



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: June 5, 2025

AGENDA TITLE

Third reading and consideration of a motion to adopt Ordinance 8695, amending Chapter 10-8.5, "Wildland Code," B.R.C. 1981, to adopt by reference the 2024 edition of the International Wildland-Urban Interface Code of the International Code Council with certain amendments, and setting forth related details.

REQUESTING DEPARTMENT / PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Mark Woulf, Assistant City Manager
Pam Davis, Assistant City Manager

Planning & Development Services

Brad Mueller, Director of Planning & Development Services
Rob Adriaens, Chief Building Official
Charles Ferro, Senior Planning Manager
Karl Guiler, Senior Policy Advisor
Lisa Houde, Principal City Planner

Fire-Rescue

Mike Calderazzo, Fire Chief
David Lowrey, Division Chief - Fire Marshal

EXECUTIVE SUMMARY

City Council identified Wildfire Hardening & Waterwise Landscaping Policies & Regulation as one of its 2024-2025 work program priorities. The proposed changes in Ordinance 8695 represent the first step in changes for the wildfire hardening project. There is already significant work being done throughout the city organization to mitigate

wildfire risk, which is summarized in the [Dec. 12, 2024 study session memo](#). This code change focuses solely on the building code regulatory changes that could further support wildfire hardening of buildings and properties in the Wildland-Urban Interface (WUI) area of the city.

For 11 years, Boulder has had special building regulations for the WUI area. To regulate this, Boulder has adopted the 2012 and 2018 International Wildland Urban Interface Codes with local amendments; the 2018 code is currently in effect. The International Code Council (ICC) updates the International Wildland Urban Interface Code (IWUIC) every three years through a collaborative and consensus-based process involving experts, stakeholders and public comment throughout the country. ICC's approach to code development ensures that building codes are robust, adaptable, and reflective of current safety and construction standards.

The proposed code change includes adoption of the ICC's 2024 edition of the IWUIC as well as new local amendments designed to address specific wildfire concerns in the City of Boulder. The proposed ordinance is available in [Attachment A](#).

On [April 17](#), City Council introduced, read on first reading, and ordered published by title only Ordinance 8695. There were no questions at the council meeting.

On [May 15](#), City Council amended and passed Ordinance 8695. The amendments included a few clerical and clarifying changes explained in the second reading addendum memo ([Attachment B](#)). Additionally, council passed an amendment to the proposed "Fuels planted in defensible space" provision in Section 603.25 to apply only to properties subject to Class 1 and Class 2 ignition-resistant construction requirements, with the intent to revisit the provision when the planned landscaping changes are made to the land use code later this year.

If the ordinance is adopted, the 2024 IWUIC would go into effect on August 1, 2025 along with the other ICC codes, and apply to the newly designated WUI area.

WUI Area Map

Also at the May 15 meeting, council declared the revised Wildland-Urban Interface (WUI) area for Boulder, to which the Wildland Code applies, as recommended in the [May 15](#) staff memorandum. The map is available in [Attachment C](#) or [online](#).

Future Work Direction

Council members expressed interest both in the meeting and in Hotline messages for staff to address the following at the next Council check-in on the project, currently scheduled for late July:

- Cite scientific research supporting noncombustible zone for all types of vegetation, including vegetable growing.
 - o Note that staff has already contacted Ian Giammanco, PhD, the Managing Director of Standards and Data Analytics & Lead Research Meteorologist at the Insurance Institute for Business and Home Safety (IBHS), who has confirmed *"There is no research to support [the allowance of vegetable growing in the noncombustible zone], and we continue to maintain the*

noncombustible 0-5 in all of our standards. Raised beds can be outside the 5' zone and spaced properly, but not in."

- Introduce detailed Boulder-specific plant list that would identify low-flammability plants along with changes for waterwise landscaping. (In the interim, the [Colorado State Forest Service Low-Flammability Plant List](#) would apply, but only in Class 1 and Class 2 per Council's recommendation on May 15.)
- Provide status on research into resourcing needs and legal implications for potential to require compliance with WUI standards at time of building permit or rental license.
- Provide photo examples of wildfire hardened landscaped on multi-unit properties.
- Provide update on any additional necessary changes to align with state wildfire resiliency code (rulemaking to be complete by July 1).

Future work plan items that council members indicated interest in, but are not within the scope of this council priority project:

- Applying requirements to properties independent of proposed development, such as requiring removal of junipers or establishing noncombustible zone for existing structures.
- Expanding city's curbside assessment program.
- Requiring Detailed Home Assessments for properties identified as high risk by Detailed Home Assessments, then requiring mitigation, and developing enforcement program to enforce mitigation work.
- Developing incentive programs for property owners completing wildfire hardening work, perhaps more so in Class 1 and 2 areas, and voluntary compliance and education.
- Developing funding mechanism to support financial assistance for community members to complete improvements.

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motions:

Motion to adopt Ordinance 8695, amending Chapter 10-8.5, "Wildland Code," B.R.C. 1981, to adopt by reference the 2024 edition of the International Wildland-Urban Interface Code of the International Code Council with certain amendments, and setting forth related details.

ATTACHMENTS

- Attachment A: Ordinance 8695
- Attachment B: May 15 Addendum Memo Describing Amendments
- Attachment C: Adopted WUI Area Map

ORDINANCE 8695

AN ORDINANCE AMENDING CHAPTER 10-8.5, "WILDLAND CODE," B.R.C. 1981; TO ADOPT BY REFERENCE THE 2024 EDITION OF THE INTERNATIONAL WILDLAND-URBAN INTERFACE CODE OF THE INTERNATIONAL CODE COUNCIL WITH CERTAIN AMENDMENTS; AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. Section 10-8.5-1, "Legislative Intent," B.R.C. 1981, is amended to read as follows:

10-8.5-1. Legislative Intent.

The purpose of this chapter is to protect public health and safety by regulating the use, condition, construction, alteration, repair, and maintenance of buildings, structures, and premises within the defined wildland-urban interface areas in the city in order to prevent the spread of fire and risk of harm to persons and property from the intrusion of fire from wildland fire exposures and fire exposures from adjacent structures, as well as to prevent structure fires from spreading to wildland fuels. The city council hereby adopts the ~~2024~~²⁰¹⁸ edition of the *International Wildland-Urban Interface Code* with certain amendments, additions, and deletions thereto found to be in the best interests of the city.

Section 2. Section 10-8.5-2, "Legislative Intent," B.R.C. 1981, is amended to read as follows:

10-8.5-2. Adoption of the International Wildland-Urban Interface Code With Modifications.

- (a) The ~~2024~~²⁰¹⁸ edition of the *International Wildland-Urban Interface Code* of the International Code Council is adopted by reference as the City of Boulder Wildland Code and has the same force and effect as though fully set forth in this chapter, except as specifically amended by the provisions of this chapter.
- (b) Appendix B, "Vegetation Management Plan," and Appendix C, "Fire Hazard Severity Form," and sections contained therein are adopted.

(c) Section 101.1, "Title," is repealed and reenacted to read:

101.1 Title. These regulations shall be known as the City of Boulder Wildland Code or Wildland Code or wildland code, hereinafter referred to as "this code."

(de) Section 102.4.1, "Conflicts," is amended to read:

102.4.1 Conflicts. Where conflicts exist between provisions of this code and the referenced standards or the building, residential, or fire code, the most restrictive provisions shall govern.

(ed) Section 103.1, "Creation of ~~an enforcement~~ agency," is repealed and reenacted to read:

103.1 Division of Building Safety. "Division of Building Safety" means the administrative unit established by the city manager or the manager's delegates, and the personnel assigned to the unit by the manager. The Division of Building Safety administers the City of Boulder Wildland Code assisted by a Community Risk Reduction, established within the fire department, under the direction of the manager.

(fe) Section 104.~~83~~, "Liability of the code official," is repealed and reenacted to read:

104.~~83~~ Liability. The Wildland Code shall not be construed to hold the City of Boulder or any of its employees, officials, or agents responsible for any damage to persons or property by reason of inspection or reinspection or failure to inspect or reinspect as herein provided or by reason of the approval or disapproval of any equipment as herein provided. No employee, official, or agent of the city who enforces, attempts to enforce, or is authorized to enforce the Wildland Code renders him or herself or the city liable to third parties for any damage or injury to the person or property of such third parties as a result of enforcement or nonenforcement of the ~~fire code~~ Wildland Code. The city assumes no duty of care by virtue of the adoption of the Wildland Code. No person is justified in relying upon the approval of a plan, the results of an inspection, or the issuance of a certificate of inspection or occupancy, and such approvals, inspections, and certificates are not a guarantee that the plan or work so approved, inspected, or certificated in fact complies with all requirements of the Wildland Code. It is the duty of the person owning, controlling, ~~or constructing~~, altering, or maintaining any building, ~~or structure, or premises~~ to ensure that the work is done in accordance with the requirements of the ~~fire code~~ Wildland Code, and it is such persons and not the city who are responsible for damages caused by negligent breach of such duty.

(f) ~~Section 106, "Appeals," is repealed and reenacted to read:~~

SECTION 106 APPEALS

~~106.1 Appeals.~~

(a) ~~Any appeal under this section shall be heard by the Board of Building Appeals~~

established under Section 2-3-4, "Board of Building Appeals," B.R.C. 1981, unless the city manager determines, due to the nature of the issues in a particular appeal, to appoint a hearing officer under Section 1-3-5, "Hearings and Determinations," B.R.C. 1981.

(b) ~~Any person directly affected by a decision of the code official or an order issued under this code may appeal the decision or order on the ground that:~~

1. ~~The decision or order was based on an error of fact or an erroneous interpretation of this code or the rules legally adopted thereunder;~~

2. ~~The code official erroneously failed to approve an alternative material or method pursuant to Section 105.3 prior to its installation or use. In determining such an appeal, the board shall apply the standards of Section 105.3, but the board shall have no jurisdiction to consider if a material or method expressly prohibited by this code is an acceptable alternative; or~~

3. ~~The code official has erroneously failed to grant a modification pursuant to Section 105.1. In determining such an appeal, the board or hearing officer shall apply the standards of Section 105.1.~~

~~The code official has the burden of proof under paragraph 1. The appellant has the burden of proof on appeals brought pursuant to paragraphs 2 and 3. The board or hearing officer shall determine the appeal and decide whether the code official's interpretation or application of such code was correct or in error at a hearing under the procedures described in Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981.~~

(a) ~~An application for appeal must be filed in writing with the city manager within fourteen days after the date the decision or order was served.~~

(b) ~~An applicant for an appeal shall pay the fee prescribed by Section 4-20-47, "Zoning Adjustment and Buildings Appeals Filing Fees," B.R.C. 1981. The fee for an appeal heard by a hearing officer shall be the same as the fee for an appeal heard by the Board of Building Appeals.~~

(c) ~~The city manager may apply to the Board of Building Appeals, without fee, for an advisory opinion concerning alternative methods, applicability of specific requirements, approval of equipment and materials, and granting of special permission as contemplated in Section 105.1, Practical difficulties, or Section 105.3, Alternative materials or methods, of the Wildland Code.~~

(d)(b) ~~The board or hearing officer has no authority to interpret chapter 1 (the administrative requirements) of this code except as expressly provided in this section, nor, because this code sets minimum standards, to waive any requirement of this code.~~

(g) A new section 104.11, "Compliance with Federal and State Law," is added to read as follows:

104.11 Compliance with Federal and State Law.

The code official may modify for individual cases the provisions of this code to allow a design, installation, construction, use, or maintenance not in compliance with the provisions of this code, if otherwise the provisions of this code would result in a violation of federal or state law, legislation, or regulation, and the modification would be the minimum modification that provides relief.

(hg) Section 105~~7~~, "Permits," is repealed and reenacted to read as follows:

105~~7~~ Permits. The provisions of Section 105, "Permits," of the City of Boulder Building Code, Section 105, "Permits," of the City of Boulder Fire Code, and Section 105, "Permits," of the City of Boulder Residential Code, apply, as otherwise applicable to the work requiring the permit.

(ih) Section 106~~8~~.1, "General," is repealed and reenacted to read as follows:

106~~8~~.1 General. The requirements of Section 107.1, "General," of the City of Boulder Building Code apply.

(j) Section 106.2, "Information on plans and specifications," is repealed and reenacted to read as follows:

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

(k~~i~~) Section 109.3.6~~10.4.6~~, "Prosecution of violation," is repealed and reenacted to read as follows:

109.3.6~~10.4.6~~ Violations.

(a) General Provisions.

- (1) No person shall erect, construct, enlarge, alter, extend, repair, move, remove, improve, convert, demolish, equip, use, occupy, or maintain any building, ~~or structure, or premises~~ in the city or cause or permit the same to be done except in conformity with all of the provisions of this code and in conformity with the terms and conditions of approval issued under this code, or of any directive of the code official. No person shall violate the

provisions of this code, fail to comply with any requirements thereof, or fail to comply with any order issued by the code official under this code.

- (2) In accordance with the provisions of Section 5-2-11, "Prosecution of Multiple Counts for Same Act," B.R.C. 1981, each day during which illegal construction, alteration, maintenance, occupancy, use, or violation continues constitutes a separate offense remediable through the enforcement provisions of this code.
- (3) The owner, tenant, and occupant of a structure or land and the agents of each of them are jointly and severally liable for any violation of this code with respect to such structure or land.
- (4) The remedies for any violation of any provision of this code or of any permit, certificate, or other approval issued under this code or other City of Boulder codes or of any directive of the code official may be pursued singly or in combination.
- (5) If any person fails or refuses to pay when due any charge imposed under this section, the code official may, in addition to taking other collection remedies, certify due and unpaid charges to the Boulder County Treasurer for collection as provided by Section 2-2-12, "City Manager May Certify Taxes, Charges, and Assessments to County Treasurer for Collection," B.R.C. 1981.
- (6) The code official may charge the cost of any action taken to correct or abate a violation, as authorized by this code, plus up to fifteen percent of such cost for administration, to the property owner. If any property owner fails or refuses to pay when due any charge imposed under this section, the code official may, in addition to taking other collection remedies, certify due any unpaid charges, including interest, to the Boulder County Treasurer, to be levied against the person's property for collection by the county in the same manner as delinquent general taxes upon such property are collected, under the procedures described by Section 2-2-12, "City Manager May Certify Taxes, Charges, and Assessments to County Treasurer for Collection," B.R.C. 1981.

(b) Administrative Procedures and Remedies.

- (1) If the code official finds that a violation of any provision of this code or any approval granted under this code exists, the city manager, after notice and an opportunity for hearing under the procedures prescribed by Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981, may take any one or more of the following actions to remedy the violation:

- (A) Impose a civil penalty according to the following schedule:

- (i) For the first violation of the provision or approval, \$100;
 - (ii) For the second violation of the same provision or approval, \$300; and
 - (iii) For the third violation of the same provision or approval, \$1,000;
 - (B) For a violation concerning the use of a residential building under a rental license, revoke such license;
 - (C) Require the filing of a declaration of use as provided in subsection (e); or
 - (D) Issue an order reasonably calculated to ensure compliance with the provisions of this code or any approval granted under this code.
- (2) Prior to the hearing, the code official may issue an order that no person shall perform any work on any structure or land, except to correct any violation found by the code official to exist with respect to such structure or land.
 - (3) If notice is given to the code official at least forty-eight hours before the time and date set forth in the notice of hearing on any violation that the violation has been corrected, the code official will reinspect the structure or land. If the code official finds that the violation has been corrected, the manager may cancel the hearing.
 - (4) No person shall fail to comply with any action taken by the code official under this section.
- (c) Criminal Penalties. Violations of this code are punishable as provided in Section 5-2-4, "General Penalties," B.R.C. 1981.
 - (d) Other Remedies. The city attorney may maintain an action for damages, declaratory relief, specific performance, injunction, or any other appropriate relief in the District Court in and for the County of Boulder for any violation of any provision of this code or any approval granted under this code.
 - (e) Declaration of Use. If the code official determines that a person is using a structure in a way that might mislead a reasonable person to believe that such use is a use by right or otherwise authorized by this title, the code official may require such person to sign under oath a declaration of use that defines the limited nature of the use and to record such declaration in the office of the Boulder County Clerk and Recorder against the title to the land. In addition to all other remedies and actions that the code official is authorized to use under the Boulder Revised Code or other applicable federal, state, or local laws to enforce the provisions of this code, the code official is authorized to withhold any approval affecting such

structure or land, including, without limitation, a building permit, use review, site review, subdivision, floodplain development permit, or wetland permit, until such time as the person submits a declaration of use that is in a form acceptable to the code official.

(l) Section 109.34.7, "Violation penalties," is repealed and reserved.

109.3.7 Reserved.

(m) Section 112, "Means of Appeals," is repealed and reenacted to read as follows:

SECTION 112- MEANS OF APPEALS

112.1 Appeals.

(a) Any appeal under this section shall be heard by the Board of Building Appeals established under Section 2-3-4, "Board of Building Appeals," B.R.C. 1981, unless the city manager determines, due to the nature of the issues in a particular appeal, to appoint a hearing officer under Section 1-3-5, "Hearings and Determinations," B.R.C. 1981.

(b) Any person directly affected by a decision of the code official or an order issued under this code may appeal the decision or order on the ground that:

(1) The decision or order was based on an error of fact or an erroneous interpretation of this code or the rules legally adopted thereunder;

(2) The code official erroneously failed to approve an alternative material, design, or method pursuant to Section 104.2.2, Alternative materials, design and methods, prior to its installation or use. In determining such an appeal, the board or hearing officer shall apply the standards of Section 104.2.2, but the board or hearing officer shall have no jurisdiction to consider if a material, design, or method expressly prohibited by this code is an acceptable alternative; or

(3) The code official has erroneously failed to grant a modification pursuant to Section 104.2.3, Modifications. In determining such an appeal, the board or hearing officer shall apply the standards of Section 104.2.3, Modifications.

The code official has the burden of proof under paragraph 1. The appellant has the burden of proof on appeals brought pursuant to paragraphs 2 and 3. The board or hearing officer shall determine the appeal and decide whether the code official's interpretation or application of such code was correct or in error at a hearing under the procedures described in Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981.

(c) An application for appeal must be filed in writing with the city manager within fourteen days after the date the decision or order was served.

(d) An applicant for an appeal shall pay the fee prescribed by Section 4-20-47, "Zoning Adjustment and Buildings Appeals Filing Fees," B.R.C. 1981. The fee for an appeal heard by a hearing officer shall be the same as the fee for an appeal heard by the Board of Building Appeals.

(e) The city manager may apply to the Board of Building Appeals, without fee, for an advisory opinion concerning alternative methods, applicability of specific requirements, approval of equipment and materials, and granting of special permission as contemplated in Section 104.2.2, Alternative materials, designs and methods, or Section 104.2.3, Modifications, of the Wildland Code.

(f) The board or hearing officer has no authority to interpret Chapter 1 (the administrative requirements) of this code except as expressly provided in this section, nor, because this code sets minimum standards, to waive any requirement of this code.

(nk) The definition of "Code Official" in Section 202, "Definitions," is amended in that the definition of "Code Official" and "Defensible Space" are repealed and reenacted and in that a definition for "Noncombustible Zone" is added to read:

CODE OFFICIAL. Code official means the city manager or the city manager's delegate.

DEFENSIBLE SPACE. An area that has been modified and is maintained to reduce fire risk, intensity, and spreading by disconnecting fuel loads both vertically and horizontally. In this area, natural and manmade fuels are treated, removed, and reduced to slow the spread of wildfire and alter fire behavior.

NONCOMBUSTIBLE ZONE. A five-foot area around a building or other structure having no vegetation and no combustible material.

(ol) Section 403.2, "Driveways," is repealed and reenacted to read as follows:

403.2 Driveways. Driveways shall be provided when any portion of an exterior wall of the first story of a building is located more than 100 feet (30,480 mm) from a fire apparatus access road.

(pm) Section 403.2.1, "Dimensions," is repealed and reenacted to read as follows:

403.2.1 Dimensions. Driveways shall be provided as defined in ~~Section 503.2.1, "Dimensions,"~~ of the City of Boulder Fire Code, as locally amended in Paragraph 10-8-2(b)(116), B.R.C. 1981, for an "accessible private drive" and with a minimum unobstructed height of 15 feet (4572 mm).

(q) Section 403.2.4, "Turnarounds," is repealed and reenacted to read as follows:

403.2.4 Turnarounds. Driveway turnarounds shall have a turning radius to accommodate an SU-30 vehicle. Driveways that connect with a road or roads at more than one point shall be considered as having a turnaround if all changes in direction meet the radii requirements for driveway turnaround.

(r) Section 403.3, "Fire apparatus access road," is repealed and reenacted to read as follows:

403.3 Fire apparatus access road. When required, fire apparatus access roads shall meet the requirements of the City of Boulder Design and Construction Standards.

(s) Section 404.2, "Water sources," is repealed and reenacted to read as follows:

404.2 Water sources. Water sources shall be designed and installed in accordance with the City of Boulder Design and Construction Standards.

(t) Section 502.1, "General," is repealed and reenacted to read as follows:

502.1 General. The fire hazard severity of building sites for buildings hereafter constructed, modified or relocated into wildland-urban interface areas shall be established by the code official based on the class of ignition-resistant construction identified for the building site on the wildland-urban interface area mapping or, alternatively, in accordance with Table 502.1. See also Appendix C.

(u) Section 503.1, "General," is repealed and reenacted to read as follows:

503.1 General. Buildings and structures hereafter constructed, modified or relocated into or within the wildland-urban interface areas shall meet the construction requirements for Class 1, Class 2, or Class 3 ignition-resistant construction based on the class identified for the building site on the wildland-urban interface area mapping or, alternatively, in accordance with Table 503.1. Class 1, Class 2 or Class 3, ignition-resistant construction shall be in accordance with Sections 504, 505 and 506, respectively. Materials required to be ignition-resistant building materials shall comply with the requirements of Section 503.2.

(v) ~~503.2 Ignition-resistant building material. Add the following, as option 5:~~

~~5. Deck surface. Approved wood thermoplastic composite lumber with an ASTM E84 flame spread index no greater than 200, or any approved Class A roof assembly.~~

A new section 503.2.4.4, "Appendages and projections," is added to read as follows:

503.2.4.4 Appendages and projections. Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be constructed of a

material meeting the following:

503.2.4.4.1 Surface. The surface shall be constructed of ignition-resistant building material meeting the requirements of Section 503.2 or of approved wood thermoplastic composite lumber with a flame-spread index no greater than 200 or any approved Class A roof assembly.

503.2.4.4.2 Framing. Framing shall be constructed with one of the following methods:

1. 1-hour fire resistance-rated construction.
2. Heavy timber construction.
3. Approved noncombustible materials.
4. Fire-retardant-treated wood labeled for exterior use.

(w) Section 504.2, "Roof assembly," but not including, Section 504.2.1, "Roof valleys," is repealed and reenacted to read as follows:

504.2 Roof covering. Roofs shall be installed in accordance with the requirements of the City of Boulder Building Code and the City of Boulder Residential Code, as applicable.

(x) Section 505.2, "Roof covering assembly," but not including Section 505.2.1, "Roof valleys," is repealed and reenacted to read as follows:

505.2 Roof covering. Roofs shall be installed in accordance with the requirements of the City of Boulder Building Code and the City of Boulder Residential Building Code, as applicable.

(y) Section 506.2, "Roof covering assembly," but not including Section 506.2.1, "Roof valleys," is repealed and reenacted to read as follows:

506.2 Roof covering. Roofs shall be installed in accordance with the requirements of the City of Boulder Building Code and the City of Boulder Residential Building Code, as applicable.

(z) A new Section 506.6, "Appendages and projections," is added to read as follows:

506.6 Appendages and projections. The surface of unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be constructed of material that complies with Section 503.2, "Ignition-resistant building material".

(aa) A new Section 506.6.1, "Screening," is added to read as follows:

506.6.1 Screening. Unenclosed accessory structures attached to buildings with habitable

spaces and projections, such as decks, that are 48 inches or less above the ground, measured from the lowest point of the appendage or projection to the ground, shall have a noncombustible corrosion-resistant mesh with openings not to exceed 1/8 inch around the perimeter or shall be designed and approved to prevent flame or ember penetration under the unenclosed accessory structure or projection.

Exception: The framing material meets the ignition-resistant building material requirements of Section 503.2, "Ignition-resistant building material."

(bb) Section 507.1, "Replacement or repair of roof coverings," is repealed and reenacted to read as follows:

507.1 Replacement or repair of roof coverings. Replacement or repair of any wood roof shall meet the requirements of Section 10-5-5, "Wood Roof Covering Materials Prohibited," B.R.C. 1981.

(cc) A new Section "508 - FENCING" is added to read as follows:

SECTION 508 – FENCING

508.1 Installation and replacement of fences. All fence and gate sections within 8 feet (2.4 m) of any structure shall be constructed of noncombustible materials in accordance with Section 503.2.1, "Noncombustible material."

(u) ~~Section 601.1, "Scope," is repealed and reenacted to read:~~

~~**601.1 Scope.** The provisions of this chapter establish general requirements for new buildings, structures, and premises located within wildland-urban interface areas. Only the requirements of Sections 607.1, "General," and 607.2, "Storage for off site use," shall apply to new and existing buildings, structures, and premises located within wildland-urban interface areas.~~

(dd) Section 603.2, "Fuel modification," is repealed and reenacted to read as follows:

603.2 Fuel modification. Buildings and structures constructed in compliance with the conforming defensible space category (moderate hazard, high hazard, or extreme hazard) as identified within the wildland urban interface area by the code official shall comply with the applicable fuel modification distance established in Table 603.2 or with fuel modification to the lot line, whichever is less. The distances specified in Table 603.2 shall be measured on a horizontal plane from the perimeter or projection of the building or structure as shown in Figure 603.2

(ee) A new Section 603.2.4, "Noncombustible Zone," is added to read as follows:

603.2.4 Noncombustible Zone. All new buildings with habitable space and all new

1 structures shall have a noncombustible zone.

2 (ff) A new Section 603.2.5, “Fuels planted within defensible space,” is added to read as
 3 follows:

4 **603.2.5 Fuels planted within defensible space.** In areas identified for Class 1 or Class 2
 5 ignition-resistant construction on the wildland-urban interface area mapping, fuels
 6 planted within the defensible space, in the area that is between 5 feet (1.5 m) from the
 7 building or structure and the property lot line, but not to exceed 30 feet (9.1 m) in width,
 8 shall be low-flammability plants with a rating score between 7.5 and 10 as identified by
 9 the Colorado State Forest Service.

10 (gg) A new Section 603.2.6, “Junipers,” is added to read as follows:

11 603.2.6 Junipers. No species of Junipers (Juniperus spp) shall be planted.

12 (hh) The first sentence of Appendix C, "Fire Hazard Severity Form," is repealed and reenacted
 13 to read as follows:

14 The appendix may be used in place of Table 502.1 to determine the fire hazard severity.

15 Section 3. The city council deems it appropriate to repeal the adoption of the 2018 edition
 16 of the International Wildland-Urban Interface Code and adopt by reference the 2024 edition of
 17 the International Wildland-Urban Interface Code. The International Wildland-Urban Interface
 18 Code prescribes standards of construction, alternation, movement, repair, maintenance, and use
 19 of any building, structure, and premises within the wildland-urban interface areas of the City of
 20 Boulder. The city council orders that at least one copy of the International Wildland-Urban
 21 Interface Code being considered for adoption by reference in this ordinance be on file with the
 22 city clerk, Municipal Building, 1777 Broadway, City of Boulder, County of Boulder, State of
 23 Colorado, and open for public inspection during the business hours of the city. Such copy shall
 24 be certified to be true by the mayor and the clerk.

25 Section 4. Unless expressly provided otherwise, any violation of the provisions of the
 code adopted by reference herein shall be punishable as provided in Section 5-4-2, “General
 Penalties,” B.R.C. 1981.

1 Section 5. The city council orders and directs the city manager to make any additional
2 citation and reference changes not included in this ordinance that are necessary to properly
3 implement the adoption of the 2024 edition of the International Wildland-Urban Interface Code
4 and all related local amendments.

5 Section 6. This ordinance shall take effect on August 1, 2025. It shall be applied to
6 building permit applications submitted on or after the effective date. Building permits applied
7 for before the effective date shall be considered under the code in effect at the time of
8 application.

9 Section 7. The city council intends that the sections, paragraphs, clauses, phrases, items,
10 and compliance options of this ordinance and the code adopted herein by reference be severable.
11 If any compliance option, item, phrase, clause, sentence, paragraph or section of this ordinance
12 or the code adopted herein by reference is declared unconstitutional or invalid by the valid
13 judgement or decree of any court of competent jurisdiction, such unconstitutionality or invalidity
14 does not affect any of the remaining compliance options, items, phrases, clauses, sentences,
15 paragraphs and sections of this ordinance or the code adopted herein, unless it appears to the
16 court that the valid provisions of the section or ordinance are so essentially and inseparably
17 connected with, and so dependent upon, the void provision that it cannot be presumed the
18 council would have enacted the valid provisions without the void one; or unless the court
19 determines that the valid provisions, standing alone, are incomplete and are incapable of being
20 executed in accordance with the legislative intent. If the provision of an exception invalidates a
21 prohibition, but the prohibition without the exception would be valid, then it is council's intent in
22 such cases that the exception be severed, and the prohibition upheld.
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1 Section 8. This ordinance is necessary to protect the public health, safety, and welfare of
2 the residents of the city and covers matters of local concern.

3 Section 9. The city council deems it appropriate that this ordinance be published by title
4 only and orders that copies of this ordinance be made available in the office of the city clerk for
5 public inspection and acquisition.
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1 INTRODUCTION, READ ON FIRST READING, AND ORDERED PUBLISHED BY
2 TITLE ONLY this 17th day of April 2025.

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6 Attest: Aaron Brockett,
Mayor

7
8 Elesa Johnson,
City Clerk

9 READ ON SECOND READING, AMENDED AND PASSED this 15th day of May 2025.

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13 Attest: Aaron Brockett,
Mayor

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16 Elesa Johnson,
City Clerk

17 READ ON THIRD READING, PASSED, AND ADOPTED this 5th day of June 2025.

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20 Attest: Aaron Brockett,
Mayor

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22
23 Elesa Johnson,
City Clerk



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: May 15, 2025

AGENDA ITEM

Item 5A – 2nd Rdg Ord 8695 WUI Code Updates

Second reading and consideration of a motion to adopt Ordinance 8695, amending Chapter 10-8.5, “Wildland Code,” B.R.C. 1981, to adopt by reference the 2024 edition of the International Wildland-Urban Interface Code of the International Code Council with certain amendments; and setting forth related details;

AND

Consideration of a motion to declare the revised Wildland-Urban Interface area for Boulder, to which the Wildland Code applies, as recommended in the staff memorandum.

PAGE NUMBERS

Page 9 of amended Ordinance 8695, lines 10 to 19
Page 9 of amended Ordinance 8695, lines 23 to 25
Page 10 of amended Ordinance 8695, lines 2 to 3
Page 10 of amended Ordinance 8695, lines 21 to 25
Page 11 of amended Ordinance 8695, lines 1 to 3
Page 11 of amended Ordinance, lines 12 to 13

DESCRIPTION

Proposed Ordinance 8695 has been revised to clarify and correct the following based on council feedback received through HOTLINE:

- Clarify that the ignition-resistant construction classes are identified by the code official on the Wildland Urban Interface map, but that Table 502.1 and 503.1 or Appendix C can be alternatively used to identify a specific class.
- Modifies language in 503.2.4.4, 506.5, and 506.6.1 related to appendages and projections to align with terminology used throughout the IWUIC.
- Corrects language in 503.2.4.4.1 related to surface of decks, appendages, and projections to apply as an alternative to other identified ignition-resistant materials.
- Corrects a cross-reference in 506.6 to a more general section about ignition-resistant materials.
- Specifies in 506.6.1 that only appendages and projections that are 48 inches in height or lower are required to be screened.
- Corrects clerical error in proposed 508.1 regarding fences.

All new amendments are highlighted in yellow within the proposed amended Ordinance 8695 (**Attachment F**). The amended Ordinance 8695 (**Attachment F**) is intended to replace the **Attachment B** proposed version. If the amended version is passed on second reading, it would trigger a third reading for Ordinance 8695 due to the substantive changes proposed. Staff also recommends that the motion language be amended to read as follows.

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motions:

*Motion to **amend and pass** Ordinance 8695, amending Chapter 10-8.5, “Wildland Code,” B.R.C. 1981, to adopt by reference the 2024 edition of the International Wildland-Urban Interface Code of the International Code Council with certain amendments, and setting forth related details:*

AND

Motion to declare a revised Wildland-Urban Interface area for Boulder, to which the Wildland Code applies, as recommended in the staff memorandum.

ATTACHMENT

Attachment F – Proposed Amended Ordinance 8695

Wildland Urban Interface Code Area

