

August 9, 2006

Golden Gate Fire Protection District Board
PO Box 843
Golden, CO 80402-0843

Subject: Review of the 2006 International Wildland-Urban Interface Code

Dear Board Members:

The Citizens Review Committee of the Golden Gate Fire Protection District is pleased to submit this final report regarding our review of the 2006 International Wildland-Urban Interface Code (IWUIC). Our report consists of the two attached files:

- *GGFPD Citizens Review Committee (CRC) Final Report: Review of the 2006 International Wildland-Urban Interface Code*; and
- *Concerns and Suggestions of the Golden Gate Fire Protection District's Citizens Review Committee Regarding the 2006 International Wildland-Urban Interface Code*.

We appreciated the opportunity to be involved in this activity. Several members of our committee would be interested in participating in a standing Citizens Review Committee to provide similar input to the board on future issues.

Sincerely,
CITIZENS REVIEW COMMITTEE

Teresa Bath
Keith Gantenbein
Steve Green, chair

Jerry Hans
Jan Snyder, secretary
Carol Sorvig

Robert Thiessen, vice chair
Paul Trost
Mike Urban

cc: Jefferson County Board of Commissioners:
Jim Congrove, District 1
Kevin McCasky, District 2
Dave Auburn, District 3

**GGFPD CITIZENS REVIEW COMMITTEE (CRC) FINAL REPORT:
REVIEW OF THE
2006 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE
AUGUST 9, 2006**

BACKGROUND

In Resolution No. CC04-354 dated June 29, 2004, the Jefferson County Board of Commissioners allowed the Golden Gate Fire Protection District (GGFPD) to adopt the 2003 edition of the International Fire Code (IFC), including the 2003 edition of the International Urban-Wildland Interface Code (IUWIC). The GGFPD adopted the code in its March 17, 2004 meeting.

Strict adherence to the code as it was written by the International Code Council was extremely expensive and stressful to some individuals who were building homes within the GGFPD. There also was concern about the potential for arbitrary and/or capricious decisions regarding enforcement of the code. The GGFPD board took the following actions to address these situations.

- On January 18, 2006, the GGFPD board passed a Uniform Variance Standard that, among other things, identified alternative approaches for complying with the cistern requirements in Section 404.5 of the IUWIC.
- The GGFPD board established a citizens review committee (CRC) to develop a broad understanding of the IUWIC and to provide recommendations and advice relevant to the potential adoption of the 2006 International Urban-Wildland Interface Code (IUWIC).

The CRC conducted a detailed review of the 2006 IUWIC in a series of 19 meetings between February 22, 2006 and August 9, 2006. We posted our progress on a web site (www.GoldenCRC.org) to keep the board and community citizens informed of our progress and findings.

The CRC identified significant concerns regarding the 2006 IUWIC. These concerns, and related suggestions, are included in the attached document entitled *Concerns and Suggestions of the Golden Gate Fire Protection District's Citizens Review Committee regarding the 2006 International Wildland-Urban Interface Code*, dated August 9, 2006.

RECOMMENDATIONS REGARDING THE 2003 IUWIC / 2006 IUWIC

The nine CRC members unanimously agreed that there are serious problems with the 2003 IUWIC / 2006 IUWIC and that, as written, they are not suitable for application to our district.

We identified five potential approaches that could be recommended to the GGFPD board. We voted on each, and each member could vote yes or no on each approach. The approaches and results of the votes are as follows.

Recommendation #1 below received a majority of the votes of the CRC members.

1. Rescind the adoption of the 2003 code, do not adopt the 2006 code, and develop a plan to implement the nine items identified in the section below entitled "Additional Recommendations."

Supported by 7 of 9 members: Teresa Bath, Keith Gantenbein, Steve Green, Jerry Hans, Jan Snyder, Carol Sorvig, and Mike Urban.

The following recommendations also were voted on, but did not receive a majority of votes of the CRC members.

2. Adopt the 2006 code ONLY if it is modified in accordance with the recommendations of the CRC. In addition, the GGFPD should immediately suspend using the 2003 code unless the CRC's suggestions and recommendations are followed.

Supported by 4 of 9 members: Teresa Bath, Keith Gantenbein, Robert Thiessen, and Paul Trost.

3. Submit our comments and suggestions with no additional recommendations, and allow the board to come to its own conclusions.

Supported by 3 of 9 members: Keith Gantenbein, Robert Thiessen, and Paul Trost.

4. Adopt the 2006 code as it is written.

Supported by 0 of 9 members.

5. Rescind adoption of the 2003 code, do not adopt the 2006 code, and do not take any other actions.

Supported by 0 of 9 members.

ADDITIONAL RECOMMENDATIONS

The CRC identified several measures that we feel should be implemented within the GGFPD. These actions can be taken regardless of whether the board decides to retain, modify, or rescind the 2003 IUWIC, or adopt the 2006 IUWIC. Some of these actions will improve the preparedness of individuals and the community to address fires within the GGFPD. Other actions will improve communications between the GGFPD board and the community, and enhance the ability to apply fire codes consistently and fairly throughout the district.

1. This report may be beneficial to other entities. We suggest that a copy of this report and our companion concerns and suggestions be sent to the GGFPD fire fighters and other interested parties, including our neighboring mutual aid districts and other districts that have adopted the 2003 IUWIC.
2. Implement the *Wildland Urban Interface Community Wildfire Protection Plan Prepared for the Golden Gate Fire Protection District*, submitted by Anchor Point (2004).
3. Address the absence of water supply for fire fighting within the GGFPD by a method such as designing and implementing a community-funded cistern plan.
4. Require the development of a fire protection plan for all new construction. In addition, strongly encourage existing residents to prepare and implement fire protection plans and file them with the fire department. Work with the fire department to develop a plan template that facilitates the process and enhances safety. Hold community seminars to inform and educate citizens on the preparation of their plans.
5. Encourage the county to develop maps of the urban / wildland interface, consistent with Section 302 of the IUWIC.
6. Adopt the variance process developed by the CRC in response to Section 103 of the IUWIC, if the code is retained.
7. Adopt the appeals process developed by the CRC in response to Section 104 of the IUWIC, if the code is retained.

8. Solicit community input, such as this citizens review committee has performed for the 2006 IWUIC, regarding all major future actions, when adopting changes in the fire codes that are applied to our district.
9. Expand the GGFPD Internet site to include development forms and requirements (such as defensible space and driveway requirements), and prepare an informative, user-friendly summary handout.

ACKNOWLEDGEMENTS

Several other community members provided valuable input during our meetings, but were unable to commit the substantial level of effort that was needed to complete the review of the IWUIC. We appreciated the technical information and opinions they provided during our review. They include:

Bill Brennan	Patti Neer	Richard Ramstetter
Judy Busby	Ron Pitcock	Mike Wamser
Ann Miller	Jim Poeter	Sam Wineland

Barbara Crawford contributed as an active member until she won a position on the GGFPD board in the May 2006 election. In conformance with the CRC rule that allows CRC membership by only one board member, Barbara had to resign, but continued to provide valuable input.

We also gratefully acknowledge:

- The Golden Gate Grange for the use of their building throughout the review process, and Gale Saltus for her assistance in scheduling the use of this facility.
- Pat Madison (Table Mountain Web Design at www.tablemtn.com) for designing and maintaining the CRC's web site, including posting our meeting synopses and other documents for public review.
- Parsons (www.Parsons.com) for the use of computer and projection equipment that facilitated our review of the IWUIC.

Respectfully submitted by the Golden Gate Fire Protection District Citizens Review Committee:

Teresa Bath	Jerry Hans	Robert Thiessen, vice chair
Keith Gantenbein	Jan Snyder, secretary	Paul Trost
Steve Green, chair	Carol Sorvig	Mike Urban

Attachments: Concerns and Suggestions of the Golden Gate Fire Protection District's Citizens Review Committee regarding the 2006 International Wildland-Urban Interface Code

**CONCERNS AND SUGGESTIONS
OF THE
GOLDEN GATE FIRE PROTECTION DISTRICT'S
CITIZENS REVIEW COMMITTEE
REGARDING THE
2006 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE
AUGUST 9, 2006**

INTRODUCTION

Jefferson County Resolution No. CC04-354 (dated June 29, 2004) allowed the Golden Gate Fire Protection District (GGFPD) to adopt the 2003 edition of the International Fire Code (IFC), including the 2003 edition of the International Urban-Wildland Interface Code (IUWIC). (The IFC and IUWIC were both published by the International Code Council [ICC]). The approval of the IUWIC excluded:

Chapter 4, Section 403, Access;

Chapter 5, Special Building Construction Regulations;

Section 602, Automatic Sprinkler Systems, the requirements for which have been *de facto* excluded by the exclusion of Chapter 5; and

All appendices.

Jefferson County Resolution No. CC04-354 further states:

“This approval is specifically contingent upon the following:

It shall be the sole and exclusive responsibility of the District to enforce the Fire Code;

The approval of the Fire Code does not supersede, amend, waive or otherwise affect the provisions or the enforcement of the Jefferson County Building Code or other Jefferson County code, ordinance or regulation; and

The approval of the Fire Code does not extend to any subsequent alteration, modification, rescission, repeal or amendment, in whole or in part, of the Fire Code.”

The Citizens Review Committee (CRC) was given the charge by the GGFPD Board in February 2006 to review the newer version of the IUWIC code, renamed the 2006 International Wildland Urban Interface Code (IWUIC), prior to possible adoption of the 2006 IWUIC by the GGFPD with approval by the county. The review of the 2006 IWUIC by the CRC can also be seen as a review of the adopted and nearly identical 2003 IUWIC.

In consideration of the above wording of county resolution No. CC04-354 and other factors, the CRC identified the following concerns while reviewing the content of the 2006 IWUIC. The CRC has also developed suggestions in response to these concerns that would make the code more compatible with other Jefferson County building requirements and conditions within the GGFPD.

The CRC's concerns and suggestions took into account the exclusions specified by the county in the adoption of the 2003 IWUIC in Resolution No. CC04-354. These same exclusions were applied to our analysis of the nearly identical 2006 IWUIC.

(Note to readers: to understand these concerns and suggestions, it is necessary to refer to a copy of the 2006 IWUIC or the similar but superseded 2003 IWUIC. The 2006 IWUIC is available for purchase from the International Code Council's online store at <http://www.iccsafe.org/e/category.html>. For reference purposes only, the ICC has given permission to the GGFPD to post the outdated 2003 IWUIC on its web site. The PDF file of this document is on the Internet at <http://www.goldengatefire.org/permits.htm>. It is the first document under the heading "Plans and regulations that apply to the Golden Gate Canyon area.")

CHAPTER 1: ADMINISTRATION

Section 101: General

Concern: This section of the 2006 IWUIC has the potential to conflict with or usurp Jefferson County building codes and the authority of the building department. Some portions duplicate existing building code requirements and can add time and expense to the building process without substantially reducing the fire hazard or improving community or fire fighter safety.

Suggestion: No provision of IWUIC and no rulings by the code official should conflict with any Jefferson County zoning, planning, or building code, ordinance, or regulation. The role and authority of county building inspectors should not be duplicated by the code official.

Concern: There is a lack of clarity regarding the phrase "was legal at the time of the adoption of this code."

Suggestion: Consistent with Section 101.4, the IWUIC will not be applied in a retroactive manner. In this section and throughout the IWUIC, a building or structure that met codes that existed at the time it was built will be considered legal at the time of the adoption of this code (unless there is a distinct hazard to life or property).

Concern: There is a lack of clarity regarding applicability of the IWUIC when a house or other structure is sold.

Suggestion: Provisions of the IWUIC will not apply to the sale of an existing building, structure, or premises.

Concern: There is a lack of clarity regarding the trigger size for applying the provisions of the IWUIC to remodeling of or additions to an existing structure.

Suggestion: Consistent with Jefferson County codes, the trigger size for applying the IWUIC to an addition or remodel is an addition or modification of 400 square feet or more.

Concern: There is a potential for subjectivity by the code official in determining what constitutes "a distinct hazard to life or property." This could create conflict or differences of opinion between citizens and the code official

Suggestion: Differences of this nature will be addressed by the appeals process (incorporating the variance committee that is discussed as part of our suggestions regarding Section 104).

Section 102, Authority of the Code Official

Concern: Under this section of the IWUIC, the code official would have the powers of a law enforcement officer but would not be required to have law enforcement officer training. The fire department does not

have the checks and balances that are placed on law enforcement agencies, such as an internal affairs department or the liability that police officers can face when and if they exceed their authority.

Suggestion: The fire department is a response agency and not a law enforcement agency. The Jefferson County Sheriff should be responsible for any enforcement of codes that involve criminal activity. The county building department has enforcement capability if codes are not followed. The fire department should not have any law enforcement authority other than to issue a misdemeanor citation for non-criminal violations. If any other enforcement is required, the district can pursue any legal action deemed necessary.

Concern: It is not clearly identified who the code official is for our district.

Suggestion: For the GGFPD, the fire chief is the code official. The chief can appoint another to serve in his place, subject to board approval. If the fire chief's position is vacant, the board will appoint another individual to serve as the code official until the position of fire chief is filled.

Concern: The GGFPD has not established rules and regulations, as required in Section 102.2, that clarify the application of the IWUIC in our district "in conformance to the intent and purpose of this code."

Suggestion: The GGFPD board will develop or cause to be developed a set of district-specific rules and regulations that will provide for the fair and consistent enforcement of the IWUIC. The draft rules and regulations will be presented to the citizens of the district in a well-advertised public meeting and will also be readily available, such as on the Internet, to the public in written form. The board will accept written comments on the rules and regulations from the public for a reasonable period after the public meeting and will consider the public's suggestions prior to adopting a final version of the rules and regulations.

Concern: The IWUIC requires that the district's rules and regulations "shall be filed with the clerk of the jurisdiction." The GGFPD does not have a procedure for recording rules and regulations relating to the IWUIC.

Suggestion: Appropriate procedures need to be established. The clerk of the jurisdiction shall be the secretary of the GGFPD board.

Concern: The IWUIC requires that copies of the district's rules and regulations "shall be available for distribution to the public." Our district does not have a mechanism for distributing this information to citizens.

Suggestion: A complete copy of the rules and regulations of the GGFPD relating to application and enforcement of the IWUIC should be posted on the district's web site. Hard copies should be available to the public at the cost of reproduction. The board also should create a summary handout of the rules and regulations. The summary should be posted on the district's web site and distributed annually in the district's newsletter.

Concern: The liability of the code official is limited by this section and their legal defense is paid by the district. Therefore, the code official may feel limited accountability to abide by the district's rules and regulations.

Suggestion: All parties should understand that through the Section 104 appeals process (as proposed by the CRC), the district board shall be responsible for ensuring that gross negligence on behalf of the code official does not occur. Citizens will have access to this recourse if they believe the code official was negligent, arbitrary, or capricious.

Concern: If a property owner disagrees with a red tag situation, they should have access to a speedy appeals process.

Suggestion: The right to request and receive a timely hearing and decision is included in our suggestions on Section 104, Appeals.

Section 103, Compliance Alternatives

Concern: In the IWUIC, the code official has too much authority to allow variances to the code. This could result in variances that are capricious and arbitrary.

Suggestion: If an owner and code official agree on proposed variances to the code, all variances will be in writing and signed by the code official and the owner and presented to the board at the earliest opportunity for approval. If the owner and the code official can not come to an agreement regarding a variance requested by the owner, the appeals process shall be used.

Concern: Building materials already are regulated by Jefferson County building codes and enforced by county building inspectors. This authority should not be duplicated by the code official.

Suggestion: In the Jefferson County board of commissioners' resolution that allowed the GGFPD to adopt the 2003 IUWIC, the commissioners specifically excluded Chapter 5, Special Building Construction Regulations. Therefore, all other references to building materials throughout the code, including those in Sections 103.2 and 103.3, should also be excluded.

Section 104, Appeals

Concerns: The appeals process outlined in the IWUIC is inconsistent with the decision by the GGFPD board that it should serve as the board of appeals. The appeals process has not been well defined for our district.

Suggestion: Within the GGFPD, the appeals described in Section 104.1 should be modified as follows:

The first level of appeal available to the applicant will be to the fire marshal (if one exists within the district).

If a decision is against the applicant, the second level of appeal is to the code official.

If the code official's decision is against the applicant, an appeal can then be made to a variance committee established by the board. The membership of the variance committee will be two years and will change in even-year Januarys. The variance committee will consist of:

- Two members of the board of directors of the GGFPD;
- Two citizen volunteers (not affiliated with the fire department); and
- One registered professional engineer or other expert who lives outside the district, has no property ownership or other substantive interest in the district and, preferably, specializes in wildland/urban interface fire planning. This individual shall be selected by unanimous vote of the committee's other four members.

If the decision is against the applicant, the final board of appeals is the district board of directors, which is a legal entity elected by and answerable to the citizens. Decisions of the board are final within the district. (The property owner retains other legal remedies through the courts as allowed by law).

In all cases and at all levels, the request for an appeal by the applicant must be in writing and shall include the applicant's list of concerns and proposed alternatives.

All decisions and findings at any level of this process must be in writing, with the original going into the department's permanent files and a duplicate copy going to the applicant.

The applicant's cost for an appeal to the variance committee will be at least \$150 (with the potential for equitable adjustment by the board). This amount will help defray the cost incurred by the district for the professional engineer or expert member of the variance committee. The GGFPD board will bear any additional cost for the engineer's or expert's fee.

Appeals at each level will be heard and decided in a timely manner. If an issue is time-sensitive, the applicant may request that a hearing be held within 7 days of submitting the written request, and that a decision be made within another 7 days.

In an urgent situation, such as a red-tagging that precludes the use of a primary residence, the applicant may appeal directly to the district board of directors. In such emergency cases, the applicant may request in writing that the hearing be held within 3 days of submitting the written request, and that a decision be made within another 3 days. This process shall be subject to a \$200 "speedy appeal" fee payable to the district

Section 105, Permits

Concern: This section deals with obtaining of permits for various activities. We recognize that some activities and some types and quantities of hazardous materials need to be known to the fire department and regulated for safety. However:

- Some of these permitting requirements are intrusive or unnecessary.
- Some of the authority defined for the code official regarding permitting duplicates county building department permitting requirements.

Suggestions:

Conformance with the IFC is already required for all hazardous materials handling and storage, and all activities that could represent a substantive fire hazard. There is no need for the IWUIC to attempt to augment this more comprehensive source.

Permits for construction should be regulated only by the county.

Changes in zoning and its enforcement are county issues only.

Consistent with the IFC, recreational campfires should not be regulated except by an area-wide ban by the appropriate county or state official.

Section 106, Plans and Specifications

Section 106.1, General

Concern: Most of this section is redundant with county regulations.

This section places substantial responsibility on the code official to act as an engineer. The code official may not be qualified in this area, and it unnecessarily adds to their workload and potential for liability.

This section unnecessarily adds another layer onto building regulations.

It is redundant to require citizens to turn in two sets of building plans, computations, and specifications. This also could unnecessarily delay the building process.

The need for the fire department to have a copy of the plans, specifications, and computations for private residences in the district is questionable. We concur that this information could be useful for public, commercial, and industrial buildings. However, we note that within the GGFPD, these types of buildings currently are limited to the Grange hall and the two fire stations.

Suggestion: Building plans, site plans, vicinity plans, specifications, and defensible space are included in Jefferson County requirements. Therefore, the GGFPD should delete everything in Section 106 except Section 106.5, Fire protection plan.

Fire protection plans should be mandatory for all construction of more than 399 square feet and the code official should not be able to waive the requirement for preparing fire protection plans.

Section 106.5, Fire Protection Plan

Concern: Submission of a fire protection plan to be approved by the code official is vague and allows for too much subjectivity.

Suggestion: All construction of more than 399 square feet would be required to have a fire protection plan that meets a checklist from the GGFPD. Our suggestions for some of the contents of each fire protection plan are provided below under Section 405.

The fire protection plan will not include water supply, because requirements for water supply are included in Section 404. The defensible space plan, which is covered by Jefferson County defensible space requirements, should be included in the fire protection plan.

The plan shall conform to a list of requirements developed by the code official and approved by the board.

The approved plan is to be placed in the fire protection plan file in the fire department office.

Section 107, Inspection and Enforcement

Concerns: This section provides for unnecessary duplication of construction inspection efforts between code official and Jefferson County building department inspectors.

Suggestion: GGFPD shall rely on Jefferson County building department inspectors for construction compliance.

Section 107.1.1, General

Concern: Section 107.1.1 requires that “All construction or work for which a permit is required by this code shall be subject to inspection by the code official.” Based on Section 105.2, that includes virtually any construction performed within the district, including that for which the Jefferson County Building Department is charged with performing construction inspections. This is redundant with county inspections.

Suggestion: It should be made clear that inspections by the code official should be limited only to features that relate to fire code issues, and that are not already under the purview of any other agency.

Section 107.1.2, Authority to inspect

Concern: The code official is allowed to inspect at any time and for any reason. Limits should be placed on the inspection process.

Suggestion: Inspections by the code official shall be done at reasonable times and shall not prevent or unreasonably delay the construction of the building. All inspections by the code official shall be conducted after receiving approval from the owner and at a set date and time.

Section 107.3, Right of entry

Concern: The wording of this section is confusing. It could be misinterpreted that entry without permission and/or a warrant is allowed.

Suggestion: The fire code official shall seek verbal permission for entry into buildings, structures, and land. If verbal permission is denied, the code official must obtain a warrant or other legal means to gain entry. The fire district can pursue whatever legal means they deem necessary to gain entry.

Section 107.4, Compliance with orders and notices

Concern: This section could result in misuse of power or the issuance of arbitrary decisions.

Suggestion: This section should state that failure to comply with orders from the code official may result in issuance of a citation by the code official. The owner shall have the right to appeal using the process described in Section 104.

Section 107.4.5, Unsafe conditions

Concern: This section could be applied to historical structures. The old mining and agricultural structures (including sheds and wood fences) within the GGFPD are an important part of our heritage.

Suggestion: Unsafe buildings and/or structures that could be considered historical (usually structures that are at least 50 years old) shall be exempt. If the owner and code official disagree, the owner shall have the right to appeal using the process described in Section 104 and, ultimately, the courts.

Section 108, Certification of Completion

Concern: This section deals with the issuing of permits when a building/structure constructed in accordance with the code is finished and ready for occupancy. This duplicates the responsibilities of the county building officials.

Suggestion: The Jefferson County building department shall issue final certificate of completion. The code official shall rely on same.

CHAPTER 2: DEFINITIONS

Concern: Many of the definitions in Chapter 2 speak only of “this code,” representing the unmodified IWUIC.

Suggestion: “This code” will be the IWUIC as modified by the GGFPD board.

CHAPTER 3: WILDLAND-URBAN INTERFACE AREAS

Concern: The Jefferson County board excluded all appendices in allowing the GGFPD to adopt the 2003 IUWIC. As a result, the requirement that Appendix E criteria be used to prepare a finding of fact regarding wildland-urban interface areas is inappropriate.

Suggestion: The appropriate legislative body (at the county or district level) should establish criteria that can be used in defining wildland-urban interface areas within the GGFPD.

Concern: Within the GGFPD and the county, we could not locate maps of wildland-urban interface areas, as defined by the IWUIC. Apparently, no legislative body has declared or filed these areas in conformance with this chapter of the IWUIC.

Suggestion: The appropriate legislative body (at the county or district level) should establish and follow the IWUIC’s criteria for the declaration and mapping of urban-wildland interface areas. This should be accomplished before any newer edition of the IWUIC is approved for adoption by the GGFPD. The legislative body should determine whether the county’s existing wildland hazard maps would be adequate to meet the intent of the IWUIC.

If the GGFPD board is determined to be the appropriate legislative body, “the clerk of the jurisdiction” referenced in Section 302.2 will be the secretary of the GGFPD board. This is consistent with our suggestion regarding this position for Section 102.

CHAPTER 4: WILDLAND-URBAN INTERFACE AREA REQUIREMENTS

Concern: Several sections of this chapter refer to vehicle access. However, Section 403 dealing with access was excluded by the Jefferson County board when they allowed the GGFPD to adopt the code.

Suggestion: All references to “vehicle access,” including emergency vehicle access, are outside the authority of this code, and are regulated by the county. A file record in the form of the Fire District Advisory Letter will provide notification of GGFPD concerns about access to potential future purchasers of the property. The GGFPD cannot refuse to issue a Fire District Advisory Letter for any reason relating to access.

Note: the Fire District Advisory Letter is a county requirement that identifies and records the status of access and any associated concerns.

All property owners and residents should understand that the fire department can refuse to enter any property, including those with previously county-approved access, during an emergency because of access or other safety concerns

Concern: Several sections of this chapter refer to the appendices. However, the appendices were excluded by the Jefferson County board when they allowed the GGFPD to adopt the code.

Suggestion: In the rules and regulations it establishes to conform with Section 102.2, the GGFPD board should note that all references to the appendices are *de facto* excluded from the application of the IWUIC within our district.

Section 402, Applicability

Section 402.1, Subdivisions

Concern: “Subdivision” is not defined for GGFPD.

Suggestion: “Subdivision” should be defined by the appropriate jurisdiction (county or GGFPD board).

Section 402.2.2, Individual Structures, Water Supply

Concern: This section does not make clear that the establishment of community cisterns can be an alternative to individual water supply.

Suggestion: This section should include community cisterns as all or part of a conforming water supply.

Concern: It is not appropriate to mandate a water supply, either for individuals or at the community level, without the consent of the majority of the community.

Suggestion: A vote of citizens within the GGFPD should be taken regarding whether to provide (and pay for) a water supply for fire fighting.

Concern: By excluding Chapter 5, Special Building Construction Regulations, the Jefferson County Commissioners effectively eliminated the potential for an exception based on the use of ignition-resistant construction or other fire hazard mitigation approaches.

Suggestion: Consistent with the GGFPD board's January 18, 2006 resolution, an applicant may apply for a variance from a water supply requirement of Section 404.5 based on the installation of other fire mitigation facilities. The compliance alternatives procedures that the CRC recommended for Section 103 should be followed for documenting and approving the variance.

Concern: The exception in Section 402.2.2 has a trigger size of 600 square feet, but the trigger size for the application of building and fire codes in Jefferson County is 400 square feet.

Suggestion: Within the GGFPD, the exception will be applied only to new structures or remodeling projects smaller than 400 square feet.

Section 403, Access

This section was excluded in the June 29, 2004 resolution from the Jefferson County Board of Commissioners that allowed the GGFPD to adopt the IWUIC. Therefore, it was not reviewed by the CRC.

Section 404, Water Supply

Concern: The types and volumes of the mandated water supply in the this section may not be the best solution (based on feasibility, costs, or other considerations) for GGFPD or other fire districts that are considering adopting the IWUIC.

Suggestion: The district voters should be given the opportunity to discuss, consider, and vote on which, if any, water supply plan the GGFPD community would like to see enacted within our district.

Section 404.1, General

Concerns:

- This section is difficult to understand.
- It mandates that an approved water supply must be provided for fire fighting.
- It sets as a goal the ability to suppress structure fires, which is very water intensive and could be considered outside the purview of the IWUIC.
- It makes reference to a table in Chapter 5, which the Jefferson County Commission excluded from the provisions that could be adopted by the GGFPD.

Suggestion: A vote of citizens in the GGFPD should be taken regarding whether to provide a water supply for fire fighting. As a general recommendation, the International Code Council should clarify the intent of this section.

Concern: The exception has a trigger size of 600 square feet, which is larger than Jefferson County's trigger size of 400 square feet for application of building and fire codes.

Suggestion: Within the GGFPD, the exception will be applied only to new construction or remodeling projects smaller than 400 square feet.

Section 404.2, Water Sources

Concern: Requiring water sources to be within 1,000 feet of structures effectively precludes the establishment of community cisterns as an alternative to individual water supply for individual structures.

Suggestion: If GGFPD areas are served by community cisterns, the 1,000-foot limitation will not apply.

Concern: The statement that “This water source shall be equipped with an approved hydrant” is too general.

Suggestion: The GGFPD board’s rules and regulations that will be prepared to conform with Section 102.2 will include a list of all models of dry hydrants that are approved for use on cisterns in our district.

Concern: Unavailability because of freezing is mentioned by the IWUIC only in association with natural water sources.

Suggestion: Freezing should also be considered for man-made water sources. Applicants should consider methods to prevent freezing of storage tanks and pipes, such as proper construction, use of a buried tank, location in an indoor space, solar exposure, use of heat tape, etc.

Section 404.3, Draft Sites

Concern: “Draft site” is not defined.

Suggestion: “Draft site” should be added to the definitions in Chapter 2.

Section 404.4, Hydrants

Concern: This section does not provide GGFPD residents with information regarding the types or models of hydrants that are acceptable within our district.

Suggestion: The GGFPD board’s rules and regulations that will be prepared to conform with Section 102.2 will include a list of all models of dry hydrants that are approved for use on cisterns in our district.

Section 404.5, Water Supply

Concern: This section does not allow for the establishment of community cisterns as an alternative to individual water supply for individual structures.

Suggestion: The establishment of community cisterns can be an alternative to individual water supply for GGFPD.

Concern: Private cisterns present a false sense of security to neighbors who do not have their own water supply. Reasons could include access and availability to the water, inadequate maintenance that resulted in an empty cistern, water rights during an emergency, etc. The right to use the private cistern water during an emergency situation could create a source of conflict.

Suggestion: The GGFPD board and fire department should implement education measures to make citizens aware of the pros and cons of various water supply options.

Concern: The board and citizens need to recognize that community cisterns may not meet the needs of all citizens, particularly those in remote locations.

Suggestion: Private citizens in these situations need to be aware of the fire-fighting limitations and the possible consequences.

Section 404.6, Fire Department

Concern: The intent of this section is unclear.

Suggestion: The GGFPD should delete this section because our district is rated Class 9 or better. As a general recommendation, the International Code Council should clarify the intent of this section.

Section 404.9, Testing and Maintenance

Concern: This section, as written, may not be appropriate for our district because of personnel and cost limitations of an all-volunteer district.

Suggestion: The board, in concert with the volunteer fire department and citizens, needs to develop a testing and maintenance plan for cisterns within the GGFPD.

Section 404.10.3, Standby Power

Concern: Standby electrical power requirements for cisterns are not applicable within the GGFPD because our trucks are equipped with pumps that can draw water from reservoirs, including underground cisterns.

Suggestion: This section should be excluded for the GGFPD.

Section 405, Fire Protection Plan

Concern: Section 405.1 provides the code official with discretion on whether a fire protection plan is required.

Suggestion: With no exceptions, all new construction or remodels within the GGFPD that exceed the county's 400-square-foot trigger will require preparation of a fire protection plan.

Concern: The Section 405.2 requirements for the fire protections plan's contents are too general.

Suggestion: The fire protection plan should include such information as identification of primary and secondary evacuation routes from the property; strategies for survival if evacuation is not possible; numbers, types, and locations of fire extinguishers; smoke detector requirements; alternative electrical power supply integrated with the electrical system to operate the well (strongly recommended if property is on a well); the location of street address markers for the property; and methods to be used to control openings to buildings, such as attic vents, that would allow sparks to penetrate a building interior.

A new fire plan template should be prepared by the department and approved by the board following public hearings. The template should include suggestions that are presented in a helpful and educational tone, which would improve homeowner compliance. Template information could include suggested numbers, types, and locations of fire extinguishers; recommendations regarding numbers, locations, and types of smoke detectors; approved dry hydrant models for cisterns; and where to locate street address markers for the property.

The fire plan will not include water supply, because requirements for water supply are included in Section 404, or defensible space planning, which is covered by Jefferson County defensible space requirements.

Section 405.4, Plan Retention

Concern: Placing plans in the possession of the code official does not consider staff turnover.

Suggestion: Fire protection plans are to be placed in the fire protection plan file in the GGFPD fire department office.

CHAPTER 5: SPECIAL BUILDING CONSTRUCTION REGULATIONS

This chapter was excluded in its entirety in the June 29, 2004 resolution from the Jefferson County Board of Commissioners that allowed the GGFPD to adopt the IUWIC. Therefore, it was not reviewed by the CRC.

CHAPTER 6: WILDLAND-URBAN INTERFACE AREA REQUIREMENTS

Section 601, General

Concern: There may be a tendency within the GGFPD to apply Chapter 6 just to new construction, because many provisions of the preceding chapters apply primarily to new construction.

Suggestion: Within our district, we need to emphasize to citizens that the Chapter 6 requirements apply equally to new and existing structures, consistent with the wording in Section 601.1.

Section 602, Automatic Sprinkler Systems

This section was excluded in the June 29, 2004 resolution from the Jefferson County Board of Commissioners that allowed the GGFPD to adopt the IUWIC. Therefore, it was not reviewed by the CRC.

Sections 603 and 604, Defensible Space and Maintenance of Defensible Space

Concern: Defensible space and maintenance of defensible space already are covered by Jefferson County requirements.

Suggestions: The GGFPD will defer to and conform with existing Jefferson County regulations.

Concern: “Net free area” is not defined and could be confusing to individuals who are not familiar with this term.

Suggestion: This measurement should be explained adequately to allow the property owner to comply. “Net free area” also should be added to the definitions in Chapter 2.

Section 606, Liquefied Petroleum Gas Installations

Concern: Because the IWUIC is an addition to the IFC, there is no need to reference the requirements of the IFC that already are applied throughout Jefferson County. Such references unnecessarily increase the length and complexity of the IWUIC.

Suggestion: Duplicative elements of the IWUIC should be deleted.

Concern: Liquefied petroleum gas is not defined.

Suggestion: Define liquefied petroleum gas. Specifically clarify whether it includes propane.

Section 607, Storage of Firewood and Combustible Materials

Concern: *The Zoning Regulation of Jefferson County, Colorado* (available on the Internet at http://www.co.jefferson.co.us/planning/planning_T59_R41.htm - see Sections 3.B.7.b and 50.D.3.a) requires conformance with Colorado State Forest Service (CSFS) defensible space requirements in Colorado State University Natural Resources Series Publication No. 6.302. The CSFS’ specified distance for storage of firewood is 30 feet, rather than the 20 feet specified in Section 607.

Suggestion: The GGFPD should defer to and be consistent with existing Jefferson County regulations.

Concern: Small amounts of firewood placed adjacent to a structure for near-term use is not “storage.” Residents should not have to be concerned about receiving a citation for such situations.

Suggestion: In its development of rules and regulations in conformance with Section 102.2, the GGFPD board should recognize this situation and quantify a reasonable amount of firewood that can be placed near the home.

Concern: The acceptable storage methods in this section are unclear.

Suggestion: This section should be revised to clarify acceptable storage methods. If the intent is that storage should never occur under areas such as decks, this section should be rewritten to make this evident.

Concern: The code official should not have discretion in determining whether firewood and other combustible materials can be stored less than the specified distance from a structure.

Suggestion: The code official cannot waive the Jefferson County regulation for storage distance from a structure.

Concern: Because Appendix A is excluded from the IWUIC provisions that may be adopted by the GGFPD, implementation of Section 607.2 is problematic.

Suggestion: In the rules and regulations the GGFPD board develops to comply with Section 102.2, the GGFPD board should specify allowable volumes for the storage of firewood and other combustibles, such as the volumes specified in Appendix A, Section A105.4.

OTHER CONCERNS OF THE CRC RELATING TO THE APPLICATION OF THE IUWIC/IWUIC TO THE GGFPD

Concern: There are no allowances in the resolution by the Jefferson County Board of Commissioners for modifications by the GGFPD board in the application of the IUWIC, based on conditions in our district and/or on recommendations from the CRC.

Suggestion: Any resolution from the Jefferson County Board of Commissioners should allow for less restrictive modifications that are approved by the GGFPD board. GGFPD board modifications that make the code more restrictive (aside from compliance with more restrictive Jefferson County requirements) should be allowed only with public notice, citizen input, and Board of County Commissioners approval.

Concern: The exclusions contained in Jefferson County Resolution No. CC04-354 make it difficult to interpret and apply the code, since sections that were not excluded make reference to excluded sections or appendices.

Suggestion: In any future resolutions regarding allowing districts to adopt the IWUIC, the Jefferson County Board of Commissioners should extend the de facto exclusion they identified with regard to Chapter 5 and Section 602. For example, because Section 403 on access is excluded, the commission should make clear that all other references by the code to access also are excluded.

Concern: It is unfair to require a property owner who has already paid to install their own water supply to contribute to the cost of a community cistern program.

Suggestion: Any property owner who has already installed a functional water cistern with a capacity of 10,000 gallons or more (as confirmed by the fire department) that they agree to make accessible as part of the community cistern plan has the option of applying for a rebate for their portion of the cost of funding a community water supply system.

Concern: Procedural problems may have occurred in association with the Jefferson County Board of Commissioners’ enactment of Resolution No. CC04-354 and the GGFPD board’s adoption of the 2003

IUWIC. Public notice by the county could not be found announcing the approval for adoption of the 2003 IUWIC. These concerns / findings were previously documented in the 2-22-2006 and 3-01-2006 CRC meeting synopses. These procedural problems have resulted in questions regarding the validity of the resolution passed by the Jefferson County Board of Commissioners when it approved the adoption of the IUWIC by our district.

Suggestion: As required in the Colorado Revised Statutes, proper public notice in a newspaper of county-wide and district-wide circulation must be placed prior to the approval, adoption, or enforcement of any new codes.

Concern: The GGFPD board did not involve the community before adopting the 2003 IUWIC.

Suggestion: The GGFPD should provide opportunities to inform and educate the community and should solicit community input regarding future major code changes or the adoption of new codes or regulations. This should include presentation of pros and cons, costs, and other impacts on the community.

Concern: Landowners who are currently developing their property are bound by the 2003 IUWIC, as modified only by the GGFPD board's January 18, 2006 resolution (reducing water storage requirements to 10,000 gallon and other changes). Other areas of the code may continue to present problems to future homeowners or those in the building process.

Suggestion: The board should consider the CRC's concerns and suggestions in all decisions until a determination is made about adopting the 2006 IWUIC and/or rescinding the adoption of the 2003 IUWIC.

Respectfully submitted by the Golden Gate Fire Protection District Citizens Review Committee:

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Steve Green, chair

Jerry Hans
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