



Course Title: Fire & the Act

Navigating Fire Protection and Mitigation under CCIOA

1. The Legal Foundation: HB23-1101 & SB23-166

Recent updates to CCIOA have shifted the balance between HOA aesthetic control and fire safety. It is no longer a "suggestion"; it is a legal requirement to allow for mitigation.

- **Property Rights vs. Safety:** Per **C.R.S. § 38-33.3-106.5**, associations cannot prohibit homeowners from taking fire mitigation measures (like removing flammable vegetation) on their own property.
- **The "Vegetation" Clause:** While an HOA can set reasonable standards for *how* mitigation is done, they cannot prevent it entirely if it follows a fire department's recommendations.

2. Hardening the "Home Ignition Zone"

Fire protection isn't just about the forest; it's about the structure. Education should focus on the three zones of defensible space.

- **Zone 0 (0-5 feet):** The "Immediate Zone." Focus on non-combustible materials (gravel, stone) and removing dead leaves from gutters.
- **Zone 1 (5-30 feet):** The "Intermediate Zone." Thinning trees and ensuring no "ladder fuels" (bushes under trees) exist.
- **Zone 2 (30-100+ feet):** The "Extended Zone." Managing larger clusters of trees to slow the fire's spread.

3. HOA Maintenance vs. Homeowner Responsibility

One of the biggest friction points in COAs is **who pays for what**. | Responsibility Area | Usually Managed By | CCIOA Context | | :--- | :--- | :--- | | **Common Elements** | The Association | Funded via assessments; must meet local fire codes. | | **Limited Common Elements** | Homeowner/ Association | Check the Declaration (e.g., decks, patios). | | **Individual Units** | The Homeowner | "Hardening" vents, roofs, and windows. |

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4. Policy Development & Enforcement

To stay compliant with CCIOA and protected by insurance, Twin Rivers COA should adopt a formal **Fire Mitigation Policy**.

- **Architectural Review (ARC):** How to streamline approvals for fire-rated roofing or siding.
- **Debris Removal:** Establishing schedules for community-wide "Chipping Days."
- **Insurance Implications:** Discussing how proactive mitigation can help prevent the loss of the association's Master Policy or skyrocketing premiums.

5. Crisis Management & Evacuation

Mitigation is about the property; protection is about the people.

- **Emergency Access:** Ensuring "Fire Lanes" are strictly enforced and accessible to heavy equipment.
- **Communication Chains:** Using "reverse 911" systems or HOA-specific apps for rapid alerts.
- **Water Supply:** Regular testing of hydrants or on-site cisterns if applicable.

6. Key Takeaways for the Board

- **Don't Block Safety:** Avoid denying ARC requests that are backed by local fire authority recommendations.
- **Update the Rules:** Ensure your Rules and Regs don't contradict the latest CCIOA amendments regarding fire-resistant materials.
- **Grant Funding:** Look into Colorado-specific grants (like the **CPW or CSFS grants**) that help HOAs fund large-scale mitigation on common ground.