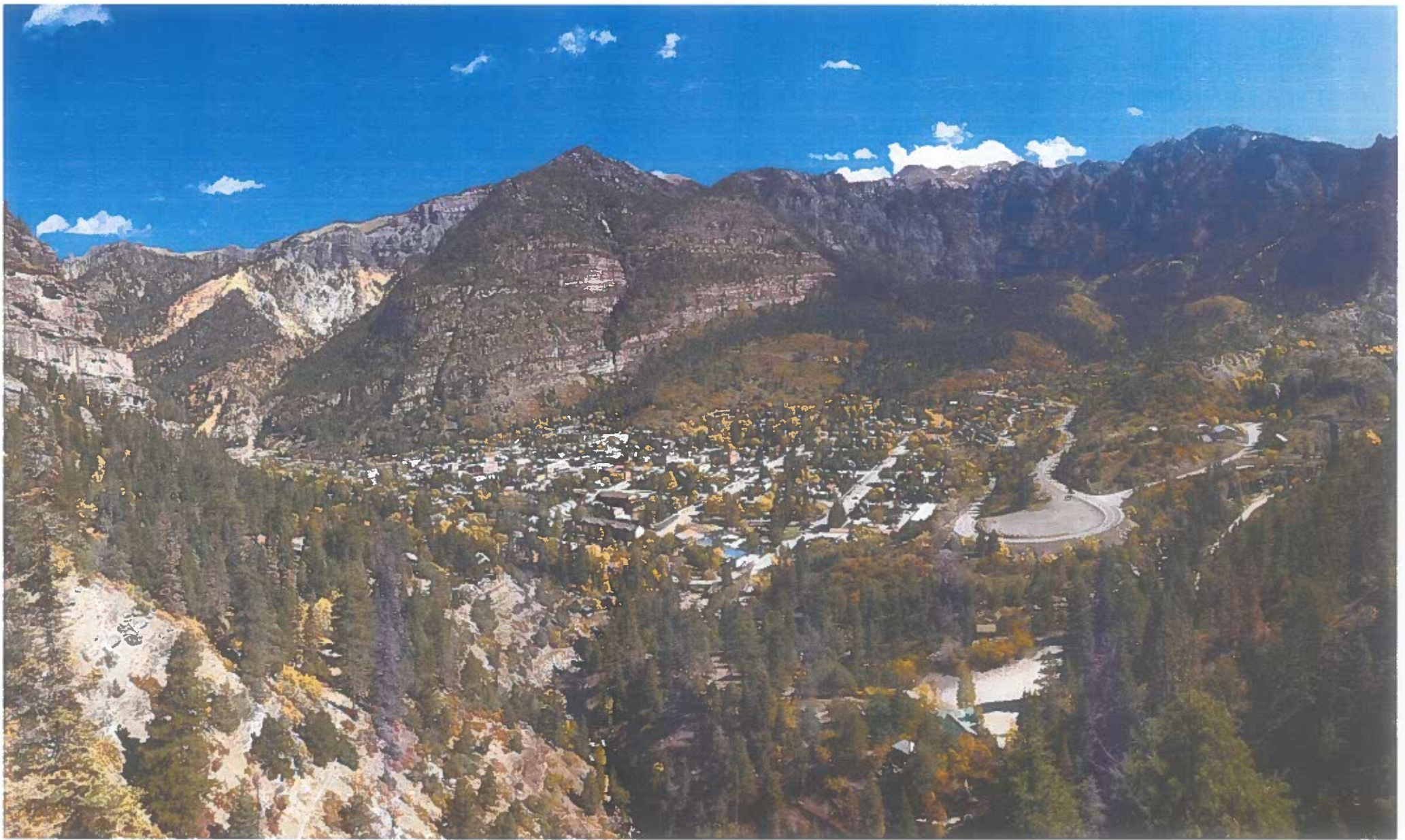
In parallel with the City's discussion with Mr. Chesley, the OTG will submit a proposal to the Forest Service to purchase a small adjoining parcel of about 1 ½ acres through the Small Tracts Act with a Categorical Exclusion (photo 6). If successful, that purchase will significantly enhance the prospect of completing the Perimeter Trail in the short term, in that the staircase and associated trails will be on City or OTG property.

Acquiring the parcels and adding them to the Box Cañon Park will not only significantly improve the Perimeter Trail hiking experience but also provide Box Cañon visitors with new options for exploring one of the most interesting corners of Ouray.

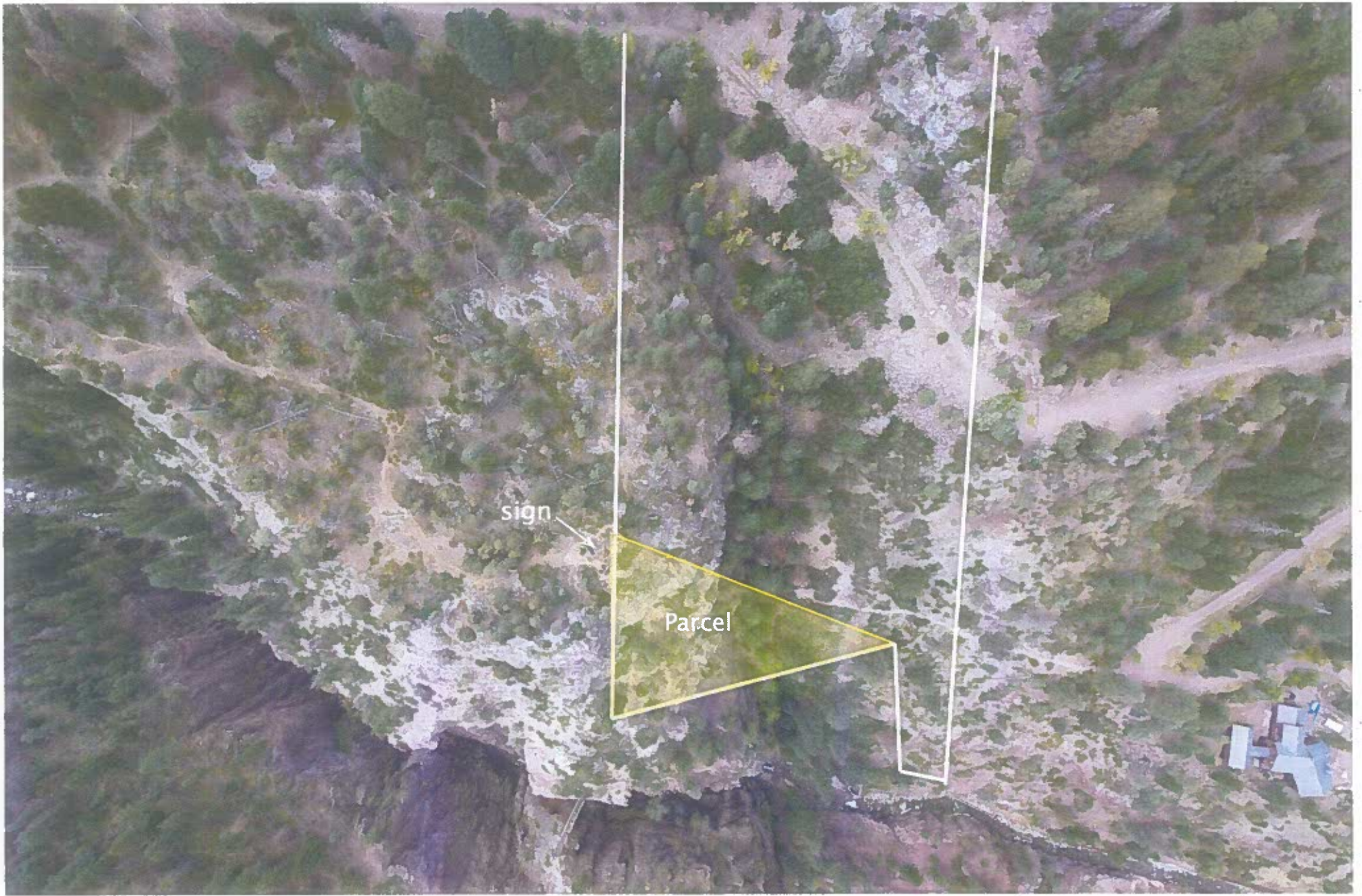
Thank you for the consideration.

Ouray Trail Group.



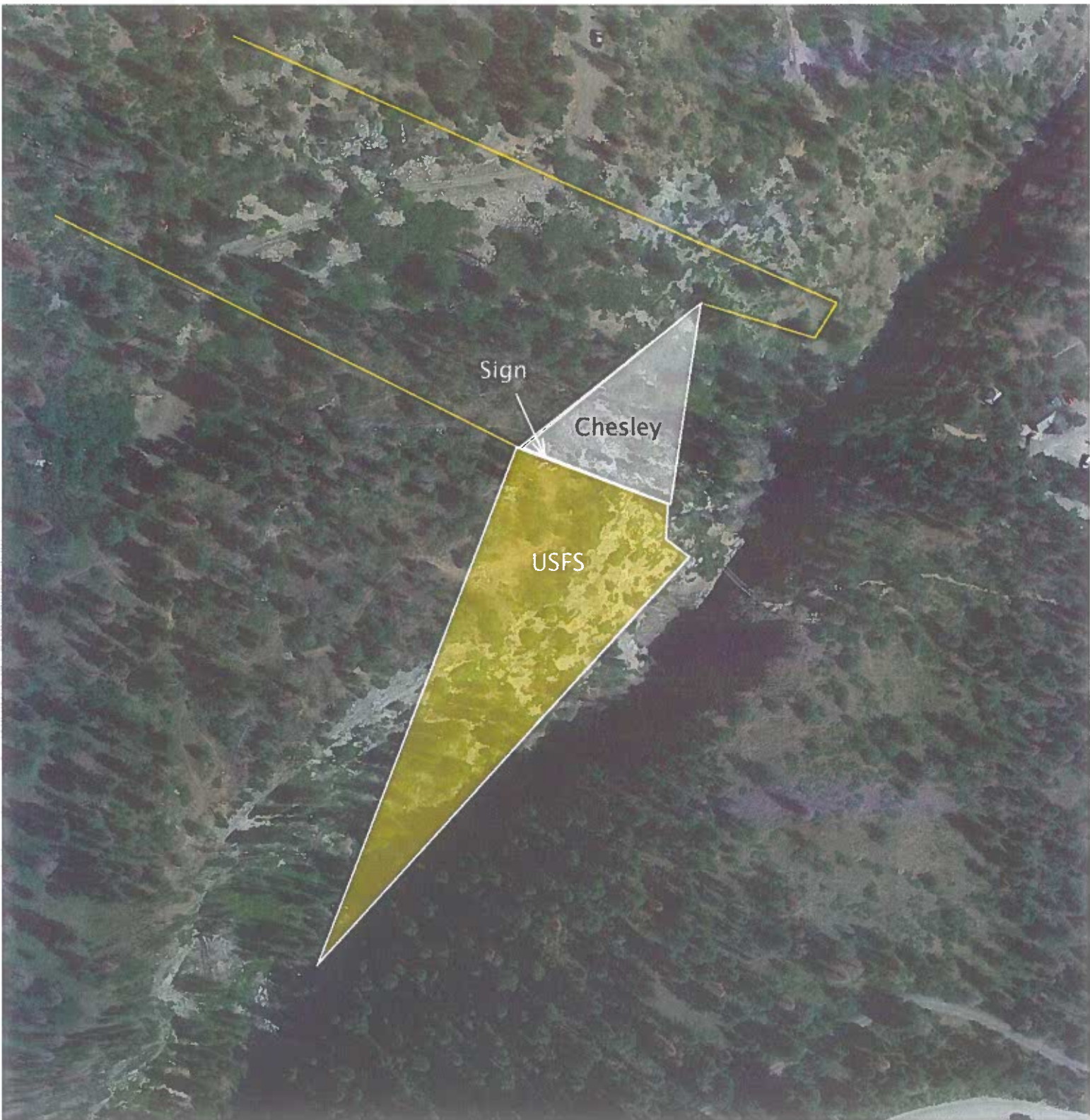






sign

Parcel



Fire Department Report for February, 2026

2/27/26

Chief Report:

Ladder truck is in Phoenix. Getting taken apart to prep for parts at the moment

I have registered our Drone with FAA. Took the Part 107 Small Unmanned airman Course and exam and have become a certified FAA Airman for the drone

Rescue 12-11 now has an AED and a minimal first aid kit.

Attended Wildfire mitigation meeting with Council member Hart. Working with CSFS to get supplied with brochure and advertisement for the concerning summer and making residence aware of personal property mitigation ideas.

Attended Full Scale evacuation meetings and planning to perform the exercise in May. Advertisement will come out soon

I am currently retaking EMT certification class until May. 12-16 hours per week.

Calls for February are attached:



Ouray Volunteer Fire Department
Training Overview Report
1/29/2026 - 2/27/2026

Date	Subject	Instructor	Hours
2/4/2026	Fire - Operations	Department Trainer	4
2/11/2026	Fire - Operations	Department Trainer	3
2/12/2026	Fire - Operations	Department Trainer	3
			Total Hours: 10



Ouray Volunteer Fire Department Call History Report by Date 1/30/2026 - 2/27/2026

Date	Type	Incident #	Incident Type	Primary Action	Address	# Of Attendees	Total Time
Sun 02/01/2026 10:25	Fire	2662115	611 Dispatched & canceled en route	93 Cancelled en route		4	00:30
Sun 02/22/2026 18:29	Fire	2662115	100 Fire, other	51 Ventilate	600 main ST	6	00:12

Total calls for EMS:	0	
Total calls for Fire:	2	
Total calls for Special Duty:	0	
Total calls:	2	Avg. Call Attendance: 5
Total Time:	00:42	



**Public Works February 2026 Update
Report for March 2, 2026 Meeting**

Water

- Water Usage Numbers for **December:**
 - Influent (Water from spring) – 25,422,952 Gallons
 - Effluent (Water to town) – 15,670,178 Gallons
 - Ice Park – 5,852,292 Gallons
 - Mineral Farms – 23,100 Gallons
- Advertisement for bids on the geothermal pipeline improvement project were posted the week of February 9th. We have already received questions from multiple contractors for this project. The deadline for bids is Thursday March 19th 2026 at 2pm. At that time the bids that have been received will be publicly opened and read via a zoom meeting.
- Continued working with Ice Park staff on water usage to make ice for the park.
- Had a meeting with members of the Ice Park staff to discuss next steps in the installation of a pump in Canyon Creek. They are continuing to work on getting stamped engineered designs. They plan on running conduit for power at the lower end of Box Canyon Road sometime this spring before the park opens.
- City staff responded to a call for a water leak at the Rotary Park Bathrooms. Staff was able to get the water shut off in a timely manner.
- City staff responded to a call about a broken backflow prevention device on the irrigation line at Fellin Park. Public Works was able to isolate the leak and the Parks Department will have the repair done before it is time to irrigate the field at the park.
- City staff collected the tenth round of samples from the Uncompahgre River since the new wastewater treatment plant became operational for the measurable results program conducted by CDPHE. The Measurable Results Program systematically and scientifically measures the water quality improvement derived from the implementation of new treatment technologies funded through the SRF (State Revolving Fund). The program has already monitored the Uncompahgre River and wastewater effluent prior to the new Wastewater Treatment Plant and is now conducting a similar monitoring strategy now that the new Wastewater Treatment Plant is operational. Data collected in both phases will be compared to determine water quality changes. The City will benefit from the water quality characterization of their receiving stream, receive all data collected and could potentially be showcased as a success story.

Sewer

- Continue taking wastewater samples on a weekly basis. The new Wastewater Treatment Facility continues to stay in compliance with all of CDPHE permit standards.
- City staff continues to operate the new wastewater treatment facility on a daily basis. Daily rounds are completed along with process adjustments as needed.
- Continued taking wastewater samples for Ouray County Health Department to monitor for Covid. Samples are taken every Monday morning. Please reach out to the County Health Department for more information about the program.

Streets/Miscellaneous

- Working with an auction company to list multiple old vehicles for auction.
- Three new Police Vehicles were delivered this month. The company that is doing the up fitting on the vehicles still has some work to complete on the vehicles. He will be coming back to Ouray to finish once he receives the needed parts.
- Graded roads and pool parking lot as needed.
- Preventive maintenance on snow removal equipment and City vehicles.
- The City is currently working with PST Engineering and CDOT to award a contract to the winning bidder on the Ouray RMS project. This project will be for cross walks on the north and south end of town.



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320 6th Avenue
Ouray, CO 81427
(970) 325-7211

Ouray Parks Department

City Council Update
February 26, 2026

Community Events

Cabin Fever Days was held on Saturday, February 21. Due to a lack of snow, PARC pivoted from hosting the event at the ski hill and instead offered bounce houses, games, music, and a fire pit in the park.

The 150th Block Party followed the children's event and took place on 6th Street. The street closure was successful and the event was well attended.

Upcoming Park Programs are included in the packet.

Facilities Update

The Rotary Park restroom is currently closed due to sewer line freezing. Portable restrooms have been placed on-site.

Lee's Ski Hill had its mid-season inspection some changes to signage were recommended to a more modern version of the ANSI Standard

Parks Department Reorganization & Staffing

The Parks Department has reorganized staff positions, reporting structures, and areas of responsibility to provide more specialized roles and reduce broad supervisory oversight. The Pool Division, in particular, has experienced significant changes under the leadership of our new Recreation Supervisor and Hot Springs Supervisor.

We would like to congratulate **Jordan Wyatt** on his promotion to **Hot Springs Supervisor**. Jordan has worked with the City for three years, most recently serving as Aquatics Coordinator. We are pleased to see this level of professional growth within our team.

Jordan has consistently demonstrated a strong work ethic and a willingness to step up when needed. He played a key role during recent staffing vacancies and continues to provide valuable aquatic expertise. Please join us in welcoming Jordan to the Parks leadership team.

Ouray Hot Springs

The Hot Springs facility was closed on February 22 and 23 due to sewer line obstructions. Significant calcium buildup in the sewer line caused backups. Jetting operations were only partially successful, and the line is currently fragile and damaged. Additional jetting may risk a major break, so we are evaluating longer-term repair solutions.

A Valentine's Day promotion offering 20% off admission for the second patron generated **\$31,801.60** in gross revenue for the weekend, compared to **\$26,047.35** during the same weekend in 2025.

The Request for Proposals (RFP) for the Pool Re-Shell project closed on Friday, February 20. Contractor interviews will be conducted in the coming weeks.

Pool House Community Meeting

The purpose of this meeting was to evaluate the community's desired balance between programming, facility costs, and visitor subsidy. Feedback emphasized the importance of maintaining affordable access for local residents while balancing operational sustainability.

Discussion included facility rentals, programming, member access hours, and strategies to equitably serve community needs. Much of the conversation also focused on exterior building improvements and associated costs. Concern was expressed about the "modern" look of the new building while others advocated for the look originally chosen by the residents in 2025. The parks department will look at this critically with the architecture firm.

It's important for our community to understand that we have state regulations that play a factor in our needed restrooms, space, ADA requirements, and corresponding civil engineering impacts. These factors play a significant role in the cost of the building. We heard loud and clear that we should be looking to reduce cost to the best of our ability and intend to do a full review of the project in an effort to meet that request.

Facility users expressed enthusiasm about the progress and the reimagining of the space. Additional details will be shared as planning continues.

Financial Overview

At the community's request, deeper financial updates are provided below:

2025 Financial Summary

- **Gross Revenue:** \$3,465,023.82
- **Operating Costs:** \$2,489,212.50
- **CIP Costs:** \$559,964
- **Net Revenue:** \$415,847.22

2026 Year-to-Date (as of 2/25/2026)

- **Gross Revenue:** \$281,834.23
- **Operating Expenses:** \$181,565.80

January attendance increased **7.85%**, and revenue increased **21.44%** compared to last year, setting a new all-time record.

Comparative Operating Expenses

- **Jan–Feb 2025:** \$303,189.60
- **Jan–Feb 2024:** \$254,893.01

Operating totals exclude CIP and debt service.

Debt Summary

- **Pool Bond:** \$4,015,000 balance (matures 12/1/2041)
- **Certificates of Participation (COP):** \$2,108,000 balance (matures 12/1/2040)
- **Annual Debt Payments (2025):** \$513,822

Parks Enterprise Fund Balance (as of December 2025): \$1,827,978

The fund currently maintains approximately nine months of reserves.

50-50-9540	Debt Service Principal	0.00	119,000.00	119,000.00
50-50-9545	Debt Service Interest	0.00	49,222.00	49,222.00
50-50-9560	Debt Service - Bond Principal	0.00	185,000.00	185,000.00
50-50-9565	Debt Service - Bond Interest	0.00	160,600.00	160,600.00

Via Ferrata Operations Update

Ownership and operations of the Via Ferrata have transitioned to the City this year. Operations will remain consistent with prior years. Key details include:

- Two Via Ferrata Rangers will be hired, along with one fill-in ranger.
- Responsibilities include ensuring proper safety equipment use, monitoring patron spacing, counting participants, conducting opening/closing inspections, and determining necessary closures.
- Guide applications will open in March.
- The fee structure remains unchanged:
 - \$1,000 per organization operating fee
 - \$20 per guided patron
- Opening inspections and maintenance will occur in early April or late March, weather dependent.
- The Via Ferrata will remain free for general public use. Rangers will encourage voluntary donations to support operations.
- Operating hours: 8:00 a.m. – 4:00 p.m.
 - Last entry at 3:30 p.m.

We are exploring youth programming opportunities through our recreation team. Staff are evaluating options to hire guides to assist participants who do not meet the manufacturer’s minimum weight requirement of 90 pounds, potentially through rope-supported programming.

Legal counsel is reviewing indemnification language related to guide operations and individual patron use. We anticipate implementing a public-use waiver, managed and collected by the Ranger and Park Operations Supervisor.

Budget Considerations

A primary challenge will be establishing a sustainable capital improvement funding strategy. The Via Ferrata operates within the Parks Enterprise Fund, and the current budget is relatively flat. Staff will closely monitor this first season and explore opportunities to build a dedicated CIP reserve to mitigate long-term risk to the Enterprise Fund. Staff would like to recommend exploring the legal ramifications of charging or a membership structure and the corresponding impacts to our expences.

City of Ouray Budget Worksheet - 2026 Council Draft 2 Page: 24
 Period 08/25 (08/31/2025) Nov 21, 2025 6:45PM

Account Number	Account Title	2022-22 Pri Year 3 Actual	2023-23 Pri Year 2 Actual	2024-24 Pri Year Actual	01/25-08/25 Cur YTD Actual	2025-25 Cur Year Budget	2025-25 Cur Year Estimate	2026-26 Proposed Budget
Via Ferrata Revenues								
50-48-4048	Via Ferrata Fees	15,350	9,155	0	0	10,000	15,000	43,500
Budget notes: ~2026 Guide Application Fees \$6,000 Guide Fees \$30,000 Donations \$7,500								
VIA FERRATA EXPENSES								
50-59-5000	Via Ferrata Wages	0	0	0	0	0	0	40,000
50-59-5012	Parks and Rec Director	0	0	0	0	0	0	5,874
50-59-5680	Parks/Facilities Maint Mgr	0	0	0	0	0	0	3,305
50-59-5800	FICA	0	0	0	0	0	0	3,762
50-59-5810	Unemployment	0	0	0	0	0	0	98
50-59-5830	Workers' Comp	0	0	0	0	0	0	1,200
50-59-5840	Group Term Life Insurance	0	0	0	0	0	0	60
50-59-5850	Employee Health Insurance	0	0	0	0	0	0	3,042
50-59-5870	Pension	0	0	0	0	0	0	275
50-59-7700	Via Ferrata Expenses	15,667	4,322	72,287	4,418	10,000	10,000	6,500
Budget notes: ~2026 Contract Labor \$3,000, Maint/Repairs \$3,500								
Total VIA FERRATA EXPENSES:								
		15,667	4,322	72,287	4,418	10,000	10,000	64,117





FEBRUARY-MARCH 2026

**21
FEB**



CABIN FEVER DAY

Games and BBQ at Lee's Ski Hill from noon-3 pm. Continue with a block party on 6th Ave. from 3-7 pm. Celebrate Ouray's 150th!

**01
MARCH**



MOONLIGHT NORDIC SKI

Ski under the full moon at Ironton from 7-9 pm. A fire pit, hot cocoa, and snacks will be provided. **FREE**

**08
MARCH**



ADULT ICE CLIMBING

Learn ice climbing basics at the Ouray Ice Park from 8 am-Noon with a local guide. Rental equipment is available. **\$50**

**14
MARCH**



SKATE SKI CLINIC

Learn to skate ski at Ironton Nordic Park from 10 am-Noon. Register early to ensure your equipment is accounted for. **\$15**

**17
MARCH**



FAMILY GAME NIGHT

Play boardgames at the Community Center from 6-8 pm. Games and snacks will be provided. **FREE**




**21
MARCH**



ZUMBA

Try out Zumba fitness at the Community Center from 9:30-10:30 am. Open to all experience levels. **FREE**

Questions?

-  970-318-1003
-  seanhart@cityofouray.com
-  tinyurl.com/ourayactivities

Get event details
or register **NOW!**



Marketing and Communications Report

Website

- Working on the wireframe of the CityofOuray.com website
- Updated 150th web page to include their products
- Received training for Revize to help fix the city's website
- Sent second round of website revisions to revize
- Added Timber Ridge Lodge to our Stay Two Night, Get Third Night Free page
- Assisted Colorado Association of Destination Marketing Organizations with building out their new website
- Created a Localist Information page on Visitouray.com
- Met with Nate Disser to review and transfer the OurayViaFerrata.com website to us
- Fixed links on cityofouray.com website link

Newsletters

- Created an automated parks newsletter from Localist
- March Local Tourism Newsletter
- March City Newsletter

Business Assistance/ Collaborations

- Basecamp Ouray
- Timber Ridge Lodge
- Gold Mountain Ranch

Events

- Met with the Localist group to fix the feeds
- Practiced our presentation run through
- Met with 150th Committee to discuss communication roll out for the concert in the park October 3
- Added events on OurayRidgwayEvents.com
- Did our run through of the presentation for the events calendar and finalized slidedeck and website



VISIT OURAY / COMMUNICATIONS

Media

- Working with production team for the second ultimate athlete show
- Received Globe Rider Magazine's editorial, it was a 20 page story on Colorado that was sent to 30,000 people who subscribe to their magazine and has a value of \$142,414 with a direct mention of Twin Peaks Lodge and Hot Springs which is who hosted their stay

Media Results




- "Beyond the Ice"
 - Google Ads Campaign - \$150 total allocated
 - Spent \$121 out of \$150 | 384 Clicks to website | 30.7k Impressions
 - Meta - \$300 total allocated
 - \$178.02 spent | 1,351 link clicks | 42,134 impressions
- Lodging Promotion
 - Google Ads Campaign - \$3000 total allocated
 - Spent \$686 out of \$3000 | 2.01k Clicks to website | 211k Impressions
 - Meta - \$3000 allocated
 - \$907.76 spent | 4,585 Clicks | 151,368 impressions

Social

- Road closure and parking information for the Cabin Fever block party
- Created City Council Meeting agenda post
- Completed the following trainings:
 - The Dangers of Disinformation
 - How to spot fake news
 - Acceptable Use and Social Media Responsibility
 - Spot and Stop the Spread of Disinformation
 - Secure Passwords Made Easy
 - Privileged Users
 - Social Media Guidelines





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KRhoten@CityofOuray.com 
VisitOuray.com 

VISIT OURAY / COMMUNICATIONS

Visitor Center

- Attended monthly meeting
- Created the 2026 Scavenger Hunt card

Main Street Manager

- Met with DOLA on next steps and gathering all past information that has been done for Ouray
- Organizing promotions to have people volunteer to be on the committee

Tourism Advisory Committee




- January meeting was held January 27
- Set up an organized a Google Drive for Tourism Advisory Committee
- Attended February 24th meeting

Non-Project Based Updates

- Assisted in the interview process for the supervisor role at the Ouray Hot Springs
- Submitted our final grant report for the 2025 Marketing Matching Grant to the Colorado Tourism Office
- Created large pool closed sign
- Met with [Placer.ai](#) for the last of our training sessions
- Passed the IS-0029 test for Public Information Officer training through FEMA
- Attended the local PIO group meeting to discuss plans for messaging the full-scale evacuation drill
- Created a Google Form for internal marketing and communication requests





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Media Manager

Photo/ Video Capture

- Thai Chili
- Ouray Books
- O'Toys
- Requested rights, downloaded and organized Crowdriff content
- Planned March posts for @visitouray and @ourayhotsprings
- Cabin Fever and Block Party

City Communications

- Police Department Discussion notice
- President's Day Closure
- Localist Training URL fix and event update
- Discussed how to incorporate more thorough press releases on website and social for community transparency
- Wildfire resiliency notice
- Began Localist Calendar marketing rollout, collaborating with Ridgway's Destination by Design

Paid Campaigns




- 2-3 Night Stay Promo: \$3k on google and meta through April - completed and scheduled

Hot Springs

- Valentine's Day Special promotion social post and flyer, also included in tourism newsletter and included on OHS webpage
- Poolhouse Design meeting notice
- Last-minute Pool Closure notices





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VisitOuray.com 

Media Manager

Parks and Recreation

- Marketing for Cabin Fever
- Marketing for 5 March events: Moonlight Ski, Adult Ice Climbing, Skate Ski Clinic, Game Night, Zumba
- 150th Committee Discussion on Marketing Rollout for 10/3 Free Concert

Branding and Information

- Collab with Leadville: 3 days of stories, 2 static carousel posts, 1 reel
- Created and scheduled 3 "itinerary" carousels for winter things to do in Ouray with branding
- Event branding videos on @VisitOuray: Ice Fest and Winter Wine Fest
- March Tourism Newsletter

Training

- placer.ai
- Revize (cityofouray.com)
- FEMA PIO IS-0029
- Knowb4 Trainings
 - The Dangers of Disinformation
 - How to spot fake news
 - Acceptable Use and Social Media Responsibility
 - Spot and Stop the Spread of Disinformation
 - Secure Passwords Made Easy
 - Privileged Users
 - Social Media Guidelines

Website

- Audited and simplified header menu for cityofouray.com
- Created wireframe and began re-build of department and committee pages on cityofouray.com and scheduled meetings with department heads to discuss
- Created a new City Parks webpage with photos and descriptions (still in DRAFT)
- Updated and edited select visitouray.com pages for mobile-friendly use



Guest Services

Visitor Center Data

- Visitor Data (till February 23, 2026)
 - Show below is data from 2025 full month and 2026 count up to the report due date.
 - 2025 Visitor Count: 167 | 2026 Visitor Count: 157
 - 2025 Phone Count: 80 | 2026 Phone Count: 101
 - 2025 Mail Count: 24 | 2026 Mail Count: 104

Gift Shop

- Ordered Ouray Trail Group plaques.
- Ordered Clothing with brand for the gift shop
- Reordered maps for gift shop
- Ordered two types books for the gift shop
- Ordered OHV passes
- Coordinated with Lou Hart to provide Ouray 150 Gala ticket place of purchasing
- Coordinated custom Ouray tote bag design schedule with Kylee Firlit
- Received agreement with Kylee and Trail Group to use Perimeter trail logo for shirt design
- Inventoried first shipment of clothing

Do Ouray Right




- Created a yearly timeline for Do Ouray Right Program
- Built Spreadsheet for booth locations and booth setting up at events
- Brainstormed additional partners
- Drafted future project ideas
- Wrote proposal of where the DOR program hopes to be at in 3-5 years
- Brainstormed social media ideas to promote principals
- Thinking session on materials for having the booth at events

Volunteer Outreach Efforts

- Listed volunteer outreach opportunities
- Created Volunteer google form application
- Designed Flyers and email advertisements
- Wrote ambassador training guide
- Shared Volunteer flyer with Ouray School district to offer volunteer opportunities





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VisitOuray.com 

Guest Services

Visitor Center

- Reapplied to Colorado Tourism Welcome Center partnership Program.
- Completed and held a mockrun of the training slideshow for Localist Calendar
- Helped Cory clean out the garage
- Collaborated on an Ouray Coloring book with fun facts
- Ordered Colorado State Guides and maps
- Developed professional development goals for March meeting

Meetings

- Joined CO Green Business network zoom meeting
- Joined Care for Colorado Coalition Meeting & Accessibility Online conference series

Concierge Program

- Met with O'toys to complete Ouray Concierge Program

Ouray Ridgway Calendar

- Met with the Localist team each week
- Held training events for the event calendar and conducted planning logistics for the event venue
- Met with Wright Opera House, Ouray Elks, City of Ouray, Mountain Air Music Series and other community members to set up events calendar feeds, and walkthroughs

