

CRESTED BUTTE FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS WORK SESSION
District Headquarters Conference Room
300 County Road 317 Crested Butte, CO 81224
Monday, June 1, 2026 - 5:30 PM

5:30 CALL WORKSESSION TO ORDER

1. Introduction of Guests
2. Review / Changes to Agenda

5:35 WORK SESSION

1. 2025 Colorado Wildfire Resiliency Code
2. CBFPD Fire Code Update
3. Impact Fee Proposal
4. Procedure to Fill Board Vacancy

7:30 ADJOURNMENT

Online Meeting Information

<https://zoom.us/j/9703495333?pwd=ZUINRFBCL253UzlxSGNhQ0laS29TQT09>

One Tap Mobile +16699009128,,9703495333# US (San Jose)

+1 312 626 6799 US (Chicago) - Meeting ID: 970 349 5333

Password: 5333



COLORADO
Wildfire
Resiliency
Code Board

2025

Colorado Wildfire Resiliency Code

01 June 2025



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CWRC Version 1.0

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Attributions

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Chapter 1 - Scope and Administration

PART 1 GENERAL PROVISIONS

SECTION 101 SCOPE AND GENERAL REQUIREMENTS

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

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

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

SECTION 102—APPLICABILITY

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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



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

PART 2—ADMINISTRATION AND ENFORCEMENT

SECTION 103—CODE COMPLIANCE AGENCY

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

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

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

SECTION 104—DUTIES AND POWERS OF THE CODE OFFICIAL

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

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

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

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

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

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

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

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

104.2.2 Alternative materials, design and methods. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*.

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

SECTION 105—TEMPORARY USES, EQUIPMENT AND SYSTEMS

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

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



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

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

SECTION 106—FEES

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

SECTION 107—STOP WORK ORDER

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

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

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

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



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Chapter 2 - Definitions

SECTION 201 GENERAL

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

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

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

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

SECTION 202 DEFINITIONS

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

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

APPROVED. Acceptable to the *code official*.

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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



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

STRUCTURE. That which is built or constructed.

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

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

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



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Chapter 3 - Wildfire Hazard Identification

SECTION 301 GENERAL

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

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

SECTION 302 WILDLAND-URBAN INTERFACE AREA DESIGNATIONS

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

SECTION 303 MAPPING AND APPLICABILITY

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

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

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

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

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



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

Key Characteristics Include:

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

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

Key Characteristics Include:

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

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



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

Key Characteristics Include:

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

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

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

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

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

SECTION 304 GROUND-TRUTHING

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



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

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

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

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

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



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Chapter 4- Structure Hardening

SECTION 401 GENERAL

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

Exceptions:

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

SECTION 402 BUILDING MATERIAL

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

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

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

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



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

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

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

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

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

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

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

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



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SECTION 403 CLASS 1 STRUCTURE HARDENING

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

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

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

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

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

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

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

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

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

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



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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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



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

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

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

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

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

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

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

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



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

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

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

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



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Appendix B: CONSTRUCTION DOCUMENTS

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

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

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

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

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

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

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

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

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



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

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

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



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Appendix C: INSPECTION AND ENFORCEMENT

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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



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

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

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



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RESOLUTION NO. 2026 – 6 – 1

A RESOLUTION ADOPTING THE 2025 COLORADO WILDFIRE RESILIENCY CODE (VERSION 1.0), EXCLUDING ALL APPENDICES

WHEREAS, the Crested Butte Fire Protection District (the “District”) is a fire protection district organized under C.R.S. § 32-1-101 et seq. with authority to adopt fire and life-safety codes within its boundaries; and

WHEREAS, Senate Bill 23-166 (2023) established the Colorado Wildfire Resiliency Code Board (“WRCB”) and directed development of minimum codes and standards for structural hardening and fire hazard risk reduction in wildland-urban interface (“WUI”) areas; and

WHEREAS, the WRCB adopted the 2025 Colorado Wildfire Resiliency Code, Version 1.0 (“CWRC”), codified at 8 CCR 1507-39, effective July 1, 2025, which pursuant to C.R.S. § 24-33.5-1237 requires adoption by governing bodies of jurisdictions within WUI-designated areas; and

WHEREAS, the District’s service area includes areas designated as wildland-urban interface on the state-adopted CWRC Fire Intensity Classification map, and the Board has determined that adoption of the code body, excluding all appendices, is in the interest of public safety and protection of life and property within the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CRESTED BUTTE FIRE PROTECTION DISTRICT, GUNNISON COUNTY, COLORADO THAT:

1. The Board hereby adopts the 2025 CWRC (Version 1.0), codified at 8 CCR 1507-39, as a minimum standard for new construction and additions within WUI areas of the District, effective upon the date of this Resolution. The Appendices to the CWRC are expressly excluded and shall have no force or effect within the District unless separately adopted by subsequent Board action.
2. District personnel are authorized and directed to take such administrative actions as are necessary to implement this Resolution, including any required coordination with or notification to the Division of Fire Prevention and Control and the WRCB and the negotiation and execution of cooperative agreements with overlapping jurisdictions that also must adopt a CWRC.
3. This Resolution shall take effect immediately upon adoption.

ADOPTED, this 9th day of June, 2026.

CRESTED BUTTE FIRE PROTECTION DISTRICT

By: _____
Kenneth Lodovico, Chairman

ATTEST:

By: _____
Matthew Halvorson, Secretary



Crested Butte
Fire Protection District

Fire Code

Adopted:

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SECTION 1. ADOPTED FIRE CODE

101. Adopted Fire Code

- A. International Fire Code. The Board of Directors of the Crested Butte Fire Protection District hereby adopts the *International Fire Code, 2021 Edition (IFC)*, including Appendix B, C, D, E, F, G, H, I, and M, as published by the International Code Council. Modifications to the IFC are prescribed in Section 2 of this code.

- B. NFPA Standards. The Board of Directors hereby adopts the following National Fire Protection Association (NFPA) standards as primary instruments of this code, independently enforceable within the District. Where a conflict exists between these standards and the IFC, the more stringent requirement shall apply. References throughout this code to an NFPA standard shall mean the edition adopted herein unless a specific edition is cited.
 - 1. *NFPA 13, Standard for the Installation of Sprinkler Systems, 2022 Edition.*
 - 2. *NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, 2022 Edition.*
 - 3. *NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies Up to and Including Four Stories in Height, 2022 Edition.*
 - 4. *NFPA 25, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, 2023 Edition.*
 - 5. *NFPA 72, National Fire Alarm and Signaling Code, 2022 Edition.*
 - 6. *NFPA 96, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations, 2021 Edition.*
 - 7. *NFPA 1142, Standard on Water Supplies for Suburban and Rural Fire Fighting, current adopted edition.*

- C. Fire Protection Provisions of the International Residential Code. The Board of Directors hereby adopts the following fire protection provisions of the *International Residential Code, 2021 Edition (IRC)*, as fire code provisions of this code pursuant to C.R.S. § 32-1-1002(1)(d). These provisions establish fire protection requirements for one- and two-family dwellings and townhouses within the District. Where an IRC provision conflicts with the IFC or another provision of this code, the more stringent requirement shall apply. Adoption of these IRC provisions does not confer on the District any authority over building code matters outside the scope of fire protection.
 - 1. *IRC Section R302 – Fire-Resistant Construction.* Exterior wall fire-resistance ratings, projections, openings, penetrations, draftstopping, and fireblocking requirements for one- and two-family dwellings and townhouses.

2. *IRC Section R313 – Automatic Fire Sprinkler Systems*. Requirements for automatic fire sprinkler systems in one- and two-family dwellings and townhouses. Systems shall be designed and installed in accordance with NFPA 13D or IRC Section P2904 as provided in Section 601 of this code.
3. *IRC Section R314 – Smoke Alarms*. Location, power source, and interconnection requirements for smoke alarms in one- and two-family dwellings and townhouses. All required smoke alarms shall be photoelectric type as provided in Section 605 of this code.
4. *IRC Section R315 – Carbon Monoxide Alarms*. Location, power source, and interconnection requirements for carbon monoxide alarms in one- and two-family dwellings and townhouses. Requirements shall be no less stringent than those provided in Section 606 of this code and C.R.S. § 38-45-101 et seq.
5. *IRC Section P2904 – Dwelling Unit Fire Sprinkler Systems*. Design and installation requirements for multipurpose residential fire sprinkler systems as an alternative to NFPA 13D where approved by the Fire Marshal in accordance with Section 903.2.8.1 of this code.

102. Local Amendments

Sections 3 through 10 of this code are local additions to the Fire Code that are collectively considered as Appendix O to the IFC within the Crested Butte Fire Protection District. Section 11 (Colorado Wildfire Resiliency Code) is referenced herein but is adopted separately by the Board of Directors and does not constitute part of Appendix O.

103. Exceptions by Jurisdiction

As specified in C.R.S. § 32-1-1002(1)(d), the application of this code within any municipality or the unincorporated portion of Gunnison County is contingent on the governing body of that jurisdiction adopting a resolution stating that this code, or specific portions thereof, is applicable within the Crested Butte Fire Protection District's boundaries within that jurisdiction. Such adoption is required in Gunnison County, the Town of Crested Butte, and the Town of Mt. Crested Butte, respectively. Resolutions adopted pursuant to this section shall be deemed to incorporate this code as adopted and amended from time to time by the Board of Directors, unless the adopting resolution expressly limits application to a specified edition. Specific modifications, revisions, and deletions requested by these jurisdictions and incorporated by the Board of Directors are set forth in Sections 12, 13, and 14.

104. Conflicting Provisions

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where there is a conflict between this code, state law, federal regulations or any other applicable municipal or Gunnison County requirements, the more stringent requirement shall apply.

SECTION 2. MODIFICATIONS, REVISIONS AND DELETIONS

201. Chapter 1 – Administration

Note: Subsection numbers 201 through 214 are CBFPD internal reference numbers. The applicable IFC chapter or appendix is identified in each subsection heading.

Amend Section 101.1 Title. to read: These regulations shall be known as the Fire Code of the Crested Butte Fire Protection District hereinafter referred to as “this code.”

Amend Section 103.1 Creation of agency to read: The Fire Prevention and Community Risk Reduction Division is hereby created within the district under the direction of the Fire Marshal. The function of the department shall be implementation, administration and enforcement of the provisions of this code.

Add Section 103.1.1 Fire Code Official. to read: The term fire code official shall be changed to read Fire Marshal or his or her designee throughout this code. For the purposes of C.R.S. § 32-1-1002(3) the Fire Chief shall be the Chief Executive Officer of the Crested Butte Fire Protection District or his or her designee that may include, but is not limited to, the Fire Marshal or EMS & Fire Chief.

Add to Section 104.3 Right of Entry. to read: Any person who refuses entry is in violation of C.R.S. § 18-8-106.

Add to Section 104.11.1 Assistance from other agencies. to read: Police and other enforcement agencies shall have the authority to render necessary assistance in the investigation of fires and the enforcement of this code when requested to do so by the Fire Marshal.

Add to Section 104.12.2 Obstructing operations. to read: Any person so obstructing is in violation of C.R.S. § 18-8-104

Amend Section 107.1 Fees. to read: Plan Review, Inspection and Impact Fees. No work shall commence until all fees have been paid to the District including plan review, inspection and applicable impact fees and an approval letter is generated. To issue an approval letter a complete plan submittal must have been received for review, and the submittal must meet the requirements of this code following as determined by the Fire Prevention and Community Risk Reduction Division, Approval letters will not be issued until all applicable fees are calculated and paid.

Amend Section 107.2 Schedule of Plan Review, Inspection and Impact Fees. to read: A fee for each plan review, inspection and impact fee shall be paid as required, in accordance with Section 10 of this code.

Delete Section 107.3 Permit valuations.

Amend Section 107.4 Work commencing before approval. to read: A person who commences any work, activity or operation regulated by this code before obtaining the necessary approval shall be subject to all field corrections and an additional fee established by the Crested Butte Fire Protection District, which shall be in addition to the required plan review, inspection and impact fees

Add to Section 108.2.1 Inspection requests. to read: A minimum of 24 hours’ notice is required for scheduling inspections. Inspections will be scheduled on a first come first serve basis. All fire district requirements and pre inspection checklists must be completed prior to scheduling an

inspection. Requested inspections will usually be performed within 7 business days from the date of the request. Failure to attend a scheduled inspection, without notification, may lead to a fine and/or re-inspection fee.

Add to Section 109.2 Testing and Operation. to read: or other nationally recognized standards. The more stringent of the testing or operational requirements shall apply

Amend Section 111.1 Board of appeals established. to read: To hear and decide appeals to orders, decisions or determinations made by the Fire Marshal relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The Board of Directors of the Crested Butte Fire Protection District shall act as the board of appeals. The Fire Marshal shall be an ex officio member of said board but shall not have a vote on any matter before the board. The board may adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy sent to the Fire Marshal.

Add to Section 111.2.1 Variances. to read: All variance requests shall be processed in accordance with Section 9 (Variances) of Appendix O of this code.

Delete Section 111.3 Qualifications.

Amend Section 112.4 Violation penalties. to read: Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the Fire Marshal, or of a permit or certificate used under provisions of this code, shall be guilty of an administrative violation punishable by a fine not less than \$100 and of not more than \$3,000.00 dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Amend Section 113.4 Failure to Comply. to read: 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 liable to a fine of not less than \$100 dollars or more than \$3,000 dollars.

202. Chapter 2 – Definitions

Add Section 201.5 General References to read: Wherever the term “Board of Directors” is used, it shall be held to mean the Board of Directors of the Crested Butte Fire Protection District. Wherever the word “District” or phrase “Fire District” is used, it shall mean the Crested Butte Fire Protection District.

Add to Section 202 the term ACCESS. The place, method or way by which vehicles and pedestrians obtain usable ingress and egress to a property or land use. Categories of access include: **RESIDENTIAL ACCESS.** The ingress or egress to no more than two residences or residential lots including a home occupation or multi-family residence. Residential access is a private vehicular access, for the exclusive use of the owners-occupants, their invitees, and is not considered a road or highway.

AGRICULTURAL ACCESS. The access providing ingress and egress exclusively to an agricultural operation and not to any residence(s).

COMMERCIAL ACCESS. The access providing ingress and egress to any activity defined by municipal guidelines or the Gunnison County Land Use Resolution as commercial.

INDUSTRIAL ACCESS. The access providing ingress and egress to any activity defined by municipal guidelines or the Gunnison County Land Use Resolution as industrial.

Add to Section 202 the term **ACCESS ROAD.** See “Access”.

Add to Section 202 the term **CENTRAL WATER SUPPLY** means a public or private water distribution system capable of delivering the required fire flow as determined by Appendix B.

Add to Section 202 the term **CO DETECTOR.** A device listed by UL 2075 having a sensor that responds to carbon monoxide.

Add to Section 202 the term **COLLAPSE ZONE.** The area around a structure that is equal to 1.5 times the height of the structure.

Add to Section 202 the term **CUL-DE-SAC.** A road open at one end that only provides special provisions for turning around at its termination. See Figure 4.1

Add to Section 202 the term **CULVERT.** A closed conduit, other than a bridge, which conveys water carried by a natural channel or waterway transversely under the roadway.

Add to Section 202 the term **DRIVEWAY.** to read: An access way for vehicles that provides access to Group R-3 and one and two-family occupancies only that otherwise meets the requirements of this code.

Add to Section 202 the term **FIRE FLOW.** The flow rate of a water supply, measured at 20 pounds per square inch (psi) residual pressure, that is available for firefighting.

Add to Section 202 the term **FIRE FLOW CALCULATION AREA.** The floor area, in square feet (m²), used to determine the required fire flow.

Add to Section 202 the term **FIRE PROTECTION PLAN.** A plan submitted by a landowner or developer outside of the boundaries of the Crested Butte Fire Protection District that describes the fire protection features of a potential inclusion including but not limited to site plan, access roads, water supply, fire hydrant locations, fire protection systems, utilities and wildland fire mitigation.

Add to Section 202 the term **INDEMNIFICATION AGREEMENT.** A contract executed between the property owner and the District that holds the District harmless for any burden, loss or damage that results from the property owner’s inability or unwillingness to comply with the fire code that will be filed with the property records through the Gunnison County Clerk and Recorder.

Add to Section 202 the term **INTER-VISIBLE TURNOUT.** An increase in the width of a single lane road to allow the simultaneous passage of vehicles. Each turnout shall be in plain view of the turnout ahead and behind subject to the constraints of terrain and topography.

Add to Section 202 the term **LOW WATER CROSSING**. A structure used to cross a drainage course that provides only for limited conveyance of run-off under the traveled way with higher flows passing both under and over the traveled way.

Add to Section 202 the term **MONITORING**. The monitoring of a fire alarm system by an approved supervising station.

Add to Section 202 the term **MULTI-FAMILY RESIDENCE**. A building designed to house two or more separate dwelling units. Each unit is intended for independent living. Not including hotels, motels or lodges.

Add to Section 202 the term. **MUNICIPALITY**. A city or town incorporated pursuant to Colorado law, including any city or town that has adopted a home rule charter pursuant to Article XX of the Colorado Constitution. For the purposes of this code, municipalities include the Town of Crested Butte (home rule) and the Town of Mt. Crested Butte.

Add to Section 202 the term **NICET**. The National Institute for the Certification of Engineering Technologies, 1420 King Street, Alexandria VA 22314-2915

Add to Section 202 the term **NFPA 1142**. The *Standard on Water Supplies for Suburban and Rural Fire Fighting*, current edition, as published by the National Fire Protection Association. References to NFPA 1142 throughout this code shall mean the current adopted edition of that standard.

Add to Section 202 the term **NST**. The National Standard Thread standard for fire hose fittings.

Amend Section 202 **OCCUPANCY CLASSIFICATION [BG] Residential Group R-3**. to also include one and two-family dwellings and townhomes less than 3 stories in height

Add to Section 202 the term **PLANNED UNIT DEVELOPMENT (P.U.D.)**. A zoning district to provide a greater flexibility in land development and use by allowing such development to be based upon a comprehensive, integrated, detailed plan rather than upon specific constraints as applicable to uniform lot-by-lot development.

Add to Section 202 the term **ROADWAY PRISM**. The area of a road bounded by the traveled surface, the shoulders and lines projecting downward and away from the outside edge of the shoulder and intersecting the ground surface at an angle of 30 degrees to horizontal.

Add to Section 202 the term **STRUCTURE** Anything constructed or erected, that requires location on the ground, or is attached to something having location on the ground, including portable shelters for human habitation or use, recreational vehicles and tents, storage, transmission or distribution facilities or public utilities, but not including transmission lines of less than 45 kilovolt capacity, or fences.

Add to Section 202 the term **SUPERVISING STATION**. A licensed facility that receives monitored fire alarm signals and at which personnel are in attendance at all times to respond to these signals. May also be referred to as a central station.

Amend Section 202 **STANDPIPE SYSTEM, CLASSES OF.** to read: Class I, and Class III standpipe systems shall have 2-1/2-inch hose connections with 1-1/2-inch adaptor and cap.

Add to Section 202 the term **WILDLAND-URBAN INTERFACE (WUI).** A transitional geographic area where structures and other human development meets or intermingles with wildland areas and/or vegetative fuels. Communities in the **WUI** are at risk of catastrophic wildfire and their presence disrupts the ecology.

203. Chapter 3 – General Requirements

Add to Section **305.4 Deliberate or negligent burning.** to read: Such burning is a violation of C.R.S. § 18-4-101 and C.R.S. § 18-4-105.

Amend Section **307.2 Permit required.** to read: Persons wishing to conduct open burning must contact the relevant general government jurisdiction including the Town of Crested Butte, the Town of Mt. Crested Butte or Gunnison County prior to conducting a controlled burn. A permit may be required by the applicable jurisdiction.

Add Section 307.4.4 Permanent fire pit or fireplace. to read: A permanent outdoor, wood burning or gas fire pit or fireplace is constructed of steel, iron, concrete, clay, masonry or other noncombustible materials (s). A permanent outdoor fire pit or fireplace is above ground and purchased or constructed in a manner that attaches the component of a deck, patio or ground such that it is not portable. A permanent outdoor fireplace or fire pit may be open in design or may be equipped with a chimney and /or a hearth. Permanent outdoor fire pits and fireplaces burning gas or wood shall not be operated within 15 feet of a structure or combustible material unless otherwise approved in accordance with the *International Residential Code, 2021 Edition* or *International Building Code, 2021 Edition*.

Amend Section **308.1.6.3 Sky lanterns.** to read: Sky lanterns are prohibited within the boundaries of the Crested Butte Fire Protection District.

204. Chapter 4 – Emergency Planning and Preparedness

Add to Section **403.4.1 First emergency evacuation drill.** to read: or sooner as required by State regulations.

Add to Section **405.3 Frequency.** to read: Occupancies regulated by the State of Colorado shall comply with applicable state regulations at a minimum.

205. Chapter 5 – Fire Service Features

Amend Section 503.1 **Where Required** to read: **Access Roads.** Access roads shall conform to the most recent version of the *Gunnison County Standards and Specifications for New Construction of Roads and Bridges* or the equivalent municipal standard. Additionally, fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

Add Section 503.7 Driveways. to read: See Appendix O – Local Code Amendments

206. Chapter 6 – Building Services and Systems

Add to Section 605.1 General. to read: or the appropriate and most current NFPA standard, whichever is more stringent.

Add to Section 605.8 Incinerators. to read: or in accordance with state regulations, federal EPA regulations or the appropriate and most current NFPA standard, whichever is more stringent.

Amend Section 605.9 Gas meters. to read: See Appendix O - Local Code Amendments

Add Section 605.10 Gas fired log ignitors. to read: Gas fired log ignitors are not allowed in wood fueled fireplaces.

207. Chapter 9 – Fire Protection and Life Safety Systems

Amend Section 901.2 Construction documents. to read: Construction documents and calculations, meeting the requirements of this chapter and the appropriate NFPA standard, shall be required for all fire protection systems. Fees for said project and construction documents shall be submitted for review and approval prior to system installation.

Insert Section 901.2.1 to read: **Qualified personnel.** All design submittals for fire protection systems shall be performed by qualified personnel certified as a Level III Technician for Inspection and Testing of Water-Based Systems by the National Institute for Certification Technologies (NICET). Personnel must also be duly licensed if required by state and/or local jurisdictions.

Renumber: Section 901.2.1 in the *International Fire Code 2021 Edition (IFC)*, to be: **Section 901.2.2 Statement of Compliance.**

Add to Section 901.6.3 Records. to read: on the premises for a minimum of 3 years. A copy shall be forwarded to the Fire Marshal.

Amend Section 901.9 Termination of monitoring services. to read: For fire protection systems required to be monitored by the authority having jurisdiction, notice shall be made to the fire code official whenever system monitoring services are terminated. Notice shall be made in writing, to the fire code official by the monitoring service provider being terminated.

Add to Section 903.2.8 Group R. to read: This includes all Group R-3 one and two family and town homes of 3 or less stories in height. This section may be substituted by Section P2904 of the International Residential Code where applicable.

Add Section 903.2.8.1 P2904 Systems. to read: Where fire protection systems are installed in accordance with Section P2904 of the *International Residential Code* in lieu of Section 903.2.8, such systems are permitted within the District. Sprinkler head placement shall be subject to the review and approval of the Fire Marshal prior to installation.

Add to Section 903.3.1.1.1 Exempt locations. to read: If approved by the Fire Marshal automatic sprinkler systems shall not be required...

Add to Section 903.3.1.3. NFPA 13D sprinkler systems. to read: In preexisting subdivisions, buildings that have already been tapped with a domestic service lines must upgrade the size of the tap or add an additional tap when new construction is required to have a fire suppression system. All new construction shall be compliant with fire suppression design requirements. The size of the fire suppression tap/service line must be 2" or an engineered service line size capable of providing domestic and/or fire suppression requirements as approved by the Fire Marshal.

Add Section 903.3.1.3.1 Attached garage sprinklers. to read: Residences with attached garages, shall have the garage sprinkled.

Add Section 903.3.1.3.2 Interior and exterior notification. to read: Residential sprinkler systems shall have an adequate interior notification device in order to alert the occupants that the sprinkler system is activated. Additionally, a horn and strobe device shall be installed, in an approved location, on the exterior of the residence, and provide an alert upon activation of the sprinkler system in accordance with NFPA 72.

Add Section 903.3.5.3 Pressure reducing valves. to read: For connections to public waterworks systems, the water supply used for any fire protection systems shall have a pilot operated PRV installed on the fire suppression line when the static pressure exceeds 100 pounds.

Modify Section 903.4 Sprinkler system supervision and alarms. as follows:

Add to Exception 1 to read: may have control valves sealed and locked in the open position.

Add to Exception 2 to read: may have control valves sealed and locked in the open position.

Delete Exception 3.

Amend Section 903.4.1 Monitoring. to read: Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, as defined by NFPA 72, or where approved by the Fire Marshal, shall sound an audible signal at a constantly attended location

Amend Section 905.3.4 Stages. to read: Stages greater than 1,000 square feet (93m²) shall be equipped with a Class 1 wet standpipe system hose connections on both sides of the stage. (Delete the Exception to this section).

Delete Section 905.3.4.1 Hose and cabinet.

Delete Section 905.5.3 Class II system 1-inch hose.

Amend Section 907.2 Where required – new buildings and structures. to read: An approved fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.5, unless other requirements are

provided by another section of this code. (Delete second paragraph and Exceptions that follow in this section).

Delete Section 907.2.1 Group A Exception.

Delete Section 907.2.2 Group B Exception.

Delete Section 907.2.2.1 Ambulatory care facilities. Exception.

Delete Section 907.2.3 Group E. Exceptions 1,2,3, and 4.

Delete Section 907.2.4 Group F. Exception.

Delete Section 907.2.6.1 Group I-1. Exception 1.

Delete Section 907.2.7 Group M. Exceptions 1 and 2.

Delete Section 907.2.8.1 Manual fire alarm system. Exceptions 1 and 2.

Delete Section 907.2.8.2 Automatic smoke detection system. Exception.

Amend Section 907.2.8.3 Smoke alarms. to read: Single and multiple-station smoke alarms shall be installed in accordance with Section 907.2.11, NFPA 72, and this code. Smoke alarms shall sound throughout the guest rooms (local alarm) only while heat detectors shall activate the occupant notification appliances.

Amend Section 907.2.9.1 Manual fire alarm system. to read: A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-2 occupancies. (**Delete** remainder of paragraph, conditions and all Exceptions).

Amend Section 907.2.9.2 Smoke alarms. to read: Single and multiple- station smoke alarms shall be installed in accordance with Section 907.2.10, NFPA 72 and this code. Smoke alarms shall sound throughout the dwelling only, while heat detectors shall automatically activate the occupant notification appliances.

Amend Section 907.2.9.3 Group R-2 college and university. to read: **Group R2.** An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5, NFPA 72 and this code shall be installed in Group R-2 occupancies operated for staff housing in all of the following locations:

1. Common spaces outside of dwelling units and sleeping units.
2. Laundry rooms, mechanical equipment rooms and storage rooms.
3. All interior corridors serving sleeping units or dwelling units.

(Delete Exception)

Required smoke alarms in dwelling units and sleeping units operated for staff housing shall be interconnected with the fire alarm system in accordance with NFPA 72 and the fire Code of the Crested Butte Fire Protection District.

Amend Section 907.6.6 Monitoring. to read: Fire alarms systems required by this chapter, this code, the *International Building Code 2021 Edition* or the *International Residential Code 2021 Edition* shall be monitored by and approved supervising station in accordance with NFPA 72. (**Delete Exception 3**).

Amend Section 907.7.2 Record of completion. to read: A record of completion in accordance with NFPA 72 verifying that the system has been installed and tested in accordance with the approved plans and specifications shall be provided to the Fire Marshal and the owner or owner's representative.

Amend Section 907.8.2 Testing. to read: Testing. shall be performed in accordance with the schedules in NFPA 72 or more frequently where required by the Fire Marshal. Records of testing shall be maintained on site and a copy shall be forwarded to the Fire Marshal.

Amend Section 907.8.3 Smoke detector sensitivity. to read: Monitored smoke detectors sensitivity shall be checked within one year after installation and every alternate year thereafter, unless required more frequently by the manufacture or NFPA 72. After the second calibration test, where sensitivity tests indicate that the detector has remained within its listed and marked sensitivity range (or 4 percent obscuration light gray smoke, if not marked), the length of time between calibration tests shall be permitted to be extended to not more than 5 years. Where the frequency is extended, records of detector – caused nuisance alarms and subsequent trends of these alarms shall be maintained. In zones or areas where nuisance alarms show any increase over the previous year, calibration tests shall be performed. Detectors found to have a sensitivity outside the listed and marked sensitivity range shall be cleaned and recalibrated or they shall be replaced.

Amend Section 907.8.4 Inspection testing and maintenance. to read: The building owner shall be responsible to maintain fire and life safety systems in an operable condition at all times. Service personnel shall meet the qualification requirement of NFPA 72 for inspection, testing and maintenance. Records of inspection, testing and maintenance shall be maintained onsite. A tag showing, at minimum, the date of inspection, company doing the inspection and contact numbers for the company shall be affixed to the fire alarm control panel after each inspection.

Amend Section 909.22.1 Schedule. to read: A routine maintenance and operational testing program shall be initiated immediately after the smoke control system has passed the acceptance tests. A written schedule for routine maintenance and operational testing shall be established. At a minimum routine testing and maintenance shall be performed annually.

Amend Section 912.6 Backflow protection. to read: The potable water supply to automatic sprinkler and standpipe systems shall be protected against backflow as required by the *International Plumbing Code 2021 Edition*, the appropriate NFPA standard, local water department requirements and or state health department requirements, whichever is more stringent.

Amend Section 915.1 General. to read: Carbon monoxide detection shall be installed in new buildings in accordance with Section 915.1.1 through Section 915.6. Carbon monoxide detection shall be installed in existing buildings in accordance with Section 1103.9, this code, or state statute whichever is more stringent.

208. Chapter 12 – Energy Systems

Amend Section 1205.5 Rapid shutdown switch. to read: A rapid shutdown switch shall be located on a non-shed side of the building and shall have a label located not greater than 2 feet from the switch that states the following:

**RAPID SHUTDOWN SWITCH
FOR SOLAR PV SYSTEM**

209. Chapter 56 – Explosives and Fireworks

Amend Section 5601.7 Seizure. to read: The Fire Marshal or his or her designee is authorized to remove or cause to be removed or disposed of in an approved manner, at the expense of the owner, explosives, explosive material or fireworks offered or exposed for sale, stored or possessed or used in violation of this chapter or state law.

Amend Section 5609.1 General. to read: Where the display or temporary storage of fireworks 1.4G (consumer fireworks) is allowed by Section 5601.1.3 Exception 4, such display or storage shall comply with the applicable requirements of NFPA 1124 and state law.

210. Appendix A – Board of Appeals

NOT ADOPTED

211. Appendix B – Fire Flow Requirements for Buildings

Amend Table B105.1(1). to read:

**TABLE B105.1(1)
REQUIRED FIRE-FLOW FOR ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS
AND TOWNHOUSES**

FIRE-FLOW CALCULATION AREA (square feet)	AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE-FLOW (gallons per minute)	FLOW DURATION (hours)
0-3,600	No automatic sprinkler system	1,500	1
3,601 and greater	No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2) at the required fire-flow rate
0-3,600	Section 903.3.1.3 of the <i>International Fire Code</i> or Section P2904 of the <i>International Residential Code</i>	1,500	1/2
3,601 and greater	Section 903.3.1.3 of the <i>International Fire Code</i> or Section P2904 of the <i>International Residential Code</i>	1/2 value in Table B105.1(2)	1

For SI: 1 square foot = 0.0929 m², 1 gallon per minute = 3.785 L/m.
a. Reduced fire-flow shall be not less than 1,500 gallons per minute

Amend Table B105.2. to read:

**TABLE B105.2
REQUIRED FIRE-FLOW FOR BUILDINGS OTHER THAN ONE- AND
TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES**

AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE-FLOW (gallons per minute)	FLOW DURATION (hours)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the <i>International Fire Code</i>	Up to 75% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate

Section 903.3.1.2 of the <i>International Fire Code</i>	Up to 75% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate
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For SI: 1 gallon per minute = 3.785 L/m.

a. The reduced fire-flow shall be not less than 1,500 gallons per minute.

212. Appendix C – Fire Hydrant Locations and Distribution

No Changes

213. Appendix D – Fire Apparatus Access Roads

Amend Section D103.2 Grade. to read: Fire apparatus roads shall not exceed 11 percent in grade.

Amend Section D103.3 Turning radius. to read: The minimum inside turning radius shall be 40 feet.

Amend Section D103.4 Dead ends. To read: Dead end fire apparatus access roads in excess of 150 feet shall be provided with an approved turnaround in accordance with Figure D103.1.

213. Appendix O – Local Code Amendments – Sections 3 - 10

SECTION 3. LOCAL CODE AMENDMENTS – GENERAL

301. General Requirements

- A. Prior to construction on any property located within the Crested Butte Fire Protection District the owner of developer of each inclusion, subdivision, planned unit development (P.U.D.) or buildable parcel of land shall submit a full set of construction documents to the Fire Marshal for review and approval. At a minimum the documents submitted shall include a site plan, building plans, building elevations with utility meter location, specifications, covenants, deed restrictions and pertinent contact information. Additional documents may be required by the Fire Marshal to show compliance with this code.
- B. In addition to compliance with this code all proposed construction must also comply with the requirements of the most recently adopted Gunnison County Land Use Resolution or the equivalent municipal code.
- C. The owner or developer of proposed inclusion of property to the Crested Butte Fire Protection District shall conform to the requirements of C.R.S. § 32-1-401 et seq. prior to submitting plans for development or construction.
- D. All residential plans, including CBFPD Plan Review Application form, shall be submitted electronically unless otherwise requested.
- E. All commercial plans, CBFPD Plan Review Application form, shall be submitted electronically. If requested, along with one printed copy.

- F. Electronic submissions shall be in the format specified by the Fire Marshal. The currently accepted format is the most current version of the Adobe Portable Document Format (PDF).
- G. All plans shall be submitted in 1/8" or 1/4" scale.
- H. The Crested Butte Fire Protection District shall perform a plan review of all commercial buildings and R-1, R-2, R-3, R-4 & I occupancies to be constructed within the District to ascertain compliance. Such review shall be in conjunction with local building departments and prior to the issuance of a building permit.
- I. The Fire Marshal shall provide the local building department with written documentation of the outcome of the plan review for access, water supply, utilities, life safety systems and other District requirements to be incorporated into the proposed project/building.

SECTION 4. ACCESS REQUIREMENTS

401. Access

- A. Roads, streets and ways, whether public or private, shall provide safe simultaneous access for emergency vehicles and civilian evacuation. The Fire Marshal may allow modification of access requirements where the structures being protected are provided with monitored fire protection systems.
- B. All habitable structures located within the boundaries of the Crested Butte Fire Protection District, shall have access roads with all-weather driving surfaces capable of supporting the imposed loads of emergency apparatus. All access roads to non-habitable structures must have driving surfaces capable of supporting legal loads as specified by the Colorado Department of Transportation.

402. Signage

- A. Streets and roads shall be identified with approved signs. All road identification signs and supports located within the Urban-Wildland interface shall be of non-combustible materials. All road identification signs shall be visible from both directions of travel. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Temporary signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs. All required road signs and traffic control devices shall be installed in accordance with the Manual of Uniform Traffic Control Devices, current edition.
- B. No new road names or numbers shall be used which will duplicate, or be confused with, the names of any existing street or road in the Crested Butte Fire Protection District. If the road name or number is for a road that has not been accepted by Gunnison County for maintenance, the applicant, homeowner's association, or the developer of the affected road is responsible for the road name or number sign(s). See also Gunnison County LUR Section 12-103.
- C. New and existing buildings shall have approved address numbers, building numbers, or approved building identification placed in a position to be plainly legible and visible from the

street or road fronting the property. If the identification on a building cannot be plainly seen from the street or road fronting the property, then redundant identification shall be provided at the entrance to the driveway or access road. Identification of buildings shall contrast with their background. Address identification shall be Arabic numerals or alphabet letters. Numbers and/or letters shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inch.

- D. Where multiple addresses are required on a single driveway, they shall be mounted on a single post, and additional signs shall be posted at locations where driveways divide.
- E. When access is off of a highway or a county road, a horizontal double-sided red, reflective address marker will be posted on a green metal delineator post at the intersection of the driveway and property line upon approval by the Fire Marshal. This location shall be visible from the highway or county road. Signage will be consistent throughout using an 18" x 6" horizontal reflective housing numbers of diamond (engineer) grade, heavy metal aluminum sign that are used by CDOT highway utilizing official DOT Highway D font. Font will be center aligned, red sign color, and white legend.

403. Access Roads

- A. All access roads shall be constructed to meet all municipal guidelines and standards for road and bridge construction and/or Gunnison County Standards and Specifications for Construction of New Roads and Bridges.
- B. All access roads shall receive a functional classification as determined by the appropriate municipal public works or planning department official or the Director of Gunnison County Public Works Department.
- C. All access roads shall have a minimum inside turning radius of 40 feet.
- D. The access roadway shall be extended to within 150 feet of all portions of the exterior walls of the first story of any building.
 - 1. Exception: Distance may be extended to 225 feet if the building has a monitored automatic fire suppression system.
- E. All single lane access roads more than 600 feet in length shall be required to have standard inter-visible turnouts. The location and spacing of inter-visible turnouts shall be approved on a case-by-case basis by the Gunnison County Public Works Department or the appropriate municipality in conjunction with the Crested Butte Fire Protection District.

404. Security Gates and Access Control

- A. All security gated access roads shall, at a minimum, be provided with a Knox Box™ in a location approved by the Fire Marshal containing access keys or combination codes and emergency contact information. In addition, the following additional access features may be required at the discretion of the Fire Marshal:
 - 1. An approved radio-operated opening device or a Knox™ Gate & Key Switch for electronically operated gates

2. A Knox Padlock™ for manually operated gates.

- B. All electronically operated security gates shall be installed with an alternative manual means of operation in a manner that allows emergency vehicle access
- C. Removable bollards designed to slide into the ground within the fire access way are prohibited.

405. Driveways

- A. Access to a Gunnison County road or right-of-way must be obtained as described in the Gunnison County Standards and Specifications for Construction of New Roads and Bridges. Access to a municipal road or right-of-way must be obtained from the appropriate municipal department.
- B. All driveways shall be constructed to meet all municipal or Gunnison County Standards and Specifications for Construction of New Roads and Bridges from the edge of the municipal, Gunnison County, public or private road under municipal or Gunnison County jurisdiction, to the building footprint.
- C. All driveways shall have a minimum driving surface width of 16 feet.
- D. All residential access driveways that access a municipal or Gunnison County road or right-of-way, shall have a minimum surface width of 18 feet at the edge of the pavement or road surface, and taper to a minimum surface width of 16 feet at a distance of 6 feet from the edge of the road, and maintain this surface width to the edge of the building footprint.
- E. Driveways shall be constructed with a minimum inside turning radius of 40 feet.
- F. Driveways and approaches shall be constructed so that they shall not interfere with the drainage system of the roadway.
- G. Driveways shall have a maximum grade of 11 percent.

Driveways on steep uphill or downhill will require a safe, at grade approach, angle of approach and/or departure of no more than a maximum of a 4 percent grade for a minimum of 30 feet before the intersection with the edge of the road or another driveway.

- H. Driveways accessing habitable structures shall have an all-weather driving surface. Driveways accessing non-habitable structures must be capable of supporting the imposed loads of emergency apparatus. In the case of a native material road, the driveway shall match the existing surface.
- I. Access to all buildings must allow a fire apparatus to be staged within 150 feet of all portions of the exterior walls of the first story of any building. This distance may be increased to 225 feet if the structure is protected by a monitored automatic fire suppression system. Access to any building must be obtained from within its own building lot.

1. Exception - In the event that a residential building lot is of a size and configuration that the staging requirement can be met from the access roadway.

- J. Residential access driveways shall serve no more than 2 dwelling units
- K. Driveways serving multifamily residences (more than 2 dwelling units) or driveways serving occupancies other than residences shall be reviewed to determine if a higher functional classification as a roadway is appropriate.
- L. The horizontal axis of an approach to the roadway shall normally be at right angle to the centerline of the roadway and extend a minimum of 40 feet beyond the edge of the traveled way. An angle between 90 and 60 degrees shall be permitted if it can be shown that physical constraints exist that require a new approach angle of less than 90 degrees. An angle of less than 60 degrees is not permitted.
- M. All single lane driveways in excess of 600 feet in length shall be required to have standard inter-visible turnouts. The location and spacing of inter-visible turnouts shall be determined on a case-by-case basis.
- N. All driveways in excess of 150 feet in length shall have a loop design or approved turn around adequate to accommodate emergency service vehicles. Cul-de-sacs, "T" and "Y" turnarounds shall be located outside of the collapse zone to the greatest extent possible from any flammable structure.
- O. Any proposed driveway that is over 250 feet in length and has the potential to be used for a road for future development may be referred to the appropriate municipal or Gunnison County community development department and/or Gunnison County Standards and Specifications for Construction of New Roads and Bridges for additional review.
- P. Vertical clearance for any overhead entry structures shall be a minimum of 13 feet-6 inches high, measured from the road surface, and shall be maintained to the edge of the building footprint.
- Q. All turnaround areas shall be always kept open and clear and shall have sufficient area for snow storage outside of the roadway prism. It shall be the owner's responsibility to keep the area clear of snow and parked vehicles.
- R. Driveways located near an intersection shall be constructed so that the side nearest the intersection is no less than 100 feet from the centerline of the intersecting road for commercial/industrial access and 50 feet for residential access.
- S. A driveway that is gated shall be designed in accordance with Section 404.

SECTION 5. WATER SUPPLY REQUIREMENTS

501. Central Water Supply

- A. A central water supply is required when the subdivision density is greater than one dwelling unit per two acres.
- B. The system shall supply the required fire flow as determined by the Fire Marshal in accordance with Appendix B as amended.
- C. The minimum pipe size serving fire hydrants and domestic systems shall be 8 inches in diameter, unless an engineered study can provide certification that a looped 6-inch system will deliver adequate fire flows.
- D. The water supply system shall be approved, installed and tested prior to the issuing of any new building permits served by the system.

502. Hydrants

- A. The Fire Marshal shall approve the location of all new fire hydrants.
- B. All fire hydrants on a central water supply shall be of the same manufacturer and have two 2 1/2-inch NST outlets with caps and one 4 1/2-inch NST outlet with cap. Each hydrant shall be supplied with an approved snow cover marker and shall be installed so that the outlets are no closer than 3 feet above finished grade.
- C. All fire hydrants shall be installed with “Snow Country Risers”.

503. Inadequate Water Supply - Alternate Water Sources

- A. In subdivisions, P.U.D.s or any other buildable parcel of land within the Crested Butte Fire Protection District without a central water supply an approved alternate water supply source capable of providing the required fire flows shall be provided. NFPA 1142 shall be used as a guide in establishing requirements.
- B. In-ground cisterns for fire protection shall be designed, installed and maintained to meet the requirements of NFPA 1142 and the Fire Code Official. The cubic square footage of the buildings and/or structures and a site plan is needed to determine the calculation of the total volume of stored water required. This alternative water source is independent from any total water storage requirement for a fire suppression system.
- C. Where an occupancy has legal access to an adequate natural water source as specified by the *International Wildland-Urban Interface Code, 2021 Edition* Section 404.2 a natural water source may be used to provide a firefighting water supply, instead of an in-ground cistern.
- D. Based on the location of the buildable parcel of land within the Crested Butte Fire Protection District, the outcome of the wildfire hazard classification and if the structure is provided with a fire suppression system will determine if the Fire Marshal will allow any reductions in the amount of stored water that is the required as an alternative water source.
- E. The minimum requirements for the amount of water for the alternate water supply shall be subject to increase by the Fire Marshal to compensate for conditions such as the following:

1. Wildfire Fire Hazard Severity Rating.
2. Extended Fire District response time or distance.
3. Potential for delayed discovery of the fire.
4. Limited access.
5. Hazardous vegetation.
6. Structural attachments, such as decks and porches.
7. Unusual terrain.
8. Limited Fire District resources.
9. Special uses and unusual occupancies.

F. A reduction in the amount of water required for the alternative water source maybe taken into consideration if a monitored fire suppression system is being installed in the buildings and/or structures.

G. The minimum water supply required for any structure WITHOUT exposure hazards shall not be less than 2,000 gallons. (NFPA 1142-4.2.2)

H. The minimum water supply required for any structure WITH exposure hazards shall not be less than 3,000 (NFPA 1142-4.3.2)

504. Annual Alternate Water Source Test Documentation

- A. For all dry hydrants, an annual inspection and annual test documentation shall be provided to the Fire Marshal to ensure a viable year-round water supply.
- B. For all required alternate water sources, in any subdivision, they will be inspected and tested annually. If the required alternate water source fails its inspection or test, no additional plan review requests for that subdivision will be processed until the alternate water source for that subdivision is maintained, repaired and is compliant upon re-inspection and testing.

SECTION 6. FIRE SUPPRESSION AND LIFE SAFETY SYSTEM REQUIREMENTS

601. Fire Suppression and Life Safety Systems - General

- A. In addition to fire suppression system requirements of this code, fire suppression systems shall be required in one and two-family homes and townhomes as specified by the *International Residential Code, 2021 Edition* Section R313.
- B. In the event the requirement of Section 601.A. of this code is not required or exempted by a municipality or Gunnison County then an approved fire suppression system shall be installed in any one and two-family home or townhome of 3,600 square feet or greater including remodels or additions where the total square footage of the finished structure will be 3,600 square feet or greater. The 3,600 square foot threshold corresponds to the fire flow calculation area threshold in Appendix B, Table B105.1(1).
- C. Fire Suppression Systems shall be installed in accordance with NFPA 13 *Standard for the Installation of Sprinkler Systems*, 13D *Standard for the Installation of Sprinklers Systems in One- and Two-Family Dwellings and Manufactured Homes* or 13R *Standard for the*

Installation of Sprinklers Systems in Residential Occupancies up to and Including Four Stories in Height as applicable, or Section P2904 of the *International Residential Code* for Group R-3 one- and two-family dwellings and townhomes where approved in accordance with Section 903.2.8.1 of this code.

- D. Location of the fire suppression riser within a building or structure must provide for rapid and unobstructed access by fire personnel in full fire protective gear to include, breathing apparatus, masks, etc. shall be in an approved location determined in consultation with the Fire Marshal at the plans.

602. Access Deficiencies

- A. A fire suppression system shall be required if any of the following access conditions exist:
 - 1. The fire department apparatus access roadways are obstructed by low water crossings, security gates.
 - 2. The building is in a sub-division having a single fire apparatus access point serving 31 or more dwelling units.
 - 3. The access road is equal to or greater than a 11 percent grade
 - 4. When a variance to access requirements of this code has been granted.

603. Water Supply Deficiencies

- A. A fire suppression system shall be required where there is no installation of a central water supply capable of providing the required fire flows per this code. the IFC- 2021 Edition appendix B, as amended.
- B. Where required, the size of the fire suppression storage tank shall be a minimum of 600 gallons. Fire suppression calculations may require tank size to be increased.

604. Exceptions to Fire Suppression System Requirements

- A. Detached carports and greenhouses,
- B. Detached sheds and auxiliary structures not used as habitable space,
- C. When construction expenditures are strictly related to repair or maintenance of existing systems
- D. Isolated rural buildings where any of the following conditions apply:
 - 1. The property is not served with electricity by a public utility
 - 2. The property is not accessible by maintained roads,
 - 3. Emergency vehicle access to the property is seasonal.

605. Smoke Detection Devices

- A. All required smoke detection devices shall be photoelectric.

606. Carbon Monoxide Early Warning and Alerting Devices

- A. The Fire Marshal shall approve the location of all early warning and alerting (audio and visual) devices.
- B. All residential occupancies, regardless of the type of utility service, shall have CO (carbon monoxide) gas detectors installed per the requirements in NFPA 72 and shall further comply with the requirements of C.R.S. § 38-45-101 et seq.
- C. Carbon monoxide notification devices (sounders) must provide 75db at the pillow.
- D. A minimum of one carbon monoxide detector per floor or level is required.
- E. Carbon monoxide detectors are required in residential and commercial mechanical/boiler rooms contained within their own room.
 - 1. Exception: Carbon monoxide detectors are not required when the mechanical/boiler room is in an open atmosphere within a garage.
- F. All required carbon monoxide detectors shall have primary (hard wired) and secondary (battery backup) power sources. All multiple station Carbon Monoxide Detectors/Alarms shall be interconnected.

607. Explosive Gas Early Warning and Alerting Devices

- A. All occupancies provided with propane gas service shall have an approved LEL (lower explosive level) gas detector installed at the lowest point in the crawl space, basement or lowest floor of the structure.
- B. LEL detector notification devices (sounders) must provide a clear and distinct sound different from that of smoke and carbon monoxide notification devices.
- C. LEL notification devices (sounders) must provide 75 decibels (db) at the pillow (Reference NFPA 72) and must be located on every level to ensure 75 db at each pillow (bedroom).
- D. LEL detector notification devices may NOT be interlinked to the household building (110V) wiring's residential smoke detectors.
- E. LEL detectors may be installed utilizing a low voltage system with interior sounders in approved locations to ensure 75 db at each pillow.

608. Monitoring Standards

- A. All occupancies provided with an automatic fire suppression system shall have a monitored water flow alarm monitored by a supervising station and shall have installed both an exterior horn and strobe and an interior horn placed in locations approved by the Fire Marshal.
- B. All smoke detectors, carbon monoxide (CO) detectors and water flow alarm signals that are monitored and supervised by a supervising station shall be transmitted as an "emergency" signal not as a "supervisory" or "trouble" signal. All alarms/notification devices will not have a "time-out" setting assigned to them. All alarms and notification devices will continue to alarm until emergency personnel, owners and/or property managers are "on scene".

SECTION 7. WILDLAND FIRE MITIGATION

701. Compliance with the Colorado Wildfire Resiliency Code (CWRC)

- A. The District will work collaboratively with Gunnison County and the Colorado State Forest Service to identify areas within the Crested Butte Fire Protection District that are subject to wildfire and/or wildland-urban interface (WUI) hazard.

- B. Properties without a central water supply shall comply with the Colorado Wildfire Resiliency Code. Fire protection water supply for new development and applicable existing development shall continue to comply with the requirements of NFPA 1142 unless modified or subject to a variance approved by the Fire Marshal.

SECTION 8. UTILITIES

801. Review and Approval of Electric Meter and Gas Service Locations

- A. The Fire Marshal shall approve all electric meter, natural gas meter/riser, propane risers, propane tank locations, propane service lines and riser and pressure regulator/relief valves.
- B. All proposed installations shall be approved at the site/building plan review stage, and the approved plan shall be on file with the District prior to the installation of any electric or natural or propane gas service.
- C. The following guidelines shall be used in determining the best location for electric meters, natural gas meters/propane gas risers:
 - 1. Electric meters, natural gas meters and/or propane gas risers shall be installed per the manufacturers design specifications and all applicable codes and standards and,
 - 2. Shall be installed on a gable end (non-shed side) of the building/structure to avoid the snow shedding on to the natural gas meter and/or propane gas riser. Crickets, roof shelters, or enclosures do not substitute the requirement for the natural gas meter or propane riser to be on a gable end of a building/ structure and,
 - 3. If the proponent wants the location of the electric meter, gas meter or propane riser to be located other than on the building or structure the riser location at the building or structure must meet the requirements of this section.
 - 4. Shall be installed 3-5 feet above finish grade and,
 - 5. Shall be permanently attached to a structure and,
 - 6. Shall not have any exposed horizontal runs and,
 - 7. Shall maintain 36 inches clearance from the gas meter/propane pressure regulator/relief valve to any electric meters, cable and telephone junction boxes, other ignition sources, operable windows and doors, exhaust vents/intakes or other penetrations.
- D. The Fire Marshal in consultation with the appropriate propane vendor and/or general contractor shall review and approve the location of all propane tanks prior to installation.
- E. Underground propane tanks shall be installed below the level of the lowest gas-fired appliance in any given structure.

802. Protection

- A. All gas meters, pressure regulator/relief valves, service lines and gas and liquid fuel storage tanks and their appurtenances shall be adequately protected from vehicle impact as specified in Section 312.1 – 312.3 and from snow and ice damage.

803. Excavation

- A. Excavators shall contact the Utility Notification Center of Colorado (Call 811) and obtain the necessary utility locates prior to breaking ground.
- B. The excavation contractor or operator shall be responsible for contacting and locating any utilities not identified by the Utility Notification Center of Colorado.

SECTION 9. VARIANCES

901. Variances

- A. The Fire Marshal shall have the authority to approve variances from the provisions of this code on any of the following bases:
 - 1. **Alternate Means and Methods.** The applicant demonstrates that an alternate means or method of construction, protection, or mitigation provides an equivalent or greater level of protection to the intent of this code; or
 - 2. **Minimal Risk.** The Fire Marshal determines that strict application of a specific requirement presents minimal risk to life safety, property, or fire operations given the particular circumstances of the project.
- B. The Fire Marshal may apply conditions to any approved variance. Such conditions may relate to the following:
 - 1. Access and,
 - 2. Water supply and,
 - 3. Installation of fire suppression system,
 - 4. Seasonal use and,
 - 5. Number of structures and,
 - 6. Size of structures and,
 - 7. Location of structures and,
 - 8. Defendable space and,
 - 9. Type of use and,
 - 10. Use of specific materials,
 - 11. Existence of public utilities and,
 - 12. Increased risk to emergency services personnel.
 - 13. Execution of an Indemnification Agreement to be filed with the Gunnison County Clerk and Recorder.
- C. A variance shall be project specific and shall not establish a precedent for any other proposed variance.
- D. No access variance, within unincorporated Gunnison County, shall be valid unless approved by the Board of County Commissioners or the Public Works Director of Gunnison County pursuant to Section 1.9 of the Gunnison County Standards and Specifications for Construction of New Roads and Bridges. The Crested Butte Fire Protection District may provide comments pertaining to additional life safety requirements for the Board of County Commissioners or the Public Works Director of Gunnison County to take under consideration.

E. A variance denied by the Fire Marshal may be appealed to the Board of Appeals in accordance with Section 111.1 of this code.

902. Appeals

A. Any applicant aggrieved by a variance decision of the Fire Marshal, including a denial of a request or a condition imposed, may appeal that decision to the Board of Appeals in accordance with Section 111.1 of this code.

B. The Board of Appeals shall render all decisions and findings in writing and shall apply the standards and conditions applicable under Section 901.

SECTION 10. COLORADO WILDFIRE RESILIENCY CODE

Delete: Appendices A, B, and C.

SECTION 11. GUNNISON COUNTY AMENDMENTS

SECTION 12. TOWN OF CRESTED BUTTE AMENDMENTS

SECTION 13. TOWN OF MT. CRESTED BUTTE AMENDMENTS



FIRE PREVENTION FEES AND PENALTIES	
Chapter Title:	Administrative Policies – Fire Prevention
Chapter Number:	5
Policy Number:	5202

Purpose: To establish fees and penalty amounts for fire prevention services

Scope: Fire prevention, plan review, and inspection customers

Policy:

5201.1 New Construction and Alterations– (To include: Type I, II & III)

A. Plan Review Fees
 Fees are based on 0.001 - 0.003 of valuation based on \$350 per square foot cost

<u>Gross Floor Area (New or Added)</u>	<u>Fee</u>
0 – 2,500	\$700
2,501 - 3,600	\$2,520
3,601 – 5,000	\$5,250
5,001 – 10,000	\$10,500
Greater than 10,001	\$10,500 + \$1.05 per sq. ft.

Fees on multi-family residential or mixed-use buildings will be based on gross floor area of the building inclusive of all individual units and common spaces.

Includes up to:

- 30 minutes of pre-plan submittal consultation
- One initial plan review
- One rough-in inspection
- One fire final inspection
- One residential fire suppression underground inspection
- Alternate water supply (if required)
- Includes plan reviews or inspections for automatic fire suppression systems and/or monitored fire alarm systems (if required)

****NOT INCLUDED**** Commercial fire underground plan review and scheduling of inspections need to be submitted to the Colorado Division of Fire Prevention and Control.

B. Impact Fees (where applicable)

Residential per dwelling unit (New Only)	\$388.79
Commercial	\$0.138 per sq. ft.

C. Independent Review and/or Inspection Fees

Site plan and access review only	\$350
Water supply / Alternate water supply review only	\$250
New gas utility review only	\$100
Photovoltaic plan review	\$150
Outside agency plan review or consulting	Actual cost plus 10%
Additional plan review or consultation for changes made after initial submission	\$200 per hour
Re-Inspection fee for residential First occurrence	\$250
Additional occurrences	\$500
Re-Inspection fee for commercial First occurrence	\$500
Additional occurrences	\$1,000
Inspections outside of normal business hours	\$200 per hour
Required fire code inspections not otherwise specified	\$200 per hour
New Subdivision / PUD Review - Initial	\$2,500 initial
Additional review after initial submission	\$100 per hour
Wildland Urban Interface (WUI) plan review inspection In District	No charge
Out-Of-District	\$200

ALL PLAN FEES PAID INCLUDES ONE COMPLIANT FIELD INSPECTION
(Non-compliant Re-inspections not included)

Minimum fee for additional hourly work \$100

D. Special Fees or Inspections

Waiver request to Board of Directors \$1,500

Additional outside review or inspection of special purpose or complex occupancies Actual cost plus 10%

5202.2. Annual Inspections

Commercial fire and life safety inspections No charge

Courtesy home fire and life safety inspection No charge

5202.3. Administrative Penalties and Fines

Cancellation of a scheduled inspection within 24 hours
First occurrence No charge
Additional occurrences \$250

No Contractor or representative on site for a scheduled inspection (per occurrence) \$250

Work initiated without plan review or inspection Applicable fees x 2

Failure to correct a Notice of Violation or removal of Stop Work Order \$500 per violation

Approved by Board of Directors 4-8-25



FIRE PREVENTION REFUNDS AND DISCOUNTS

Chapter Title: Administrative Policies – Fire Prevention
Chapter Number: 5
Policy Number: 5203

Purpose: To establish refund and discount policies for fire prevention fees

Scope: Fire prevention and plan review customers

Policy:

Plan Review Fees are intended to be all-inclusive of plan review and inspection costs incurred by the District. Those costs increase in complexity with the size of the project and may include additional inspections, third party reviews, and acceptance testing as required by code and the complexity of the project. Once paid fees are generally not refundable.

In the event a project becomes more complex and larger in scope the applicant will only be charged the difference between the initial fee paid and the applicable fee that would be required for the updated square footage. Considering fees are based on square foot ranges there may or may not be an increased fee as projects increase in size.

In the event a project becomes smaller and less complex, the initial fees will be considered payment in full for any additional reviews and inspections that are required for the smaller and/or redesigned project.

If a project is not completed within 3 years of the date of the most recent approval letter issued by CBFPD all reviews and approvals will be considered expired and any subsequent applicant will be required to initiate a new application and pay applicable fees.

In the event the applicant notifies the District that a reviewed and approved project will not be constructed, the District will refund 50% of fees paid in consideration of the inspections that will no longer be required and the applicant will be required to resubmit for any future reviews and inspections.

For public projects being constructed by any local government organization, including government-sponsored affordable or workforce housing projects, the District will discount the applicable fees by 50% in consideration of taxpayer-funded expenditures. Fire prevention fees may also be waived for current active members of the CBFPD. Retired members receiving an FPPA paid or volunteer pension may also receive a 50% discount of applicable fees related to projects on property they own as individuals.

Approved by Board of Directors 8-9-22

RESOLUTION NO. 2026 – 6 – 2

A RESOLUTION ADOPTING THE INTERNATIONAL FIRE CODE, 2021 EDITION, WITH LOCAL AMENDMENTS, AS THE FIRE CODE OF THE CRESTED BUTTE FIRE PROTECTION DISTRICT

WHEREAS, the Crested Butte Fire Protection District (the “District”) is a fire protection district organized under C.R.S. § 32-1-101 et seq. with authority to adopt fire and life-safety codes within its boundaries; and

WHEREAS, C.R.S. § 32-1-1002(1)(d) authorizes fire protection districts to adopt by resolution nationally recognized model fire codes, including modifications, amendments, and local additions thereto; and

WHEREAS, the International Code Council publishes the International Fire Code (“IFC”), a nationally recognized model fire code, and the Board has determined that adoption of the 2021 Edition of the IFC, with District-specific modifications, amendments, and local additions, is in the interest of public safety and the protection of life and property within the District; and

WHEREAS, the District has developed the Crested Butte Fire Protection District Fire Code (the “Fire Code”), which adopts the IFC 2021 Edition together with District-specific modifications set forth in Section 2, local additions set forth in Sections 3 through 10 (collectively designated as Appendix O to the IFC within the District), and references to jurisdictional amendments set forth in Sections 12 through 14; and

WHEREAS, the Colorado Wildfire Resiliency Code (“CWRC”) has been separately adopted by the Board by Resolution No. 2026-6-1 and is referenced in Section 11 of the Fire Code but does not constitute part of Appendix O; and

WHEREAS, pursuant to C.R.S. § 32-1-1002(1)(d), application of the Fire Code within the Town of Crested Butte, the Town of Mt. Crested Butte, and Gunnison County is subject to separate adoption by each such jurisdiction by resolution, ordinance, or intergovernmental agreement; jurisdictional amendments adopted by each are referenced in Sections 12 through 14 of the Fire Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CRESTED BUTTE FIRE PROTECTION DISTRICT, GUNNISON COUNTY, COLORADO THAT:

1. The Board hereby adopts the International Fire Code, 2021 Edition, including Appendices B, C, D, E, F, G, H, I, and M as published by the International Code Council, together with the modifications, amendments, and local additions set forth in the Crested Butte Fire Protection District Fire Code, as the fire code of the District, effective upon the date of this Resolution.

2. All prior fire code adoptions by the District are hereby superseded and repealed upon the effective date of this Resolution, except that any enforcement action, permit, inspection, or proceeding initiated prior to such date shall be completed under the code in effect at the time the action or proceeding was initiated.
3. District personnel are authorized and directed to take such administrative actions as are necessary to implement this Resolution, including outreach to Gunnison County, the Town of Crested Butte, and the Town of Mt. Crested Butte to facilitate their separate adoption of the Fire Code pursuant to C.R.S. § 32-1-1002(1)(d), and any required filing or notification to state agencies.
4. This Resolution shall take effect immediately upon adoption.

ADOPTED, this 9th day of June, 2026.

CRESTED BUTTE FIRE PROTECTION DISTRICT

By: _____
Kenneth Lodovico, Chairman

ATTEST:

By: _____
Matthew Halvorson, Secretary



Crested Butte Fire Protection District Impact Fee Study

Final REPORT

Final Report

May 12, 2025

Crested Butte Fire Protection District Impact Fee Study

Prepared for

Crested Butte Fire Protection District
306 Maroon Avenue
Crested Butte, CO 81224

Prepared by

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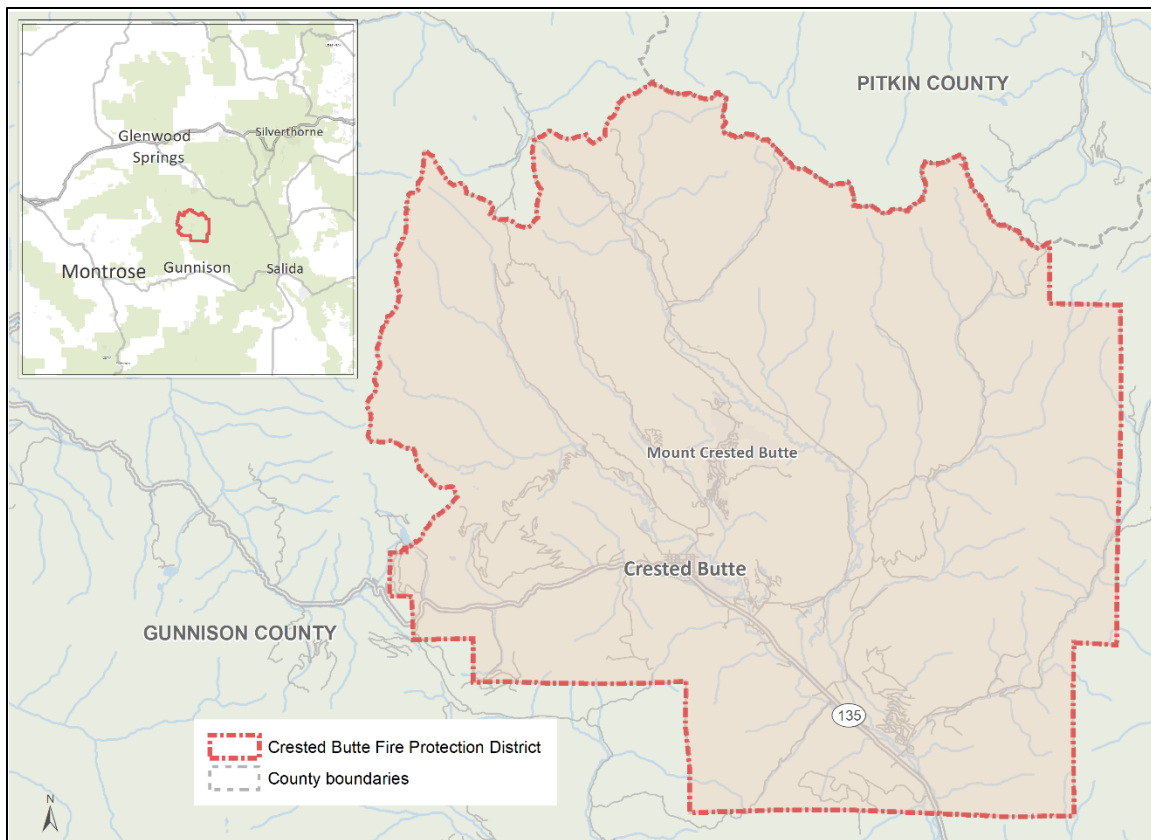
SECTION I.

Introduction

This report presents the analysis underlying the calculation of proportional development impact fees for Crested Butte Fire Protection District (CBFPD or the District). This section describes fee design requirements and various implementation considerations.

CBFPD provides emergency medical, fire suppression, rescue, and non-emergency services throughout Crested Butte, Mt. Crested Butte, Crested Butte South, and unincorporated parts of Gunnison County.¹ The service area covers approximately 220 square miles and serves the District's local and seasonal residents.

Figure I-1.
Crested Butte Fire Protection District Service Area



Source: BBC Research & Consulting from ArcGIS shapefiles, 2025.

¹ Crested Butte Fire Protection District, <https://cbfpd.org>

Objectives

Many fire districts in Colorado impose development impact fees for expansion of public infrastructure. Colorado statute and a series of United States Supreme Court decisions dictate the amounts that districts can charge in impact fees and how they can devise, impose, and spend them. Because of those requirements, CBFPD retained BBC Research & Consulting (BBC) to prepare a report documenting the calculation of proportional and defensible impact fees to ensure it can maintain its existing service standards as development occurs in its service area.

This report documents BBC's analysis and recommendations for an impact fee that recovers the proportional capital costs associated with new development and in a manner consistent with the Colorado Revised Statutes.

Colorado Impact Fee Requirements

Development impact fees have been used in Colorado going as far back as the 1920s, when cities began charging developers for the water rights required to serve new development.² Other states also charged impact fees to new development, and in 1947 one of the first legal challenges to impact fees was filed in Illinois. In that case, the Illinois Home Builders Association sued the Hinsdale Sanitary District over its tap fee. The case was appealed all the way to the Illinois Supreme Court, which ruled that the District's fee was legal so long as the revenues were used for capital expenditures and not operating expenses.³

In Colorado, impact fee requirements were heavily influenced by a 1999 lawsuit between Krupp and the Breckenridge Sanitation District. The case, known as *Krupp v. Breckenridge Sanitation District*, was heard by the Colorado Supreme Court, which ruled that impact fees are legal so long as they meet certain requirements. The requirements defined in the ruling on *Krupp v. Breckenridge Sanitation District* were formally codified by the Colorado Legislature with the passage of Senate Bill 01S2-015, "An Act Concerning Land Development Charges That May Be Imposed by Local Governments."

The Bill, which modified Section 29-20-104.5 of Title 29 of Colorado Revised Statutes, allowed local governments to impose impact fees on new development to fund expenditures on capital facilities needed to maintain existing service standards.⁴ The impact fees are applicable to a broad set of land uses and can be calculated based on development characteristics of local land uses that roughly approximate each land use's burden on capital facilities. This enabling legislation allowed municipalities to charge a single impact fee to each type of development (e.g., residential, commercial, and industrial) rather than calculating fees on a case-by-case basis.

In 2016, the Colorado Legislature passed House Bill 16-1088, known as the "Public Service Fairness Act," which authorized fire protection districts organized under Article 1 of Title 32,

² Lillydahl, J.H, 1987. *Impact Fees in Colorado: Economic, Political, and Legal Overview*. Presented at A Symposium on Impact Fees, 1987 Conference of the American Planning Association. New York City. Cited in White and Dahl, 2001.

³ Carswell, A.T, 2012. *The Encyclopedia of Housing, Second Edition*. SAGE Publications. p. 385. ISBN 978-1-4129-8958-9. Retrieved 2023-04-03. Cited in Wikipedia, "Impact Fee;" accessed 2023-11-08 at https://en.wikipedia.org/wiki/Impact_fee.

⁴ Local governments were defined as counties; home rule municipalities; and statutory cities, towns, territorial charter cities.

C.R.S., or a fire authority established pursuant to Section 29-1-203.5, to levy impact fees on new development. The bill amended C.R.S. 29-20-104.5 to allow fire protection districts to charge development impact fees as a condition of issuance of a development permit and to use the funds for expenditures on capital facilities that provide fire protection, rescue, and emergency services related to the new development.

In May 2024, the Colorado Legislature passed SB24-194, known as the “Special District Emergency Services Funding Act,” allowing special districts to impose and directly collect impact fees on new development without the requirement of an intergovernmental agreement between the district and the local government body.

To meet the requirements of current Colorado legislation, development impact fees charged by a fire protection district must:

- Be a one-time charge imposed on new development;
- Quantify the reasonable impacts of proposed development on existing capital facilities and establish the impact fee or development charge at a level no greater than necessary to defray such impacts which are directly related to proposed development;
- Be reasonably related to the overall cost of capital. Fees must be fairly calculated and rationally based. Mathematical exactitude is not required, however, and the particular mode adopted by the district in assessing the fee is generally a matter of that district’s discretion;
- Ensure no impact fee or other similar development charge shall be imposed to remedy any deficiency in capital facilities that exists without regard to the proposed development; and
- Ensure that impact fees adopted by a local government do not require individual landowners to provide any site-specific dedication or improvements that meet the same need for capital facilities for which the district’s impact fee is imposed.

Because the setting of rates and fees involves many questions of judgment and discretion, districts have the flexibility to choose the most appropriate rate-setting method so long as it uses reasonable assumptions and logic in the basis of calculating the development impact fee schedule.

U.S. Supreme Court Decisions

In *Sheetz v. County of El Dorado* (2024), the U.S. Supreme Court unanimously ruled that impact fees are subject to the Takings Clause of the Fifth Amendment of the U.S. Constitution. The two most notable court decisions that are used to analyze takings clause cases are often referred to as *Nollan* and *Dolan*⁵.

Guidance from these decisions requires that there be an "essential nexus" between the exaction/fee and the state interest being advanced by that exaction. In the more recent *Dolan v. City of Tigard* (1994) decision, the U.S. Supreme Court held that in addition to an essential nexus, there must be a "rough proportionality" between the proposed exactions and the project impacts that the exactions are intended to mitigate. In *Dolan*, the court further states that rough proportionality need not be derived with mathematical exactitude but must demonstrate some relationship to the specific impact of the subject project:

*"We think a term such as 'rough proportionality' best encapsulates what we hold to be the requirements of the Fifth Amendment. No precise mathematical calculation is required, but the city must make some sort of individualized determination that the required dedication is related both in nature and extent to the impact of the proposed development."*⁶

Over the past two decades since *Dolan*, many fire districts have imposed impact fees; thus, there now is a broad set of common practices when considering how best to reflect these judicial and statutory requirements in fee design efforts.

Fee Applicability

As noted above, fire districts can only use impact fee revenue to cover the costs of any necessary expansion of capital facilities that are required to serve new development. In addition, fee amounts can only be set in a manner that is proportional to the cost of capital facility expansion needed to maintain—but not improve—existing standards of service.

Capital facilities. *Capital facilities* are the physical component of public services. Under Colorado statute, the definition of *capital* can include all equipment that has at least a five-year lifetime. It does not include personnel or any operational elements of service costs, even in circumstances where new staff are required to operate new facilities. Capital facilities generally include buildings, apparatus, vehicles, office furniture, and other support facilities.

⁵ *Nollan v. California Coastal Commission*, 483 U.S. 82; 1987 and *Dolan v. City of Tigard* (1994) 114S.Ct. 2309.

⁶ *Dolan v. City of Tigard* (1994) 114S.Ct. 2309.

Nature of capital investments. Not all capital facility costs are associated with community growth or with the expansion of capacity. Most fire districts make investments in capital facilities not because of growth pressures but for the repair and replacement of existing capital. For example, fire districts often make capital investments related to:

- *Repair and replacement of existing facilities*, such as annual building maintenance or replacing a roof;
- *Betterment of existing facilities*, such as introducing new services or improving existing capital facilities without increasing service capacity; and
- *Facilities expansions*, such as expanding an existing building to accommodate growing personnel requirements.

Fire districts are not allowed to account for such investments as part of impact fee calculations nor are they allowed to expend impact fee funds on such investments.

Capital Standards

In designing impact fees, fire districts must determine the appropriate capital standards applicable to each category of infrastructure. Facility standards can vary widely between districts. Whereas some states have legislation that describes such criteria with great specificity, other states—like Colorado—use more general standards. There are two primary approaches for calculating capital standards.

Capital buy-in approach. Capital standards can be estimated using the replacement value of specific capital facilities and the qualified equipment necessary for each category of capital facilities. For example, a city of 2,500 homes with a 20,000 square foot recreation center that has a replacement value of \$5 million would have a recreation center standard of 8 square feet per housing unit (i.e., 20,000 square feet/2,500 homes = 8 square feet per home) and a replacement value of \$250 per square foot (i.e., \$5 million/20,000 square feet = \$250 per square foot). Thus, each existing residence would have an embedded recreational investment of \$2,000 per home (i.e., \$250 x 8 square feet = \$2,000 per home), representing the community's recreational facility standard, which is what a developer could be charged for recreational facilities for each new unit.

One important dimension of the capital buy-in approach is the use of the replacement value of each asset. As mentioned earlier, the purpose of impact fees is to maintain the current level of service. Therefore, the value of each asset should be assessed by its current functionality, not its dollar value. For example, even if a dump truck were purchased in 1980 and its present resale value is less than \$10,000, the replacement value for that dump truck would be equal to the market rate of a new unit that performs the same function as the original vehicle.

If capital standards are defined using a capital buy-in approach, then calculations of those standards must account for any debt that applies against the relevant capital facilities. Because current residents are already responsible for that debt, it would be duplicative and inappropriate to charge developers impact fees that also include that debt.

Plan-based approach. Fire districts can also use a *plan-based approach* to set capital standards, which relies on capital improvement or other specific plans to estimate the value of capital required to serve future development. A plan-based approach requires forecasts of residential and commercial growth and detailed data on capital expansion plans and costs. Plan-based approaches must focus on expansion-related projects or the expansion portion of projects rather than betterment or replacement projects.

Other Considerations

Over time, some consensus has emerged on how best to ensure that impact fees comply with state statutes and court rulings. Many of the factors that fire districts must consider in designing fees appropriately are described above, but BBC also presents other considerations to be made:

- **Land use allocation.** Courts have indicated that all forms of development that have facility impacts—that is, residential, industrial, and commercial developments—must pay their fair share of expansion costs. If one type of development is exempted from fees, then fees may not be sufficient to cover expansion costs that result from new development.
- **Use specificity.** Impact fee calculations vary between different forms of land use. When compelling evidence is available that the forms, sizes, or uses of particular types of development will result in substantially different demands for fire protection services, then a district's impact fees should reflect that information.
- **Fund balance.** A fire district's impact fee fund balance represents cash investments the existing community has made in capital expansion. When utilizing the capital buy-in approach for calculating development impact fees, these cash investments are combined with capital facilities valuations to arrive at the total capital investment that the community has made.
- **Redevelopment.** The application of impact fees raises questions about how to deal with the redevelopment of existing properties. The redevelopment of a residence—even if it involves full scraping—does not lead to an increase in service demands, because it is still one residential unit with no implications for service delivery costs or capital needs. In contrast, the redevelopment of a larger lot into multiple homes would be assessed an impact fee based on the net number of new residential units, because there would be clear implications for service delivery and capital needs. Commercial redevelopment would be subject to the same considerations.
- **Waivers.** Fire districts should not waive fees unless the funds are reimbursed from other sources such as the general fund or other contributions by the developer to system expansion that meets or exceeds the calculated fees.
- **Timing.** Fees should be assessed at the time that building permits are issued.
- **Updates.** Impact fee calculations should be updated periodically to account for changes in costs and asset values. Most fire districts update their fees every year using an inflation multiplier and conduct updates to their impact fee studies every three to five years.

SECTION II.

Impact Fee Derivation

As described in Section I, there are several types of information that fire protection districts must consider to appropriately set their development impact fees, including determining capital standards. BBC used data from various sources to make appropriate considerations in developing development impact fees for Crested Butte Fire Protection District.

- **Capital standards.** BBC used CBFPD's current investment in capital facilities as the basis for determining capital standards for the fee update – known as the capital buy-in approach. We obtained the information directly from the District. The valuation included estimates of investments in furniture, fixtures, and durable equipment. Calculations of capital standards must account for any debt that exists in connection with relevant infrastructure. At the time of this study, CBFPD has an outstanding debt of \$540,000 on one of its buildings. To determine the District's net equity in this asset, the debt amount has been subtracted from its replacement value.
- **Land use allocation.** It is important for fire districts to determine how impact fees should be allocated according to land use so that all forms of development pay their fair share of expansion costs. Although CBFPD does not maintain a database of relevant land use, data from the Gunnison County Assessor's Office indicates that approximately 86 percent of current development in CBFPD's service area is for residential purposes while 14 percent is for non-residential.¹ BBC allocated the value of CBFPD's capital facilities following the above land use distribution, as future development in the region is not expected to differ substantially from existing land use patterns.
- **Use specificity.** To the extent possible, impact fees should reflect the degree to which different forms, sizes, and uses of particular types of development will result in different demand for fire protection services.
- **Fund balance.** When using the capital buy-in approach, the balance of a fire district's impact fee fund must be combined with capital facilities valuations to arrive at the total capital investment. At the time of this study, the balance of CBFPD's impact fee fund is \$448,768.
- **Proportionality.** By using CBFPD's current investment in capital facilities to derive capital standards and then setting fee rates to replace the current standards of facility investment, BBC has ensured that proportionality has been reasonably and fairly derived. New growth is simply replicating its proportional share of an existing facility standard. Existing standards will be the standards to which new growth will be held accountable.

¹ Non-residential development includes commercial, retail, office, industrial, and warehouse space.

CBFPD Budget Overview

In 2024, property tax revenues for CBFPD were collected through the District's total 10,645 mill levy of properties that are within the District's service area. A millage rate is the tax rate used to calculate local property taxes and represents the amount per every \$1,000 of a property's assessed value that a district would charge.

The 2025 CBFPD Budget shows the District anticipates collecting operating revenues of approximately \$6.8 million in 2025, the majority of which is tax-related revenue from general property taxes (\$6.0 million).² The District's anticipated operating expenditures in 2025 total \$5.4 million, and these are allocated to personnel costs—including salaries, benefits, and administration—as well as supplies, maintenance, and normal operational costs. The District additionally expects capital expenditures totaling \$1.2 million for the year. As discussed in Section I, capital investments are generally used for repair and replacement, betterment of facilities and service standards, and facilities expansion.

Property tax revenue that funds CBFPD's operating budget will continue to be dedicated to the District's ongoing operational expenses and may not be wholly sufficient to fund the District's growth-related capital facilities needs. With impact fees, new development pays for an equitable share of new facilities and existing taxpayers will not be responsible for subsidizing growth. In addition, CBFPD's capital and operating funds can be reserved for other, non-growth-related uses.

Impact Fee Calculations

BBC's methodology for updating CBFPD's impact fee includes the following tasks:

1. Quantify the capital facilities investment needed to maintain current level of service;
2. Develop estimates of CBFPD's current land use pattern; and
3. Calculate the fire protection capital costs per unit of development (per residential dwelling unit or per square foot of non-residential development).

Capital facilities investment. A conservative method of establishing CBFPD's current level of service for fire protection is to quantify its financial investment in capital facilities. Specifically, the District has four types of capital facility-related assets that should be included in a calculation of current infrastructure investment:

- Buildings and structures, including fire stations, administrative offices, and support services buildings;
- Major vehicles and apparatus, such as fire engines and specialized vehicles;
- A variety of lifesaving and fire-fighting portable equipment and other property; and
- The District's impact fee fund balance.

² Crested Butte Fire Protection District 2025 Budget

Figure II-1 presents CBFPD’s current capital facilities and the replacement value included in impact fee calculations. CBFPD has outstanding debts of \$540,000 on one building. This debt has been subtracted from the respective asset replacement value to capture only the District’s equity. As shown in the last row of Figure II-1, the total replacement value of CBFPD’s current capital facilities is approximately \$18.4 million.

**Figure II-1.
Crested Butte Fire Protection District Current Assets, 2025**

Type of Capital Facilities	Replacement Value ⁽¹⁾
Buildings and Land	
Buildings	\$5,746,176
Land	\$2,507,503
Vehicles and Apparatus	
Specialized engines and ladder trucks	\$5,600,000
Rescue, tankers, and other vehicles	\$2,121,254
Ambulances	\$900,000
Miscellaneous fleet vehicles & apparatus	\$543,483
Miscellaneous Equipment	
Equipment including medical, extraction, portable, communications, and IT	\$516,570
Impact Fee Balance	
Fund Balance	\$448,768
Total Value of Fire Capital Facilities for Fee Calculation	\$18,383,754

Notes: [1] Reflects CBFPD’s equity in each capital facilities asset net of any outstanding debt service obligation.

Source: Crested Butte Fire Protection District; BBC Research & Consulting, 2025.

Current land use. BBC used the current pattern of development in CBFPD’s service area as a basis for allocating capital expansion costs between different types of land uses. Figure II-2 presents the breakdown of units and square footage for residential and non-residential development, based on current data from the Gunnison County Assessor. As shown in Figure II-2, the majority of the development in the service area is residential (56.5 percent single family residential and 29.9 percent multi-family residential) while 13.6 percent is non-residential.

**Figure II-2.
Residential and Non-
residential Square
Footage in the CBFPD
Service Area, 2025**

Source:
Gunnison County Assessor; BBC
Research & Consulting, 2025.

Development Type	Unit Count	Total Square Footage	Percent of Total Square Footage
Residential	5,016	8,407,268	86.4%
Single family residential	2,427	5,495,153	56.5%
Dwellings less than 1,000 SF	199	152,359	1.6%
Dwellings 1,000 to 1,499 SF	365	466,513	4.8%
Dwellings 1,500 to 1,999 SF	535	941,866	9.7%
Dwellings 2,000 to 2,499 SF	526	1,179,565	12.1%
Dwellings 2,500 to 2,999 SF	340	928,057	9.5%
Dwellings 3,000 to 3,499 SF	199	640,104	6.6%
Dwellings 3,500 to 3,999 SF	103	388,298	4.0%
Dwellings 4,000 to 4,499 SF	74	313,662	3.2%
Dwellings 4,500 to 4,999 SF	43	202,693	2.1%
Dwellings 5,000 to 5,499 SF	11	57,793	0.6%
Dwellings 5,500+ SF	32	224,243	2.3%
Multifamily residential	2,589	2,912,115	29.9%
Non-residential	850	1,320,768	13.6%
Commercial, retail, & office	677	797,467	8.2%
Warehouse & industrial	155	339,758	3.5%
Public & institutional	18	183,543	1.9%

Impact fee calculation. Figure II-3, on the following page, uses CBFPD’s current service standards and capital replacement costs to determine appropriate residential and non-residential fees. BBC used the existing land use patterns in the District’s service area as a proxy for the assignment of costs to particular types of development. Figure II-3 presents fee calculations for each relevant type of development. The total \$18.4 million value of CBFPD’s capital facilities is shown in Figure II-3 and is a core component of the fee calculation.

- The first step in calculating impact fees was to allocate the total value proportionally to each type of development, based on existing land use patterns in the District’s service area. Thus, BBC allocated \$10.4 million to single family residential development (or, 56.5 percent); \$5.5 million to multifamily residential development (or, 29.9 percent); and \$2.5 million to non-residential development (or 13.6 percent).
- Next, BBC calculated the amount that each new unit of development must pay to replicate the existing service standard by dividing each development type’s capital burden by the existing number of development units. For example, the \$5.5 million of capital associated with multifamily residential development was divided by the existing number of 2,589 dwelling units to derive a per-unit value.

BBC developed three alternative residential impact fee schedules, as illustrated in Figures II-3 through II-5.

Figure II-3 presents a flat, per-unit fee structure, assigning a single impact fee for all single-family residential units, a separate fee for multifamily units, and a distinct fee for non-residential development.

Figure II-4 introduces a tiered fee structure for single-family homes based on the size categories used in the District's Plan Review Fees. Under this approach, single-family residential impact fees would be:

- \$3,271 for homes under 2,501 square feet
- \$5,539 for homes between 2,501 and 3,600 square feet
- \$7,889 for homes between 3,601 and 5,000 square feet
- \$12,395 for homes between 5,001 and 10,000+ square feet

Impact fees for multifamily and non-residential development under this structure remain consistent with those presented in Figure II-3.

Figure II-5 offers a variation on the tiered schedule, with maximum impact fees of:

- \$3,327 for a 2,400 square foot single-family home
- \$2,126 per multifamily dwelling
- \$1.89 per square foot for non-residential development

CBFPD can choose to implement any of the impact fee schedules shown below based on what the District considers to be the most administratively efficient approach.

Figure II-3.
Maximum Allowable Impact Fees for CBFPD with Single Fees for All Development Types

Calculation of Impact Fees						
	Value of Fire Capital Facilities	Current Land Use Distribution	Costs by Land Use Category	Existing Development		Impact Fee
Single family residential		x 56.5%	\$10,384,577	2,384	=	\$4,356 per multifamily dwelling unit
Multifamily residential	\$18,383,754	x 29.9%	= \$5,503,229	/ 2,589	=	\$2,126 per multifamily dwelling unit
Non-residential		x 13.6%	= \$2,495,948	/ 1,320,768	=	\$1.89 per square foot

Notes: Existing development is listed in dwelling units for residential and in square feet for non-residential.

Non-residential development includes commercial, retail, office, institutional, industrial, and warehouse space.

Source: Crested Butte Fire Protection District; Gunnison County Assessor; BBC Research & Consulting, 2025.

Figure II-4.
Maximum Allowable Impact Fees for CBFPD Based on Single Family Impact Fee Categories Following CBFPD Plan Review Fee Schedule

Calculation of Impact Fees						
	Value of Fire Capital Facilities	Current Land Use Distribution	Costs by Land Use Category	Existing Development		Impact Fee
Single family residential		56.5%	\$10,384,577	2,384		
Dwellings 0 - 2,500 SF		x 28.2%	= \$5,178,543	/ 1,583	=	\$3,271 per dwelling
Dwellings 2,501-3600 SF		x 16.8%	= \$3,079,470	/ 556	=	\$5,539 per dwelling
Dwellings 3,601-5,000 SF		x 8.7%	= \$1,593,581	/ 202	=	\$7,889 per dwelling
Dwellings 5,001-10,000+ SF	\$18.4 million	x 2.9%	= \$532,983	/ 43	=	\$12,395 per dwelling
Multifamily residential		x 29.9%	= \$5,503,229	/ 2,589	=	\$2,126 per multifamily dwelling unit
Non-residential		x 13.6%	= \$2,495,948	/ 1,320,768	=	\$1.89 per square foot

Notes: Existing development is listed in dwelling units for residential and in square feet for non-residential.

Non-residential development includes commercial, retail, office, institutional, industrial, and warehouse space.

Source: Crested Butte Fire Protection District; Gunnison County Assessor; BBC Research & Consulting, 2025.

**Figure II-5.
Maximum Allowable Impact Fees for CBFPD Based on Single Family Impact Fee Categories of 500
Square Foot Increments**

Calculation of Impact Fees						
	Value of Fire Capital Facilities	Current Land Use Distribution	Costs by Land Use Category	Existing Development	Impact Fee	
Single family residential		56.5%	\$10,384,577	2,384		
Dwellings up to 1,499 SF	\$18.4 million	x 1.6%	= \$287,924	/ 199	=	\$1,447 per dwelling
Dwellings 1,500-1,999 SF		x 4.8%	= \$881,602	/ 365	=	\$2,415 per dwelling
Dwellings 2,000-2,499 SF		x 9.7%	= \$1,779,910	/ 535	=	\$3,327 per dwelling
Dwellings 2,500-2,999 SF		x 12.1%	= \$2,229,107	/ 526	=	\$4,238 per dwelling
Dwellings 3,000-3,499 SF		x 9.5%	= \$1,753,815	/ 340	=	\$5,158 per dwelling
Dwellings 3,500-3,999 SF		x 6.6%	= \$1,209,650	/ 199	=	\$6,079 per dwelling
Dwellings 4,000-4,499 SF		x 4.0%	= \$733,794	/ 103	=	\$7,124 per dwelling
Dwellings 4,500-4,999 SF		x 3.2%	= \$592,749	/ 74	=	\$8,010 per dwelling
Dwellings 5,000+ SF		x 2.1%	= \$383,043	/ 43	=	\$8,908 per dwelling
Multifamily residential	x	29.9%	= \$5,503,229	/ 2,589	=	\$2,126 per multifamily dwelling unit
Non-residential	x	13.6%	= \$2,495,948	/ 1,320,768	=	\$1.89 per square foot

Notes: Existing development is listed in dwelling units for residential and in square feet for non-residential.

Non-residential development includes commercial, retail, office, institutional, industrial, and warehouse space.

Source: Crested Butte Fire Protection District; Gunnison County Assessor; BBC Research & Consulting, 2025.

Discussion of Impact Fee Results

With this study, CBFPD is updating the District’s full cost-recovery impact fees for the first time in almost 30 years. The existing impact fees of \$388.79 per dwelling and \$0.138 per non-residential square foot are not a match for the current service standard provided by CBFPD. Within Gunnison County, the District serves an extensive region that includes some dense semi-urban development as well as remote and mountainous areas with low development density. However, there is a minimum of stations, vehicles, and equipment required to serve any community, no matter how populated the region.

Updated fees reflect the current value and reality of providing comprehensive fire protection services to a large area of mixed development density. The fee study process underscores the District’s commitment to sustaining a high level of service and to equipping its personnel with the facilities and resources needed to respond effectively.

SECTION III.

Summary and Recommendations

The residential and non-residential development impact fees that BBC recommends for CBFPD's consideration represent maximum allowable amounts. CBFPD may choose to adopt fees below these amounts. If doing so, the District must apply discounts uniformly to all land use categories.

BBC offers the following recommendations regarding implementation of impact fees for Crested Butte Fire Protection District:

- CBFPD should provide the development community with a minimum of three to six months' notice prior to implementing updates to the impact fee schedule. This advance notice ensures developers have sufficient time to adjust project budgets and timelines accordingly.
- CBFPD should establish a process to address unique scenarios that may require further individualization of impact fees. This process should include a mechanism allowing property owners to present data if they believe the fee, as applied, does not accurately reflect the specific impacts of their development, ensuring compliance with *Sheetz v. County of El Dorado, Cal., 601 U.S. 267 (2024)*.
- CBFPD should maintain its impact fee fund in an interest-bearing account that is separate and apart from its general fund. All fees collected in accordance with the impact fee schedule shall be deposited and accounted for as required in *Colorado Revised Statutes Title 29, Article 1, Part 8, Section 29-1-803*.
- CBFPD should adhere to a written policy governing expenditure of monies from its impact fee fund. Withdrawals from the impact fee fund should only be used to pay for growth-related capital facilities with a service life of five or more years. All proceeds shall be used in conformance with *Colorado Revised Statutes Title 29, Article 20, Part 1, Section 29-20-104.5*.
- CBFPD should prohibit the payment of operational expenses with impact fees, including the repair and replacement of existing facilities not necessitated by growth. In cases where CBFPD expects new capital facilities to partially replace existing capacity and to partially serve new growth, cost sharing between its general fund (or capital fund) and its impact fee fund should be allowed on a proportional basis as determined by the Board.
- CBFPD should update its impact fee studies periodically (e.g., every three to five years) as it invests in additional equipment and facilities and as future development occurs, to ensure its impact fees reflect its existing service standards.
- Between updates, CBFPD should adjust its impact fees annually at the start of each year based on the U.S. Bureau of Labor Statistics' Mountain-Plains Information Office's consumer price index for the Mountain-Plains Region.¹

¹ <https://www.bls.gov/regions/mountain-plains/cpi-summary>

CRESTED BUTTE FIRE PROTECTION DISTRICT

BOARD MEMORANDUM

TO: Board of Directors, Crested Butte Fire Protection District
FROM: Sean Caffrey, CEO and Commissioner
DATE: June 1, 2026
RE: Development Impact Fees and Voluntary Fire Sprinkler Incentive Program — Board Action Request

BOTTOM LINE

The District has not updated its development impact fees in nearly 30 years. The current rate of \$388.79 per home recovers less than 10 percent of our actual capital cost per new unit. This memo asks the Board to adopt updated fees based on the BBC study completed in May 2025, and at the same time to create a meaningful financial incentive for builders to install fire sprinklers voluntarily. The two actions are linked: the incentive only works if the fees are real.

THE PROPOSAL

What is an impact fee? An impact fee is a one-time charge assessed on new development at the time a building permit is issued. It is not a tax. It is a charge that makes new development pay its fair share of the public capital — stations, apparatus, vehicles, and equipment — needed to serve it. Colorado law requires that impact fee revenue go into a dedicated fund that can only be spent on capital expenditures, not on operations or salaries. Existing residents already fund the District's current capital through property taxes. Impact fees ensure that new development, which creates the need for additional capital, pays for that additional need rather than passing the cost to current taxpayers.

How were the fees calculated? The District retained BBC Research & Consulting to conduct a capital buy-in study — the standard methodology under Colorado law. BBC inventoried the replacement value of all District capital assets: fire stations, land, engines, ladder trucks, tankers, ambulances, rescue vehicles, and equipment. That total — \$18.4 million — was then allocated to different types of development based on Gunnison County Assessor land use data showing how the District's service area is actually developed today. The residential share of that capital was divided by the number of existing residential units to determine how much capital investment each unit represents. That figure is the maximum fee the law allows the District to charge per new unit.

Why are we recommending fees below the BBC maximum? The BBC maximum is the legal ceiling, not a requirement. Colorado law permits the District to adopt fees at any level up to that maximum, provided the same percentage reduction is applied uniformly across all development types. Staff recommends adopting standard fees at approximately 82 percent of the BBC maximum for three reasons. First, it keeps CBFPD's fees competitive with comparable Colorado fire districts that have recently published impact fees. We are at or below the rates of the nearby Chaffee County Fire District, The Frederick - Firestone FPD in Northern Colorado, and the North Central Fire Protection District in Eastern Colorado on every comparable tier. Second, it leaves room to adjust fees upward as the new Gothic Road campus and additional apparatus come online and are captured in a future study update. Third, a fee set modestly below the demonstrated maximum is easier to defend than one set at the precise ceiling.

The incentive program. On top of the updated fee schedule, staff proposes two incentives for builders who voluntarily install fire sprinklers in single-family homes under 3,600 square feet: a lower impact fee rate (65 percent below the standard rate) and a full refund of the plan review fee after the Fire Marshal verifies the sprinkler system at rough-in inspection. For homes between 3,601 and 5,000 square feet, most of which are currently required to have a fire suppression system, the lower impact fee rate applies but the plan review fee is not refunded. Both fees are collected upfront; the plan review fee refund would be issued upon rough-in approval for eligible tiers.

IMPACT FEE SCHEDULE

The table below shows the BBC maximum, the recommended adopted rate, what percentage of the maximum the adopted rate represents, and the sprinkler incentive fee where applicable.

CBFPD IMPACT FEE SCHEDULE

Development type	BBC maximum	Adopted standard fee	% of max	Sprinkler fee	Builder saves with sprinklers
Single-family residential — voluntary sprinkler incentive tiers					
≤ 2,500 SF	\$3,271	\$2,700	82%	\$950	\$1,750
2,501 – 3,600 SF	\$5,539	\$4,500	81%	\$1,575	\$2,925
3,601 – 5,000 SF*	\$7,889	\$6,500	82%	\$2,275	\$4,225
Single-family residential — standard rate only					
5,001+ SF	\$12,395	\$10,200	82%	—	—
Multifamily (per dwelling unit)	\$2,126	\$1,750	82%	—	—
Commercial / industrial (per sq ft)	\$1.89	\$1.55	82%	—	—

Note: BBC maximum figures are from the BBC Research & Consulting Impact Fee Study, May 2025, the legal ceiling for each fee category. All adopted standard fees are set at approximately 82 percent of the BBC maximum, applied uniformly across all development types as required by Colorado law. Sprinkler fees apply only to voluntary installations in single-family homes up to 5,000 SF. All fees adjust annually with the Mountain-Plains CPI without further Board action.

* The District's fire code currently requires sprinklers in new single-family construction above 3,600 square feet unless the applicable jurisdiction has waived that requirement. The reduced sprinkler impact fee rate for this tier applies regardless of whether installation is code-required or voluntary.

Table 1. Colorado Fire District Impact Fee Comparison

Representative size	CBFPD standard fee	CBFPD sprinkler fee	Chaffee County FPD	Frederick-Firestone FPD	North Central FPD
Single-family residential					
~2,000 SF ¹	\$2,700	\$950	\$3,645 ²	\$4,820 ³	\$4,000 ⁴
~3,000 SF ¹	\$4,500	\$1,575	\$5,917 ²	\$6,918 ³	\$4,000 ⁴
~4,500 SF ¹	\$6,500	\$2,275	\$9,099 ²	\$8,988 ³	\$4,000 ⁴
~6,000 SF ¹	\$10,200	—	\$9,099 ²	\$12,306 ³	\$4,000 ⁴
Multifamily (per dwelling unit)					
Per unit	\$1,750	—	\$2,926	\$2,527	\$4,000 ⁴
Non-residential (per square foot)					

Representative size	CBFPD standard fee	CBFPD sprinkler fee	Chaffee County FPD	Frederick-Firestone FPD	North Central FPD
Commercial / industrial	\$1.55	—	\$2.75 retail \$2.00 industrial	\$2.17	\$2.50

¹ Representative sizes shown because tier breaks differ across districts; CBFPD fees are the tier rate applicable to each size shown. ² Chaffee County Fire Protection District, adopted April 14, 2026: tiers at ≤1,200 / 1,200–2,399 / 2,400–3,599 / 3,600+ SF. ³ Frederick-Firestone Fire Protection District 2025 schedule: tiers at ≤1,499 / 1,500–1,999 / 2,000–2,499 / 2,500–2,999 / 3,000–3,499 / 3,500–3,999 / 4,000–4,499 / 4,500+ SF. ⁴ North Central Fire Protection District flat rate per dwelling unit regardless of size; non-residential \$2.50/SF.

CURRENT PLAN REVIEW AND INSPECTION FEES

Current fees adopted by the Board in 2022 and now contained in Policy 5202, establishes the following plan review and inspection fees, separate from impact fees. New construction plan review fees are all-inclusive — the fee covers the initial plan review, one rough-in inspection, one fire final inspection, and any required suppression system review. Impact fees are collected at the same time as plan review fees.

Table 2. Current Plan Review and Inspection Fee Schedule (Policy 5202)

Service	Fee
New Construction Plan Review — Single Family and Multifamily (includes initial plan review, one rough-in inspection, one fire final inspection, and suppression system review if required)	
0 – 2,500 SF	\$700
2,501 – 3,600 SF	\$2,520
3,601 – 5,000 SF	\$5,250
5,001 – 10,000 SF	\$10,500

WHAT A BUILDER ACTUALLY PAYS TO CBFPD

The table below shows total CBFPD costs at permit — plan review fee plus impact fee — for all single-family tiers. For homes under 3,600 square feet, the builder who installs sprinklers pays only the sprinkler impact fee; the plan review fee is fully refunded at rough-in. For homes between 3,601 and 5,000 square feet, the sprinkler impact fee applies but the plan review fee is not refunded.

Table 3. Total CBFPD Fees at Permit — Single-Family Residential

SFR tier	Plan review fee	Impact fee (standard)	Impact fee (sprinkler)	Total without sprinkler	Total with sprinkler
≤ 2,500 SF	\$700 ¹	\$2,700	\$950	\$3,400	\$950
2,501–3,600 SF	\$2,520 ¹	\$4,500	\$1,575	\$7,020	\$1,575
3,601–5,000 SF	\$5,250 ¹	\$6,500	\$2,275	\$11,750²	\$7,525
5,001+ SF	\$10,500 ³	\$10,200	—	\$20,700	—

¹ Plan review fees per Policy 5202. Sprinkler plan review and rough-in inspection are included in this fee at no extra charge. The plan review fee refund applies to homes under 3,600 SF only.

² For the 3,601–5,000 SF tier, the plan review fee (\$5,250) is not refunded. Total CBFPD cost with sprinklers = \$5,250 plan review + \$2,275 impact fee = \$7,525, compared to \$11,750 without sprinklers. ³ Plan review for homes 5,001–10,000 SF is \$10,500; homes over 10,001 SF add \$1.05 per SF above \$10,500. No sprinkler incentive applies above 5,000 SF.

HOW THE INCENTIVE PROGRAM WORKS

Step 1 — Apply for permit	Builder pays both the plan review fee and the impact fee upfront and submits for permit. If the builder intends to install sprinklers, they notify the Fire Marshal at application to receive the sprinkler impact fee rate. If the permit is not issued, the impact fee is fully refunded.
Step 2 — Plan review	CBFPD reviews the plans, including the sprinkler system design. Sprinkler system plan review and the required rough-in inspection are included in the plan review fee already paid — no extra charge.
Step 3 — Permit issued	The building permit is issued. Both fees have already been collected. If the builder elected the sprinkler impact fee rate at application, that lower rate is already on the books.
Step 4 — Rough-in inspection	Fire Marshal inspects and approves the sprinkler rough-in. For homes under 3,600 square feet, the District issues a full refund of the plan review fee upon approval. For homes between 3,601 and 5,000 square feet, the plan review fee is not refunded. The impact fee, already collected at the sprinkler rate, is not affected unless a sprinkler was not installed and additional fee is due.
Step 5 — Final inspection	Normal fire final inspection proceeds. The sprinkler system must remain in monitored, operational status as required by the fire code.

WHY THIS IS LEGALLY SOUND

Three points the Board should know:

1. **The lower sprinkler fee is not a waiver.** It is a lower fee for a development type that genuinely costs less to serve. Colorado law requires impact fees to go no higher than necessary to cover the actual capital impact of new development. Our own fire code requires 50 percent less water supply infrastructure for sprinklered homes. Charging a sprinklered home the same fee as an unsprinklered one would overcharge it. The lower rate is what the law requires, not a special favor.
 2. **The plan review refund is within the Board's existing authority.** Policy 5203 already authorizes fee waivers and discounts for public projects, affordable housing, and active CBFPD members. A sprinkler refund is legally identical — a policy decision to return a fee in exchange for a demonstrated public benefit. No new legal authority is needed.
 3. **The fees are set below the legal maximum.** BBC calculated the maximum the District is permitted to charge. Standard fees are set at 82 percent of that maximum, which is competitive with comparable Colorado fire districts. The District is not charging the maximum it could, which is a defensible position in any challenge.
- **Impact fee waivers for affordable housing are separately authorized.** Colorado law (CRS § 32-1-1002(1)(d.5)(IX)) gives the Board explicit authority to waive impact fees for affordable and workforce housing projects, independent of the sprinkler incentive program. Three categories qualify: low-income housing (at or below 80 percent of area median income as defined by HUD); moderate-income housing (between 80 and 115 percent of AMI); and affordable employee housing (households deriving at least 70 percent of income from local employment that meet HUD affordability standards). Unlike the sprinkler fee differentiation — which requires no reimbursement because it reflects a genuinely lower capital impact — an affordable housing waiver under this provision requires the District to reimburse the impact fee fund from the general fund for any fees waived. The Board may adopt an affordable housing waiver policy as a separate action at any time; it does not need to be part of this fee adoption.

FINANCIAL IMPACT ON THE DISTRICT

Revenue increase. The new impact fees will generate substantially more capital revenue than the current \$388.79 rate. Revenue goes into the segregated impact fee fund for capital expenditures only — it cannot be used for operations.

Cost of the incentive. The plan review refund is an operational cost — the District refunds fees it has already collected, funded from the general fund. If ten homes per year choose sprinklers in the voluntary tiers, the annual refund total ranges from approximately \$7,000 to \$52,000 depending on size mix. This is offset by reduced long-term capital demands from the District’s sprinklered building stock.

Timing. If acceptable the Board will adopt the fee schedule on July 7, 2026, with an effective date of November 1, 2026 — approximately 116 days’ advance notice to the development community. This notice period is a matter of good practice and legal defensibility, not a statutory mandate, and aligns with BBC’s recommendation of three to six months.

BOARD ACTION REQUIRED

Approval votes are needed. All can be taken together or separately the same meeting.

Board action required	Effect
Resolution — Adopt new impact fee schedule	Establishes the fee rates in this memo, effective 90 days after adoption. Replaces \$388.79 flat rate. Includes CPI escalation clause so fees adjust annually without further Board action.
Policy 5202 amendment — Remove embedded impact fee amounts	Deletes the outdated \$388.79 and \$0.138 figures from the fee schedule. Impact fees will be set by resolution going forward, not embedded in policy.
Policy 5203 amendment — Add sprinkler plan review refund	Adds one paragraph authorizing a full plan review fee refund for voluntary sprinkler installations in homes under 3,600 square feet, upon Fire Marshal verification at rough-in. Consistent with existing discount authority in 5203.

RECOMMENDATION

Staff recommends the Board adopt all three items at the next regular meeting. District counsel has reviewed the legal framework and will be available to address any questions. The resolution and policy amendment language will be provided as separate attachments for Board review prior to the meeting.

Supporting documentation:

1. BBC Research & Consulting, CBFPD Impact Fee Study (May 12, 2025)
2. Proposed Board Resolution — Development Impact Fee Schedule
3. Proposed Policy 5202 Amendment — Impact Fee Reference Removal
4. Proposed Policy 5203 Amendment — Voluntary Sprinkler Plan Review Refund

RESOLUTION NO. 2026 – 7 – ____

**A RESOLUTION ADOPTING A DEVELOPMENT IMPACT FEE
SCHEDULE AND ESTABLISHING A VOLUNTARY FIRE SPRINKLER
INCENTIVE PROGRAM.**

WHEREAS, the Crested Butte Fire Protection District (the “District”) is authorized under C.R.S. § 32-1-1002(1)(d.5), as amended by Senate Bill 24-194 (2024), to impose, collect, and expend development impact fees on new development within its boundaries; and

WHEREAS, C.R.S. § 29-20-104.5 requires that impact fees be proportional to the actual capital impacts of new development, not exceed the cost of capital facilities needed to serve that development, and be deposited in a segregated fund for capital expenditures only; and

WHEREAS, the District retained BBC Research & Consulting to conduct a capital buy-in impact fee study, completed May 12, 2025 (the “BBC Study”), which inventoried \$18.4 million in District capital facilities and calculated maximum allowable fees for each development category; and

WHEREAS, the Board has determined to adopt fees at approximately 82 percent of the BBC maximum, applied uniformly across all land use categories, which is competitive with comparable Colorado fire protection districts and consistent with applicable constitutional proportionality standards; and

WHEREAS, the Board finds that single-family residential buildings with approved automatic fire suppression systems impose materially lower demands on District capital facilities than non-sprinklered buildings, supporting a lower fee for that subcategory consistent with C.R.S. § 29-20-104.5’s requirement that fees not exceed the actual capital impact of the proposed development; and

WHEREAS, the Board intends to adopt this fee schedule on July 7, 2026, effective November 1, 2026, providing the development community with approximately 116 days’ advance notice.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Crested Butte Fire Protection District:

1. Adoption. The Development Impact Fee Schedule attached as Exhibit A is hereby adopted. Impact fees shall be assessed as a condition of building permit issuance, payable at the time of application. If a permit is not issued, the impact fee shall be fully refunded.

2. Sprinkler incentive. The sprinkler fee rate in Exhibit A applies to single-family homes in which an approved NFPA 13D, 13R, 13, or IRC Section P2904 suppression system is installed. The builder shall elect the sprinkler rate at application. If the system fails rough-in inspection, the difference between the standard and sprinkler fee is due before certificate of occupancy. For homes under 3,600 SF, the District will also refund the plan review fee upon Fire Marshal verification at rough-in.

3. Segregated fund. All impact fee revenues shall be deposited in a segregated interest-bearing account separate from the general fund and expended only on capital facilities with a useful life of five years or more, in accordance with C.R.S. §§ 29-1-803 and 29-20-104.5.

4. Prior schedules repealed. All prior impact fee schedules are repealed effective November 1, 2026. Permits issued before that date are subject to prior rates.

5. Effective date. This Resolution takes effect November 1, 2026.

ADOPTED, this 7th day of July, 2026.

CRESTED BUTTE FIRE PROTECTION DISTRICT

By: _____

Kenneth Lodovico, Chair

ATTEST:

By: _____

Matthew Halvorson, Secretary

EXHIBIT A

**CRESTED BUTTE FIRE PROTECTION DISTRICT
DEVELOPMENT IMPACT FEE SCHEDULE**

Adopted July 7, 2026 — Effective November 1, 2026

Development type	BBC maximum	Adopted fee	Sprinkler fee
Single-family residential — sprinkler incentive tiers			
≤ 2,500 SF	\$3,271	\$2,700	\$950
2,501 – 3,600 SF	\$5,539	\$4,500	\$1,575
3,601 – 5,000 SF*	\$7,889	\$6,500	\$2,275
Single-family residential — standard rate only			
5,001+ SF	\$12,395	\$10,200	—
Multifamily residential (per dwelling unit)	\$2,126	\$1,750	—
Non-residential (per square foot)	\$1.89	\$1.55	—

* The District’s fire code currently requires sprinklers in new single-family homes above 3,600 SF unless the applicable jurisdiction has waived that requirement. The sprinkler fee applies regardless of whether installation is code-required or voluntary.

Notes: BBC maximum figures are from the BBC Research & Consulting Impact Fee Study, May 12, 2025. All fees adjust annually beginning January 1, 2028, by the Mountain-Plains CPI-U. Sprinkler fee applies only to single-family homes with an approved NFPA 13D, 13R, 13, or IRC Section P2904 suppression system, verified by the Fire Marshal at rough-in inspection.

CRESTED BUTTE FIRE PROTECTION DISTRICT ANALYSIS AND JUSTIFICATION FOR SPRINKLER-DIFFERENTIATED DEVELOPMENT IMPACT FEE RATES

Re: Resolution No. 2026 – 7 – 1 — Development Impact Fee Schedule

I. Purpose

This document records the District’s analysis and justification for adopting a sprinkler-differentiated impact fee schedule in connection with Resolution No. 2026 – 7 – 1. It is prepared as a record for the District’s files and is intended to support the legal defensibility of the fee structure under C.R.S. § 29-20-104.5 and the constitutional proportionality standards established by *Sheetz v. County of El Dorado*, 601 U.S. 267 (2024).

The adopted fee schedule establishes two rates for single-family residential development up to 5,000 square feet: a standard rate and a lower rate for buildings in which an approved automatic fire suppression system is installed. This document explains why that differentiation is not a discretionary discount but a proportionality requirement compelled by statute and constitutional law.

II. Statutory and Legal Framework

A. The “No Greater Than Necessary” Requirement

C.R.S. § 29-20-104.5 is the operative constraint. It requires that development impact fees be “established at a level no greater than necessary to defray such impacts which are directly related to the proposed development.” This is not a ceiling to aim for — it is a prohibition on charging new development for capital demands it will not actually generate.

A sprinklered residential building demonstrably generates lower demands on fire capital facilities than an unsprinklered one. When compelling evidence of lower demand exists and the District charges the sprinklered building the same fee derived from an aggregate stock that includes predominantly unsprinklered buildings, the District charges that development more than is “necessary to defray” its actual impact. The fee differentiation recommended here is a correction compelled by C.R.S. § 29-20-104.5.

B. The BBC Study’s Use-Specificity Principle

The BBC Research & Consulting Impact Fee Study (May 12, 2025) (the “BBC Study”) explicitly provides: “When compelling evidence is available that the forms, sizes, or uses of particular types of development will result in substantially different demands for fire protection services, then a district’s impact fees should reflect that information.” Sprinklered versus unsprinklered construction is the most documentable example of substantially different fire protection demand in residential development. The BBC Study’s own framework invites and supports the differentiation adopted here.

C. Distinction from a Fee Waiver

C.R.S. § 32-1-1002(1)(d.5)(IX) authorizes impact fee waivers only for low- or moderate-income housing and affordable employee housing. No waiver authority exists for sprinkler installation under this provision.

A sprinkler-differentiated fee schedule does not waive anything. It charges a different fee for a development subclass that imposes a different capital burden. The BBC Study’s uniformity guidance — that discounts below the maximum must be applied uniformly across land use categories — applies

to blanket discounts. It does not apply to use-specific subcategory differentiation within a category, which the BBC Study's own use-specificity principle expressly contemplates. No general fund reimbursement is required.

D. Constitutional Proportionality

Under *Nollan v. California Coastal Comm'n*, 483 U.S. 82 (1987), *Dolan v. City of Tigard*, 512 U.S. 374 (1994), and *Sheetz v. County of El Dorado*, 601 U.S. 267 (2024), impact fees must satisfy an essential nexus between the fee and a legitimate government interest, and rough proportionality between the fee and the development's actual capital impact. *Sheetz* confirmed these standards apply to legislatively enacted fee schedules.

A single-rate fee schedule that ignores the 50 percent lower fire flow allowed under IFC 2021 Appendix B, Section B105.1 for sprinklered buildings is more vulnerable to proportionality challenge than one that accounts for it. Differentiation based on documented capital impact differentials strengthens the District's overall fee program under current constitutional doctrine. Finer-grained analysis is a legal asset post-*Sheetz*, not a liability.

III. Evidentiary Basis for Fee Reduction

A. IFC Appendix B — Code Allowed Fire Flow Reduction

The most directly defensible capital impact differential is the reduction in required fire flow allowed by CBFPD's own adopted fire code. IFC 2021 Appendix B, Table B105.1 establishes that the minimum required fire flow for one- and two-family dwellings with a fire flow calculation area not exceeding 3,600 square feet is 1,000 gallons per minute for one hour. Appendix B further provides that a reduction of 50 percent is allowed when the building is equipped with an approved automatic sprinkler system, reducing the requirement to 500 gallons per minute. For buildings between 3,601 and 5,000 square feet, Table B105.2 permits reductions of up to 75 percent.

This is not a policy estimate. It is the text of CBFPD's own adopted fire code. Fire flow is the primary driver of the capital facility requirements from which the BBC fee was calculated: water supply infrastructure, cistern sizing, water tender capacity, and engine pump ratings are all sized to meet required fire flow. A 50 percent reduction in required fire flow directly reduces each of these capital requirements for the sprinklered subclass.

B. NFPA 2024 Performance Data

The National Fire Protection Association's 2024 U.S. Experience with Sprinklers report establishes the following performance differentials, each bearing directly on apparatus capital demands generated by sprinklered versus unsprinklered development:

- **Incident escalation:** Flame damage was confined to the room of origin in 95 percent of sprinklered fires, compared to 71 percent of unsprinklered fires. In 77 percent of sprinklered fires, a single sprinkler head controlled the incident without heavy apparatus deployment.
- **Life safety:** The civilian death rate was 90 percent lower and the civilian injury rate was 32 percent lower in sprinklered structures. The firefighter injury rate was 35 percent lower.
- **Property loss:** Average property loss per fire in a sprinklered structure is \$2,166, compared to \$45,019 in an unsprinklered structure — a 95 percent reduction. The Scottsdale, Arizona ten-year study documented \$1,945 per sprinklered incident versus \$17,067 per unsprinklered incident.

- **Water consumption:** Sprinklers reduce the water used to fight a fire by up to 90 percent, directly reducing the water supply capital the District must maintain to serve sprinklered structures.

The apparatus capital in the BBC fee calculation — \$5.6 million in engines and ladder trucks and \$2.1 million in rescue and water supply vehicles — is scaled to the probable severity of fire events across the District’s service area. A service area where new development is predominantly sprinklered requires lower apparatus capital per unit of new development than one that is not.

C. ISO Fire Suppression Rating Schedule — External Validation

The Insurance Services Office Fire Suppression Rating Schedule (FSRS) — the industry-standard framework used to rate fire departments nationally — explicitly states that in communities with strong fire codes mandating sprinkler installation, “such affected structures will place less demand on the water and fire departments for the boots-on-the-ground suppression mode,” and that “large, non-sprinklered buildings need much higher fire flows, thus indicating more apparatus, equipment, personnel and water supplies to control building fires effectively.” The FSRS determines the number and type of apparatus required based on height of buildings, required fire flow, and the size of the area served — all factors directly influenced by sprinkler presence. This constitutes independent, externally validated confirmation of the nexus between sprinkler presence and public fire capital requirements.

D. CBFPD-Specific Operational Factors

Three characteristics of CBFPD’s service area amplify the capital impact differential beyond what national baseline data captures:

- **Extended response intervals.** CBFPD’s 220-square-mile service area produces response times to remote structures that routinely exceed fifteen to twenty minutes. The capital value of sprinkler protection scales directly with response interval. A system that confines a fire to its room of origin for twenty minutes while apparatus is in transit provides substantially more capital substitution than one that buys five minutes. The per-unit capital impact of unsprinklered development is therefore higher in CBFPD’s service area than in a compact urban district, and the proportional capital demand reduction from sprinklers is correspondingly larger.
- **Water supply apparatus.** CBFPD serves significant areas without central water distribution systems. In those areas, fire flow requirements under NFPA 1142 drive the District’s water tender fleet capacity and cistern infrastructure — both significant components of the BBC vehicle inventory. A 50 percent lower required fire flow for sprinklered structures in non-central-water areas, as permitted by IFC 2021 Appendix B, Section B105.1, directly reduces the water tender capacity and cistern sizing the District must maintain to serve those structures. The \$2.1 million in tanker and water supply vehicle capital in BBC Figure II-1 is substantially driven by these requirements.
- **WUI structure defense.** CBFPD’s service area is substantially wildland-urban interface, and wildfire events are a primary driver of the District’s apparatus capital planning. In a WUI structure defense operation, an unsprinklered building requires committed apparatus for active defense; a sprinklered building can survive an ember attack without that commitment, freeing apparatus for perimeter operations or defense of additional structures. Sprinklered structures therefore generate lower marginal apparatus demand in the scenario that disproportionately drives CBFPD’s capital requirements. Fire Code Section 11, which incorporates Colorado’s Wildfire Resiliency Code, reinforces this nexus.

IV. Derivation of Sprinklered Fee Rate from BBC Data

A. Capital Component Analysis

The following table isolates the flow-sensitive capital components of the BBC fee calculation and applies the IFC Appendix B reduction to derive a minimum statutory fee reduction for sprinklered development. All figures are from BBC Figure II-1 (Crested Butte Fire Protection District Current Assets, 2025).

Capital category (BBC Figure II-1)	Replacement value	SFR allocation (56.5%)	Classification
Specialized engines and ladder trucks	\$5,600,000	\$3,164,000	Flow-sensitive
Rescue, tankers, and other vehicles	\$2,121,254	\$1,198,508	Substantially flow-sensitive
Ambulances	\$900,000	\$508,500	Not flow-sensitive
Miscellaneous fleet vehicles and apparatus	\$543,483	\$307,068	Partially flow-sensitive
Buildings and land	\$8,253,679	\$4,663,329	Not flow-sensitive
Miscellaneous equipment	\$516,570	\$291,862	Partially flow-sensitive
Impact fee fund balance	\$448,768	\$253,554	Proportional to above
Total	\$18,383,754	\$10,384,821	
Flow-sensitive subtotal (engines + tankers)	\$7,721,254	\$4,362,508	42.0% of SFR allocation

B. Three-Step Derivation

Step 1 — Isolate flow-sensitive capital. Of the \$18.4 million in total capital facility value in BBC Figure II-1, engines and ladder trucks (\$5,600,000) and rescue/tanker/water supply vehicles (\$2,121,254) constitute the primary flow-sensitive capital categories. Their combined replacement value of \$7,721,254 represents 42.0 percent of total District capital. Allocated to single-family residential development at the BBC's 56.5 percent land use ratio, this produces a flow-sensitive SFR capital allocation of \$4,362,508.

Step 2 — Apply IFC Appendix B reduction. IFC 2021 Appendix B allows a 50 percent reduction in required fire flow for sprinklered one- and two-family dwellings. Because fire flow is the primary sizing requirement for engines and water supply apparatus, the 50 percent reduction applies proportionally to the flow-sensitive SFR capital allocation: $\$4,362,508 \times 50\% = \$2,181,254$. Expressed as a percentage of the total SFR capital allocation of \$10,384,577, this represents a minimum 21 percent reduction in the capital basis for sprinklered SFR development. This is the statutory floor — the minimum reduction compelled by adopted code applied to the BBC's own capital data.

Step 3 — Apply Board discretionary authority within the defensible range. The 21 percent is a statutory floor, not a ceiling. It does not capture the NFPA apparatus demand differential, the ISO-

validated suppression capital nexus, the CBFPD-specific extended response time multiplier, the water tender capital reduction, or the WUI structure defense differential documented in Section III. Colorado statute expressly provides that “mathematical exactitude is not required” and that districts have “flexibility to choose the most appropriate rate-setting method so long as it uses reasonable assumptions and logic.” The Board adopts a 65 percent reduction as a reasonable, well-documented exercise of that authority. This is consistent with the NFPA fire loss differential (95 percent reduction in property loss per incident), the ISO FSRs findings, and CBFPD’s specific operational characteristics.

Step	IFC-only floor	Adopted rate	Authority
Total SFR capital allocation	\$10,384,577	\$10,384,577	BBC Figure II-4
Flow-sensitive portion (42.0%)	\$4,362,508	\$4,362,508	BBC Fig. II-1; IFC App. B
IFC App. B §B105.1 Exception — fire flow 50% less allowed	-\$2,181,254	-\$2,181,254	IFC 2021 App. B §B105.1, Exception
Additional reductions (NFPA, ISO, CBFPD operational factors)	— (not in floor)	Additional reduction	CRS § 29-20- 104.5; documented evidence
Net reduction as % of SFR capital allocation	21% minimum	65% adopted	Board discretion under CRS § 29- 20-104.5

Note: The 65 percent reduction is applied to the Board’s adopted unsprinklered rates, which are set at approximately 82 percent of the BBC maximum. The sprinklered rates therefore represent approximately 30 percent of the BBC maximum, which is both below the maximum and above zero — the legally required range for a fee that reflects, but does not exceed, the capital burden of a sprinklered unit.

V. Application by Tier

A. Voluntary Incentive Tier — SFR ≤ 3,600 SF

Below 3,600 square feet, fire suppression systems are required by the District’s fire code but not enforced based on jurisdictional requirements. Sprinkler installation is therefore voluntary. The lower fee for this tier is a use-specific rate reflecting the reduced capital impact of a development subclass that has elected built-in fire protection. The incentive effect — encouraging voluntary sprinkler installation — is a beneficial policy consequence of accurate proportionality, not its legal basis.

B. Voluntary Incentive Tier — SFR 3,601 – 5,000 SF

Above 3,600 square feet, the District’s fire code requires automatic fire suppression systems in new construction. As with the tier below, enforcement depends on local jurisdiction adoption. Gunnison County, which has no independently adopted fire code, is served directly by CBFPD’s code, making the requirement effective in unincorporated areas. The Town of Mt. Crested Butte has separately adopted a residential code provision (Ord. No. 19-12, as amended by Ord. No. 20-3, July 7, 2020) requiring automatic sprinklers in new single-family dwellings with a gross floor area of 4,800 square

feet or greater, and in all new two-family dwellings without a size threshold. For single-family homes in this tier between 3,601 and 4,799 square feet within Mt. Crested Butte, the suppression requirement has not been locally adopted at that threshold, and installation is therefore voluntary. For homes at 4,800 square feet and above in Mt. Crested Butte, and for all homes in this tier in unincorporated Gunnison County, suppression systems are code-required. The District has determined to apply the reduced impact fee rate to all sprinklered construction in this tier regardless of whether installation is code-required or voluntary: the capital demand reduction documented in Section III is identical in either case, and the fee differentiation rests on capital impact proportionality, not on the voluntariness of installation.

The IFC Appendix B reduction available for buildings in this size range is up to 75 percent under Table B105.2, a larger code-authorized reduction than the 50 percent available below 3,600 square feet. The evidentiary basis for the sprinklered rate is identical to the voluntary tier below, and the same statutory, constitutional, and empirical analysis applies.

C. Standard Rate Only — SFR 5,001+ SF

Above 5,000 square feet, the District applies the standard impact fee rate without sprinkler differentiation. Two independent rationales support this determination, each sufficient on its own.

Behavioral rationale — sprinkler installation is universal above 5,000 SF. Within the District’s service area, new single-family construction above 5,000 square feet is legally permitted only in unincorporated Gunnison County and in the Town of Mt. Crested Butte. The Town of Crested Butte’s floor area ratio limits preclude construction at this scale on its existing lot inventory. In both jurisdictions where such homes may be built, sprinkler installation is code-required: the District’s fire code (CBFPD Fire Code Section 601) requires sprinklers at 3,600 SF and above for structures within unincorporated Gunnison County, which has no independently adopted fire code; Mt. Crested Butte’s residential code separately requires them at 4,800 SF and above (Ord. No. 19-12, as amended by Ord. No. 20-3, July 7, 2020). Every new single-family home above 5,000 SF in the District’s service area will therefore have a suppression system as a condition of permit issuance, regardless of what the impact fee schedule says. A fee reduction to incentivize behavior that will occur regardless has no behavioral effect and provides no policy benefit. The BBC use-specificity principle supports fee differentiation only where the distinction reflects genuinely different capital demands from meaningfully different development populations; above 5,000 SF, the sprinklered and unsprinklered subclasses are the same population.

Proportionality rationale — fuel load and structural complexity drive capital demands not proportionally reduced by sprinkler presence at this scale. The capital impact differential between sprinklered and unsprinklered buildings — documented in Section III through fire flow reduction, NFPA performance data, ISO validation, and CBFPD-specific operational factors — is strongest at smaller residential scales where suppression systems meaningfully reduce the probable severity of incidents. Above 5,000 square feet, the fire capital equipment needs of the District are increasingly driven by factors that sprinkler presence does not proportionally reduce.

- Fuel load and combustible mass. A 5,000+ SF home contains dramatically greater combustible material than a 2,500 SF home. Even a fully activated suppression system controlling the fire of origin does not eliminate the extended overhaul, ventilation, and investigation operations that a large fuel-loaded structure requires. The operational footprint of the incident — and therefore the apparatus capital needed to serve it — is not proportionally reduced by sprinkler presence at this scale in the way documented for smaller residential construction.
- Structural and access complexity. Single-family homes above 5,000 SF in the CBFPD service area are predominantly multi-story custom construction on large parcels. Multi-story structures drive

aerial apparatus requirements. Complex floor plans with multiple wings, varying ceiling heights, and attached garages or mechanical spaces extend search and rescue operations. Large setbacks and terrain in the WUI limit apparatus positioning options. These capital drivers exist independent of and are not addressed by the presence of a residential fire suppression system.

- Suppression system limitations at scale. Residential NFPA 13D and 13R systems have design parameters calibrated to standard residential configurations. Large homes above 5,000 SF, with complex floor plates, high-volume open spaces, and attached accessory structures, may not achieve the same suppression effectiveness ratio that supports the documented capital reduction at smaller scales. The IFC Appendix B fire flow reduction percentages reflect standard residential design assumptions; at the upper end of the residential size range, the actual proportional capital demand reduction may not fully track the code allowance.

These two rationales are cumulative. The behavioral rationale alone is sufficient: where sprinklers are universal regardless of fee structure, use-specific fee differentiation has no defensible basis in demand difference because the development population is homogenous. The proportionality rationale provides independent support: even if some unsprinklered 5,001+ SF homes existed in the District, the documented capital demand differential would not support the same magnitude of fee reduction that is justified at smaller scales. Together they establish that the standard rate for this tier is the accurate, proportional, and legally correct fee.

VI. Conclusion

The sprinkler-differentiated fee structure adopted by Resolution No. 2026 – 7 – ___ is supported by:

- A mandatory code-based fire flow reduction (IFC Appendix B) applied to the BBC’s own capital inventory, establishing a minimum 21 percent statutory reduction floor;
- NFPA 2024 performance data documenting a 95 percent reduction in property loss per fire incident and 90 percent reduction in civilian death rate in sprinklered structures;
- Independent external validation by the ISO Fire Suppression Rating Schedule;
- Three CBFPD-specific operational factors — extended response intervals, water supply apparatus in non-central-water areas, and WUI structure defense capital demands — that amplify the national baseline reduction;
- The BBC Study’s own use-specificity principle, which expressly requires that substantially different fire protection demands be reflected in the fee schedule.

The removal of sprinkler differentiation above 5,000 SF is equally supported: sprinklers are code-required in every jurisdiction where homes of that size are permitted to be built within the District’s service area, eliminating any behavioral basis for differentiation; and the fuel load, structural complexity, and suppression system effectiveness factors documented in Section V.C establish that the capital demand differential does not support the same magnitude of reduction applicable to smaller residential development.

The Board’s adoption of a 65 percent sprinkler fee reduction is a reasonable, well-documented exercise of discretionary authority within the legally compelled range, supported by the full weight of the evidence summarized above. The differentiation is required at the 21 percent level by statute and code, and is supported at the 65 percent level by the totality of evidence. No general fund reimbursement is required because this is use-specific proportionality, not a waiver. The post-Sheetz constitutional environment makes this finer-grained proportionality analysis an asset to the District’s fee program.

Sean Caffrey, CEO and Commissioner and Joseph Wonnacott, Fire Marshal
Crested Butte Fire Protection District
May 28, 2026

Supporting authorities: CRS §§ 29-20-104.5, 32-1-1002(1)(d.5); Senate Bill 24-194 (Ch. 230, 2024 Colo. Sess. Laws); IFC 2021 Appendix B, Tables B105.1 and B105.2; Nollan v. California Coastal Comm'n, 483 U.S. 82 (1987); Dolan v. City of Tigard, 512 U.S. 374 (1994); Sheetz v. County of El Dorado, 601 U.S. 267 (2024); BBC Research & Consulting, CBFPD Impact Fee Study (May 12, 2025); NFPA, U.S. Experience with Sprinklers (2024); ISO Fire Suppression Rating Schedule; NFSA, Saving Lives, Saving Money: A 10-Year Study — Scottsdale, AZ (1995); NFPA 1142 (Standard on Water Supplies for Suburban and Rural Fire Fighting); Town of Mt. Crested Butte Code of Ordinances, Ch. 8 (Residential Code), Ord. No. 19-12 (§ R313), as amended by Ord. No. 20-3, § 6 (July 7, 2020).