

ORDINANCE NO. 2026-009

AN ORDINANCE AMENDING CHAPTER 15.20 OF THE CASTLE ROCK MUNICIPAL CODE, ADOPTING BY REFERENCE AS A PRIMARY CODE THE 2025 COLORADO WILDFIRE RESILIENCY CODE

WHEREAS, in 2023, the Colorado General Assembly enacted Senate Bill 23-166 establishing the Wildfire Resiliency Code Board (the “Board”); and

WHEREAS, the mission of the Board is to ensure that Colorado communities are safer from and more resilient to wildfires by reducing the risk to people and property; and

WHEREAS, the Board is charged with the authority to adopt statewide codes and standards that are based on best practice approaches to hardening structures and reducing fire risk in the defensible space surrounding structures in the wildland-urban interface; and

WHEREAS, in furtherance of its mission, the Board has adopted the 2025 Colorado Wildfire Resiliency Code (the “Code”), which Code is dated as of June 1, 2025; and

WHEREAS, Section 24-33.5-1237(2)(a), C.R.S., requires each governing body with jurisdiction in an area within the wildland-urban interface that has the authority to adopt building codes or fire codes to adopt and enforce a code that meets or exceeds the minimum standards of the codes adopted by the board within nine (9) months of the date the board adopts its codes; and

WHEREAS, the Town of Castle Rock (the “Town”) has jurisdiction in areas that are located within the wildland-urban interface (WUI) as defined by the Board; and

WHEREAS, as a home rule municipal corporation of the State of Colorado, the Town is empowered to adopt such ordinances as are necessary to protect the health, safety and welfare of the Town and its residents, including building codes and/or fire codes; and

WHEREAS, Town staff recommends that the Town Council take action to adopt the Code before the March 31, 2026, deadline imposed by Section 24-33.5-1237(2)(a), C.R.S.; and

WHEREAS, Town Council finds and determines that the adoption of the Code is in the best interests of the Town and its residents.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO:

Section 1. Amendment. Title 15 of the Castle Rock Municipal Code is amended by the addition of new Chapter 15.20, which Chapter reads as follows:

15.20.010 - Adoption.

- A. The Town adopts by reference the 2025 Colorado Wildfire Resiliency Code, as published by the Colorado Wildfire Resiliency Code Board. The standards set forth in the 2025 Colorado Wildfire Resiliency Code, as amended by this Chapter 15.20, shall serve as the minimum standards governing the hardening of structures and the reduction of fire risk in the defensible space surrounding structures located in the wildland-urban interface within the jurisdictional boundaries of the Town. The purpose of this Code is to ensure that the Town is safer from and more resilient to wildfires by reducing the risk to people and property.
- B. The Town adopts by reference the following appendices to the 2025 Colorado Wildfire Resiliency Code:
 - 1. Appendix A: Permits;
 - 2. Appendix B: Construction Documents; and
 - 3. Appendix C: Inspection and Enforcement.
- C. One copy of the 2025 Colorado Wildfire Resiliency Code shall be maintained on file in the Office of the Town Clerk and may be inspected during regular business hours.

15.20.020 – Fire Intensity Classification Map.

- A. The Town hereby adopts the 2025 Colorado Fire Intensity Classification Map, as published by the Colorado Wildfire Resiliency Code Board and from time to time amended.
- B. Notwithstanding the above, the Town reserves the right to adopt a local map designating the wildland-urban interface areas and identifying the fire intensity classifications within the Town’s jurisdictional boundaries. Such map and any amendments thereto shall be prepared by the Castle Rock Fire and Rescue Department and approved by the Town Manager or designee. A copy of such map shall be published on the Town website (www.crgov.com) and made available for inspection at the Office of the Town Clerk during regular business hours. Following its adoption, the official local map shall, in all respects, supersede the state-provided Fire Intensity Classification map, as verified or approved by the Colorado Wildfire Resiliency Code Board.

15.20.030 – Historic Preservation Exemption.

- A. The following structures shall be exempt from the requirements of the 2025 Colorado Wildfire Resiliency Code where strict compliance will create practical difficulties or would require alteration, removal, or concealment of historic materials or character-defining features:
 - 1. Structures that are individually designated as local landmarks pursuant to Chapter 15.64 of this Code;
 - 2. Structures that are listed on or are formally determined eligible for listing on the National Register of Historic Places;

3. Structures that are listed on the Colorado State Register of Historic Properties; and
 4. Structures that are identified as contributing within the historic downtown area as defined in Chapter 15.64 of this Code.
- B. Upon application for the erection, construction, alteration, repair, move, conversion, change, or change in use or occupancy of any structures identified in Subsection A of this Section, the Director of Development Services, in consultation with the Historic Preservation Board where applicable, shall determine whether compliance with specific provisions of the Colorado Wildfire Resiliency Code would result in practical difficulties or adversely affect the historic integrity of the structure. In making such determination, the Director shall consider whether alternative materials or methods may achieve wildfire risk reduction in a manner that preserves the historic character of the structure.

15.20.040 - Permit fees.

- A. Permit fees for the erection, construction, alteration, repair, move, conversion, change, or change in use or occupancy of any building or structure regulated by this Code shall be assessed and collected in the amounts and at the times set forth in the Development Services Fee Schedule as defined in Section 2.25.020 of this Code.
- B. Any fees not previously collected shall be collected at, and as a condition to, the issuance of a certificate of occupancy for the building or structure.

15.20.050 - Violation; penalty.

- A. The Fire Code Official, Chief Building Official, code enforcement officer, or other designated Town official shall be empowered to issue summons and complaints, stop-work orders, cease and desist orders, or closure orders to any person found in violation of 2025 Colorado Wildfire Resiliency Code.
- B. Any person convicted of a violation of any provision of the 2025 Colorado Wildfire Resiliency Code shall be punished as provided by Chapter 1.08 of this Code.
- C. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation is committed, continued or permitted by any such person.
- D. Commencement of work without a valid permit as required under this Chapter may be subject to payment of a surcharge in the amount equal to the original permit fee, which surcharge shall be in addition to the required permit fee.

Section 2. Effective Date. This Ordinance shall take effect on July 1, 2026.

Section 3. Severability. If any part or provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other

provisions or applications of this Ordinance which can be given effect without the invalid provisions or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 4. Safety Clause. The Town Council finds and declares that this Ordinance is promulgated and adopted for the public health, safety and welfare and this Ordinance bears a rational relation to the legislative object sought to be obtained.

APPROVED ON FIRST READING this 3rd day of March, 2026, by the Town Council of the Town of Castle Rock, Colorado, by a vote of 7 for and 0 against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING this 24th day of March, 2026, by the Town Council of the Town of Castle Rock, Colorado, by a vote of __ for and __ against.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jason Gray, Mayor

Approved as to form:

Approved as to content:

Michael J. Hyman, Town Attorney

Tara Vargish, Director of Development Services