

SUBJECT: **ORDINANCE 1884, SERIES 2024 – AN ORDINANCE ADOPTING
THE CITY OF LOUISVILLE FIRE HARDENING CODE (FIRST
READING AND SET PUBLIC HEARING FOR NOVEMBER 4,
2024)**

DATE: **OCTOBER 15, 2024**

PRESENTED BY: **ROB ZUCCARO, AICP, COMMUNITY DEVELOPMENT
DIRECTOR
CHAD ROOT, CHIEF BUILDING OFFICIAL**

SUMMARY:

Staff is presenting an ordinance to create minimum city-wide home hardening construction standards. The new regulations would apply to all residential and commercial structures, including new structures, additions to existing structures, and replacement of building materials regulated by the code. The code would address the following building systems to require fire resistant materials and construction techniques:

- Roof coverings
- Siding and eave materials
- Deck surface materials
- Fencing materials (within 5-feet of the home)
- Vent coverings
- Solar panel screens
- Gutter materials and guards

Exceptions may be granted by the Building Official on a case-by-case basis for historic homes. Automatic exceptions would include structures with sprinkler systems and setbacks of 35 ft. or greater, and temporary structures.

BACKGROUND/DISCUSSION:

At the July 30, 2024, City Council Meeting, Council reviewed Wildland Urban Interface (WUI) and structure hardening codes and directed staff to draft a city-wide home hardening code for consideration. The July 30, 2024 staff memo is linked below and includes a more in-depth discussion of code options and analysis, including potential costs and consideration for implementing different aspects of the code and potential impacts on housing affordability.

LINK: [July 30, 2024, City Council Memorandum](#)

This code was also initiated based on the request of the Louisville Fire Protection District. A letter from the District outlining their request is included as Attachment No. 2.

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BUILDING CODE BOARD OF APPEALS:

The Building Code Board of Appeals (BCBOA) has reviewed the draft code and recommends approval. The minutes from the BCBOA review meeting will be included with the staff memorandum for second reading.

FISCAL IMPACT:

Implementation of the Home Hardening Code will take additional staff time and city resources, but will also include offsetting revenues from the building permit fees and structure use tax collected with the building permits.

STAFF RECOMMENDATION:

Staff recommends approval on first reading and setting the public hearing for November 4, 2024.

ATTACHMENTS:

1. Ordinance 1884, Series 2024
2. Letter from the Louisville Fire Protection District

STRATEGIC PLAN IMPACT:

☐	 Financial Stewardship & Asset Management	☐	 Reliable Core Services
☐	 Vibrant Economic Climate	☐	 Quality Programs & Amenities
☒	 Engaged Community	☐	 Healthy Workforce
☐	 Supportive Technology	☐	 Collaborative Regional Partner

**ORDINANCE NO. 1884
SERIES 2024**

**AN ORDINANCE ADOPTING THE CITY OF LOUISVILLE FIRE HARDENING CODE
FOR STRUCTURES**

WHEREAS, the City Council desires to adopt the Louisville Fire Hardening Code for Structures in order to reduce threats from wildfires and to mitigate structure fires from spreading to adjacent residential and commercial structures; and

WHEREAS, it is deemed to be in the interest of public health, safety and general welfare for the residence of Louisville to adopt such code; and

WHEREAS, the City Council, after proper notice as required by law, has held a public hearing on this ordinance providing for the adoption of said codes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. Title 15 of the Louisville Municipal Code is hereby amended by the addition of a new Chapter 15.70 to read as follows:

Chapter 15.70

Fire Hardening Code for Structures.

Sec. 15.70.010. - Applicability

This Chapter provides minimum City-wide building and construction standards for residential and commercial structures in order to decrease threats from wildfires and the spread of fire between structures. The requirements set forth in this Chapter shall apply to all new construction, additions, and replacement of building materials, except as set forth in Section 15.70.030

Sec. 15.70.020. – Construction Standards.

- A. *Class A Roof Coverings* tested with ASTM E108 or UL 790 are required on all new structures, additions and replacement roofs where the replaced roof is 50% or greater. Examples of a Class A roof coverings include metal, membrane, asphalt, tile, clay, concrete, stone and slate shingles.
- B. *Fire Resistant Siding and Eaves* are required on all new structures, additions and where 50% or more of the siding or eave is replaced. Siding and eaves shall be fire and ignition resistant with a maximum flame spread rating of 25 or less. Heavy timber and log construction is also acceptable.
- C. *Fire and Ignition Resistant Deck Surface, Steps and Guardrails* are required on all new decks and all replacement decks, steps and guardrails. The deck surface,

step surface and guardrails shall be fire and Ignition resistant with a maximum flame spread rating of 25. For decks six feet or lower to the ground, the surface below the deck shall be gravel placed over a sheet of 6 mil plastic or concrete slab to prevent vegetation growth under the deck.

- D. *Fire and Ignition Resistant Fencing within 5 feet of a structure.* New construction and all replacement fences within 5 feet of the structure must be fire and ignition resistant with a maximum flame spread index of 25.
- E. *Roof/Attic Vents, Crawlspace Vents and Solar Panels Screens* - New structures and all replacement vents shall have the following:
 - 1. 1/8-inch metal mesh for attic vents, roof vents, eave vents and foundation vents. Mechanical and plumbing vents do not need to be screened.
 - 2. If solar panels on the roof are screened with metal mesh, then the screen must be removable to clean out debris from under panels.
- F. *Metal Gutters with Gutter Guards* - New structures and replacement Gutters shall be made of metal and shall have an approved ignition resistant means to prevent accumulation of debris in gutters.

Sec. 15.70.030 Exemptions.

Exemptions from the requirements of this Chapter 15.70 are as follows:

- A. *Historic Home Exemption.* Historic homes and Building may be exempted by the Building Official from roofing or siding requirements, or both, of this Chapter if the Building Official finds there is no practical means to meet the intent of the Chapter while maintaining historic features.
- B. *Single Family Homes.* Homes that are fully sprinklered with a min of a NPFA13-R system and are greater than 35 feet from any property line are exempt from the requirements of this Chapter.
- C. *Commercial Structures* that are fully sprinklered and are in compliance with NFPA-13 and are located greater than 35 feet from the property line are exempt from the requirements of this Chapter.
- D. *Temporary Structures.* Permitted Temporary structures, such as tents and membrane structures, are exempt for a period of time not to exceed 180 days.
- E. The building official may approve alternative methods demonstrating class A or a flame spread of 25 or less in lieu of the requirements of this Chapter.

Section 2. If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not

affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. The repeal or modification of any provision of any prior ordinance by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 4. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

**INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED
PUBLISHED** this 15th day of October 2024.

Christopher M. Leh, Mayor

ATTEST:

Genny Kline, Interim City Clerk

APPROVED AS TO FORM:

Kelly, P.C., City Attorney

PASSED AND ADOPTED ON SECOND AND FINAL READING, this _____ day of _____, 2024.

Christopher M. Leh, Mayor

ATTEST:

Genny Kline, Interim City Clerk



LOUISVILLE FIRE
PROTECTION DISTRICT

"OUR FAMILY SERVING YOUR FAMILY"

895 VIA APPIA WAY LOUISVILLE, CO 80027
HEADQUARTERS: 303.666.6595 | FAX: 303.666.7659
LOUISVILLEFIRE.COM

June 12, 2024

City Council
City of Louisville

Dear Mr. Mayor and City Council,

I believe the City will be reviewing and adopting new building codes this fall. The Louisville Fire Protection District would like to suggest adopting an amendment to help the Fire District protect homes. The amendment would have the following items for home hardening;

- Class A roof
- Double or triple-pane windows
- Fire resistance siding
- Fire resistance decking
- Fire resistance fencing within 5 ft of the home
- Small screen over attic vents

These items would be required only if it was new construction or if the above item is being replaced.

Hardening homes in the City will help the District protect homes from exposure to a next-door structure fire or another wildland fire. I would happily answer any of your questions or concerns and look forward to conversations as we get closer to the new codes.

In Fire Safety



John Willson
Fire Chief