

ORDINANCE NO. 361

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF SIMLA, COLORADO ADOPTING BY REFERENCE THE 2025 EDITION OF THE COLORADO WILDFIRE RESILIENCY CODE

WHEREAS, pursuant to C.R.S. § 24-33.5-1236, *et seq.*, the Town of Simla must adopt a wildland-urban interface code that meets or exceeds the model code promulgated by the Colorado Wildfire Resiliency Code Board;

WHEREAS, C.R.S. § 31-16-201, *et seq.* sets forth certain requirements for the adoption of codes by reference;

WHEREAS, pursuant to C.R.S. § 31-16-203 and C.R.S. § 31-16-205, the Town of Simla introduced the adopting Ordinance with a first reading held on March 19, 2026, and a second reading held on March 26, 2026, and shall publish such Ordinance in full upon its passage;

WHEREAS, pursuant to C.R.S. § 31-16-203, the Town of Simla held a properly noticed public hearing on the adopting Ordinance by publishing such notice once at least 15 days before the public hearing and once at least eight days before the public hearing, with such notice stating the time and place of the hearing and all other information required by law; and

WHEREAS, pursuant to C.R.S. § 31-16-204, the adopting Ordinance specifically sets forth penalties for violations thereof.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Simla as follows:

Section 1. Section 7-1-9 of the Town Code of Simla is hereby repealed in its entirety and reenacted as follows:

Section 7-1-9: Wildfire Resiliency Code:

Pursuant to C.R.S. § 31-16-202, the Colorado Wildfire Resiliency Code, published by the Colorado Wildfire Resiliency Code Board, 1697 Cole Boulevard, Unit 200, Lakewood, Colorado 80401, is hereby adopted by reference. The subject matter of the Colorado Wildfire Resiliency Code includes provisions regarding the construction, alteration, movement, repair, maintenance and use of any building, structure or premises that contain occupiable or habitable space, or change in use resulting in an occupiable or habitable space, within the wildland-urban interface areas of Colorado.

Section 2. A new Section 7-1-10 is hereby added to the Town Code of Simla to be read as follows:

Section 7-1-10: Copy on File:

A digital copy of each Code adopted herein by reference will be available on the Town's website at least fifteen (15) days preceding the hearing hereon and shall be kept there for public inspection while this Chapter is in force. After the adoption of this Chapter and the Codes herein stated by reference, the copy of said Codes may also be kept in the office of the Building Inspector and by the Town Clerk.

Section 3. A new Section 7-1-11 is hereby added to the Town Code of Simla to be read as follows:

Section 7-1-11: Amendments:

The code adopted herein is hereby modified by the following amendments:

A. Section 101 Scope and General Requirements is amended to read as follows:

101.1 Title. These regulations shall be known as the Colorado Wildfire Resiliency Code as adopted by the Town of Simla, hereinafter referred to as "this code."

B. Section 103.1 Creation of agency is amended to read as follows:

103.1 Creation of agency. The Town Building Department is the official in charge thereof and shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

C. Section C101.3.4 Compliance with orders and notices is amended to read as follows:

C101.3.4 Citations. Persons operating or maintaining an occupancy or premises subject to this code who allow a hazard to exist or fail to take immediate action to abate a hazard on such occupancy, premises, or vehicle when ordered or notified to do so by the code official shall be subject to penalties as set forth in Section 1-4-2 of the Town Code of Simla. Such violation is also deemed a nuisance and may be abated as such.

D. Section C101.3.7 Violation penalties is amended in part to read as follows:

All violations shall be subject to the penalties in Section 1-4-2 of the Town Code of Simla.

Section 4. A new Section 7-1-12 is hereby added to the Town Code of Simla to be read as follows:

Section 7-1-12: Penalties:

It shall be unlawful for any person to violate any of the provisions of this Chapter. Violations of this Chapter shall be subject to penalties as set forth in Section 1-4-2 of the Town Code of Simla.

Section 5. The Wildfire Resiliency Code – Fire Intensity Classifications contained in the Colorado Wildfire Resiliency State Code Map, developed by the Division of Fire Prevention and Control (DFPC) and the Colorado State Forest Service (CSFS) and within the municipality boundaries of the Town, are hereby adopted as the wildland-urban interface areas with the corresponding fire intensity classifications. Town staff is directed to ensure such map is available for public inspection through an accessible online platform and at the office of the Town Clerk.

Section 6. Severability. 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 Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that anyone, or part, or parts be declared unconstitutional or invalid.

Section 7. Safety. The Board of Trustees finds that the adoption of this Ordinance is necessary for the protection of the public health, safety, and welfare.

Section 8. Effective Date. This Ordinance shall become effective thirty (30) days after publication.

Adopted and ordered published this 10th day of March, 2026.

(Seal)

Ryan Fulmer
Mayor

Attest:

Megan Taunton, Town Clerk