

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 5, SERIES 2026**

**AN ORDINANCE AMENDING MUNICIPAL CODE
AND ADOPTING BY REFERENCE THE 2025 WILDFIRE RESILIENCY CODE
IN ACCORDANCE WITH STATE STATUTE**

WHEREAS, the Town of Timnath (the “Town”) is a home rule municipality operating under the Timnath Home Rule Charter (the “Charter”) adopted on November 7, 2006, as amended from time to time, and the Town’s Municipal Code (the “Code”). Pursuant to the Charter, the Code and the authority given home rule municipalities, the Town may adopt and amend ordinances; and

WHEREAS, Section 3.7 of the Charter allow the Town Council to enact an ordinance which adopts any code by reference in whole or in part, and such primary code thus adopted may in turn adopt by reference, in whole in part, any secondary codes described therein; and

WHEREAS, Colorado Senate Bill 23-166 formed a Wildfire Resiliency Code Board under the Colorado Division of Fire Prevention and Control. On July 1, 2025, the Wildfire Resiliency Code Board adopted the Colorado Wildfire Resiliency Code (“CWRC”). Jurisdictions subject to the parameters set forth are required to adopt the CWRC by April 1, 2026; and

WHEREAS, the Town has reviewed the model CWRC and amended the CWRC to reflect the best interests of the Town and its residents; and

WHEREAS, the Town Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the preservation of public health, welfare, peace, safety and property and that this Ordinance is necessary for the protection of public convenience and welfare.

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF TIMNATH, COLORADO, ORDAINS:

ARTICLE 1 – MUNICIPAL CODE AMENDMENT

The Town Council hereby amends the Code by adding Article 13 to Chapter 18, the CWRC, as follows:

ARTICLE 13 – Wildfire Resiliency Code

Sec. 18-13-10. - Adoption.

Pursuant to the provisions of Section 3.7 of the Charter, there is hereby adopted by reference thereto the Colorado Wildfire Resiliency Code, 2025 Edition, as published by the Colorado Wildfire Resiliency Code Board, as if fully set out in this Article, with the additions, deletions, insertions and changes as follows set forth in Section 18-13-30 below.

Sec. 18-13-20. - Copy on file.

At least one copy of the Colorado Wildfire Resiliency Code, certified to be a true copy, has been and is now on file in the office of the Town Clerk and may be inspected by any interested person during regular business hours. The Colorado Wildfire Resiliency Code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price.

Sec. 18-13-30. - Amendments.

The Colorado Wildfire Resiliency Code adopted herein is hereby modified by the following amendments:

- (1) Section 101.1. (Title) is hereby amended by the addition of the term “Town of Timnath” where indicated.
- (2) Section 102.10. (Work exempt from permit under this code) is hereby amended by the removal of the final list item 10 in its entirety.
- (3) Section 103.1. (Creation of agency) is hereby deleted in its entirety and replaced with the following:

“The Town of Timnath assigns the Timnath Community Development Department with the function of the implementation, administration and enforcement of the provisions of this code. The Community Development Department shall designate an official to be in charge thereof and be known as the code official.”

- (4) Section 106.1. (Fees) is hereby deleted in its entirety and replaced with the following:

“Fees and penalties shall be in accordance with those adopted by Town of Timnath in Chapter 18 – Building Regulations, fees within Article 8 of Chapter 4 – Revenue and Finance, or as set forth in Appendix 4-A of the Timnath Municipal Code.”

- (5) Chapter 1, Part 2 of the Colorado Wildfire Resiliency Code is amended by the addition of the below section:

“SECTION 108 – CONSTRUCTION DOCUMENTS

108.1 Site plan. In addition to the requirements for plans in the International Building Code, International Existing Building Code, and International Residential Code, site plans shall include topography, landscape and vegetation details, and locations of structures or building envelopes. The code official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.

108.2 Defensible Space Site Plans. Defensible space site plans shall be prepared and submitted to the code official for review and approval as part of any site plans

required for a permit. The code official is authorized to waive or modify the requirement for a defensible space site plan where the application for permit is for alteration or repair or where otherwise warranted.

108.3 Other data and substantiation. Where required by the code official, the plans and specifications shall include classification of fuel loading, fuel model light, medium or heavy, and substantiating data to verify classification of fire-resistive vegetation.”

- (6) SECTION 202 DEFINITIONS is hereby amended by the addition of the following definition:

“AUTHORITY HAVING JURISDICTION (AHJ). The governmental agency, fire protection district or other entity charged with adopting, interpreting and administering this code.”

- (7) Section 303.3. (Applicability of Code Provisions) is hereby amended to add the following language after the sentence – “*Structures and parcels identified with low fire intensity classification shall be constructed and maintained in accordance with the provisions for Class 1 structure hardening and site and area requirements.*”:

“For any and all structures not identified with moderate or high fire intensity classifications, or otherwise treated as such for Class 2 requirements, those structures and parcels shall be treated as structures and parcels needing to meet the Class 1 structure hardening and site and area requirements, without a formal classification.”

- (8) Appendix C: INSPECTION AND ENFORCEMENT, is hereby deleted in its entirety.

Sec. 18-13-40. - Penalties.

Violations of such Colorado Wildfire Resiliency Code are enforceable as provided by law, and any penalty shall be addressed in accordance with Sec. 18-12-10.

ARTICLE 2 - SEVERABILITY

If any part or provision of this Ordinance or of any of the primary or secondary codes adopted by reference, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance or of any of the codes adopted that can be given effect without the invalid provision, part or application, and to this end the provisions and parts of this Ordinance are declared to be severable.

ARTICLE 3 – EFFECTIVE DATE

This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter, but the code adoption and amendments shall take effect for enforcement purposes beginning three months from adoption on final reading.

INTRODUCED, MOVED, ADOPTED BY THE TIMNATH TOWN COUNCIL ON FIRST READING, AND ORDERED PUBLISHED BY TITLE FEBRUARY 24, 2026, AND SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON MARCH 10, 2026 AT THE TIMNATH ADMINISTRATION BUILDING, 4750 SIGNAL TREE DRIVE, TIMNATH COLORADO.

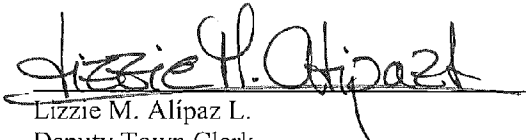
MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON MARCH 10, 2026.

TOWN OF TIMNATH, COLORADO



Robert Axmacher, Mayor

ATTEST:



Lizzie M. Alipaz L.
Deputy Town Clerk

