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Notice of Rulemaking Confirmation

Official Publication of the State Administrative Rules (24-4-103(11) C.R.S.)

Date Filed: November 25, 2025 19:16:51

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REMEMBER: You must submit your proposed rules to DORA's Office of Policy, Research and Regulatory Reform at the time of filing this notice with the Secretary of State, as required by section 24-4-103(2.5) C.R.S.
Link:<https://www.dora.state.co.us/pls/real/SB121.Logon>

**Your notice of rulemaking has been submitted to the Secretary of State.
Your tracking number is 2025-00590.**

Department	1507 - Department of Public Safety
Type of Filing	Permanent
Agency	1507 - Division of Fire Prevention and Control
CCR Number	8 CCR 1507-39
CCR Title	The Adoption of Minimum Codes and Standards for Hardening Structures and Reducing Fire Risk in the Defensible Space Surrounding Structures in the Wildland-Urban Interface
Hearing Date	01/09/2026
Hearing Time	09:00 AM
Hearing Location	Virtual Zoom Meet https://zoom.us/j/96822172212?pwd=po7P8mTahh5Ckr39kGhuJeUMd9bVu8.1 Meeting ID: 96822172212 Passcode: d80KG8
Description	The purpose of this hearing is to adopt proposed amended rules to clarify the provisions for a Governing Body's right to petition and appeal for modifications to the Code in Article 5.1.2, to clarify the scope of material incorporated by reference, to update formatting for accessibility, and to correct minor grammatical and formatting errors.
Statutory Authority	24-33.5-1236, 24-33.5-1237(2)(a), 24-33.5-1237(2)(c), C.R.S.
Proposed Rule	ProposedRuleAttach2025-00590.docx
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Notice of Proposed Rulemaking

Tracking number

2025-00590

Department

1507 - Department of Public Safety

Agency

1507 - Division of Fire Prevention and Control

CCR number

8 CCR 1507-39

Rule title

The Adoption of Minimum Codes and Standards for Hardening Structures and Reducing Fire Risk in the Defensible Space Surrounding Structures in the Wildland-Urban Interface

Rulemaking Hearing

Date

01/09/2026

Time

09:00 AM

Location

Virtual Zoom Meet <https://zoom.us/j/96822172212?pwd=po7P8mTahh5Ckr39kGhuJeUMd9bVu8.1> Meeting ID: 96822172212
Passcode: d80KG8

Subjects and issues involved

The purpose of this hearing is to adopt proposed amended rules to clarify the provisions for a Governing Bodys right to petition and appeal for modifications to the Code in Article 5.1.2, to clarify the scope of material incorporated by reference, to update formatting for accessibility, and to correct minor grammatical and formatting errors.

Statutory authority

24-33.5-1236, 24-33.5-1237(2)(a), 24-33.5-1237(2)(c), C.R.S.

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DEPARTMENT OF PUBLIC SAFETY

Division of Fire Prevention and Control

8 CCR 1507-39

THE ADOPTION OF MINIMUM CODES AND STANDARDS FOR HARDENING STRUCTURES AND REDUCING FIRE RISK IN THE DEFENSIBLE SPACE SURROUNDING STRUCTURES IN THE WILDLAND-URBAN INTERFACE

STATEMENT OF BASIS, STATUTORY AUTHORITY, AND PURPOSE

Pursuant to Section 24-33.5-1236, C.R.S., the Wildfire Resiliency Code Board ("Board") shall promulgate rules that accomplish the following, at a minimum:

- I. Define the Wildland-Urban Interface and identify the areas of Colorado that are included within it.
- II. Adopt minimum Codes and Standards ("Codes") that apply to permitting and inspections for new construction of structures and the defensible space around such structures and are based on best practices to reduce the risk to life and property from the effects of wildfires.
- III. Adopt minimum Codes and Standards ("Codes") that apply to new external additions, alterations, or repair to existing structures or the defensible space around such structures and are based on best practices to reduce the risk to life and property from the effects of wildfires.
- IV. Identify the range of hazards and the types of buildings, entities, and defensible space around structures within the wildland-urban interface to which the codes apply.
- V. Establish the process by which a Governing Body may petition the Board for a modification to the Codes and establish the criteria and process for the Board to deny or grant an appeal from a decision by the Board on a petition for modification.
- VI. Establish criteria and parameters consistent with sections 24-65.1-105 AND 29-20-108, C.R.S., for expedited consideration or approval of an exemption from the Codes for activities or investments related to repair, replacement, or hardening of existing utility infrastructure primarily within existing transmission routes that mitigate wildfire risk.

This rule is These rules are proposed pursuant to this authority and **is are** intended to be consistent with the requirements of the State Administrative Procedures Act, Section 24-4-101, et seq., C.R.S.

Pursuant to Section 24-33.5-1237(2)(b), C.R.S., enforcement of the Codes adopted through the promulgation of these rules shall be in accordance with the rules and regulations for code enforcement by the Governing Body; therefore, enforcement of the Codes is not addressed in these rules.

Section 24-33.5-1237(2)(a), C.R.S., permits a Governing Body with jurisdiction in an area within the wildland-urban interface that has the authority to adopt building or fire codes to adopt a code that exceeds the minimum standards set forth in the Codes adopted through the promulgation of these rules. Section 24-33.5-1237(2)(c), C.R.S., establishes the Board's authority to review a Governing Body's alternative adopted code. These rules establish the Board's process and criteria for conducting and denying or approving these alternative adoptions.

The purpose of this rules amendment is to clarify the provisions for a Governing Body's right to

petition and appeal for modifications to the Code in Article 5.1.2, to clarify the scope of material incorporated by reference, to update formatting for accessibility, and to correct minor grammatical and formatting errors.

Karola Hanks, Chair
Wildfire Resiliency Code Board
Division of Fire Prevention and Control
Colorado Department of Public Safety

Date of Adoption

DEPARTMENT OF PUBLIC SAFETY

Wildfire Resiliency Code Board, Division of Fire Prevention and Control

THE ADOPTION OF MINIMUM CODES AND STANDARDS FOR HARDENING STRUCTURES AND REDUCING FIRE RISK IN THE DEFENSIBLE SPACE SURROUNDING STRUCTURES IN THE WILDLAND-URBAN INTERFACE

8 CCR 1507-39

APPLICABILITY

These rules and regulations apply to all newly constructed buildings and structures, and to significant additions, repairs, and remodels in the wildland-urban interface, as identified in these rules and as described in the code, with the exception of any thirty-five-acre parcel with only one residential structure on it that does not abut a residential or commercial area pursuant to the provisions of **C.R.S. Sections 24-33.5-1236** and **C.R.S. 24-33.5-1237, C.R.S.**

ARTICLE 1 - AUTHORITY TO ADOPT RULES AND REGULATIONS

- 1.1 The Wildfire Resiliency Code Board, established by the provisions of Section 24-33.5-1236(2), C.R.S., has the authorization, pursuant to section 24-33.5-1236(4), C.R.S., to promulgate rules in order to carry out the duties of the Wildfire Resiliency Code Board within the Division of Fire Prevention and Control.
- 1.2 Section 24-33.5-1236(4)(b)(II), C.R.S. establishes the authority and duty of the Wildfire Resiliency Code Board to:
 - 1.2.1 Adopt minimum codes and standards that apply to permitting and inspections for new construction of structures and the defensible space around such structures and are based on best practices to reduce the risk to life and property from the effects of wildfires.
 - 1.2.2 Adopt minimum codes and standards that apply to new external additions, alterations, or repair to existing structures or the defensible space around such structures and are based on best practices to reduce the risk to life and property from the effects of wildfires.
 - 1.2.3 Identify the range of hazards and the types of buildings, entities, and defensible space around structures within the wildland-urban interface to which the codes apply.
 - 1.2.4 Establish the process by which a Governing Body may petition the Board for a modification to the Code and establish the criteria and process for the Board to deny or grant an appeal from a decision by the Board on a petition for modification.
 - 1.2.5 Establish criteria and parameters consistent with Sections 24-65.1-105 and 29-20-108, C.R.S., for expedited consideration or approval of an exemption from the Code for activities or investments related to repair, replacement, or hardening of

existing utility infrastructure primarily within existing transmission routes that mitigate wildfire risk.

1.3 Section 24-33.5-1237(2)(c), C.R.S., establishes the Board's authority to review a Governing Body's alternative adopted code, as allowed by Section 24-33.5-1237(2)(a), C.R.S.

ARTICLE 2 - DEFINITIONS

2.1 The definitions provided in Section 24-33.5-1202, C.R.S., apply to these rules. The following additional definitions also apply:

- “**Board**” means the Wildfire Resiliency Code Board created in Section 24-33.5-1236(2), C.R.S.
- “**Codes**” means the minimum codes and standards adopted by the Board pursuant to Section 24-33.5-1236(4)(b)(II), C.R.S.
- “**Construction**” means work that is not considered as maintenance or service and that requires a permit as prescribed in the adopted codes and standards of the Governing Body or the Division.
- “**C.R.S.**” means the Colorado Revised Statutes.
- “**Department**” means the Department of Public Safety.
- “**Director**” means the Director of the Division of Fire Prevention and Control.
- “**Division**” means the Division of Fire Prevention and Control in the Department of Public Safety.
- “**Executive Director**” means the Executive Director of the Colorado Department of Public Safety.
- “**Governing Body**” means:
 - I. The city council, town council, board of trustees, or other governing body of a city, town, or city and county;
 - II. The board of directors of a fire protection district organized pursuant to ~~p~~Part 1 of ~~a~~Article 1 of ~~t~~Title 32, C.R.S.;
 - III. The governing body of an improvement district that provides fire protection services organized pursuant to ~~p~~Part 5 of ~~a~~Article 20 of ~~t~~Title 30, C.R.S.; or
 - IV. The board of county commissioners with respect to the area within a county that is outside the corporate limits of a city or town and outside the boundaries of a fire protection district.
- “**ICC**” means the International Code Council.
- “**Maintenance**” means to sustain in a condition of repair that will allow performance as originally designed or intended. Maintenance does not include replacement of elements of a system ~~which that~~ alters the performance criteria of the system as approved by the Authority Having Jurisdiction.
- “**Wildland-Urban Interface**” means that geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels.

ARTICLE 3 - CODES

3.1 The Colorado Wildfire Resiliency Code

The Board hereby adopts and incorporates by reference the Colorado Wildfire Resiliency Code, published by the Division of Fire Prevention and Control on June 01, 2025, and its referenced standards for the construction and maintenance of all property, buildings, and structures subject to the provisions of Section 24-33.5-1236, C.R.S. and these rules.

The Colorado Wildfire Resiliency Code is an adaptation of Chapters 1, 2, 3, and 5 of the 2024 International Wildland Urban Interface Code by the International Code Council (ICC), © 2023 by International Code Council, Inc. and based on other identified best practices for structure hardening and reducing fire risk in the defensible space surrounding structures.

3.1.1 These rules does not include later amendments to or editions of the incorporated material.

3.2 Public Copies

The Colorado Wildfire Resiliency Code can be accessed through the Division of Fire Prevention and Control within the Department of Public Safety at dfpc.colorado.gov. For further information regarding how this material can be obtained or examined, contact the Administrator for the Wildfire Resiliency Code Board at 1697 Cole Blvd, Lakewood, CO 80401 and/or ~~F~~the State Depository Libraries.

The Division will maintain electronic copies of the complete texts of the adapted and attributed codes and standards, which are available for public inspection during regular business hours. Interested parties may inspect the referenced incorporated materials and/or the adapted and attributed codes and standards by contacting the Administrator for the Wildfire Resiliency Code Board at 690 Kipling St, Lakewood, CO, and/or ~~F~~the State Depository Libraries. Copies of the referenced incorporated materials and/or the adapted and attributed codes and standards are available directly from the organization originally issuing the codes and standards: the International Code Council, Inc., through the International Code Council Regional Office Bookstores, reached by calling 888-ICC-SAFE or on the web at www.iccsafe.org.

3.3 Governing Body's Alternative Adoption

As allowed by section 24-33.5-1237(2)(a), C.R.S., a Governing Body may adopt an alternative code, so long as the alternative code meets or exceeds the minimum standards set forth in the code adopted in 3.1 of these rules. Pursuant to section 24-33.5-1237(2)(c), C.R.S., the Board shall review a Governing Body's alternative code adoption and make a ruling as to whether or not the alternative code meets these provisions.

ARTICLE 4 - CODE APPLICATION, FIRE INTENSITY CLASSIFICATION, AND MAPPING

4.1 Code Application

The Board hereby declares that, in accordance with the provisions of Section 24-33.5-1236, C.R.S., the Code adopted in Article 3.1 of these rules and its referenced standards shall apply to the construction and maintenance of property, buildings, and structures subject to these rules that are within the wildland-urban interface as defined by these rules and that are subject to a Fire Intensity Classification of Low or greater.

4.2 Fire Intensity Classification

The Board hereby adopts the Wildfire Resiliency Code - Fire Intensity Classification layer for the Colorado Wildfire Resiliency State Code Map, developed by the Division of Fire Prevention and Control (DFPC) and the Colorado State Forest Service (CSFS) at the direction of the Wildfire Resiliency Code Board (WRCB), for the purposes of determining the Fire Intensity Classification for a given location.

4.2.1 The Fire Intensity Classification layer encompasses both the current and potential Wildland Urban Interface (WUI), as defined by these rules.

4.2.2 The Fire Intensity Classification's starting point is the 2022 Colorado Wildfire Risk Assessment (CO-WRA) Fire Intensity Scale (FIS) layer, which primarily relies on vegetative fuel data, but also topography and weather conditions, to generate a state-wide indication of how intense a wildfire may be in a given location and therefore can be used to forecast the potential harm or damage if a wildfire occurs.

Note: The layer does not consider probability or risk of wildfire ignition or structure-to-structure conflagration.

4.2.3 The intensity values are classified into standard fire intensity levels based on flame length values for easy interpretation, and the levels in the original 2022 CO-WRA FIS layer include lowest, low, moderate, and high intensity. The original layer was generated at a 20-meter resolution, and was deemed too detailed for state-wide planning, code implementation, and enforcement efforts by the WRCB. The layer was further refined through smoothing, filtering, and aggregation techniques to provide simple but consistent transitions across classification types based on WRCB input.

4.2.4 The final form illustrates only three (3) levels of the original fire intensity (low, moderate, and high) for the purpose of code application, and appears as a hexagon layer, a GIS method that is useful for grouping geospatial data into hexagonal grids.

Note: This aggregation method supports the reality that wildfire hazards are experienced at scales beyond that of an individual parcel or home and ~~is are~~ influenced in part by adjacent conditions.

4.2.5 Fire Intensity Classifications shall be applied to the code adopted in Article 3.1 of these rules in the following manner:

- A. Moderate and High Fire Intensity Classifications correspond to Class 2 construction and site hardening requirements.
- B. Low Fire Intensity Classification corresponds to Class 1 construction and site hardening requirements within the Colorado Wildfire Resiliency Code.

4.2.6 Public Access

The Colorado Wildfire Resiliency State Code Map can be accessed through the Wildfire Resiliency Code Board within the Division of Fire Prevention and Control at dfpc.colorado.gov/WRCB. For further information regarding how this material can be obtained or examined, contact the Administrator for the Wildfire Resiliency Code Board at 1697 Cole Blvd, Lakewood, CO, and/or ~~F~~the State Depository Libraries. Questions related to the Colorado Wildfire Resiliency State Code Map can be sent to cdps_dfpc_wrcb@state.co.us

4.3 Locally Developed Mapping

A Governing Body may develop and adopt a local map designating WUI areas and identified Fire Intensity Classifications within its jurisdictional boundaries. Local mapping shall be consistent with the methodologies and criteria established by the Board.

4.3.1 Local maps shall incorporate factors including, but not limited to:

- A. Vegetative fuel types
- B. Historical wildfire occurrence
- C. Topography and slope
- D. Local weather patterns
- E. Fire behavior modeling and risk assessment.

4.3.2 ~~Review and Approval:~~ Local maps shall be subject to review for compliance verification and/or approval by the Board to ensure consistency with state standards and methodologies. Approved maps shall be recorded and made available for public inspection.

4.3.3 A local map shall be reviewed and updated by the Governing Body at intervals not to exceed three (3) years, or sooner if substantial changes in conditions, data, or methodology occur. Updates shall be submitted for review and approval in accordance with Section 4.3.2 ~~of these rules~~.

4.3.4 Where local mapping is adopted, it shall either supplement or supersede the state-provided Fire Intensity Classification map, as verified or approved by the Board. In cases where no local map has been adopted, the most current state mapping shall apply.

4.4 Local Ground-Truthing

4.4.1 A Governing Body may develop and adopt a process for site-specific ground-truthing that identifies or modifies the Fire Intensity Classification as described in the 2025 Colorado Wildfire Resiliency Code.

- A. Ground-truthing shall incorporate the factors identified in Section 4.3.1 of these rules.

4.4.2 These ground-truthing amendments do not require the state-developed map to be updated.

ARTICLE 5 – PETITIONS FOR MODIFICATION

5.1 General

The Colorado Wildfire Resiliency Code Board (the ~~b~~Board) shall appoint a Petition Committee (the ~~e~~Committee) that will serve as the group to hear a Governing Body's petition to modify requirements of the ~~e~~Code. If a petition for modification is denied by the ~~e~~Committee, the Governing Body may appeal the decision to the full ~~b~~Board.

5.1.1 Only Governing Bodies may make petitions and appeals to the ~~e~~Code. Requests from non-governing bodies for individual code modifications must be made to the local Governing Body with jurisdiction.

5.1.2 Any A Governing Body ~~that is maintaining jurisdiction for the local enforcement of the code~~, shall have the right to petition and appeal for modifications within its jurisdictional boundaries. ~~If a Governing Body has requested the Colorado Division of Fire Prevention and Control to assume local enforcement for the code, it is disqualified from petitioning or appealing for modifications.~~

5.1.3 The eCommittee shall have the authority to hear evidence pertaining to the application and intent of the eCode for the purpose of issuing reasonable interpretations of the provisions of the eCode and determining the suitability of alternative materials, design, and methods of construction and equipment.

5.1.4 Neither the eCommittee nor the bBoard shall have authority to waive requirements of the eCode interpret the administration of the eCode.

5.1.5 Petitions and appeals shall stay the enforcement of the eCode until the petition and appeal is heard by the eCommittee and a decision is communicated in writing to the petitioner.

5.2 Membership of the Committee

The petition committee shall consist of five (5) voting members appointed by the bBoard eChairperson. Each member shall serve for two (2) years or until a successor has been appointed. The bBoard ~~Vice~~ eChairperson shall be an ex officio member of said eCommittee, but shall not vote on any matter before the eCommittee.

5.2.1 The eCommittee shall consist of bBoard members who are qualified by expertise and training to pass on matters pertaining to hazards of wildfire, construction, vegetation management and community planning.

5.2.2 The bBoard chairperson is authorized to appoint two (2) alternate members who shall be called by the eCommittee eChairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for eCommittee membership and shall be appointed for the same term or until a successor has been appointed.

5.2.3 Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

5.2.4 The eCommittee shall annually select one (1) of its members to serve as eChairperson.

5.2.5 The eCommittee shall designate a qualified member to serve as sSecretary to the eCommittee. The sSecretary shall file a detailed record of all proceedings, which shall set forth the reasons for the eCommittee's decision, the vote of each member, the absence of a member and any failure of a member to vote.

5.2.6 A member with any personal, professional or financial interest in a matter before the eCommittee shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

5.2.7 Members shall not be compensated for their service other than for reimbursement of travel expenses, or as determined by law.

5.2.8 The eCommittee shall establish policies and procedures necessary to carry out its duties consistent with the provisions of the eCode and applicable local, state and federal law. The procedures shall not require compliance with strict rules of

evidence, but shall mandate that only relevant information be presented.

- 5.2.9 The eCommittee shall meet at stated periodic intervals.
- 5.2.10 Three (3) members of the eCommittee shall constitute a quorum.
- 5.2.11 The State of Colorado shall provide legal counsel to the eCommittee to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the State of Colorado's expense in all matters arising from service within the scope of their duties.
- 5.2.12 The eCommittee shall only affirm the petition to modify the requirements of the eCode by a concurring vote of a majority of the members. In the instance of a tie, the petition is not affirmed.
- 5.2.13 The decision of the eCommittee shall be by resolution. Every decision shall be promptly filed in writing to the office of the Administrator of the Colorado Division of Fire Prevention and Control within thirty (30) days and shall be open to the public for inspection. A certified copy shall be furnished to the petitioner or the petitioner's representative and to the bBoard eChairperson.

5.3 Petition Process

An application for petition shall be based on a claim that the intent of the eCode or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of the eCode do not fully apply, or an equally good or better material, design or form of construction is proposed.

- 5.3.1 An application to petition shall be filed on a form obtained from the eCommittee within thirty (30) days prior to the next regular eCommittee meeting. If the appeal is submitted less than thirty (30) days prior to the next eCommittee meeting, the hearing will be delayed until the following eCommittee meeting.
- 5.3.2 All petitions shall be heard at the next regularly scheduled meeting of the eCommittee, unless for good cause shown otherwise. The aAdministrator of the eCommittee shall notify the petitioner of the time, date and place of the eCommittee hearing.
- 5.3.3 Pursuant to the petition application, the petitioners shall provide the specific eCode section for which they are requesting a modification, the reason for the modification, and the alternative method of compliance being proposed. The petitioner shall provide supporting documents (manufacturers' specification sheets, research reports, results from a testing laboratory or other supporting documents) and a written narrative as to the reason for the petition.
- 5.3.4 The eCommittee may modify, affirm or deny the petition for modification, stating the reasons for the decision. The decision shall be provided in writing to the petitioner no more than thirty (30) business days after the hearing.
- 5.3.5 If the petition is upheld or modified, the petitioner shall be approved to implement the requested modifications to the eCode.
- 5.3.6 If the petition is denied, the stay of enforcement of the eCode is revoked, and the appealing Governing Body shall take immediate action in accordance with the decisions of the eCommittee, unless the petitioner chooses to appeal the decision to

the ~~b~~Board.

5.4 Appeals Process

An appeal application shall be filed with the ~~b~~Board within ten (10) business days of the petition decision of the ~~e~~Committee, but no less than thirty (30) days prior to the next regularly scheduled board meeting. If the appeal is submitted less than thirty (30) days prior to the next board meeting, the hearing will be delayed until the following meeting.

- 5.4.1 A member with any personal, professional or financial interest in a matter before the ~~e~~Committee shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.
- 5.4.2 All appeals shall be heard at the next regularly scheduled meeting of the ~~WRCB~~Board, unless for good cause shown otherwise. The ~~a~~Administrator of the ~~WRCB~~Board shall notify the petitioner of the time, date and place of the hearing.
- 5.4.3 Pursuant to the appeals application, the appellants shall provide the specific ~~e~~Code section for which they are requesting a modification, the reason for the modification, and the alternative method of compliance being proposed. The appellants shall provide supporting documents (manufacturers' specification sheets, research reports, results from a testing laboratory or other supporting documents) and a written narrative as to the reason for the petition.
- 5.4.4 The ~~b~~Board may modify, uphold or deny the petition decision, stating the reasons for the decision. The decision shall be provided in writing to the appellant no more than thirty (30) days after the hearing.
- 5.4.5 If the appeal is upheld or modified, the appellant shall be approved to implement the requested modifications to the ~~e~~Code.
- 5.4.6 If the appeal is denied, the stay of enforcement of the ~~e~~Code is revoked, and the appealing Governing Body shall take immediate action in accordance with the decisions of the ~~b~~Board.

5.5 Further Legal Procedures

Any Governing Body that is aggrieved by the appeals process decision of the board may appeal to the courts of Colorado in accordance with the Colorado rules of civil procedure, pursuant to Title 24, Article 4, C.R.S.

ARTICLE 6 –RECORDS AND REPORTING

6.1 Governing Body Records Retention

- 6.1.1 The Governing Body shall keep a record of proposed and approved modifications as submitted to or received from the Board concerning:
 - A. Mapping
 - B. Site and area requirements
 - C. Building requirements
- 6.1.2 Upon the adoption of the ~~e~~Code, the details of modifications granted by a Governing Body shall be recorded and entered in the files of the Governing Body.

6.2 Governing Body Reporting Requirements

- 6.2.1 A Governing Body shall provide a copy of the adopted ordinance or resolution with a statement attesting to meeting or exceeding the Colorado Wildfire Resiliency Code. Jurisdictions shall report to the Board by July 31 of each year beginning in 2026. Governing Bodies that have not made change to the adopted codes, ordinances, or resolutions shall submit a statement of attestation to the fact and resubmitting the adopted ordinance or resolution is not necessary.
- 6.2.2 A Governing Body is encouraged to provide recommendations to the Board so that appropriate and reasonable modifications to the Colorado Wildfire Resiliency Code may be determined.
- 6.2.3 The Governing Body shall be responsible for maintaining appropriate records for the enforcement and maintenance of those requirements as established by the Colorado Wildfire Resiliency Code to enable accurate reporting as required.

ARTICLE 7 – ENFORCEMENT

- 7.1 In accordance with Section 24-33.5-1237(2)(b), C.R.S., enforcement of the adopted code in Article(s) 3.1 and/or 3.3 of these rules shall be in accordance with the rules and regulations for code enforcement by the Governing Body. The period to comply with an adopted code shall be in accordance with the rules and regulations of the Governing Body or within three (3) months of the date the code is adopted by the Governing Body, whichever is sooner.
- 7.2 As allowed in Section 24-33.5-1237(2)(d), C.R.S., if a Governing Body does not have rules and regulations in place for the enforcement of a code adopted in 3.1 and/or 3.3 of these rules, the Governing Body may request support from the Division in conducting inspections and enforcing the code pursuant to the Division's procedures set forth in 24-33.5-1213; except that, any civil penalty collected pursuant to Section 24-33.5-1213(4) shall be deposited in the eCode board cash fund.
 - 7.2.1 A Governing Body requesting such support is subject to the provisions of Article 5.1.2 of these rules.

ARTICLE 8 – CRITERIA AND PARAMETERS FOR EXISTING UTILITY INFRASTRUCTURE

- 8.1 The Board shall establish criteria and parameters consistent with Sections 24-65.1-105 and 29-20-108, C.R.S., for expedited consideration or approval of an exemption from the Code for activities or investments related to repair, replacement, or hardening of existing utility infrastructure primarily within existing transmission routes that mitigate wildfire risk.

ARTICLE 9 – INQUIRIES

- 9.1 Questions, clarification, or interpretation of these Rules should be addressed in writing to: Wildfire Resiliency Code Board Administrator, Colorado Division of Fire Prevention and Control, 1697 Cole Blvd, Lakewood, CO 80401. Telephone number: (303) 239-4600.

Editor's Notes

History

New rule eff. 08/30/2025.

[Select Language](#)

COLORADO

Department of Public Safety

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CDPS Rules - Colorado Code of Regulations

Rulemaking at CDPS

The Colorado Department of Public Safety is committed to governmental transparency in our stakeholder engagement and to comply with the provisions of the State Administrative Procedure Act, Section 24-4-101, et seq., of the Colorado Revised Statutes for rulemaking and regulatory procedures.

Stakeholder Engagement and Accessibility

The process of adopting, reviewing, and changing rules and regulations is a public one. We encourage your participation in our rulemaking process. Please see the information below for upcoming rulemaking hearings and how to submit comments. You are always welcome to attend any hearings associated with the rulemaking process, and your comments and questions will be taken into consideration during the rulemaking process.

We are committed to providing equitable access to our services, including the rulemaking process. Our ongoing accessibility efforts strive to align with the current Web Content Accessibility Guidelines (WCAG) version, level AA criteria and to comply with the accommodation requests under the Americans with Disabilities Act.

For more information, any questions you have, including accommodation requests or assistance in accessing our rulemaking documents and participating in our rulemaking hearings, please contact the Department Rules Administrator Christine Moreno via email christine.moreno@state.co.us or by phone 719-343-0995.

All Colorado Department of Public Safety rules currently in effect are available on the [Secretary of State's Website](#).

CDPS Regulatory Report, Agenda, and Review Schedule

CDPS 2025 Regulatory Report

The CDPS Regulatory Report of all rulemaking activities in the Department for calendar year 2025 can be found [here in PDF format](#) (<https://publicsafety.colorado.gov/sites/publicsafety/files/2025%20CDPS%20Regulatory%20Report.pdf>) or [here in docx format](#) (<https://publicsafety.colorado.gov/sites/publicsafety/files/2025%20CDPS%20Regulatory%20Report.docx>). This report includes cyclical rule reviews, new rules adopted, repealed rules, and amended rules adopted and includes a brief summary of the actions taken and the statutory authority, if applicable.

CDPS 2026 Regulatory Agenda

The CDPS Regulatory Agenda of all planned and anticipated rulemaking activities in the Department for calendar year 2026 can be found [here in PDF format](#) (<https://publicsafety.colorado.gov/sites/publicsafety/files/2026%20CDPS%20Regulatory%20Agenda.pdf>) or [here in docx format](#) (<https://publicsafety.colorado.gov/sites/publicsafety/files/2026%20CDPS%20Regulatory%20Agenda.docx>). This agenda includes cyclical rule reviews, planned rule

amendments, and new rules authorized by statute.

CDPS Regulatory Review Schedule

The CDPS Regulatory Review Schedule shows all planned mandatory regulatory efficiency reviews of all Department regulations. These reviews follow a four-year review cycle; however, some rules are reviewed annually or on a more frequent cycle depending on statutory requirements and/or divisional determinations. The Regulatory Review Schedule sheet can be found [here in xlsx format](#) (https://publicsafety.colorado.gov/sites/publicsafety/files/2025_CDPS%20Rules%20Review%20Schedule%20%282%29.xlsx) or [here in pdf format](#) (https://publicsafety.colorado.gov/sites/publicsafety/files/2025_CDPS%20Rules%20Review%20Schedule%20-%20Schedule%20for%20Public%20%281%29.pdf).

Rulemaking Updates and Public Hearings

Proposed and completed rulemaking for the calendar year are listed below. Stakeholder notices include drafts of the proposed new or amended rules along with invitations and information for stakeholder and public comments. Upcoming rulemaking hearing announcements include the draft of the proposed rules, information on the meeting time, date and virtual platform/link (hearings are held virtually unless otherwise noted), and invitation to submit comments before the hearing. Completed rulemaking hearings include the adopted rules, hearing exhibits, and hearing information. Rulemaking hearings are held to review and to update rules and regulations to remain consistent with Colorado statutes, Code of Federal Regulations (CFR) and/or national criteria.

CDPS is committed to the full inclusion of all individuals. As part of this commitment, CDPS will ensure reasonable accommodations are provided to enable all people to engage fully in our trainings, meetings and events. To request accommodations, please contact Rules Administrator, Christine Moreno at christine.moreno@state.co.us or by phone 719-343-0995, at least two (2) weeks prior to the hearing/meeting. Please contact Rules Administrator, Christine Moreno at christine.moreno@state.co.us or by phone 719-343-0995, if you need any of the materials translated into a language other than English or provided in an alternative format for accessibility.

Proposed Rulemaking

Upcoming Public Hearings

8 CCR 1507-39 Wildfire Resiliency Code Board Minimum Codes and Standards for Hardening Structures and Reducing Fire Risk in the Defensible Space Surrounding Structures in the Wildland-Urban Interface - Friday, January 9, 2026 9:00 AM MST

The Division of Fire Prevention & Control is holding a public hearing to adopt proposed amended rules 8 CCR 1507-39 Wildfire Resiliency Code Board Codes and Standards regarding structural hardening and risk mitigation in the wildland-urban interface. This rulemaking is to address concerns raised by the Office of Legislative Legal Services (OLLS) in their review of the newly adopted rules establishing the minimum codes and standards published by the Wildfire Resiliency Code Board (WRCB). The proposed rules amendment clarify the scope of the WRCB's established Codes and Standards incorporated by reference and clarify Rule 5.1.2 regarding a Governing Body's right to petition and appeal to the Board for a modification to the Code.

The public hearing will be held virtually using the Zoom meeting platform. All stakeholders, interested parties, and members of the public are invited to attend and to provide comment on the proposed rules. The scheduled hearing is Friday, January 9, 2026 at 9:00am MST and may be attended virtually through the following information and link. The hearing may also be attended via phone; the phone number will be added to the information below prior to the hearing date.

Zoom Information

[Zoom Meeting Link](https://zoom.us/j/96822172212?pwd=po7P8mTahh5Ckr39kGhuJeUMd9bVu8.1) (<https://zoom.us/j/96822172212?pwd=po7P8mTahh5Ckr39kGhuJeUMd9bVu8.1>).

Meeting ID: 968 2217 2212

Passcode: d80KG8

The proposed amended rules may be found [here in docx format](#) (https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-39%20WRCB%20Code_redline%2011-25-25.docx) or [here in pdf format](#) (https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-39%20WRCB%20Code_redline%2011-25-25.pdf).

For anyone needing accommodation for accessibility to attend the hearing, such as ASL interpretation, please contact CDPS Rules Administrator, Chris Moreno, at christine.moreno@state.co.us or by phone 719-343-0995, no later than Wednesday, December 17, 2025. Please note that use of AI transcription is prohibited; however, the hearing is recorded and transcribed. Transcripts of the hearing may be obtained by contacting CDPS Rules Administrator, Chris Moreno, at christine.moreno@state.co.us or by phone 719-343-0995. The hearing recording, transcript, and attendance and public comments received are permanently stored by the Department pursuant to the Administrative Procedure Act.

Pre-hearing comments may be sent via email to the Wildfire Resiliency Code Board at cdps_dfpc_wrcb@state.co.us or to CDPS Rules Administrator, Chris Moreno, at christine.moreno@state.co.us or by phone 719-343-0995, no later than 5:00pm MDT Tuesday, January 6, 2026. All comments received will be stored permanently in the hearing exhibits as part of the permanent rulemaking record. Pre-hearing exhibits will be posted here in pdf format no later than Tuesday, January 6, 2026. Personally identifying information, including email addresses and phone numbers, are redacted from the pre-hearing exhibits available on this webpage; however, this information is unredacted in the permanent hearing exhibits of the rulemaking record.

CSP Commercial Vehicle Suite (8 CCR 1507-1, 8 CCR 1507-22, 8 CCR 1507-25, 8 CCR 1507-28) - Thursday, January 29, 2026 09:15 AM MST

CSP will be holding a public hearing to amend the rules in the Commercial Vehicle Suite based on ongoing efficiency reviews, updates in industry practice, and changes in the CFRs, CCRs, and state statutes. The hybrid hearing may be attended virtually via the Google Meet platform or in person at the Colorado State Patrol Academy, Bldg. 100 (Carrell Hall) 15055 South Golden Road, Golden, CO 80401.

The Google Meet may be attended via internet or phone:

meet.google.com/qkt-vfrw-yyf (<https://meet.google.com/qkt-vfrw-yyf?hs=224>)

(US) +1 716-249-4220

PIN: 321 702 583#

The Commercial Vehicle Suite rules consist of the following four (4) rules:

8 CCR 1507-1 Minimum Standards for the Operation of Commercial Vehicles (more commonly known as the Motor Carrier Rules)

8 CCR 1507-22 Claims for Reimbursement for the Costs of Response and Mitigation of Hazardous Substance Incidents

8 CCR 1507-25 Permitting, Routing and Transportation of Hazardous and Nuclear Materials and the Intrastate Transportation of Agricultural Products in the State of Colorado

8 CCR 1507-28 Port of Entry Rules for Commercial Motor Carrier Size, Weight & Clearance

Additionally, the following rules also may be amended, pending the final determination of the rule review currently underway:

8 CCR 1507-58 Third Party VIN Inspection Program

The proposed amended rules redlined drafts, companion documents, and may be found here as follows:

- 8 CCR 1507-1 Redlined draft [in docx format](https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-1_2026%20redline%20v2.docx) (https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-1_2026%20redline%20v2.pdf) or [in pdf format](https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-1_2026%20redline%20v2.pdf) (https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-1_2026%20redline%20v2.pdf)
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- 8 CCR 1507-28 Redlined draft in docx format (https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-28_2026%20redline%20v1.docx) or in pdf format (https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-28_2026%20redline%20v1.pdf).
 - Companion document in docx format (https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-28_2026%20redline%20v1%20companion%20document.docx) or in pdf format (https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-28_2026%20redline%20v1%20companion%20document.pdf).
 - Notice of public rulemaking in docx format (https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-28_NPRM%20Letter_Dec%202025.docx) or in pdf format (https://publicsafety.colorado.gov/sites/publicsafety/files/8%20CCR%201507-28_NPRM%20Letter_Dec%202025.pdf).

The statements of basis and purpose for all four CMV Suite rules and relevant additional information to prepare for the hearing may be found [here in docx format](#) (<https://publicsafety.colorado.gov/sites/publicsafety/files/2026%20Notice%20of%20Public%20Rulemaking-%20CMV%20Suite%20%281%29.docx>) or [here in pdf format](#) (<https://publicsafety.colorado.gov/sites/publicsafety/files/2026%20Notice%20of%20Public%20Rulemaking-%20CMV%20Suite%20%281%29.pdf>).

Stakeholders, interested parties, and members of the public are invited to participate in our rulemaking process. We welcome attendance at the hearing and submission of comments as part of our ongoing stakeholder engagement efforts.

Please submit early questions and comments to CSP Rulemaking Coordinator, Angelina Page, Esq. at angelina.page@state.co.us (<mailto:angelina.page@state.co.us>) or 303-815-9027, or to CDPS Rules Administrator, Chris Moreno at christine.moreno@state.co.us (<mailto:christine.moreno@state.co.us>) or 719-343-0995.

Accommodation requests for accessibility to attend the hearing or to access the hearing information, please contact either Angelina Page or Chris Moreno no later than Monday, January 12th, 2026.

Completed Rulemaking & Hearings

- 8 CCR 1507-31 Building, Fire, and Life Safety Code Enforcement and Certification of Inspectors for Health Facilities Licensed by the State of Colorado [Continuation of Rulemaking] **Effective Date: 12/30/2025**
- 8 CCR 1507-101 Building and Fire Code Adoption and Certification of Inspectors for Fire & Life Safety Programs Administered by the State of Colorado **Effective Date: 12/30/2025**
- 8 CCR 1507-75 First Responder Death Benefit Fund **Effective Date: 1/1/2026**

About CDPS Rulemaking and Stakeholder Engagement

Virtually all state government agencies issue rules or regulations of some kind. Most rules and regulations exist at the direction of the state legislature in order to regulate certain business and personal activities. Rules and regulations exist because it's easier to update them, eliminate them, or alter them administratively than it is to pass new legislation as conditions change.

CDPS Protocol: How We Engage Stakeholders

Find out how the processes CDPS uses to engage stakeholder and how you can get involved by visiting our [Stakeholder Engagement Protocol Page](#) ([/cdps-rulemaking-stakeholder-engagement-protocol](#)).

For Further Rulemaking Information

[CDPS Rules on the Secretary of State's Website](#)

[Learn About Rulemaking and Regulatory Review in Colorado](#) from the Colorado Office of Policy, Research & Regulatory Reform (COPRRR) in the Department of Regulatory Agencies (DORA). Additional information, including how to request a Cost-Benefit Analysis of proposed rules, make be found in this [Citizen's Guide to Colorado Rulemaking](#) (https://drive.google.com/file/d/0B6RhHT-h2_eVlJxWDh5aDRuLzA/view?usp=sharing&resourcekey=0-DkkxgWbEDdbCWQZBEGbtaw) published by COPRRR and also available on the [DORA/COPRRR Website](#) (<https://coprr.colorado.gov/>).

To receive CDPS regulatory notices, submit comments on CDPS Rules, and/or to request further information on CDPS Rules and rulemaking, please contact CDPS Rules Administrator, Chris Moreno, at christine.moreno@state.co.us (<mailto:christine.moreno@state.co.us>) or by phone at 719-343-0995.

To receive email notifications and updates for Notices of Rulemaking, including proposed or amended rules, adopted permanent or emergency rules, and the associated Attorney General Opinions for adopted rules as published by the Secretary of State in the Colorado Register, sign up on the [Colorado Secretary of State Code of Regulations webpage](#) (https://www.coloradosos.gov/pubs/rule_making/rules.html).

Colorado Department of Public Safety

Contact

For emergencies, please call [911](tel:911).

To report aggressive or drunk drivers, call [*277](tel:277) from your mobile phone.

To contact a division within CDPS, please see our [Contact Us list](https://publicsafety.colorado.gov/contact).

To submit a records request, visit our [CORA instructions page](/contact-us/colorado-open-records-request).

Explore [careers with CDPS](/cdps-careers)!

[CDPS Social Media Terms of Use & Guidelines](/cdps-social-media-guidelines)

Resources & Info

[Colorado.gov](https://colorado.gov)

Connect with state of Colorado government services & help.

[211 Colorado](tel:211)

A confidential and multilingual service to access vital resources across the state.

Call [211](tel:211) or [866-760-6489](tel:866-760-6489) or Text your ZIP CODE to 898-211

[CO-HELP](tel:303-389-1687)

Colorado's call line for general questions about the COVID-19.

Call [303-389-1687](tel:303-389-1687) or [877-462-2911](tel:877-462-2911)

Accessibility

The State of Colorado is committed to providing equitable access to our services to all Coloradans. [View the Accessibility, Interpretation & Translation Support page](https://publicsafety.colorado.gov/accessibility-interpretation-and-translation-support).

[Home](#)[My Proposed Rules](#)[Submit New Rule](#)[Reports](#)[My Account](#)[Help](#)**Submission Accepted****Rule Submitted**

Your proposed rules or amendments to rules have been sucessfully submitted to the Department of Regulatory Agencies.

After your submission has been checked for completeness, it will be made available to the general public on DORA's website and email notifications will be sent to interested stakeholders. You will be copied on all stakeholder requests for a cost-benefit analysis and DORA staff will contact you to discuss any public requests.

You may log back in to this system at any time to check on the current status of this rule. An email notification containing further instructions will be sent if a cost-benefit analysi is required as a result of your submission.

Colorado Department of Regulatory Agencies

November 25, 2025 07:34 pm
Calling Procedure:
SB121_Submit_Rule.
Rule_Submitted
Version: 1.0



STATE OF
COLORADO

Moreno - CDPS, Christine <christine.moreno@state.co.us>

No Public Cost-Benefit Analysis Request for Rule - Wildfire Resiliency Code Board Rules -

1 message

DORA_OPR_Website@state.co.us <DORA_OPR_Website@state.co.us>
To: christine.moreno@state.co.us

Fri, Dec 19, 2025 at 7:52 PM

The deadline for public Cost-Benefit Analysis requests has passed for the following Proposed Rule:

Department: Department of Public Safety
Rulemaking Agency: Fire Prevention and Control
Rule ID: 10990
Title or Subject: Minimum Codes and Standards for Hardening Structures and Reducing Fire Risk in the Defensible Space Surrounding Structures in the Wildland-Urban Interface
Submitted by: Christine Moreno
Date Submitted: 11/25/2025
Deadline for Public Cost-Benefit Analysis Request: December 15, 2025 11:59 pm

No public requests were received by the deadline. A Cost-Benefit Analysis is not required for this submission.

Please contact us at DORA_OPR_Website@state.co.us if you have further questions regarding this e-mail message.



STATE OF
COLORADO

Moreno - CDPS, Christine <christine.moreno@state.co.us>

NOTICE - SOS Tracking No. 2025-00242 - Action by Agency Completed

1 message

Alison Killen <alison.killen@coleg.gov>

To: christine.moreno@state.co.us

Cc: olls.ga@coleg.gov

Wed, Nov 26, 2025 at 9:24 AM

This notice updates your department about the status of the legislative review for the rule that you submitted to the Office of Legislative Legal Services on 07/21/2025 concerning The purpose of this rulemaking is to adopt minimum codes and standards established by the Colorado Wildfire Resiliency Code Board. The codes and standards address hardening structures and reducing fire risk in the wildland-urban fire interface. The rules also establish processes, criteria, and parameters to petition the Code Board for exemptions, modifications, and appeals., OLLS Docket Number 250341. The Office of Legislative Legal Services identified rule issues with the rule and requested that your department take action to revise the rule or take other steps to address those rule issues. Our staff has determined that your department has addressed the rule issues found by our Office. Thank you for taking this action. Our records now categorize the rule as Action by Agency Completed.

Please note, however, that issuance of this notice does not constitute approval or preclude later review of the rule by the Committee on Legal Services.

If you have any questions, please do not hesitate to contact this office.

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Office of Legislative Legal Services
Colorado General Assembly
303-866-2045 | olls.ga@coleg.gov

DEPARTMENT OF PUBLIC SAFETY
Division of Fire Prevention and Control

8 CCR 1507-39

**THE ADOPTION OF MINIMUM CODES AND STANDARDS FOR HARDENING
STRUCTURES AND REDUCING FIRE RISK IN THE DEFENSIBLE SPACE
SURROUNDING STRUCTURES IN THE WILDLAND-URBAN INTERFACE**

STATEMENT OF BASIS, STATUTORY AUTHORITY, AND PURPOSE

Pursuant to Section 24-33.5-1236, C.R.S., the Wildfire Resiliency Code Board (“Board”) shall promulgate rules that accomplish the following, at a minimum:

- I. Define the Wildland-Urban Interface and identify the areas of Colorado that are included within it.
- II. Adopt minimum Codes and Standards (“Codes”) that apply to permitting and inspections for new construction of structures and the defensible space around such structures and are based on best practices to reduce the risk to life and property from the effects of wildfires.
- III. Adopt minimum Codes and Standards (“Codes”) that apply to new external additions, alterations, or repair to existing structures or the defensible space around such structures and are based on best practices to reduce the risk to life and property from the effects of wildfires.
- IV. Identify the range of hazards and the types of buildings, entities, and defensible space around structures within the wildland-urban interface to which the codes apply.
- V. Establish the process by which a Governing Body may petition the Board for a modification to the Codes and establish the criteria and process for the Board to deny or grant an appeal from a decision by the Board on a petition for modification.
- VI. Establish criteria and parameters consistent with sections 24-65.1-105 AND 29-20-108, C.R.S., for expedited consideration or approval of an exemption from the Codes for activities or investments related to repair, replacement, or hardening of existing utility infrastructure primarily within existing transmission routes that mitigate wildfire risk.

~~This rule is~~ These rules are proposed pursuant to this authority and ~~is~~ are intended to be consistent with the requirements of the State Administrative Procedures Act, Section 24-4-101, et seq., C.R.S.

Pursuant to Section 24-33.5-1237(2)(b), C.R.S., enforcement of the Codes adopted through the promulgation of these rules shall be in accordance with the rules and regulations for code enforcement by the Governing Body; therefore, enforcement of the Codes is not addressed in these rules.

Section 24-33.5-1237(2)(a), C.R.S., permits a Governing Body with jurisdiction in an area within the wildland-urban interface that has the authority to adopt building or fire codes to adopt a code that exceeds the minimum standards set forth in the Codes adopted through the promulgation of these rules. Section 24-33.5-1237(2)(c), C.R.S., establishes the Board’s authority to review a Governing Body’s alternative adopted code. These rules establish the Board’s process and criteria for conducting and denying or approving these alternative adoptions.

The purpose of this rules amendment is to clarify the provisions for a Governing Body’s right to petition and appeal for modifications to the Code in Article 5.1.2, to clarify the scope of material incorporated by reference, to update formatting for accessibility, and to correct minor grammatical

and formatting errors.

Karola Hanks, Chair
Wildfire Resiliency Code Board
Division of Fire Prevention and Control
Colorado Department of Public Safety

Date of Adoption

DEPARTMENT OF PUBLIC SAFETY

Wildfire Resiliency Code Board, Division of Fire Prevention and Control

THE ADOPTION OF MINIMUM CODES AND STANDARDS FOR HARDENING STRUCTURES AND REDUCING FIRE RISK IN THE DEFENSIBLE SPACE SURROUNDING STRUCTURES IN THE WILDLAND-URBAN INTERFACE

8 CCR 1507-39

APPLICABILITY

These rules and regulations apply to all newly constructed buildings and structures, and to significant additions, repairs, and remodels in the wildland-urban interface, as identified in these rules and as described in the code, with the exception of any thirty-five-acre parcel with only one residential structure on it that does not abut a residential or commercial area pursuant to the provisions of ~~C.R.S.~~ Sections 24-33.5-1236 and ~~C.R.S.~~ 24-33.5-1237, ~~C.R.S.~~

ARTICLE 1 - AUTHORITY TO ADOPT RULES AND REGULATIONS

- 1.1 The Wildfire Resiliency Code Board, established by the provisions of Section 24-33.5-1236(2), C.R.S., has the authorization, pursuant to section 24-33.5-1236(4), C.R.S., to promulgate rules in order to carry out the duties of the Wildfire Resiliency Code Board within the Division of Fire Prevention and Control.
- 1.2 Section 24-33.5-1236(4)(b)(II), C.R.S. establishes the authority and duty of the Wildfire Resiliency Code Board to:
 - 1.2.1 Adopt minimum codes and standards that apply to permitting and inspections for new construction of structures and the defensible space around such structures and are based on best practices to reduce the risk to life and property from the effects of wildfires.
 - 1.2.2 Adopt minimum codes and standards that apply to new external additions, alterations, or repair to existing structures or the defensible space around such structures and are based on best practices to reduce the risk to life and property from the effects of wildfires.
 - 1.2.3 Identify the range of hazards and the types of buildings, entities, and defensible space around structures within the wildland-urban interface to which the codes apply.
 - 1.2.4 Establish the process by which a Governing Body may petition the Board for a modification to the Code and establish the criteria and process for the Board to deny or grant an appeal from a decision by the Board on a petition for modification.
 - 1.2.5 Establish criteria and parameters consistent with Sections 24-65.1-105 and 29-20-108, C.R.S., for expedited consideration or approval of an exemption from the Code for activities or investments related to repair, replacement, or hardening of existing utility infrastructure primarily within existing transmission routes that mitigate wildfire risk.
- 1.3 Section 24-33.5-1237(2)(c), C.R.S., establishes the Board's authority to review a Governing

Body's alternative adopted code, as allowed by Section 24-33.5-1237(2)(a), C.R.S.

ARTICLE 2 - DEFINITIONS

2.1 The definitions provided in Section 24-33.5-1202, C.R.S., apply to these rules. The following additional definitions also apply:

- “**Board**” means the Wildfire Resiliency Code Board created in Section 24-33.5-1236(2), C.R.S.
- “**Codes**” means the minimum codes and standards adopted by the Board pursuant to Section 24-33.5-1236(4)(b)(II), C.R.S.
- “**Construction**” means work that is not considered as maintenance or service and that requires a permit as prescribed in the adopted codes and standards of the Governing Body or the Division.
- “**C.R.S.**” means the Colorado Revised Statutes.
- “**Department**” means the Department of Public Safety.
- “**Director**” means the Director of the Division of Fire Prevention and Control.
- “**Division**” means the Division of Fire Prevention and Control in the Department of Public Safety.
- “**Executive Director**” means the Executive Director of the Colorado Department of Public Safety.
- “**Governing Body**” means:
 - I. The city council, town council, board of trustees, or other governing body of a city, town, or city and county;
 - II. The board of directors of a fire protection district organized pursuant to ~~p~~Part 1 of ~~a~~Article 1 of ~~t~~Title 32, C.R.S.;
 - III. The governing body of an improvement district that provides fire protection services organized pursuant to ~~p~~Part 5 of ~~a~~Article 20 of ~~t~~Title 30, C.R.S.; or
 - IV. The board of county commissioners with respect to the area within a county that is outside the corporate limits of a city or town and outside the boundaries of a fire protection district.
- “**ICC**” means the International Code Council.
- “**Maintenance**” means to sustain in a condition of repair that will allow performance as originally designed or intended. Maintenance does not include replacement of elements of a system ~~which that~~ alters the performance criteria of the system as approved by the Authority Having Jurisdiction.
- “**Wildland-Urban Interface**” means that geographical area where structures and other human development ~~meets~~ or ~~intermingles~~ with wildland or vegetative fuels.

ARTICLE 3 - CODES

3.1 The Colorado Wildfire Resiliency Code

The Board hereby adopts and incorporates by reference the Colorado Wildfire Resiliency Code, published by the Division of Fire Prevention and Control on June 01, 2025, and its referenced standards for the construction and maintenance of all property, buildings, and structures subject to the provisions of Section 24-33.5-1236, C.R.S. and these rules.

The Colorado Wildfire Resiliency Code is an adaptation of Chapters 1, 2, 3, and 5 of the 2024 International Wildland Urban Interface Code by the International Code Council (ICC), © 2023 by International Code Council, Inc. and based on other identified best practices for structure hardening and reducing fire risk in the defensible space surrounding structures.

3.1.1 These rules does not include later amendments to or editions of the incorporated material.

3.2 Public Copies

The Colorado Wildfire Resiliency Code can be accessed through the Division of Fire Prevention and Control within the Department of Public Safety at dfpc.colorado.gov. For further information regarding how this material can be obtained or examined, contact the Administrator for the Wildfire Resiliency Code Board at 1697 Cole Blvd, Lakewood, CO 80401 and/or ~~T~~he State Depository Libraries.

The Division will maintain electronic copies of the complete texts of the adapted and attributed codes and standards, which are available for public inspection during regular business hours. Interested parties may inspect the referenced incorporated materials and/or the adapted and attributed codes and standards by contacting the Administrator for the Wildfire Resiliency Code Board at 690 Kipling St, Lakewood, CO, and/or ~~T~~he State Depository Libraries. Copies of the referenced incorporated materials and/or the adapted and attributed codes and standards are available directly from the organization originally issuing the codes and standards: the International Code Council, Inc., through the International Code Council Regional Office Bookstores, reached by calling 888-ICC-SAFE or on the web at www.iccsafe.org.

3.3 Governing Body's Alternative Adoption

As allowed by section 24-33.5-1237(2)(a), C.R.S., a Governing Body may adopt an alternative code, so long as the alternative code meets or exceeds the minimum standards set forth in the code adopted in 3.1 of these rules. Pursuant to section 24-33.5-1237(2)(c), C.R.S., the Board shall review a Governing Body's alternative code adoption and make a ruling as to whether or not the alternative code meets these provisions.

ARTICLE 4 - CODE APPLICATION, FIRE INTENSITY CLASSIFICATION, AND MAPPING

4.1 Code Application

The Board hereby declares that, in accordance with the provisions of Section 24-33.5-1236, C.R.S., the Code adopted in Article 3.1 of these rules and its referenced standards shall apply to the construction and maintenance of property, buildings, and structures subject to these rules that are within the wildland-urban interface as defined by these rules and that are subject to a Fire Intensity Classification of Low or greater.

4.2 Fire Intensity Classification

The Board hereby adopts the Wildfire Resiliency Code - Fire Intensity Classification layer for the Colorado Wildfire Resiliency State Code Map, developed by the Division of Fire Prevention and Control (DFPC) and the Colorado State Forest Service (CSFS) at the direction of the Wildfire Resiliency Code Board (WRCB), for the purposes of determining the Fire Intensity Classification for a given location.

- 4.2.1 The Fire Intensity Classification layer encompasses both the current and potential Wildland Urban Interface (WUI), as defined by these rules.
- 4.2.2 The Fire Intensity Classification's starting point is the 2022 Colorado Wildfire Risk Assessment (CO-WRA) Fire Intensity Scale (FIS) layer, which primarily relies on vegetative fuel data, but also topography and weather conditions, to generate a state-wide indication of how intense a wildfire may be in a given location and therefore can be used to forecast the potential harm or damage if a wildfire occurs.

Note: The layer does not consider probability or risk of wildfire ignition or structure-to-structure conflagration.

- 4.2.3 The intensity values are classified into standard fire intensity levels based on flame length values for easy interpretation, and the levels in the original 2022 CO-WRA FIS layer include lowest, low, moderate, and high intensity. The original layer was generated at a 20-meter resolution, and was deemed too detailed for state-wide planning, code implementation, and enforcement efforts by the WRCB. The layer was further refined through smoothing, filtering, and aggregation techniques to provide simple but consistent transitions across classification types based on WRCB input.
- 4.2.4 The final form illustrates only three (3) levels of the original fire intensity (low, moderate, and high) for the purpose of code application, and appears as a hexagon layer, a GIS method that is useful for grouping geospatial data into hexagonal grids.

Note: This aggregation method supports the reality that wildfire hazards are experienced at scales beyond that of an individual parcel or home and ~~is are~~ influenced in part by adjacent conditions.

- 4.2.5 Fire Intensity Classifications shall be applied to the code adopted in Article 3.1 of these rules in the following manner:
 - A. Moderate and High Fire Intensity Classifications correspond to Class 2 construction and site hardening requirements.
 - B. Low Fire Intensity Classification corresponds to Class 1 construction and site hardening requirements within the Colorado Wildfire Resiliency Code.

4.2.6 Public Access

The Colorado Wildfire Resiliency State Code Map can be accessed through the Wildfire Resiliency Code Board within the Division of Fire Prevention and Control at dfpc.colorado.gov/WRCB. For further information regarding how this material can be obtained or examined, contact the Administrator for the Wildfire Resiliency Code Board at 1697 Cole Blvd, Lakewood, CO, and/or ~~The~~ State Depository Libraries. Questions related to the Colorado Wildfire Resiliency State Code Map can be sent to cdps_dfpc_wrcb@state.co.us

4.3 Locally Developed Mapping

A Governing Body may develop and adopt a local map designating WUI areas and identified Fire Intensity Classifications within its jurisdictional boundaries. Local mapping shall be consistent with the methodologies and criteria established by the Board.

- 4.3.1 Local maps shall incorporate factors including, but not limited to:

- A. Vegetative fuel types

- B. Historical wildfire occurrence
- C. Topography and slope
- D. Local weather patterns
- E. Fire behavior modeling and risk assessment.

- 4.3.2 **Review and Approval:** Local maps shall be subject to review for compliance verification and/or approval by the Board to ensure consistency with state standards and methodologies. Approved maps shall be recorded and made available for public inspection.
- 4.3.3 A local map shall be reviewed and updated by the Governing Body at intervals not to exceed three (3) years, or sooner if substantial changes in conditions, data, or methodology occur. Updates shall be submitted for review and approval in accordance with Section 4.3.2 of these rules.
- 4.3.4 Where local mapping is adopted, it shall either supplement or supersede the state-provided Fire Intensity Classification map, as verified or approved by the Board. In cases where no local map has been adopted, the most current state mapping shall apply.

4.4 Local Ground-Truthing

- 4.4.1 A Governing Body may develop and adopt a process for site-specific ground-truthing that identifies or modifies the Fire Intensity Classification as described in the 2025 Colorado Wildfire Resiliency Code.
 - A. Ground-truthing shall incorporate the factors identified in Section 4.3.1 of these rules.
- 4.4.2 These ground-truthing amendments do not require the state-developed map to be updated.

ARTICLE 5 – PETITIONS FOR MODIFICATION

5.1 General

The Colorado Wildfire Resiliency Code Board (the ~~b~~Board) shall appoint a Petition Committee (the ~~e~~Committee) that will serve as the group to hear a Governing Body's petition to modify requirements of the ~~e~~Code. If a petition for modification is denied by the ~~e~~Committee, the Governing Body may appeal the decision to the full ~~b~~Board.

- 5.1.1 Only Governing Bodies may make petitions and appeals to the ~~e~~Code. Requests from non-governing bodies for individual code modifications must be made to the local Governing Body with jurisdiction.
- 5.1.2 ~~Any~~A Governing Body ~~that is maintaining jurisdiction for the local enforcement of the code,~~ shall have the right to petition and appeal for modifications within its jurisdictional boundaries. ~~If a Governing Body has requested the Colorado Division of Fire Prevention and Control to assume local enforcement for the code, it is disqualified from petitioning or appealing for modifications.~~
- 5.1.3 The ~~e~~Committee shall have the authority to hear evidence pertaining to the application and intent of the ~~e~~Code for the purpose of issuing reasonable interpretations of the provisions of the ~~e~~Code and determining the suitability of alternative materials, design,

and methods of construction and equipment.

- 5.1.4 Neither the ~~e~~Committee nor the ~~b~~Board shall have authority to waive requirements of the ~~e~~Code interpret the administration of the ~~e~~Code.
- 5.1.5 Petitions and appeals shall stay the enforcement of the ~~e~~Code until the petition and appeal is heard by the ~~e~~Committee and a decision is communicated in writing to the petitioner.

5.2 Membership of the Committee

The petition committee shall consist of five (5) voting members appointed by the ~~b~~Board ~~e~~Chairperson. Each member shall serve for two (2) years or until a successor has been appointed. The ~~b~~Board ~~Vice e~~Chairperson shall be an ex officio member of said ~~e~~Committee, but shall not vote on any matter before the ~~e~~Committee.

- 5.2.1 The ~~e~~Committee shall consist of ~~b~~Board members who are qualified by expertise and training to pass on matters pertaining to hazards of wildfire, construction, vegetation management and community planning.
- 5.2.2 The ~~b~~Board chairperson is authorized to appoint two (2) alternate members who shall be called by the ~~e~~Committee ~~e~~Chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for ~~e~~Committee membership and shall be appointed for the same term or until a successor has been appointed.
- 5.2.3 Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.
- 5.2.4 The ~~e~~Committee shall annually select one (1) of its members to serve as ~~e~~Chairperson.
- 5.2.5 The ~~e~~Committee shall designate a qualified member to serve as ~~s~~Secretary to the ~~e~~Committee. The ~~s~~Secretary shall file a detailed record of all proceedings, which shall set forth the reasons for the ~~e~~Committee's decision, the vote of each member, the absence of a member and any failure of a member to vote.
- 5.2.6 A member with any personal, professional or financial interest in a matter before the ~~e~~Committee shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.
- 5.2.7 Members shall not be compensated for their service other than for reimbursement of travel expenses, or as determined by law.
- 5.2.8 The ~~e~~Committee shall establish policies and procedures necessary to carry out its duties consistent with the provisions of the ~~e~~Code and applicable local, state and federal law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.
- 5.2.9 The ~~e~~Committee shall meet at stated periodic intervals.
- 5.2.10 Three (3) members of the ~~e~~Committee shall constitute a quorum.
- 5.2.11 The State of Colorado shall provide legal counsel to the ~~e~~Committee to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the State of Colorado's expense in all matters arising from service within the scope of their duties.

- 5.2.12 The eCommittee shall only affirm the petition to modify the requirements of the eCode by a concurring vote of a majority of the members. In the instance of a tie, the petition is not affirmed.
- 5.2.13 The decision of the eCommittee shall be by resolution. Every decision shall be promptly filed in writing to the office of the Administrator of the Colorado Division of Fire Prevention and Control within thirty (30) days and shall be open to the public for inspection. A certified copy shall be furnished to the petitioner or the petitioner's representative and to the bBoard eChairperson.

5.3 Petition Process

An application for petition shall be based on a claim that the intent of the eCode or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of the eCode do not fully apply, or an equally good or better material, design or form of construction is proposed.

- 5.3.1 An application to petition shall be filed on a form obtained from the eCommittee within thirty (30) days prior to the next regular eCommittee meeting. If the appeal is submitted less than thirty (30) days prior to the next eCommittee meeting, the hearing will be delayed until the following eCommittee meeting.
- 5.3.2 All petitions shall be heard at the next regularly scheduled meeting of the eCommittee, unless for good cause shown otherwise. The aAdministrator of the eCommittee shall notify the petitioner of the time, date and place of the eCommittee hearing.
- 5.3.3 Pursuant to the petition application, the petitioners shall provide the specific eCode section for which they are requesting a modification, the reason for the modification, and the alternative method of compliance being proposed. The petitioner shall provide supporting documents (manufacturers' specification sheets, research reports, results from a testing laboratory or other supporting documents) and a written narrative as to the reason for the petition.
- 5.3.4 The eCommittee may modify, affirm or deny the petition for modification, stating the reasons for the decision. The decision shall be provided in writing to the petitioner no more than thirty (30) business days after the hearing.
- 5.3.5 If the petition is upheld or modified, the petitioner shall be approved to implement the requested modifications to the eCode.
- 5.3.6 If the petition is denied, the stay of enforcement of the eCode is revoked, and the appealing Governing Body shall take immediate action in accordance with the decisions of the eCommittee, unless the petitioner chooses to appeal the decision to the bBoard.

5.4 Appeals Process

An appeal application shall be filed with the bBoard within ten (10) business days of the petition decision of the eCommittee, but no less than thirty (30) days prior to the next regularly scheduled board meeting. If the appeal is submitted less than thirty (30) days prior to the next board meeting, the hearing will be delayed until the following meeting.

- 5.4.1 A member with any personal, professional or financial interest in a matter before the eCommittee shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.
- 5.4.2 All appeals shall be heard at the next regularly scheduled meeting of the WRCCBBoard,

unless for good cause shown otherwise. The ~~a~~Administrator of the ~~WRCCB~~Board shall notify the petitioner of the time, date and place of the hearing.

- 5.4.3 Pursuant to the appeals application, the appellants shall provide the specific ~~e~~Code section for which they are requesting a modification, the reason for the modification, and the alternative method of compliance being proposed. The appellants shall provide supporting documents (manufacturers' specification sheets, research reports, results from a testing laboratory or other supporting documents) and a written narrative as to the reason for the petition.
- 5.4.4 The ~~b~~Board may modify, uphold or deny the petition decision, stating the reasons for the decision. The decision shall be provided in writing to the appellant no more than thirty (30) days after the hearing.
- 5.4.5 If the appeal is upheld or modified, the appellant shall be approved to implement the requested modifications to the ~~e~~Code.
- 5.4.6 If the appeal is denied, the stay of enforcement of the ~~e~~Code is revoked, and the appealing Governing Body shall take immediate action in accordance with the decisions of the ~~b~~Board.

5.5 Further Legal Procedures

Any Governing Body that is aggrieved by the appeals process decision of the board may appeal to the courts of Colorado in accordance with the Colorado rules of civil procedure, pursuant to Title 24, Article 4, C.R.S.

ARTICLE 6 –RECORDS AND REPORTING

6.1 Governing Body Records Retention

- 6.1.1 The Governing Body shall keep a record of proposed and approved modifications as submitted to or received from the Board concerning:
 - A. Mapping
 - B. Site and area requirements
 - C. Building requirements
- 6.1.2 Upon the adoption of the ~~e~~Code, the details of modifications granted by a Governing Body shall be recorded and entered in the files of the Governing Body.

6.2 Governing Body Reporting Requirements

- 6.2.1 A Governing Body shall provide a copy of the adopted ordinance or resolution with a statement attesting to meeting or exceeding the Colorado Wildfire Resiliency Code. Jurisdictions shall report to the Board by July 31 of each year beginning in 2026. Governing Bodies that have not made change to the adopted codes, ordinances, or resolutions shall submit a statement of attestation to ~~the~~that fact and resubmitting the adopted ordinance or resolution is not necessary.
- 6.2.2 A Governing Body is encouraged to provide recommendations to the Board so that appropriate and reasonable modifications to the Colorado Wildfire Resiliency Code may be determined.
- 6.2.3 The Governing Body shall be responsible for maintaining appropriate records for the

enforcement and maintenance of those requirements as established by the Colorado Wildfire Resiliency Code to enable accurate reporting as required.

ARTICLE 7 – ENFORCEMENT

- 7.1 In accordance with Section 24-33.5-1237(2)(b), C.R.S., enforcement of the adopted code in **Article(s)** 3.1 and/or 3.3 of these rules shall be in accordance with the rules and regulations for code enforcement by the Governing Body. The period to comply with an adopted code shall be in accordance with the rules and regulations of the Governing Body or within three (3) months of the date the code is adopted by the Governing Body, whichever is sooner.
- 7.2 As allowed in Section 24-33.5-1237(2)(d), C.R.S., if a Governing Body does not have rules and regulations in place for the enforcement of a code adopted in 3.1 and/or 3.3 of these rules, the Governing Body may request support from the Division in conducting inspections and enforcing the code pursuant to the Division's procedures set forth in 24-33.5-1213; except that, any civil penalty collected pursuant to Section 24-33.5-1213(4) shall be deposited in the **eCode** board cash fund.
 - 7.2.1 A Governing Body requesting such support is subject to the provisions of **Article** 5.1.2 of these rules.

ARTICLE 8 – CRITERIA AND PARAMETERS FOR EXISTING UTILITY INFRASTRUCTURE

- 8.1 The Board shall establish criteria and parameters consistent with Sections 24-65.1-105 and 29-20-108, C.R.S., for expedited consideration or approval of an exemption from the Code for activities or investments related to repair, replacement, or hardening of existing utility infrastructure primarily within existing transmission routes that mitigate wildfire risk.

ARTICLE 9 – INQUIRIES

- 9.1 Questions, clarification, or interpretation of these **R**ules should be addressed in writing to: Wildfire Resiliency Code Board Administrator, Colorado Division of Fire Prevention and Control, 1697 Cole Blvd, Lakewood, CO 80401. Telephone number: (303) 239-4600.

Editor's Notes

History

New rule eff. 08/30/2025.



Executive Director's Office Central Files
Compliance Office
700 Kipling St.
Lakewood, CO 80215
January 9, 2026

Memorandum of Permanent Rulemaking Record DFPC Rules 8 CCR 1507-39

The Colorado Department of Public Safety will maintain a permanent rulemaking record of the above-mentioned rules pursuant to § 24-4-103(8.1)(a), C.R.S. in the Department's Google Drive, Rulemaking records.

Section 24-4-103(8.1)(a), C.R.S. requires that “an agency shall maintain an official rulemaking file record for each proposed rule for which a notice of proposed rulemaking has been published in the Colorado Register. Such rule-making record shall be maintained by the agency until all administrative and judicial review procedures have been completed pursuant to the provisions of this article. The rulemaking record shall be available for public inspection.”

Please contact me should you need additional information.

Christine Moreno, Ph.D.
Colorado Department of Public Safety
Executive Director's Office
Rules Administrator
christine.moreno@state.co.us