

AN ORDINANCE

ENACTING CHAPTER 14.31 OF TITLE 14 OF THE LAKEWOOD MUNICIPAL CODE TO ADOPT BY REFERENCE THE COLORADO WILDFIRE RESILIENCY CODE, 2025 EDITION, PUBLISHED BY THE COLORADO WILDFIRE RESILIENCY CODE BOARD, WITH DELETIONS AND AMENDMENTS AS SET FORTH BELOW, ESTABLISHING PENALTIES FOR VIOLATIONS THEREOF, AND FURTHER ADOPTING THE CORRESPONDING 2025 COLORADO WILDFIRE RESILIENCY CODE MAP

WHEREAS, the City of Lakewood is a home rule municipality organized under Article XX of the Colorado Constitution and the authority of the Home Rule Charter of the City of Lakewood (City Charter);

WHEREAS, Sections 1.2 and 2.1 of the City Charter vests all municipal legislative powers in the City Council for the City of Lakewood (the "City") and authorizes the City Council to establish those laws necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience of such municipality and the inhabitants thereof;

WHEREAS, through Colorado Senate Bill 2023-166, the Colorado State Legislature created the Wildfire Resiliency Code Board (the "Board"), and tasked the Board with creating a model wildfire resiliency code based on best practice approaches to hardening structures and reducing fire risk in the defensible space surrounding structures in the wildland-urban interface, and in response, the Board created the 2025 Colorado Wildfire Resiliency Code (the "CWRC");

WHEREAS, Senate Bill 2023-166 also tasked the Board with identifying the areas of Colorado that are within the wildland-urban interface, and in response, the Board created the Colorado Wildfire Resiliency Code Map (the "CWRC Map");

WHEREAS, Senate Bill 2023-166 further requires the governing body with jurisdiction in an area within the CWRC Map's designated wildland-urban interface that has the authority to adopt building or fire codes to adopt a code that meets or exceeds the minimum standards set forth in the CWRC;

WHEREAS, the City has the authority to adopt both building and fire codes, and therefore Senate Bill 2023-166 in conjunction with Colorado State Senate Bill 2025-142, requires the City to adopt a code that meets or exceeds the minimum standards set forth in the CWRC;

WHEREAS, City's Building Official has reviewed the CWRC and the CWRC Map, and recommends the adoption thereof subject to certain amendments and deletions;

WHEREAS, adoption of the CWRC and the CWRC Map provides enhanced fire safety measures for affected properties and will give the City the opportunity to study the impacts to affected properties before pursuing a more stringent wildfire resiliency code;

WHEREAS, the Board of Appeals was established by Lakewood Municipal Code (L.M.C.) section 12.12.010 and is charged with reviewing proposed additions, changes, or amendments to the City's building codes and to make recommendations to the City Council with respect to the adoption thereof;

WHEREAS, the Board of Appeals has reviewed, considered, and recommended for adoption, the CWRC and the CWRC Map;

WHEREAS, the City has provided the notices of public hearing required by C.R.S. 31-16-203, which state the time and place of the hearing, indicate that copies of the primary code and the secondary code proposed for adoption are on file with the City Clerk and open to public inspection, and include a description of the purpose and subject matter of the Colorado Wildfire Resiliency Code as well as the name and address of the agency that promulgated such code;

WHEREAS, approval of this Ordinance on first reading is intended only to confirm that the City Council desires to comply with the City's Charter by setting a public hearing to provide City staff and the public the opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies the proposal.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The recitals set forth above are incorporated as if set for therein.

SECTION 2. Chapter 14.31 of the Lakewood Municipal Code is hereby enacted as follows:

14.31.010 - Colorado Wildfire Resiliency Code, 2025 Edition, adopted by reference, generally.

In accordance with Colorado Revised Statutes Section 31-16-201, *et seq.*, and the Lakewood City Charter, the Colorado Wildfire Resiliency Code, 2025 Edition, including Appendix A: Permits, Appendix B: Construction Documents, and Appendix C: Inspection and Enforcement, as published by the Colorado Wildfire Resiliency Code Board, hereinafter "Colorado Wildfire Resiliency Code," is

hereby adopted by reference, subject to the deletions, amendments, and additions contained in this chapter. Whenever the Colorado Wildfire Resiliency Code references any of the International Codes adopted by the International Code Council, such references shall be understood to refer to the 2021 edition of the relevant International Code.

14.31.020 – Purpose of the Colorado Wildfire Resiliency Code.

The purpose of the Colorado Wildfire Resiliency Code is to establish the minimum regulations for the safeguarding of life and 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.

14.31.040 – Local amendments to certain provisions of the Colorado Wildfire Resiliency Code.

Certain provisions of the Colorado Wildfire Resiliency Code, as indicated in this section, are hereby amended.

A. The provisions of Chapter 1 shall include the following amendments:

1. Subsection 101.1 is replaced with the following:

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

2. Section 103 is deleted in its entirety.

3. Subsection 104.1 is replaced with the following:

104.1 - Powers and duties of the code official. The Building Official is hereby authorized to enforce the provisions of this code and shall be the *code official* for the purposes of this code.

4. Subsection 104.7 is replaced with the following:

104.7 – Official records. Official records shall be maintained in accordance with the Colorado Open Records Act and City of Lakewood record retention policies.

5. Subsection 104.7.1 is deleted.

6. Subsection 104.7.2 is deleted.
 7. Subsection 104.7.3 is deleted.
 8. Subsection 104.7.4 is deleted.
 9. Subsection 104.7.5 is deleted.
 10. Subsection 104.8 is deleted.
 11. Subsection 104.8.1 is deleted.
 12. Subsection 106.1 is replaced with the following:

106.1 - Fees General. Fees shall be established pursuant to Section 14.01.060 of the Lakewood Municipal Code.
- B. The provisions of Chapter 3 shall include the following amendments:
1. Subsection 302.1 is replaced with the following:

302.1 Declaration. The *wildland-urban interface* areas within the City of Lakewood are those areas designated on the 2025 Colorado Wildfire Resiliency Code Map as having a *fire intensity classification* of Low Intensity Non-Federal, Moderate Intensity Non-Federal, or High Intensity Non-Federal.
 2. Subsection 303.1 is replaced with the following:

303.1 Mapping of Wildfire Hazard Areas. The 2025 Colorado Wildfire Resiliency Code Map shall be the official map of the City of Lakewood for the purposes of this code. All wildfire hazards within the City of Lakewood, except as modified under section 304 of this code, shall be as designated on the 2025 Colorado Wildfire Resiliency Code Map.
 3. Subsection 303.1.1 is deleted.
 4. Subsection 303.1.2 is deleted.
 5. Subsection 303.3 is replaced with the following:

303.3 Applicability of Code Provisions. The requirements of this code shall apply to all parcels located within designated *wildland urban interface* as identified by the corresponding *fire intensity classifications* on the 2025 Colorado Wildfire Resiliency Code Map. 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 designated by the 2025 Colorado Wildfire Resiliency Code Map. 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 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.

14.31.070 – Penalties for violations of the 2025 Colorado Wildfire Resiliency Code.

- A. Any person who violates any of the provisions of the code adopted by this chapter or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder, and from which no appeal has been taken and decided so as to permit such action, or who fails to comply with such an order, as affirmed or modified by the Board of Appeals or by a court of competent jurisdiction, within the time fixed in this title, shall severally for each and every violation and noncompliance respectively, be subject to the penalties set forth in Section 1.16.020 of the Lakewood Municipal Code. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or deficits within a reasonable time, and when not otherwise specified, each day that the prohibited conditions are maintained shall constitute a separate offense.
- B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

14.31.080 – Appeals.

The Board of Appeals has authority to hear and decide appeals or orders, requirements or decisions of the Building Official relating to the application and interpretation of this Code or arising out of the permitting process. Such appeals shall be made in conformance with Chapter 14.12 of the Lakewood Municipal Code.

SECTION 3. All provisions of Title 14 of the Lakewood Municipal Code not expressly amended hereby shall remain unaltered by this Ordinance and in full force and effect.

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SECTION 4. The 2025 Colorado Wildfire Resiliency Code Map as shown on Exhibit A is hereby adopted as the official map of the City of Lakewood for the purposes of Chapter 14.31 of the Lakewood Municipal Code.

SECTION 5. This Ordinance shall take effect thirty (30) days after final publication.

SECTION 6. If any provision of this Ordinance is found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or application of this Ordinance are not determined by the court to be inoperable.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a hybrid regular meeting of the Lakewood City Council on the 24th day of August 2026; published by title in the Denver Post and in full on the City of Lakewood's website at www.lakewood.org on the 27th day of August, 2026; set for public hearing to be held on the 28th day of September, 2026; read, finally passed and adopted by the City Council on the 28th day of September, 2026; and signed by the Mayor on the ___ day of September, 2026.

Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney