

TOWN OF PIERCE, COLORADO

ORDINANCE NO. 2026-04

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF PIERCE,
COLORADO, ADOPTING BY REFERENCE THE MODEL 2025 WILDFIRE
RESILIENCY CODE AND REQUESTING THAT THE COLORADO DIVISION OF
FIRE PREVENTION AND CONTROL ENFORCE SUCH CODE**

WHEREAS, the Town of Pierce (the “Town”) is a Colorado statutory town organized pursuant to Title 31 of the Colorado Revised Statutes (“C.R.S.”), with its governing body being the Board of Trustees (“Board”);

WHEREAS, Section 24-33.5-1237(2)(a), C.R.S. requires the Board to adopt a wildfire resiliency code;

WHEREAS, Section 24-33.5-1236(4), C.R.S. requires the State Wildfire Resiliency Code Board (“WRCB”) to create a statewide wildfire resiliency code. On June 1, 2025, the WRCB adopted a model Wildfire Resiliency Code (“Model WRC”), which is intended to reduce the risk of wildfire through construction hardening and site and area design;

WHEREAS, the Board desires to adopt the Model WRC within the Town’s jurisdiction and to codify such adoption as a new Article 16 of Chapter 18 of the Town of Pierce Code, alongside the Town’s other adopted construction and fire codes;

WHEREAS, Section 24-33.5-1237(2)(d), C.R.S. authorizes the Town to request that the Colorado Division of Fire Prevention and Control (“CDFPC”) enforce the Model WRC adopted by the Board; and

WHEREAS, the Board has determined to adopt the Model WRC by reference pursuant to the procedures set forth in Sections 31-16-201 through 31-16-208, C.R.S., and has caused notice of a public hearing on this Ordinance to be published in accordance with C.R.S. § 31-16-203, has maintained at least one (1) certified copy of the Model WRC on file at the office of the Town Clerk for public inspection during the period required by law, and has held the required public hearing.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF
THE TOWN OF PIERCE, COLORADO:**

Section 1. Adoption of New Article 16 of Chapter 18.

Chapter 18 of the Town of Pierce Code is hereby amended by the addition of a new Article 16, to read in its entirety as follows:

ARTICLE 16 WILDFIRE RESILIENCY CODE

Sec. 18-16-10. Adoption.

Pursuant to Part 2 of Article 16 of Title 31, C.R.S., the 2025 Colorado Model Wildfire Resiliency Code, as adopted by the Colorado Wildfire Resiliency Code Board pursuant to Section 24-33.5-1236(4)(b)(II), C.R.S., as the same may hereafter be amended by such Board from time to time (the "Wildfire Resiliency Code"), is hereby adopted by reference and shall be in effect within the territorial limits of the Town of Pierce.

Sec. 18-16-20. Copy on file.

At least one copy of the 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.

Sec. 18-16-30. Amendments.

The Wildfire Resiliency Code is adopted with the following amendments: none.

Sec. 18-16-40. Request for CDFPC enforcement.

Pursuant to Section 24-33.5-1237(2)(d), C.R.S., the Town requests that the Colorado Division of Fire Prevention and Control ("CDFPC") enforce the Wildfire Resiliency Code within the Town's jurisdiction. The Town Clerk is authorized and directed to take such actions as are necessary to make and maintain such request to CDFPC, including the execution of any forms, agreements, or, if appropriate, an Advanced Delegation Agreement designating CDFPC as the Town's Wildfire Resiliency Code Official as contemplated by 8 CCR 1507-61, Article 4.

Sec. 18-16-50. Self-compliance program contingency.

If for any reason CDFPC denies the Town's request, or is unable to enforce the Wildfire Resiliency Code within the Town's jurisdiction, whether due to inadequate resources or otherwise, the Town Clerk is directed to develop for the Board's approval, and to implement upon such approval, a Wildfire Resiliency Code Self-Compliance Program (the "Program"), under which those individuals and entities within the Town's jurisdiction that are subject to the Wildfire Resiliency Code shall provide to the Town, at such times and in such manner as the Town Clerk shall determine, a sworn and notarized document, whether in the form of an affidavit or otherwise, and such other information and documentation as the Town Clerk may require, representing that the individual's or entity's property and improvements comply with the requirements of the Wildfire Resiliency Code. The Program shall remain in effect until CDFPC is able to provide the requested enforcement support or the Board adopts alternative inspection and enforcement procedures.

Sec. 18-16-60. Penalties for violation.

Any person violating any of the provisions of the Wildfire Resiliency Code is guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the Wildfire Resiliency Code is committed, continued or permitted, and upon conviction shall be punished as provided in Section 1-4-20 of this Code.

If any property owner who leases his or her property to a tenant alleges that a tenant is responsible for the violation, the Town of Pierce may proceed against the tenant, but to the extent the Town is unable to bring the tenant into compliance, the property owner shall be responsible for compliance with the Wildfire Resiliency Code.

Section 2. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 3. Repeal of Conflicting Provisions.

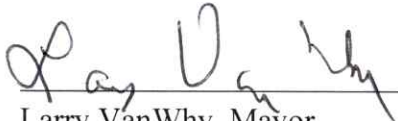
All ordinances or resolutions, or parts thereof, in conflict with this Ordinance are hereby repealed to the extent of such conflict; provided, however, that this repeal shall not be construed as reviving any ordinance or resolution previously repealed or superseded.

Section 4. Effective Date; Publication.

This Ordinance shall take effect thirty (30) days after publication following final passage, in accordance with C.R.S. § 31-16-105, and shall be published in full or by title, as permitted by law, in a newspaper of general circulation within the Town. Pursuant to C.R.S. § 31-16-204, the publication of this Ordinance shall include a statement that a certified copy of the Wildfire Resiliency Code is on file in the office of the Town Clerk and is available for public inspection during regular business hours.

11th PASSED, ADOPTED, AND APPROVED on second reading following public hearing this day of May, 2026.

TOWN OF PIERCE, COLORADO



Larry VanWhy, Mayor

ATTEST:



Kristina Duran, Town Clerk

