



**MONUMENT TOWN COUNCIL
REGULAR MEETING AGENDA
TUESDAY, FEBRUARY 17, 2026 – 6:30 PM**
Monument Town Hall - Council Chambers
645 Beacon Lite Road - Monument, CO 80132
[Participate Via Microsoft Teams](#)

Participate Via Telephone: 719-300-6099 ID: 548 376 215#

1. Call to Order, Pledge of Allegiance, Roll Call

2. Disclosures of Conflicts of Interest

- a. Disclosures of Potential Conflicts of Interest
- b. Vote on Excluding Council Members With Potential Conflicts of Interest From Consideration, Discussion and Voting on Identified Matters

3. Approval of the Consent Agenda

- a. Agenda - February 17, 2026
- b. Meeting Minutes - February 2, 2026
- c. Invoices Over \$25K

4. Presentations

- a. 2021 International Fire Code and Colorado Wildfire Resiliency Code - *(Dan Ungerleider)*
- b. Impact Fee Report - *(Jennifer Phillips)*

5. Ordinances *Public Hearing(s) Required*

- a. Ordinance No. 02-2026 - An Ordinance Amending Title 13 of the Monument Municipal Code to Prohibit the Provision of Town Water Service to Properties Located North of the Palmer Divide - *(Town Council)*

6. Resolutions

- a. Resolution No. 09-2026 - A Resolution Authorizing Submission of a Federal Build Grant Application to Fund the Town's Jackson Creek Parkway Widening Project - *(Jennifer Phillips)*
- b. Resolution No. 13-2026 - A Resolution Authorizing the Submission of a Grant Application to the Department of Local Affairs for the Energy/Mineral Impact Assistance Fund for the Development of a Master Transportation Plan - *(Jennifer Phillips)*
- c. Resolution No. 11-2026 - A Resolution Approving a Fee In-Lieu of Water Rights - *(Thomas Tharnish)*
- d. Resolution No. 12-2026 - A Resolution Approving a Policy for Evaluation and Acceptance of Groundwater Associated with Development - *(Thomas Tharnish)*
- e. Resolution No. 10-2026 - A Resolution Approving a Lease Agreement with the Tri-Lakes Chamber of Commerce for Property Located at 166 Second Street - *(Madeline VanDenHoek)*

7. Public Comments For Items Not on the Agenda*Individuals attending in person may raise their hand to indicate their desire to comment. Individuals attending via Teams may "raise their hand" digitally to comment via connected devices. Please lower your hand when finished with your comments. Comments are limited to 3 minutes.*

8. Future Agenda Item Authorization

9. Reports

- a. Town Manager's Monthly Report - *(Madeline VanDenHoek)*

10. Council Comments

11. Executive Sessions

- a. Executive Session Pursuant to 24-6-402(4)(b), C.R.S. for a Conference with the Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions Regarding Pending Legal Projects - *(Town Attorney)*
- b. Executive Session Pursuant to Section 24-6-402(4)(b), C.R.S. for the Purpose of a Conference With the Town's Legal Counsel Regarding Specific Legal Questions Pertaining to Buc-ee's Land Use Application With El Paso County - *(Town Attorney)*

12. Adjournment

**MONUMENT TOWN COUNCIL
MEETING MINUTES**

Monday, February 2, 2026 - 6:30 PM

Monument Town Hall - 645 Beacon Lite Rd., Monument CO 80132

Hybrid Meeting - Remote Participation Via Teams

1. Call to Order, Pledge of Allegiance, Roll Call

Mayor Mitch LaKind called the regular meeting of the Monument Town Council and led those assembled in the Pledge of Allegiance led by Tyler Ramsey. Proper notice of the meeting was posted for more than 24 hours in the designated posting locations. The following Councilmembers and staff were present for the meeting:

TOWN COUNCIL		TOWN STAFF	
PRESENT: Mayor Mitch LaKind Mayor Pro Tem Steve King Councilmember Sana Abbott Councilmember Marco Fiorito Councilmember Kenneth Kimple Councilmember Laura Kronick Councilmember Chad Smith		Madeline VanDenHoek, Town Manager Patrick Regan, Police Chief Tina Erickson, Town Clerk Ashley Hernandez-Schlagel, Town Attorney Will Williams, Director of IT Thomas Tharnish, Director of Public Works Jennifer Phillips, Director of Finance Laura Hogan, Director of Administration Dan Ungerleider, Director of Planning Laurie Young, Senior Accountant Steve Murray, Town Accountant	
ATTENDED REMOTELY:			
ABSENT WITH PRIOR NOTICE:			
ABSENT WITHOUT PRIOR NOTICE:			

2. Disclosures of Conflicts of Interest

- a. Disclosures of Potential Conflicts of Interest
- b. Vote on Excluding Council Members With Potential Conflicts of Interest From Consideration, Discussion and Voting on Identified Matters
 - No disclosures with potential conflicts of interest were submitted.

3. Approval of the Consent Agenda

- a. Agenda - February 2, 2026
- b. Meeting Minutes - January 20, 2026
- c. Resolution No. 07-2026 - A Resolution to Approve a Memorandum of

Understanding with Pikes Peak Regional Office of Emergency Management for the Provision of Emergency Management Services
Councilmember Marco Fiorito made a motion to approve the consent agenda as presented, the motion was seconded by Councilmember Laura Kronick. Roll call vote was taken and the motion passed 7 to 0.

4. Presentations

a. Pikes Peak Regional Building Department
Greg Dingrando with Pikes Peak Regional Building Department gave a presentation as included in the council packet providing the highlights in permit numbers in 2025.

5. Resolutions

a. Resolution No. 08-2026 - A Resolution Initiating Annexation Proceedings for Certain Property to Be Known as Town of Monument Beacon Lite Road Water Tank Site Annexation and Finding the Petition for Annexation to Be in Substantial Compliance with Section 31-12-107, C.R.S.
Ungerleider presented resolution no. 08-2026 as included in the council packet. Councilmember Chad Smith made a motion to approve resolution no. 08-2026 and the motion was seconded by Councilmember Sana Abbott. Roll call vote was taken and the motion passed 7 to 0.

6. Discussion Items

a. Proposed Ordinance for Preventing Municipal Water to Flow North Into Division One
Mayor Pro Tem Steve King introduced the proposed ordinance for preventing municipal water to flow north into division one. The council provided direction for staff move forward with the draft ordinance and have attorneys review.

7. Public Comments For Items Not on the Agenda

- Rick Gorham.- spoke regarding his code enforcement issue with electrical fencing on neighbors property.
- Haley Chapin- Taste of Tri-Lakes Cares on May 13th at 5:30-8:30pm, tickets go on sale February 18th to reserve spots.

8. Future Agenda Item Authorization

- Regional training for elected officials middle to late March.

9. Reports

a. Quarterly Budget Report

Murray presented the quarterly budget report as included in the council packet.

b. Quarterly Investment Report

Murray presented the quarterly investment report as included in the council packet.

c. Quarterly Sales Tax Report

Young presented the quarterly sales tax report as included in the council packet.

10. Council Comments

- Mayor Mitch LaKind spoke about Town of Kiowa lost their Mayor.
- Council Member Kenneth Kimple gave appreciation to the mayor supporting local restaurants and that clerks are people too.

11. Executive Sessions

a. Executive Session Pursuant to §24-6-402(4)(b), C.R.S. for a Conference with the Town Attorney to Receive Legal Advice on Specific Legal Questions Relating to the Elite Cranes Zoning Enforcement Matter

Councilmember Marco Fiorito moved to enter executive session pursuant to 24-6-402(4)(b), C.R.S. for a conference with the Town Attorney to receive legal advice on specific legal questions relating to the Elite Cranes zoning enforcement matter. Councilmember Laura Kronick second the motion. Roll call vote was taken and the motion passed 7 to 0.

- The Council entered executive session at 7:46 pm.
- The Council concluded executive session at 8:06 pm.

12. Adjournment

The regular council meeting was adjourned at 8:06 pm.

Respectfully Submitted,

Tina Erickson, Town Clerk



MEMORANDUM

TO: The Mayor and Town Council
FROM: Jennifer Phillips, Finance Director
DATE: February 17, 2026
RE: Approving payments to Internal Revenue Service

BACKGROUND:

Internal Revenue Service – Form 8038-T Arbitrage Rebate Yield Reduction for 5th year on Series 2020 COP - \$61,801.07.

Yield % on debt issuance was 2.29% on 11/10/2020 compared to yield % s through 11/10/2025.

Form **8038-T**

(Rev. October 2021)

Department of the Treasury
Internal Revenue Service**Arbitrage Rebate, Yield Reduction
and Penalty in Lieu of Arbitrage Rebate**

► Under sections 143(g)(3) and 148(f) and section 103(c)(6)(D) of the Internal Revenue Code of 1954.

► Go to www.irs.gov/Form8038T for instructions and the latest information.

OMB No. 1545-0047

Part I Reporting Authority		Check box if Amended Return ☐	
1 Issuer's name Town of Monument, Colorado		2 Issuer's employer identification number (EIN) 84-6007781	
3 Number and street (or P.O. box no. if mail is not delivered to street address) Room/suite 645 Beacon Lite Road		4 Report number (For IRS Use Only) 7	
5 City, town, or post office, state, and ZIP code Monument, CO 80132		6 Date of issue 11/10/2020	
7 Name of issue Certificates of Participation, Series 2020		8 CUSIP number 61531ABA4	
9 Name and title of officer of the issuer or other person whom the IRS may call for more information		10 Telephone number of officer or other person	

11 Type of issue ► Utilities	Issue price ►	11	22,449,619.85
Part II Arbitrage Rebate and Yield Reduction Payments		Amount	
12 Computation date to which this payment relates (MM/DD/YYYY) 11/10/2025			
13 Arbitrage rebate payment (see instructions) ☐ check box if less than 100% of rebate amount		13	
14 Yield reduction payment (see instructions) ☐ check box if less than 100% of yield reduction amount		14	61,505.50
15 Rebate payment from Qualified Zone Academy Bond (QZAB) defeasance escrow (see instructions)		15	

Part III Penalty in Lieu of Arbitrage Rebate			
16 Number of months since date of issue: ☐ 6 mos ☐ 12 mos ☐ 18 mos ☐ 24 mos ☐ Other. No. of mos ►			
17 Penalty in lieu of rebate		17	
18 Date of termination election (MM/DD/YYYY)			
19 Penalty upon termination		19	

Part IV Late Payments			
20 Does failure to pay timely qualify for waiver of penalty? See instructions Yes ☒ No ☐			
21 Penalty for failure to pay on time (see instructions)		21	
22 Interest on underpayment (see instructions)		22	295.57

Part V Total Payment			
23 Total payment. Add lines 13, 14, 15, 17, 19, 21, and 22. Enter total here		23	61,801.07

Part VI Miscellaneous			
24 Unspent proceeds as of this computation date		24	0.00
25 Proceeds used to redeem bonds		25	
26 Gross proceeds used for qualified administrative costs for guaranteed investment contracts (GICs) and defeasance escrows		26	
27 Fees paid for a qualified guarantee		27	171,916.59
28 Is the issue a variable rate issue?		28	☐ Yes ☒ No
29 Did the issuer enter into a hedge? Name of provider _____ Term of hedge _____		29	☐ Yes ☒ No
30 Were gross proceeds invested in a GIC? Name of provider _____ Term of GIC _____		30	☐ Yes ☒ No
31 Were any gross proceeds invested beyond an available temporary period?		31	☒ Yes ☐ No
32 Calculations for filing of this form prepared by: ☐ Issuer ☒ Preparer: ACS, Inc.			

Signature and Consent	Under penalties of perjury, I declare that I have examined this return, and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. I further declare that I consent to the IRS's disclosure of the issuer's return information, as necessary to process this return, to the person that I have authorized above.			
	Signature of issuer's authorized representative _____		Date _____	
Paid Preparer Use Only	Print/Type preparer's name Doug Pahnke, CPA		Preparer's signature <i>Doug Pahnke</i>	Date 1/29/26
	Firm's name ► Arbitrage Compliance Specialists, Inc.		Check ☐ if self-employed	
	Firm's address ► 6065 S. Quebec Suite 201, Centennial, CO 80111		PTIN P02124041	
			Firm's EIN ► 84-1277337	
		Phone no. 303-867-7526		

For Paperwork Reduction Act Notice, see the separate instructions.

Cat. No. 11545Y

Form **8038-T** (Rev. 10-2021)

Instructions for Form 8038-T



Department of the Treasury
Internal Revenue Service

(Rev. October 2021)

Arbitrage Rebate, Yield Reduction, and Penalty in Lieu of Arbitrage Rebate

Section references are to the Internal Revenue Code unless otherwise noted.

Future Developments

For the latest information about developments related to Form 8038-T and its instructions, such as legislation enacted after they were published, go to [IRS.gov/Form8038T](https://www.irs.gov/Form8038T).

General Instructions

Purpose of Form

Under section 148(f), interest on a state or local bond is not tax-exempt unless the issuer of the bond rebates to the United States arbitrage profits earned from investing proceeds of the bond in higher yielding nonpurpose investments. Issuers of tax-exempt bonds and any other bonds subject to the provisions of section 148 must use this form to make arbitrage rebate and related payments.

Mortgage revenue bonds. Section 143(g)(3) provides special arbitrage rebate rules for qualified mortgage bonds and qualified veterans' mortgage bonds. Under these special rules, issuers may pay the rebate either to mortgagors, or if an election is made before issuance of the bond, to the United States. Use this form only if you have elected to pay the rebate to the United States.

Qualified Zone Academy Bonds (QZABs) issued under section 1397E. A QZAB is a bond issued by a state or local government to finance certain eligible public school purposes. An issuer of QZABs issued under section 1397E or section 54E, if applicable, may establish a defeasance escrow to cure a failure to properly use QZAB proceeds. An issuer must pay any investment earnings on amounts in the defeasance escrow that are in excess of the yield on the issue. In determining the yield on the issue, the credit allowed is disregarded. Use this form to make payments of investment earnings on amounts in defeasance escrows. See Regulations section 1.1397E-1(h)(8)(ii)(C).

Note. Use a separate Form 8038-T for each issue.

Who Must File

Issuers of tax-exempt bonds and any other bonds subject to the provisions of section 148 must file Form 8038-T to pay:

1. Arbitrage rebate.

2. Yield reduction payments.
3. The penalty:
 - In lieu of arbitrage rebate; or
 - To terminate the election to pay a penalty in lieu of arbitrage rebate.
4. Penalties and interest on the failure to pay on time any amounts in 1-3 above.

Issuers of QZABs issued under section 1397E or section 54E, as applicable, that establish a defeasance escrow under the Regulations must file Form 8038-T to pay 100% of the investment earnings on amounts in the defeasance escrow.

Applicable Regulations

General

Unless otherwise stated, regulation sections referenced in these instructions are to the 1993 regulations, as amended. Generally, an issuer may apply these regulations to bonds that are outstanding on July 8, 1997. For the 1993 regulations, see T.D. 8476, 1993-2 C.B. 13, and T.D. 8538, 1994-1 C.B. 26. For the 1997 amendments to the 1993 regulations, see T.D. 8718, 1997-1 C.B. 47. The 1992 regulations generally apply to bonds issued before July 1, 1993. For the 1992 regulations, see T.D. 8418, 1992-1 C.B. 29.

Special Rules

For rules on computing the arbitrage rebate for mortgage revenue bonds, see Temporary Regulations section 6a.103A-2(i)(4).

For rules on computing the arbitrage rebate for bonds subject to section 103(c)(6)(D) of the 1954 Code, see Temporary Regulations section 1.103-15AT, T.D. 8005, 1985-1 C.B. 39, if the issuer has not applied the later regulations.

For QZABs issued under section 1397E and section 54E, see Regulations T.D. 9495.

Arbitrage Rebate

Computation of Arbitrage Rebate

The rebate amount for an issue is based on the difference between the amount actually earned on nonpurpose investments and the amount that would have been earned if those investments had a yield equal to the yield on the issue.

Note. Regulations section 1.148-3(b) provides that as of any date, the rebate amount for an issue is the excess of the future value, as of that date, of all receipts on nonpurpose investments over the future value, as of that date, of all payments on nonpurpose investments. The definitions of payments and receipts in Regulations section 1.148-3(d), in part, require inclusion of transactions (including, but not limited to, acquisition, earnings, and return of principal) on a date for each nonpurpose investment. Any cash flow representation to the contrary may result in the understatement of rebate amount. Yield reduction payments are determined using payments and receipts as described in Regulations section 1.148-5(b)(1).

Exceptions

A number of exceptions may relieve an issuer of the rebate requirement for all or a part of an issue of bonds.

Note. The following exceptions may apply only to a portion of an issue. In such cases, the rebate requirement continues to apply to the portion of the issue not covered by the exception.

Small issuer exception. The rebate requirement does not apply to certain bonds issued by governmental units issuing no more than \$5 million of bonds in a calendar year.

The exception is modified as follows: a governmental unit may issue up to \$10 million in bonds after 1997 (\$15 million after 2001) per calendar year, provided no more than \$5 million of proceeds are used to finance expenditures other than public school capital expenditures. See section 148(f)(4)(D) and Regulations section 1.148-8.

6-month exception. The rebate requirement is considered to be met for gross proceeds of an issue (as defined in Regulations section 1.148-7(c)(3)) if those gross proceeds are spent within 6 months of the issue date. The 6-month exception is the only exception available for refunding issues.

See section 148(f)(4)(B) and Regulations section 1.148-7(a)-(c).

18-month exception. The rebate requirement is considered to be met for gross proceeds of an issue if those gross proceeds are spent according to an

18-month expenditure schedule measured from the issue date.

See Regulations section 1.148-7(a), (b), and (d).

2-year exception. The “available construction proceeds” of a construction issue are treated as meeting the rebate requirement if those proceeds are spent in accordance with a 2-year expenditure schedule measured from the issue date.

See section 148(f)(4)(C) and Regulations section 1.148-7(a), (b), and (e)–(j).

Exception for certain investments. The rebate requirement generally does not apply to gross proceeds that are invested in certain tax-exempt bonds, certain tax-exempt mutual funds, or certain demand deposit securities purchased directly from the United States Treasury.

Penalty in Lieu of Arbitrage Rebate

Penalty. An issuer may elect to pay a penalty in lieu of rebating arbitrage for the available construction proceeds of an issue if the spending requirements of the 2-year exception are not satisfied. The penalty is equal to 1½% of the amount of the available construction proceeds that do not meet the spending requirements.

See section 148(f)(4)(C)(vii) and Regulations section 1.148-7(k).

Election to terminate 1½% penalty. An issuer may terminate the election to pay penalty in lieu of arbitrage rebate by paying an amount equal to 3% of the unspent available construction proceeds multiplied by the number of years in the initial temporary period. The termination election also requires other actions, such as yield restricting the unspent proceeds and using such proceeds to redeem bonds.

See Code section 148(f)(4)(C)(viii) and (ix) and Regulations section 1.148-7(l).

Yield Reduction Payments

Bond proceeds may be invested in higher yielding investments only during a temporary period described in Regulations section 1.148-2(e). After expiration of an applicable temporary period, proceeds must be yield restricted.

One method of complying with the yield restriction requirement is to make “yield reduction payments.” For certain investments, a yield reduction payment is taken into account in computing the yield on that investment. See Regulations section 1.148-5(c).

For investments with excess yield that are not eligible for yield reduction payments (such as an incorrectly invested advance refunding escrow fund), see Notice 2008-31, Voluntary Closing

Agreement Program for Tax-Exempt Bonds and Tax Credit Bonds.

Where To File

File Form 8038-T and any attachments at the following address.

Department of the Treasury
Internal Revenue Service Center
Ogden, UT 84201-0027

Private delivery services. You can use certain private delivery services (PDS) designated by the IRS to meet the “timely mailing as timely filing/paying” rule for tax returns and payments. Go to [IRS.gov/PDS](https://www.irs.gov/PDS) for the current list of designated services.

The PDS can tell you how to get written proof of the mailing date.

For the IRS mailing address to use if you’re using PDS, go to [IRS.gov/PDSstreetAddresses](https://www.irs.gov/PDSstreetAddresses).



PDS can't deliver items to P.O. boxes. You must use the U.S. Postal Service to mail any item to an IRS P.O. box address.

When To File

Arbitrage rebate. An issuer must pay rebate in installments for computation dates that occur at least once every 5 years. Rebate payments are due within 60 days after each computation date. The final rebate payment for an issue is due within 60 days after the issue is discharged.

See Regulations section 1.148-3(e) through (g).

Special rules. For an issue retired within 3 years of issuance, the final rebate payment need not occur before the end of 8 months after the issue date or during the period the issuer expects to meet any of the spending exceptions under Regulations section 1.148-7.

For rules concerning qualified mortgage bonds and qualified veterans' mortgage bonds see section 143(g)(3).

Penalty in lieu of arbitrage rebate and termination penalty. Penalty in lieu of arbitrage rebate payments must be paid within 90 days of the end of the applicable spending period.

Payment of the 3% penalty to terminate the penalty in lieu of arbitrage rebate election must be made within 90 days of (a) the end of the initial temporary period if the termination election was made under section 148(f)(4)(C)(viii), or (b) the date of the termination election if it was made under section 148(f)(4)(C)(ix).

Yield reduction payments. Yield reduction payments are payable at the same time as arbitrage rebate payments.

See Regulations section 1.148-5(c)(2).

QZABs. The issuer must pay 100% of the investment earnings on amounts in a defeasance escrow established for an issue of QZABs under section 1397E or section 54E, as applicable, at the same time and in the same manner as arbitrage rebate payments.

Failure To Pay Timely

In general, a failure to pay the required amounts of arbitrage rebate, yield reduction, or penalty payments on time may cause bonds to be treated as not being, and as never having been, tax-exempt.

If the failure is not due to willful neglect, the failure will be disregarded if the issuer promptly pays a penalty to the United States.

For governmental and qualified 501(c)(3) bonds, the penalty equals 50% of the rebate amount not paid when required to be paid, plus interest on that amount. Otherwise, the penalty equals 100% of the rebate amount not paid when required to be paid, plus interest on that amount.

The penalty is generally waived if the rebate amount plus interest is paid within 180 days of discovery of the failure. See Regulations section 1.148-3(h) and Rev. Proc. 2005-40, 2005-2 C.B. 83.

For issues to which the 1992 Regulations apply, see 1992 Regulations section 1.148-1(c) for rules relating to innocent failure, willful neglect, computation of the correction amount, and penalty and interest. In general, these rules also apply to the Penalty in Lieu of Arbitrage Rebate and the Termination Penalty. See 1992 Regulations section 1.148-6(n)(4).

Recovery of Overpayment

In general, an issuer may recover an overpayment for an issue of tax-exempt bonds by establishing to the IRS that an overpayment occurred. Payments that may be recovered include:

- Arbitrage rebate,
- Yield reduction,
- Penalty in lieu of arbitrage rebate, and
- Penalty to terminate penalty in lieu of arbitrage rebate.

See Regulations section 1.148-3(i) and Form 8038-R, Request for Recovery of Overpayments Under Arbitrage Rebate Provisions.

Specific Instructions

Part I—Reporting Authority

Amended return. An issuer may file an amended return to change or add to the information reported on a previously filed return for the same date of issue. If you are filing to correct errors or change a

previously filed return, check the "Amended Return" box in the heading of the form.

The amended return must provide all the information reported on the original return, in addition to the new or corrected information. Attach an explanation of the reason for the amended return.

Lines 1–10

General. Enter the same information that was entered on the "initial filing" of the following forms. Make any necessary changes, for example, a change of address.

- Form 8038, Information Return for Tax-Exempt Private Activity Bond Issues;
- Form 8038-B, Information Return for Build America Bonds and Recovery Zone Economic Development Bonds;
- Form 8038-G, Information Return for Tax-Exempt Governmental Bonds;
- Form 8038-GC, Information Return for Small Tax-Exempt Governmental Bond Issues, Leases, and Installment Sales; or
- Form 8038-TC, Information Return for Tax Credit Bonds and Specified Tax Credit Bonds.

Line 1. Enter the name of the governmental entity that issued the bonds, not the name of the entity receiving the benefit of the financing or the eligible taxpayer claiming a tax credit.

Line 4. This line is for IRS use only. Do not make an entry.

Lines 9 and 10. Enter the name, title, and telephone number of the officer or other employee of the issuer whom the IRS may call for more information. If the issuer wishes to designate a person other than an officer or other employee of the issuer (including a legal representative or paid preparer) whom the IRS may call for more information about this return, enter the name, title, and telephone number of such person here.

Note. By authorizing a person other than an authorized officer or other employee of the issuer to communicate with the IRS and whom the IRS may call for more information about this return, the issuer authorizes the IRS to communicate directly with the individual listed on line 9 and consents to the disclosure of the issuer's return information to that individual, as necessary to process this return.

Line 11. Enter the same type of issue that was entered on Form 8038, 8038-B, 8038-G, or 8038-TC. For bonds previously reported on Form 8038-GC, enter "small governmental bond." Also enter the total issue price that was listed on the initial

filing for this issue. For QZABs issued under section 1397E or section 54E, enter "qualified zone academy bond—section 1397E" or "qualified zone academy bond—section 54E" and the total issue price.

Part II—Arbitrage Rebate and Yield Reduction Payments

Line 12. Enter the computation date to which this payment relates. The first rebate installment payment must be made for a computation date that is not later than 5 years after the issue date. Subsequent rebate installment payments must be made for a computation date that is not later than 5 years after the previous computation date for which an installment payment was made.

Line 13. Enter the amount of the rebate payment. A rebate installment payment must be in an amount that, when added to the future value, as of the computation date, of previous rebate payments made for the issue, equals at least 90% of the rebate amount as of that date. A final rebate payment must be paid in an amount that, when added to the future value of previous rebate payments made for the issue, equals 100% of the rebate amount as of that date.

See Regulations section 1.148-3(f).

For issues to which the 1992 Regulations apply, see 1992 Regulations section 1.148-1(b)(3).

Line 14. For investments covered by the special yield reduction rule, rebate and yield reduction payments are included in the computation of yield for that investment.

See Regulations section 1.148-5(c).

Line 15. For QZABs issued under section 1397E or section 54E, if applicable, enter the amount equal to 100% of the investment earnings in a QZAB defeasance escrow.

Part III—Penalty in Lieu of Arbitrage Rebate

Complete this section only if, on or before the issue date of the bonds, an election was made under section 148(f)(4)(C)(vii).

Line 16. Check the appropriate box for the number of months between the issue date of the bonds and the end of the spending period for which this Form 8038-T is being filed. For periods greater than 24 months, check the box marked "Other" and fill in the number of months since the date of issue.

Note. File a separate Form 8038-T for each 6-month spending period.

Lines 17–19. See *Penalty in Lieu of Arbitrage Rebate*, earlier.

Part IV—Late Payments

Line 20. Under the current regulations, in order to qualify for a waiver of penalty, a failure to pay must not be due to willful neglect. Attach an explanation of the failure and the basis for concluding that the failure is not due to willful neglect. See Rev. Proc. 2005-40 for more information.

Line 21. For a failure that does not qualify for a waiver of penalty, the failure will be disregarded if the issuer pays a penalty to the United States. For governmental and qualified 501(c)(3) bonds, the penalty equals 50% of the rebate amount not paid timely plus interest on that amount. For other bonds, the penalty is 100% of the rebate amount not paid timely plus interest on that amount.

Note. The calculation for late interest is included under line 22 only, not under line 21.

Line 22. Compute interest at the underpayment rate under section 6621, beginning on the date the correct rebate amount is due and ending on the date 10 days before it is paid.

For issues to which the 1992 Regulations apply, see 1992 Regulations section 1.148-1(c)(2) for computation of the correction amount.

Part V—Total Payment

Line 23. Combine all payment amounts on lines 13, 14, 15, 17, 19, 21, and 22. Enclose a check or money order for the total amount made payable to the "United States Treasury." Include the issuer's name, address, EIN, "Form 8038-T," and the date on the check or money order.

Part VI—Miscellaneous

Line 24. Enter the amount of proceeds (consisting of sale, investment, and transferred proceeds) not allocated to expenditures for a governmental purpose of the issue.

Line 25. Enter the amount of proceeds used to pay principal of and call premiums on the bonds for which this form is being filed.

Line 26. Under Regulations section 1.148-5(e)(2), qualified administrative costs are taken into account in determining payments and receipts on nonpurpose investments. Regulations section 1.148-5(e)(2)(iii) provides special rules for qualified administrative costs for guaranteed investment contracts (GICs) and yield restricted defeasance escrows. Enter the amount of any qualified administrative costs taken into account in computing the rebate amount under these special rules.

Line 27. Under Regulations section 1.148-4(f)(1), fees properly allocable to

payments for a qualified guarantee for an issue are treated as additional interest in computing the yield on that issue. Enter the amount of such fees.

Line 28. Enter "Yes" if the issue is a variable rate issue. A variable rate issue is an issue that contains a bond that has a yield that is not fixed and determinable on the issue date.

Line 29. Enter "Yes" if the issuer entered into a qualified hedge. In general, payments made or received by an issuer under a qualified hedge are taken into account to determine the yield on the issue. A hedge may be entered into before, at the same time as, or after the date of issue. See Regulations section 1.148-4(h)(1). Enter the name of the provider of the hedge and term of the hedge to the nearest tenth of a year (for example, 2.4 years). Attach additional sheets if necessary.

Line 30. Enter "Yes" if any gross proceeds of the issue were invested in a guaranteed investment contract (GIC). A GIC includes any nonpurpose investment that has specifically negotiated withdrawal or reinvestment provisions and a specifically negotiated interest rate, and also includes any agreement to supply investments on two or more dates (for example, a forward supply contract). See Regulations section 1.148-1(b). Enter the name of the provider of the GIC and term of the GIC to the nearest tenth of a year. Attach additional sheets if necessary.

Line 31. Enter "Yes" if any gross proceeds were invested beyond the temporary periods set forth in Regulations section 1.148-2(e) or 1.148-9(d).

Line 32. Indicate who prepared the calculations necessary for the filing of this form. If other than the issuer, indicate the name of the entity or the individual preparing the calculations.

Signature and Consent

An authorized representative of the issuer must sign and date Form 8038-T and any applicable certification. Also print the name and title of the person signing Form 8038-T. The authorized representative of the issuer signing this form must have the authority to consent to the disclosure of the issuer's return information, as necessary to process this return, to the person(s) that has been designated in Form 8038-T.

Note. If authority is granted in Part I, lines 9 and 10, for the IRS to communicate with a person other than an officer or other employee of the issuer, by signing this form, the issuer's authorized representative consents to the disclosure of the issuer's return information, as necessary to process this return, to such person.

Paid Preparer

If an authorized officer of the issuer filled in this return, the paid preparer's space should remain blank. Anyone who prepares the return but does not charge the organization should not sign the return. Certain others who prepare the return should not sign. For example, a regular, full-time employee of the issuer, such as a clerk, secretary, etc., should not sign.

Generally, anyone who is paid to prepare a return must sign it and fill in the other blanks in the *Paid Preparer Use Only* area of the return.

The paid preparer must:

- Sign the return in the space provided for the preparer's signature (a facsimile signature is acceptable),
- Enter the preparer information, and
- Give a copy of the return to the issuer.

Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to collect the right amount of arbitrage rebate, yield reduction payments, and penalties.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated burden for tax-exempt organizations filing this form is approved under OMB control number 1545-0047 and is included in the estimates shown in the instructions for their information return.

If you have suggestions for making this form simpler, we would be happy to hear from you. You can send us comments through [IRS.gov/FormComments](https://www.irs.gov/FormComments). Or you can write to:

Internal Revenue Service
Tax Forms and Publications
1111 Constitution Ave. NW, IR-6526
Washington, DC 20224

Do not send Form 8038-T to this address. Instead, see *Where To File*, earlier.



CONTROL #1.00

TOWN OF MONUMENT, CO

\$19,840,000.00

CERTIFICATES OF PARTICIPATION, SERIES 2020

**ARBITRAGE REBATE CALCULATIONS
FOR THE 05TH YEAR COMPUTATION PERIOD
NOVEMBER 10, 2020 TO NOVEMBER 10, 2025**

**AS OF THE DATE OF THIS REPORT
JANUARY 29, 2026**



Town of Monument, CO ("Issuer")
645 Beacon Lite Road
Monument, Colorado 80132

CONTROL #1.00

TOWN OF MONUMENT, CO

\$19,840,000.00

CERTIFICATES OF PARTICIPATION, SERIES 2020

ARBITRAGE REBATE CALCULATIONS
FOR THE 05TH YEAR COMPUTATION PERIOD
NOVEMBER 10, 2020 TO NOVEMBER 10, 2025

AS OF THE DATE OF THIS REPORT
JANUARY 29, 2026

We have enclosed the arbitrage rebate calculation report for the above-referenced issue of tax-exempt debt ("Debt"). The computations following as Exhibits have been performed by ACS and are based upon the limited scope of ACS' engagement with information, instructions, assumptions and representations as provided to ACS by the Issuer. Using procedures, which ACS has developed for calculating arbitrage rebate, ACS has computed the amount of the Rebatable Arbitrage with respect to the Debt for the Computation Period in accordance with the applicable provisions of the Internal Revenue Code of 1986, as amended and the Treasury Regulations applicable to the Debt.

As detailed in Exhibit 1 of this report, there is no Rebatable Arbitrage with respect to the Debt for the above-referenced Computation Period. There are no filing requirements regarding arbitrage rebate with the United States Treasury, Internal Revenue Service ("IRS") as of the date of this Report, and therefore, nothing should be filed with the IRS as of this time.

Total Rebatable Arbitrage: \$0.00

It has been an honor for all of us at ACS to assist you with your arbitrage rebate calculations. Should you have any questions regarding this Review and related matters please do not hesitate to call: **Account Manager: Matt Collins at (303) 867-7538 or Lead CPA: Doug Pahnke at (800) 672-9993 ext. 7526.**

Regards,
Arbitrage Compliance Specialists, Inc.

Douglas Pahnke, CPA, President

DEFINITIONS

Arbitrage

Treas. Reg. § 1.148-3(a) provides that the arbitrage that must be rebated is based on the difference between the amount actually earned on non-purpose investments and the amount that would have been earned if those investments had a yield equal to the yield on the issue.

Arbitrage Rebate

Treas. Reg. § 1.148-3(b) provides that as of any computation date, the rebate amount for an issue is the excess of the future value, as of that date, for all receipts of non-purpose investments over the future value, as of that date, of all payments on non-purpose investments.

Bona Fide Debt Service Fund

Under Treas. Reg. § 1.148-1(b), a Bona Fide Debt Service Fund:

- Is used primarily to achieve a proper matching of revenues with debt service payments; AND
- Is depleted annually to a reasonable carryover amount.

Bond Year

Each one-year period (or shorter period for the first elected year ending on the issuer elected date).

Bond Yield -

Fixed Rate Issue

Treas. Reg. § 1.148-4(b)(1) provides that the yield on a fixed rate issue is the discount rate that when used in computing the present value, as of the issue date, of all unconditionally payable payments of principal, interest and fees for qualified guarantee on the issue, produces an amount equal to the present value, using the same discount rate, of the aggregate issue price of the bonds as of the issue date.

Variable Rate Issue

The yield on a variable yield issue is computed separately for each computation period. Treas. Reg. § 1.148-4(c)(1) provides that the yield for each computation period is the discount rate at which the present value, as of first day of the computation period, of all payments of principal and interest and qualified guarantees paid on the bond issue during that computation period equals the present value of the issue price, as of the first day of the computation period.

Commingled Funds

Treas. Reg. § 1.148-1(b) provides that a commingled fund means any fund or account (other than an open-end regulated investment company) that contains both gross proceeds of an issue and amounts in excess of \$25,000 that are not gross proceeds of the issue.

Computation Date

Treas. Reg. § 1.148-3(e)(1) provides that an issuer may treat as computation dates:

- the last day of any Bond Year ending on or before the 1st required Rebate Payment date; AND
- thereafter, the end of each Bond Year or the end of each 5th Bond Year.

Once selected, the issuer may not change the computation date after the 1st required Rebate Payment date.

Computation Date Credit

Computation Date Credits are applied on the last day of each bond year during which there are amounts allocated to gross proceeds of an issue that are subject to the rebate requirement, and on the final maturity date.

Computation Period

The computation period may be selected by the issuer and is the period between the Computation Dates.

Gross Proceeds

All sales proceeds (any amounts actually or constructively received by the issuer from the sale of the debt,

including amounts used to pay underwriter's discount or fees, but excluding pre-issuance accrued interest); investment proceeds (any amounts received from investing sales proceeds or other investment proceeds); Transferred Proceeds as further defined; replacement proceeds (any amounts held in a sinking fund, pledged fund, reserve fund, or otherwise set aside to pay debt service; and disposition proceeds (any funds that must be included due to a change in use).

Investment Yield

Treas. Reg. § 1.148-5(b)(1) provides that the yield on an investment allocated to an issue is the discount rate that, when used in computing the present value as of the date the investment is 1st allocated to the issue of all unconditionally payable receipts from the investment, produces an amount equal to the present value of all unconditionally payable payments for the investment.

Materially Higher Yield

Treas. Reg. § 1.148-2(d)(1) provides that the yield on investments is materially higher than the yield on the issue to which the investments are allocated if the yield on the investments over the term of the issue exceeds the yield on the issue by an amount in excess of the applicable definition of materially higher set forth in Treas. Reg. § 1.148-2(d)(2). If yield restricted investments in the same class are subject to different definitions of materially higher, the applicable definition of materially higher that produces the lowest permitted yield applies to all the investments in the class.

Proceeds

All sales proceeds (any amounts actually or constructively received by the issuer from the sale of the debt, including amounts used to pay underwriter's discount or fees, but excluding pre-issuance accrued interest); investment proceeds (any amounts received from investing sales proceeds or other investment proceeds) and Transferred Proceeds as further defined.

Rebate Installment Payments

IRC §148(f)(3) requires that rebate be paid at least once every 5 years during the life of the debt. Each rebate payment must be paid no later than 60 days after the Computation Date to which the payment relates. The last rebate payment is due no later than 60 days after the last debt is redeemed. Any rebate payment paid within the 60-day period may be treated as paid on the computation date to which it relates. Except for the Final Rebate Payment, the amount of each required Rebate Installment Payment is at least 90 percent of the calculated rebate amount as of that Computation Date, taking into account the future value of previous rebate payments.

Small Issuer Exception

Under IRC § 148(f)(4)(D), governmental bonds issued by a governmental unit that does not expect to issue more than \$5 million of governmental bonds in that calendar year are exempted from the rebate requirements, but not yield restriction rules.

The Taxpayer Relief Act of 1997 supplements the \$5 million Small Issuer Exception, which can be used for any purpose, with up to an additional \$5 million to specifically finance new construction of public school facilities. This increased limit applies to debt issued from January 1, 1998 through December 31, 2001.

The Economic Growth and Tax Relief Reconciliation Act of 2001 supplements the \$5 million Small Issuer Exception, which can be used for any purpose, with up to an additional \$10 million to specifically finance new construction of public school facilities. This increased limit applies to debt issued on and after January 1, 2002.

Spending Exception

Spending exceptions may apply to exempt from the rebate requirements, arbitrage earned on certain proceeds of an issue, if the issuer spends the proceeds in accordance with prescribed 6-month, 18-month, or 2-year schedules.

Rebate Payments

IRC § 148(f)(3) requires that rebate be paid at least once every 5 years during the life of the bonds. Each rebate payment must be paid no later than 60 days after the computation date to which the payment relates. The last rebate payment is due no later than 60 days after the last bond is redeemed. Any rebate payment paid within the 60-day period may be treated as paid on the computation date to which it relates. Except for the Final Rebate Payment, the amount of each required Rebate Installment Payment is at least 90 percent of the rebate amount as of that computation date, taking into account the future value of previous rebate payments.

Temporary Periods

The initial period during which the use of bond proceeds to acquire higher yielding investments will not cause the bonds to be arbitrage bonds.

Transferred Proceeds

Treas. Reg. § 1.148-9 provides that when proceeds of a new refunding issue discharge the outstanding principal of a prior issue, the proceeds of the prior issue transfer to the refunding issue and become transferred proceeds of the refunding issue.

Yield Restriction

After the applicable temporary period is over, bond proceeds must be yield restricted. Yield restriction can be achieved in two ways:

- Investment of proceeds in securities that do not exceed the permitted yield; OR
- Investment of proceeds above the permitted yield followed by making Yield Reduction Payments. (Note that under Treas. Reg. § 1.148-5(c)(3), Yield Reduction Payments may be made only for certain types of proceeds.)

Yield Reduction Payments

Treas. Reg. § 1.148-5(c)(2)(i) provides that yield reduction payments must be paid to the United States at the same time and in the same manner as rebate payments. The provisions that apply to Rebate Payments, such as due dates, making 90 percent installment payments, correction of late payments, and recovery of overpayments, all apply to yield reduction payments as well.

NOTES AND ASSUMPTIONS

1. The PAR amount of the Debt is \$19,840,000.00.
2. The Delivery Date of the Debt is November 10, 2020.
3. The Computation Date is November 10, 2025.
4. The Computation Period is November 10, 2020 to November 10, 2025.
5. The Bond Yield on the Debt is 2.173000%.
6. The Investment Yield is 1.51130624%
7. The Arbitrage Rebate Liability, as of the end of the calculation period, is (\$364,027.81).
8. We have reviewed available Debt documents to determine the sources and uses of the Debt for purposes of identifying Gross Proceeds.
9. The Debt constitutes a single issue for federal taxation purposes and is not treated as part of any other issue of governmental obligations.
10. Computations of yield are based on a 360-day year with semi-annual compounding.
11. Purchase prices on investments are assumed to be at fair market value and represent an arm's length transaction.
12. We have applied the Computation Date Credit amounts set forth in the Regulations for bond years ending on or after January 1, 2007.
13. Our engagement focused solely on analyzing the arbitrage rebate and yield restriction requirements, requirements related to the gross proceeds of the Bonds. The information provided by the Issuer, the Bank, or the Trustee has been used without independent verification to calculate the Rebate Liability and Yield Restriction Liability. ACS does not verify or express an opinion on the completeness or accuracy of this information in relation to 26 U.S. Code § 148.
14. We are not obligated to update this Report due to any events, changes in laws, regulations, rulings, new information, or data changes after the date of this Report.

TOWN OF MONUMENT, CO
 CERTIFICATES OF PARTICIPATION, SERIES 2020
 \$19,840,000.00
 05th Year Arbitrage Rebate Calculation

EXHIBIT 1
Control # 1.00

Page 1 of 3

Arbitrage Rebate Calculation

Period 11/10/20 to 11/10/25
 Bond Yield 2.17300000%
 Investment Yield 1.51130624%
Liability (\$364,027.81)

Period Ending	Relevant Cash Flow	Future Value Factor	Adjustment	Investment Yield	Present Value Factor	Total Future Value	Days of Period
11/10/20	(22,159,655.26)	1.11411905%				(24,688,493.99)	1800
11/12/20	42,500.00	1.11398528%				47,344.37	1798
11/13/20	68,211.00	1.11391840%				75,981.49	1797
11/20/20	6,811.41	1.11345038%				7,584.17	1790
11/23/20	21,250.00	1.11324986%				23,656.56	1787
12/01/20	632.62	1.11271531%				703.93	1779
01/04/21	932.62	1.11051301%				1,035.69	1746
02/01/21	935.23	1.10871437%				1,036.90	1719
02/12/21	1,500.00	1.10798243%				1,661.97	1708
02/16/21	1,250.00	1.10771639%				1,384.65	1704
03/01/21	844.70	1.10671930%				934.85	1689
03/23/21	299,009.10	1.10525853%				330,482.36	1667
04/01/21	931.50	1.10472782%				1,029.05	1659
04/12/21	18,139.30	1.10399851%				20,025.76	1648
04/13/21	(18,139.30)	1.10393223%				(20,024.56)	1647
04/14/21	544,539.05	1.10386596%				601,098.12	1646
05/03/21	879.76	1.10260752%				970.03	1627
05/07/21	151,335.66	1.10234277%				166,823.77	1623
06/01/21	894.20	1.10075560%				984.30	1599
06/03/21	306,740.65	1.10062344%				337,605.95	1597
07/01/21	852.39	1.09877485%				936.58	1569
07/08/21	789,658.61	1.09831319%				867,292.47	1562
08/02/21	855.04	1.09673182%				937.75	1538
08/04/21	327,630.73	1.09660014%				359,279.90	1536
09/01/21	833.81	1.09482404%				912.88	1509
09/08/21	212,336.12	1.09436403%				232,373.01	1502
10/01/21	798.90	1.09285396%				873.08	1479
10/14/21	117,205.15	1.09200136%				127,988.18	1466
11/01/21	397.85	1.09088743%				434.01	1449
11/05/21	325,668.79	1.09062549%				355,182.68	1445
11/10/21	(1,780.00)	1.09029816%	Computation Date Credit			(1,940.73)	1440
12/01/21	156.09	1.08892444%				169.97	1419
12/16/21	699,427.84	1.08794426%				760,938.51	1404
01/03/22	157.86	1.08683447%				171.57	1387
01/19/22	1,117,724.05	1.08579099%				1,213,614.71	1371
02/01/22	151.00	1.08500904%				163.84	1359

PAR \$19,840,000.00
Report 05th Year Arbitrage Rebate Calculation
Period 11/10/20 to 11/10/25

EXHIBIT 1
Control # 1.00
Page 2 of 3

Arbitrage Rebate Calculation

Period Ending	Relevant Cash Flow	Future Value Factor	Adjustment	Investment Yield	Present Value Factor	Total Future Value	Days of Period
02/16/22	600.00	1.08403239%				650.42	1344
03/01/22	131.42	1.08305663%				142.34	1329
03/29/22	4,711.60	1.08123754%				5,094.36	1301
04/01/22	145.50	1.08110772%				157.30	1299
04/20/22	698,460.32	1.07987523%				754,250.00	1280
05/02/22	138.70	1.07909754%				149.67	1268
06/01/22	139.61	1.07722044%				150.39	1239
06/02/22	19,078.61	1.07715577%				20,550.63	1238
07/01/22	135.05	1.07528204%				145.22	1209
08/01/22	139.68	1.07334712%				149.93	1179
08/24/22	488,662.04	1.07186605%				523,780.25	1156
09/01/22	1,520.87	1.07141569%				1,629.48	1149
10/03/22	3,289.76	1.06935933%				3,517.94	1117
11/01/22	3,405.62	1.06756326%				3,635.71	1089
11/07/22	1,133,418.37	1.06717877%				1,209,560.03	1083
11/10/22	(1,830.00)	1.06698659%	Computation Date Credit			(1,952.59)	1080
11/21/22	116,857.36	1.06628219%				124,602.92	1069
12/01/22	3,110.14	1.06564223%				3,314.30	1059
01/03/23	3,158.60	1.06359695%				3,359.48	1027
01/09/23	2,685,772.76	1.06321390%				2,855,550.93	1021
02/01/23	2,745.68	1.06181055%				2,915.39	999
02/13/23	454,880.44	1.06104587%				482,649.01	987
03/01/23	2,306.92	1.05989988%				2,445.10	969
03/09/23	1,059,796.33	1.05939095%				1,122,738.64	961
04/03/23	2,354.55	1.05786562%				2,490.80	937
04/12/23	1,088,434.23	1.05729419%				1,150,795.19	928
05/01/23	2,089.09	1.05608885%				2,206.26	909
05/16/23	2,278,489.42	1.05513823%				2,404,121.30	894
06/01/23	1,833.40	1.05418848%				1,932.75	879
06/15/23	274,644.37	1.05330280%				289,283.69	865
07/03/23	1,525.01	1.05216518%				1,604.56	847
07/12/23	887,004.30	1.05159683%				932,770.91	838
08/01/23	1,433.16	1.05039798%				1,505.39	819
08/10/23	1,229,244.97	1.04983058%				1,290,498.96	810
09/01/23	25,940.63	1.04850784%				27,198.95	789
09/05/23	(24,752.97)	1.04825608%				(25,947.45)	785
09/12/23	989,134.30	1.04781565%				1,036,430.40	778
10/02/23	958.48	1.04655828%				1,003.11	758
10/10/23	599,525.58	1.04605575%				627,137.18	750
11/01/23	820.93	1.04473777%				857.66	729
11/08/23	132,083.15	1.04429882%				137,934.28	722
11/10/23	(1,960.00)	1.04417343%	Computation Date Credit			(2,046.58)	720

PAR \$19,840,000.00
Report 05th Year Arbitrage Rebate Calculation
Period 11/10/20 to 11/10/25

EXHIBIT 1
Control # 1.00
Page 3 of 3

Arbitrage Rebate Calculation

Period Ending	Relevant Cash Flow	Future Value Factor	Adjustment	Investment Yield	Present Value Factor	Total Future Value	Days of Period
12/01/23	741.58	1.04285782%				773.36	699
12/11/23	495,914.59	1.04223193%				516,858.02	689
01/02/24	691.78	1.04091876%				720.09	668
01/10/24	312,213.79	1.04041895%				324,833.14	660
02/01/24	613.74	1.03910807%				637.74	639
02/09/24	653,266.17	1.03860912%				678,488.20	631
03/01/24	463.64	1.03723825%				480.91	609
03/08/24	118,005.78	1.03680244%				122,348.68	602
04/01/24	440.18	1.03537180%				455.75	579
04/09/24	103,721.05	1.03487464%				107,338.28	571
05/01/24	406.82	1.03350870%				420.45	549
05/14/24	139,186.95	1.03270240%				143,738.70	536
06/03/24	399.20	1.03152510%				411.78	517
06/11/24	257,573.31	1.03102979%				265,565.76	509
07/11/24	225,469.21	1.02917451%				232,047.16	479
08/08/24	264,094.98	1.02750761%				271,359.60	452
08/27/24	611.91	1.02633622%				628.03	433
09/13/24	280,908.33	1.02535083%				288,029.59	417
10/17/24	172.08	1.02326001%				176.08	383
10/18/24	453,005.31	1.02319858%				463,514.39	382
11/10/24	(2,070.00)	1.02184805%	Computation Date Credit			(2,115.23)	360
12/30/24	158.86	1.01878529%				161.84	310
01/31/25	79.71	1.01695204%				81.06	280
02/06/25	81.54	1.01658578%				82.89	274
03/04/25	385,206.68	1.01487834%				390,937.92	246
11/10/25	(2,120.00)	1.00000000%	Computation Date Credit			(2,120.00)	0
	740,431.64				Liability	(364,027.81)	

PAR \$19,840,000.00
Report 05th Year Arbitrage Rebate Calculation
Period 11/10/20 to 11/10/25

Listing of Investments by Fund

Base Rentals Fund

BOK - 82-4393-01-1
Bona Fide through 11/10/25

It has been determined that the Fund has been used primarily to achieve a proper matching of revenues with principal and interest payments within each bond year; as described under Section 1.148-1(b) of the Regulations.

Bond Insurance

\$133,648.59 Premium
Paid with bond proceeds

Construction Fund

BOK - 82-4393-04-5
ColoTrust (11/10/20 - 12/1/22)
ColoTrust (12/1/22 - 11/10/23)
ColoTrust (11/10/23 - 11/30/24)
ColoTrust (11/30/24 - 3/4/25)

Proceeds held in the fund remained at the end of the temporary period, and were invested above the materially higher yield, subsequent to the end of the temporary period.

Costs of Issuance Fund

BOK - 82-4393-05-2
ColoTrust (11/10/20 - 4/12/21)

Rebate Fund

BOK - 82-4393-03-7
Not Funded

Reserve Fund

BOK - 82-4393-02-9
\$38,268.00 Surety Fee
Policy In Force

PAR \$19,840,000.00
Report 05th Year Arbitrage Rebate Calculation
Period 11/10/20 to 11/10/25

EXHIBIT 3
Control # 1.00
Page 1 of 3

Proof of Investment Yield

Investment Yield 1.51130624%

Period Ending	Investments	Value Factor	Value	Proceeds	Value Factor	Value
11/10/20	(22,159,655.26)	1.07818733%	(23,892,259.62)		1.07818733%	
11/12/20		1.07809715%		42,500.00	1.07809715%	45,819.13
11/13/20		1.07805206%		68,211.00	1.07805206%	73,535.01
11/20/20		1.07773650%		6,811.41	1.07773650%	7,340.91
11/23/20		1.07760128%		21,250.00	1.07760128%	22,899.03
12/01/20	(1,679.92)	1.07724080%	(1,809.68)	2,312.54	1.07724080%	2,491.16
01/04/21	(2.19)	1.07575506%	(2.36)	934.81	1.07575506%	1,005.63
01/05/21	(2,185.11)	1.07571007%	(2,350.54)	2,185.11	1.07571007%	2,350.54
02/01/21	(1,937.30)	1.07454099%	(2,081.71)	2,872.53	1.07454099%	3,086.65
02/12/21		1.07404675%		1,500.00	1.07404675%	1,611.07
02/16/21		1.07386709%		1,250.00	1.07386709%	1,342.33
03/01/21	(1,453.59)	1.07319362%	(1,559.98)	2,298.29	1.07319362%	2,466.51
03/23/21		1.07220662%		299,009.10	1.07220662%	320,599.54
04/01/21	(1,207.46)	1.07184794%	(1,294.21)	2,138.96	1.07184794%	2,292.64
04/12/21	(0.36)	1.07135495%	(0.39)	18,139.66	1.07135495%	19,434.01
04/13/21	(18,139.30)	1.07131014%	(19,432.82)		1.07131014%	
04/14/21		1.07126534%		544,539.05	1.07126534%	583,345.81
05/03/21	(1,011.28)	1.07041441%	(1,082.49)	1,891.04	1.07041441%	2,024.20
05/07/21		1.07023535%		151,335.66	1.07023535%	161,964.77
06/01/21	(1,026.02)	1.06916164%	(1,096.98)	1,920.22	1.06916164%	2,053.03
06/03/21		1.06907222%		306,740.65	1.06907222%	327,927.91
07/01/21	(683.71)	1.06782102%	(730.08)	1,536.10	1.06782102%	1,640.28
07/08/21		1.06750845%		789,658.61	1.06750845%	842,967.24
08/02/21	(557.55)	1.06643748%	(594.59)	1,412.59	1.06643748%	1,506.44
08/04/21		1.06634828%		327,630.73	1.06634828%	349,368.47
09/01/21	(437.34)	1.06514482%	(465.83)	1,271.15	1.06514482%	1,353.96
09/08/21		1.06483303%		212,336.12	1.06483303%	226,102.51
10/01/21	(290.56)	1.06380923%	(309.10)	1,089.46	1.06380923%	1,158.98
10/14/21		1.06323100%		117,205.15	1.06323100%	124,616.15
11/01/21	(274.27)	1.06247532%	(291.41)	672.12	1.06247532%	714.11
11/05/21		1.06229759%		325,668.79	1.06229759%	345,957.17
12/01/21	(415.41)	1.06114308%	(440.81)	571.50	1.06114308%	606.44
12/16/21		1.06047759%		699,427.84	1.06047759%	741,727.55
01/03/22	(727.74)	1.05972387%	(771.20)	885.60	1.05972387%	938.49
01/19/22		1.05901498%		1,117,724.05	1.05901498%	1,183,686.51
02/01/22	(1,128.76)	1.05848362%	(1,194.77)	1,279.76	1.05848362%	1,354.60
02/16/22		1.05781979%		600.00	1.05781979%	634.69
03/01/22	(1,288.92)	1.05715638%	(1,362.59)	1,420.34	1.05715638%	1,501.52
03/29/22		1.05591913%		4,711.60	1.05591913%	4,975.07
04/01/22	(3,670.79)	1.05583081%	(3,875.73)	3,816.29	1.05583081%	4,029.36

PAR \$19,840,000.00
Report 05th Year Arbitrage Rebate Calculation
Period 11/10/20 to 11/10/25

EXHIBIT 3
Control # 1.00
Page 2 of 3

Proof of Investment Yield

Period Ending	Investments	Value Factor	Value	Proceeds	Value Factor	Value
04/20/22		1.05499215%		698,460.32	1.05499215%	736,870.15
05/02/22	(6,224.64)	1.05446281%	(6,563.65)	6,363.34	1.05446281%	6,709.91
06/01/22	(11,048.73)	1.05318466%	(11,636.35)	11,188.34	1.05318466%	11,783.39
06/02/22		1.05314061%		19,078.61	1.05314061%	20,092.46
07/01/22	(15,817.19)	1.05186407%	(16,637.53)	15,952.24	1.05186407%	16,779.59
08/01/22	(23,133.51)	1.05054514%	(24,302.80)	23,273.19	1.05054514%	24,449.54
08/24/22		1.04953508%		488,662.04	1.04953508%	512,867.95
09/01/22	(31,229.78)	1.04922786%	(32,767.16)	32,750.65	1.04922786%	34,362.89
10/03/22	(34,518.20)	1.04782458%	(36,169.02)	37,807.96	1.04782458%	39,616.11
11/01/22	(43,725.89)	1.04659826%	(45,763.44)	47,131.51	1.04659826%	49,327.76
11/07/22		1.04633566%		1,133,418.37	1.04633566%	1,185,936.06
11/21/22		1.04572319%		116,857.36	1.04572319%	122,200.45
12/01/22	(14,925,484.66)	1.04528593%	(15,601,399.04)	14,928,594.80	1.04528593%	15,604,650.03
01/03/23	(51,252.94)	1.04388792%	(53,502.32)	54,411.54	1.04388792%	56,799.55
01/09/23		1.04362600%		2,685,772.76	1.04362600%	2,802,942.29
02/01/23	(47,382.17)	1.04266620%	(49,403.79)	50,127.85	1.04266620%	52,266.61
02/13/23		1.04214304%		454,880.44	1.04214304%	474,050.49
03/01/23	(41,483.52)	1.04135880%	(43,199.23)	43,790.44	1.04135880%	45,601.56
03/09/23		1.04101044%		1,059,796.33	1.04101044%	1,103,259.04
04/03/23	(43,485.30)	1.03996605%	(45,223.24)	45,839.85	1.03996605%	47,671.89
04/12/23		1.03957467%		1,088,434.23	1.03957467%	1,131,508.66
05/01/23	(40,009.07)	1.03874892%	(41,559.38)	42,098.16	1.03874892%	43,729.42
05/16/23		1.03809747%		2,278,489.42	1.03809747%	2,365,294.10
06/01/23	(35,954.25)	1.03744643%	(37,300.61)	37,787.65	1.03744643%	39,202.66
06/15/23		1.03683916%		274,644.37	1.03683916%	284,762.04
07/03/23	(30,407.42)	1.03605891%	(31,503.88)	31,932.43	1.03605891%	33,083.88
07/12/23		1.03566900%		887,004.30	1.03566900%	918,642.86
08/01/23	(28,930.38)	1.03484635%	(29,938.50)	30,363.54	1.03484635%	31,421.60
08/10/23		1.03445690%		1,229,244.97	1.03445690%	1,271,600.94
09/01/23		1.03354876%		25,940.63	1.03354876%	26,810.91
09/05/23	(24,752.97)	1.03337587%	(25,579.12)		1.03337587%	
09/12/23		1.03307338%		989,134.30	1.03307338%	1,021,848.31
10/02/23	(20,188.26)	1.03220962%	(20,838.52)	21,146.74	1.03220962%	21,827.87
10/10/23		1.03186432%		599,525.58	1.03186432%	618,629.05
11/01/23	(17,376.79)	1.03095845%	(17,914.75)	18,197.72	1.03095845%	18,761.09
11/08/23		1.03065667%		132,083.15	1.03065667%	136,132.38
11/10/23	(3,583,807.47)	1.03057046%	(3,693,366.12)	3,583,807.47	1.03057046%	3,693,366.12
12/01/23	(15,786.39)	1.02966573%	(16,254.70)	16,527.97	1.02966573%	17,018.28
12/11/23		1.02923518%		495,914.59	1.02923518%	510,412.74
01/02/24	(14,743.90)	1.02833162%	(15,161.62)	15,435.68	1.02833162%	15,873.00
01/10/24		1.02798762%		312,213.79	1.02798762%	320,951.91
02/01/24	(13,022.96)	1.02708515%	(13,375.69)	13,636.70	1.02708515%	14,006.05

PAR \$19,840,000.00
Report 05th Year Arbitrage Rebate Calculation
Period 11/10/20 to 11/10/25

EXHIBIT 3
Control # 1.00
Page 3 of 3

Proof of Investment Yield

Period Ending	Investments	Value Factor	Value	Proceeds	Value Factor	Value
02/09/24		1.02674156%		653,266.17	1.02674156%	670,735.53
03/01/24	(9,788.15)	1.02579729%	(10,040.66)	10,251.79	1.02579729%	10,516.26
03/08/24		1.02549702%		118,005.78	1.02549702%	121,014.58
04/01/24	(9,180.11)	1.02451104%	(9,405.12)	9,620.29	1.02451104%	9,856.09
04/09/24		1.02416831%		103,721.05	1.02416831%	106,227.81
05/01/24	(8,444.88)	1.02322640%	(8,641.02)	8,851.70	1.02322640%	9,057.29
05/14/24		1.02267023%		139,186.95	1.02267023%	142,342.35
06/03/24	(8,247.56)	1.02185790%	(8,427.83)	8,646.76	1.02185790%	8,835.76
06/11/24		1.02151606%		257,573.31	1.02151606%	263,115.27
07/01/24	(7,603.95)	1.02066197%	(7,761.06)	7,603.95	1.02066197%	7,761.06
07/11/24		1.02023518%		225,469.21	1.02023518%	230,031.62
08/01/24	(6,578.34)	1.01938216%	(6,705.84)	6,578.34	1.01938216%	6,705.84
08/08/24		1.01908377%		264,094.98	1.01908377%	269,134.91
08/27/24		1.01827429%		611.91	1.01827429%	623.09
09/03/24	(5,370.40)	1.01801880%	(5,467.17)	5,370.40	1.01801880%	5,467.17
09/13/24		1.01759312%		280,908.33	1.01759312%	285,850.38
10/01/24	(4,062.00)	1.01682735%	(4,130.35)	4,062.00	1.01682735%	4,130.35
10/17/24		1.01614715%		172.08	1.01614715%	174.86
10/18/24		1.01610466%		453,005.31	1.01610466%	460,300.80
11/01/24	(2,855.10)	1.01555235%	(2,899.50)	2,855.10	1.01555235%	2,899.50
11/30/24	(381,260.82)	1.01432137%	(386,721.00)	381,260.82	1.01432137%	386,721.00
12/02/24	(1,516.49)	1.01423653%	(1,538.08)	1,516.49	1.01423653%	1,538.08
12/30/24		1.01304951%		158.86	1.01304951%	160.93
01/02/25	(1,522.48)	1.01296478%	(1,542.22)	1,522.48	1.01296478%	1,542.22
01/31/25		1.01177925%		79.71	1.01177925%	80.65
02/03/25	(1,470.68)	1.01165231%	(1,487.82)	1,470.68	1.01165231%	1,487.82
02/06/25		1.01152539%		81.54	1.01152539%	82.48
02/28/25	(1,272.81)	1.01059511%	(1,286.30)	1,272.81	1.01059511%	1,286.30
03/04/25		1.01034154%		385,206.68	1.01034154%	389,190.31
	(41,746,713.00)		(44,298,421.32)	42,496,904.64		44,298,421.32

PAR \$19,840,000.00
Report 05th Year Arbitrage Rebate Calculation
Period 11/10/20 to 11/10/25

Investment Detail - Construction Fund - BOK - 82-4393-04-5

ColoTrust (11/10/20 - 12/1/22)					ColoTrust (11/10/20 - 12/1/22)					ColoTrust (11/10/20 - 12/1/22)				
Net	235,158.85		Yield	0.60553144%										
Date	100% \$	Type	Alloc. %	Alloc. \$	Date	100% \$	Type	Alloc. %	Alloc. \$	Date	100% \$	Type	Alloc. %	Alloc. \$
11/10/20	(22,000,000.00)	Principal	100.00000%	(22,000,000.00)	08/02/21	855.04	Maturity	100.00000%	855.04	04/20/22	698,460.32	Maturity	100.00000%	698,460.32
12/01/20	(1,675.39)	Principal	100.00000%	(1,675.39)	08/04/21	327,630.73	Maturity	100.00000%	327,630.73	05/02/22	(6,224.64)	Principal	100.00000%	(6,224.64)
12/01/20	1,675.39	Interest	100.00000%	1,675.39	09/01/21	(437.34)	Principal	100.00000%	(437.34)	05/02/22	6,224.64	Interest	100.00000%	6,224.64
12/01/20	631.15	Maturity	100.00000%	631.15	09/01/21	437.34	Interest	100.00000%	437.34	05/02/22	138.70	Maturity	100.00000%	138.70
01/04/21	931.74	Maturity	100.00000%	931.74	09/01/21	833.81	Maturity	100.00000%	833.81	06/01/22	(11,048.73)	Principal	100.00000%	(11,048.73)
01/05/21	(2,185.11)	Principal	100.00000%	(2,185.11)	09/08/21	212,336.12	Maturity	100.00000%	212,336.12	06/01/22	11,048.73	Interest	100.00000%	11,048.73
01/05/21	2,185.11	Interest	100.00000%	2,185.11	10/01/21	(290.56)	Principal	100.00000%	(290.56)	06/01/22	139.61	Maturity	100.00000%	139.61
02/01/21	(1,935.46)	Principal	100.00000%	(1,935.46)	10/01/21	290.56	Interest	100.00000%	290.56	06/02/22	19,078.61	Maturity	100.00000%	19,078.61
02/01/21	1,935.46	Interest	100.00000%	1,935.46	10/01/21	798.90	Maturity	100.00000%	798.90	07/01/22	(15,817.19)	Principal	100.00000%	(15,817.19)
02/01/21	934.34	Maturity	100.00000%	934.34	10/14/21	117,205.15	Maturity	100.00000%	117,205.15	07/01/22	15,817.19	Interest	100.00000%	15,817.19
03/01/21	(1,452.31)	Principal	100.00000%	(1,452.31)	11/01/21	(274.27)	Principal	100.00000%	(274.27)	07/01/22	135.05	Maturity	100.00000%	135.05
03/01/21	1,452.31	Interest	100.00000%	1,452.31	11/01/21	274.27	Interest	100.00000%	274.27	08/01/22	(23,133.51)	Principal	100.00000%	(23,133.51)
03/01/21	843.96	Maturity	100.00000%	843.96	11/01/21	397.85	Maturity	100.00000%	397.85	08/01/22	23,133.51	Interest	100.00000%	23,133.51
03/23/21	299,009.10	Maturity	100.00000%	299,009.10	11/05/21	325,668.79	Maturity	100.00000%	325,668.79	08/01/22	139.68	Maturity	100.00000%	139.68
04/01/21	(1,206.46)	Principal	100.00000%	(1,206.46)	12/01/21	(415.41)	Principal	100.00000%	(415.41)	08/24/22	488,662.04	Maturity	100.00000%	488,662.04
04/01/21	1,206.46	Interest	100.00000%	1,206.46	12/01/21	415.41	Interest	100.00000%	415.41	09/01/22	(31,229.78)	Principal	100.00000%	(31,229.78)
04/01/21	930.73	Maturity	100.00000%	930.73	12/01/21	156.09	Maturity	100.00000%	156.09	09/01/22	31,229.78	Interest	100.00000%	31,229.78
04/13/21	(18,139.30)	Principal	100.00000%	(18,139.30)	12/16/21	699,427.84	Maturity	100.00000%	699,427.84	09/01/22	1,520.87	Maturity	100.00000%	1,520.87
04/14/21	544,539.05	Maturity	100.00000%	544,539.05	01/03/22	(727.74)	Principal	100.00000%	(727.74)	10/03/22	(34,518.20)	Principal	100.00000%	(34,518.20)
05/03/21	(1,011.28)	Principal	100.00000%	(1,011.28)	01/03/22	727.74	Interest	100.00000%	727.74	10/03/22	34,518.20	Interest	100.00000%	34,518.20
05/03/21	1,011.28	Interest	100.00000%	1,011.28	01/03/22	157.86	Maturity	100.00000%	157.86	10/03/22	3,289.76	Maturity	100.00000%	3,289.76
05/03/21	879.76	Maturity	100.00000%	879.76	01/19/22	1,117,724.05	Maturity	100.00000%	1,117,724.05	11/01/22	(43,725.89)	Principal	100.00000%	(43,725.89)
05/07/21	151,335.66	Maturity	100.00000%	151,335.66	02/01/22	(1,128.76)	Principal	100.00000%	(1,128.76)	11/01/22	43,725.89	Interest	100.00000%	43,725.89
06/01/21	(1,026.02)	Principal	100.00000%	(1,026.02)	02/01/22	1,128.76	Interest	100.00000%	1,128.76	11/01/22	3,405.62	Maturity	100.00000%	3,405.62
06/01/21	1,026.02	Interest	100.00000%	1,026.02	02/01/22	151.00	Maturity	100.00000%	151.00	11/07/22	1,133,418.37	Maturity	100.00000%	1,133,418.37
06/01/21	894.20	Maturity	100.00000%	894.20	02/16/22	600.00	Maturity	100.00000%	600.00	11/21/22	116,857.36	Maturity	100.00000%	116,857.36
06/03/21	306,740.65	Maturity	100.00000%	306,740.65	03/01/22	(1,288.92)	Principal	100.00000%	(1,288.92)	12/01/22	(47,655.73)	Principal	100.00000%	(47,655.73)
07/01/21	(683.71)	Principal	100.00000%	(683.71)	03/01/22	1,288.92	Interest	100.00000%	1,288.92	12/01/22	47,655.73	Interest	100.00000%	47,655.73
07/01/21	683.71	Interest	100.00000%	683.71	03/01/22	131.42	Maturity	100.00000%	131.42	12/01/22	1,838.10	Accrued I	100.00000%	1,838.10
07/01/21	852.39	Maturity	100.00000%	852.39	03/29/22	4,711.60	Maturity	100.00000%	4,711.60	12/01/22	3,110.14	Maturity	100.00000%	3,110.14
07/08/21	789,658.61	Maturity	100.00000%	789,658.61	04/01/22	(3,670.79)	Principal	100.00000%	(3,670.79)	12/01/22	14,875,990.83	Balance End	100.00000%	14,875,990.83
08/02/21	(557.55)	Principal	100.00000%	(557.55)	04/01/22	3,670.79	Interest	100.00000%	3,670.79					
08/02/21	557.55	Interest	100.00000%	557.55	04/01/22	145.50	Maturity	100.00000%	145.50					

PAR \$19,840,000.00
Report 05th Year Arbitrage Rebate Calculation
Period 11/10/20 to 11/10/25

Investment Detail - Construction Fund - BOK - 82-4393-04-5

ColoTrust (12/1/22 - 11/10/23)					ColoTrust (12/1/22 - 11/10/23)					ColoTrust (11/10/23 - 11/30/24)				
Net 405,401.87		Yield 4.94927970%								Net 105,353.75		Yield 5.52323328%		
Date	100% \$	Type	Alloc. %	Alloc. \$	Date	100% \$	Type	Alloc. %	Alloc. \$	Date	100% \$	Type	Alloc. %	Alloc. \$
12/01/22	(14,875,990.83)	Balance Start	100.00000%	(14,875,990.83)	11/01/23	18,197.72	Interest	100.00000%	18,197.72	11/10/23	(3,578,204.05)	Balance Start	100.00000%	(3,578,204.05)
12/01/22	(1,838.10)	Accrued I	100.00000%	(1,838.10)	11/08/23	132,083.15	Maturity	100.00000%	132,083.15	11/10/23	(5,603.42)	Accrued I	100.00000%	(5,603.42)
01/03/23	(51,252.94)	Principal	100.00000%	(51,252.94)	11/10/23	5,603.42	Accrued I	100.00000%	5,603.42	12/01/23	(15,786.39)	Principal	100.00000%	(15,786.39)
01/03/23	54,411.54	Interest	100.00000%	54,411.54	11/10/23	3,578,204.05	Balance End	100.00000%	3,578,204.05	12/01/23	16,527.97	Interest	100.00000%	16,527.97
01/09/23	2,685,772.76	Maturity	100.00000%	2,685,772.76						12/11/23	495,914.59	Maturity	100.00000%	495,914.59
02/01/23	(47,382.17)	Principal	100.00000%	(47,382.17)						01/02/24	(14,743.90)	Principal	100.00000%	(14,743.90)
02/01/23	50,127.85	Interest	100.00000%	50,127.85						01/02/24	15,435.68	Interest	100.00000%	15,435.68
02/13/23	454,880.44	Maturity	100.00000%	454,880.44						01/10/24	312,213.79	Maturity	100.00000%	312,213.79
03/01/23	(41,483.52)	Principal	100.00000%	(41,483.52)						02/01/24	(13,022.96)	Principal	100.00000%	(13,022.96)
03/01/23	43,790.44	Interest	100.00000%	43,790.44						02/01/24	13,636.70	Interest	100.00000%	13,636.70
03/09/23	1,059,796.33	Maturity	100.00000%	1,059,796.33						02/09/24	653,266.17	Maturity	100.00000%	653,266.17
04/03/23	(43,485.30)	Principal	100.00000%	(43,485.30)						03/01/24	(9,788.15)	Principal	100.00000%	(9,788.15)
04/03/23	45,839.85	Interest	100.00000%	45,839.85						03/01/24	10,251.79	Interest	100.00000%	10,251.79
04/12/23	1,088,434.23	Maturity	100.00000%	1,088,434.23						03/08/24	118,005.78	Maturity	100.00000%	118,005.78
05/01/23	(40,009.07)	Principal	100.00000%	(40,009.07)						04/01/24	(9,180.11)	Principal	100.00000%	(9,180.11)
05/01/23	42,098.16	Interest	100.00000%	42,098.16						04/01/24	9,620.29	Interest	100.00000%	9,620.29
05/16/23	2,278,489.42	Maturity	100.00000%	2,278,489.42						04/09/24	103,721.05	Maturity	100.00000%	103,721.05
06/01/23	(35,954.25)	Principal	100.00000%	(35,954.25)						05/01/24	(8,444.88)	Principal	100.00000%	(8,444.88)
06/01/23	37,787.65	Interest	100.00000%	37,787.65						05/01/24	8,851.70	Interest	100.00000%	8,851.70
06/15/23	274,644.37	Maturity	100.00000%	274,644.37						05/14/24	139,186.95	Maturity	100.00000%	139,186.95
07/03/23	(30,407.42)	Principal	100.00000%	(30,407.42)						06/03/24	(8,247.56)	Principal	100.00000%	(8,247.56)
07/03/23	31,932.43	Interest	100.00000%	31,932.43						06/03/24	8,646.76	Interest	100.00000%	8,646.76
07/12/23	887,004.30	Maturity	100.00000%	887,004.30						06/11/24	257,573.31	Maturity	100.00000%	257,573.31
08/01/23	(28,930.38)	Principal	100.00000%	(28,930.38)						07/01/24	(7,603.95)	Principal	100.00000%	(7,603.95)
08/01/23	30,363.54	Interest	100.00000%	30,363.54						07/01/24	7,603.95	Interest	100.00000%	7,603.95
08/10/23	1,229,244.97	Maturity	100.00000%	1,229,244.97						07/11/24	225,469.21	Maturity	100.00000%	225,469.21
09/01/23	25,940.63	Interest	100.00000%	25,940.63						08/01/24	(6,578.34)	Principal	100.00000%	(6,578.34)
09/05/23	(24,752.97)	Principal	100.00000%	(24,752.97)						08/01/24	6,578.34	Interest	100.00000%	6,578.34
09/12/23	989,134.30	Maturity	100.00000%	989,134.30						08/08/24	264,094.98	Maturity	100.00000%	264,094.98
10/02/23	(20,188.26)	Principal	100.00000%	(20,188.26)						08/27/24	328.65	Maturity	100.00000%	328.65
10/02/23	21,146.74	Interest	100.00000%	21,146.74						08/27/24	283.26	Maturity	100.00000%	283.26
10/10/23	599,525.58	Maturity	100.00000%	599,525.58						09/03/24	(5,370.40)	Principal	100.00000%	(5,370.40)
11/01/23	(17,376.79)	Principal	100.00000%	(17,376.79)						09/03/24	5,370.40	Interest	100.00000%	5,370.40

PAR \$19,840,000.00
Report 05th Year Arbitrage Rebate Calculation
Period 11/10/20 to 11/10/25

EXHIBIT 4
Control # 1.00
Page 3 of 4

Investment Detail - Construction Fund - BOK - 82-4393-04-5

ColoTrust (11/10/23 - 11/30/24)

Date	100% \$	Type	Alloc. %	Alloc. \$
09/13/24	280,908.33	Maturity	100.00000%	280,908.33
10/01/24	(4,062.00)	Principal	100.00000%	(4,062.00)
10/01/24	4,062.00	Interest	100.00000%	4,062.00
10/17/24	172.08	Maturity	100.00000%	172.08
10/18/24	453,005.31	Maturity	100.00000%	453,005.31
11/01/24	(2,855.10)	Principal	100.00000%	(2,855.10)
11/01/24	2,855.10	Interest	100.00000%	2,855.10
11/30/24	1,516.49	Accrued I	100.00000%	1,516.49
11/30/24	379,744.33	Balance End	100.00000%	379,744.33

ColoTrust (11/30/24 - 3/4/25)

Net 4,265.97

Yield 4.30894591%

Date	100% \$	Type	Alloc. %	Alloc. \$
11/30/24	(379,744.33)	Balance Start	100.00000%	(379,744.33)
11/30/24	(1,516.49)	Accrued I	100.00000%	(1,516.49)
12/02/24	(1,516.49)	Principal	100.00000%	(1,516.49)
12/02/24	1,516.49	Interest	100.00000%	1,516.49
12/30/24	79.43	Maturity	100.00000%	79.43
12/30/24	79.43	Maturity	100.00000%	79.43
01/02/25	(1,522.48)	Principal	100.00000%	(1,522.48)
01/02/25	1,522.48	Interest	100.00000%	1,522.48
01/31/25	79.71	Maturity	100.00000%	79.71
02/03/25	(1,470.68)	Principal	100.00000%	(1,470.68)
02/03/25	1,470.68	Interest	100.00000%	1,470.68
02/06/25	81.54	Maturity	100.00000%	81.54
02/28/25	(1,272.81)	Principal	100.00000%	(1,272.81)
02/28/25	1,272.81	Interest	100.00000%	1,272.81
03/04/25	385,206.68	Maturity	100.00000%	385,206.68

PAR \$19,840,000.00
 Report 05th Year Arbitrage Rebate Calculation
 Period 11/10/20 to 11/10/25

EXHIBIT 4
 Control # 1.00
 Page 4 of 4

Investment Detail - Costs of Issuance Fund - BOK - 82-4393-05-2

ColoTrust (11/10/20 - 4/12/21)

Net 11.20		Yield 0.11053205%		
Date	100% \$	Type	Alloc. %	Alloc. \$
11/10/20	(159,655.26)	Principal	100.00000%	(159,655.26)
11/12/20	42,500.00	Maturity	100.00000%	42,500.00
11/13/20	68,211.00	Maturity	100.00000%	68,211.00
11/20/20	6,811.41	Maturity	100.00000%	6,811.41
11/23/20	21,250.00	Maturity	100.00000%	21,250.00
12/01/20	(4.53)	Principal	100.00000%	(4.53)
12/01/20	4.53	Interest	100.00000%	4.53
12/01/20	1.47	Maturity	100.00000%	1.47
01/04/21	(2.19)	Principal	100.00000%	(2.19)
01/04/21	2.19	Interest	100.00000%	2.19
01/04/21	0.88	Maturity	100.00000%	0.88
02/01/21	(1.84)	Principal	100.00000%	(1.84)
02/01/21	1.84	Interest	100.00000%	1.84
02/01/21	0.89	Maturity	100.00000%	0.89
02/12/21	1,500.00	Maturity	100.00000%	1,500.00
02/16/21	1,250.00	Maturity	100.00000%	1,250.00
03/01/21	(1.28)	Principal	100.00000%	(1.28)
03/01/21	1.28	Interest	100.00000%	1.28
03/01/21	0.74	Maturity	100.00000%	0.74
04/01/21	(1.00)	Principal	100.00000%	(1.00)
04/01/21	1.00	Interest	100.00000%	1.00
04/01/21	0.77	Maturity	100.00000%	0.77
04/12/21	(0.36)	Principal	100.00000%	(0.36)
04/12/21	0.36	Interest	100.00000%	0.36
04/12/21	18,138.94	Maturity	100.00000%	18,138.94
04/12/21	0.36	Maturity	100.00000%	0.36

PAR \$19,840,000.00
Report 05th Year Arbitrage Rebate Calculation
Period 11/10/20 to 11/10/25

Calculation Credits		
Period	11/10/20 to 11/10/25	
Date	Transaction Type	Amount
11/10/21	Computation Date	(1,780.00)
11/10/22	Computation Date	(1,830.00)
11/10/23	Computation Date	(1,960.00)
11/10/24	Computation Date	(2,070.00)
11/10/25	Computation Date	(2,120.00)

Fire Code Adoption Process



- 2021 International Fire Code and Local Amendments
- Colorado Wildfire Resiliency Code
- Monument Fire District
- Town of Monument
- El Paso County

1

2021 International Fire Code



- 17 EPC fire agencies participating
- Creates standardization for builders, the regional building department, and local governments
- Timing is critical to balance energy code requirements



2

2021 International Fire Code Local Amendments



Highlights

- Lithium-ion battery usage, storage, charging, permitting, suppression sytems
- Energy storage systems
- Emergency access and firefighting water supply



3

Colorado Wildfire Resiliency



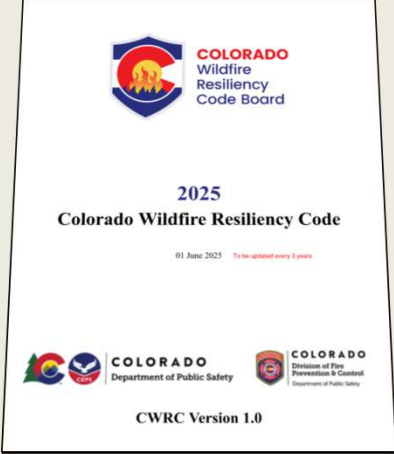
- Colorado Wildfire Resiliency Code
- Required Timeline
- Community Benefits
- Map
- Fire Intensity Classifications

- Exemptions
- Regulations Summary
- Details of Regulations
- Structural Ignition Zone

4

Colorado Wildfire Resiliency





- State-mandated **minimum** requirements for development in WUI areas
- State map determines “Fire Intensity Classifications” which correspond to regulations
- Applies to new construction and significant alterations to existing structures

5

Required Timeline



Adopted: 2025 Colorado Wildfire Resiliency Code

On 1 July 2025, the Colorado Wildfire Resiliency Code (CWRC) was adopted.

- [8 CCR 1507-39 Rules Adopted](#)
- [2025 CWRC](#)
- [State Map for the application of the 2025 CWRC](#)

1 July 2025
Code Adopted by
WRCB

1 April 2026
Code Adopted by
Jurisdiction

1 July 2026
Jurisdiction
Compliant*

Graphic: Division of Fire Prevention & Control

6

MONUMENT
FIRE

Community Benefits

- Community-wide approach is most effective
- Enhanced public safety; reduces danger for fire fighters
- Regulations align with best practices recommended or required by insurance companies
- Research post fires reveal high rates of under-insurance
- Education on wildfire risk for new community members

7

MONUMENT
FIRE

Map

Wildfire Resiliency Code - Fire Intensity Classification

Class 1

Low Intensity

Low Intensity Federal/Tribal

Class 2

High Intensity

High Intensity Federal/Tribal

Moderate Intensity

Moderate Intensity Federal/Tribal

8

MONUMENT
FIRE

Classifications

Fire Intensity Classification*

Class 1

Low Intensity

- Class A Roof + Flashing
- Gutters + Downspouts
- Vent Mesh
- Fencing
- Defensible Space 0-5'
- Addressing

Class 2

Moderate Intensity

High Intensity

- Everything in Class 1 **PLUS**
- Eaves + Soffits
- Exterior Walls + Coverings
- Underfloor Enclosures
- Windows + Doors
- Decking
- Appendages + Projections
- Defensible Space 0-100'

*No Intensity Rating = no additional regulations

9

MONUMENT
FIRE

Exemptions

1. Interior alterations

2. Additions < 500 SF

3. Reconstruction, replacement, alterations < 25 percent of the surface area of all exterior walls, roofs, etc.

4. Maintenance

5. Sheds < 120 SF + 10' from occupiable structure

6. Fences > 8 feet from a habitable structure

7. Parcels > 35 acres (+ other criteria)



Note exception for designated historic structures

10

MONUMENT
FIRE

Class 1: Low

Baseline: Summary of minimum requirements for new construction and significant additions/alterations

- Class A Roof
- Noncombustible Gutters + Downspouts
- Vent Mesh
- Noncombustible or Ignition Resistant Fences + Retaining Walls (0-8')
- Structure Ignition Zone 1 (0-5'): noncombustible landscape materials (e.g. gravel, concrete) within 5 ft (no bark mulch); allows ignition-resistant plantings from approved list; no planting of new trees; Pruning requirements for trees greater than 10" diameter
- Required address markers

11

MONUMENT
FIRE

Class 2: Mod-High

Cumulative: Everything required for Class 1 **PLUS** additional requirements:

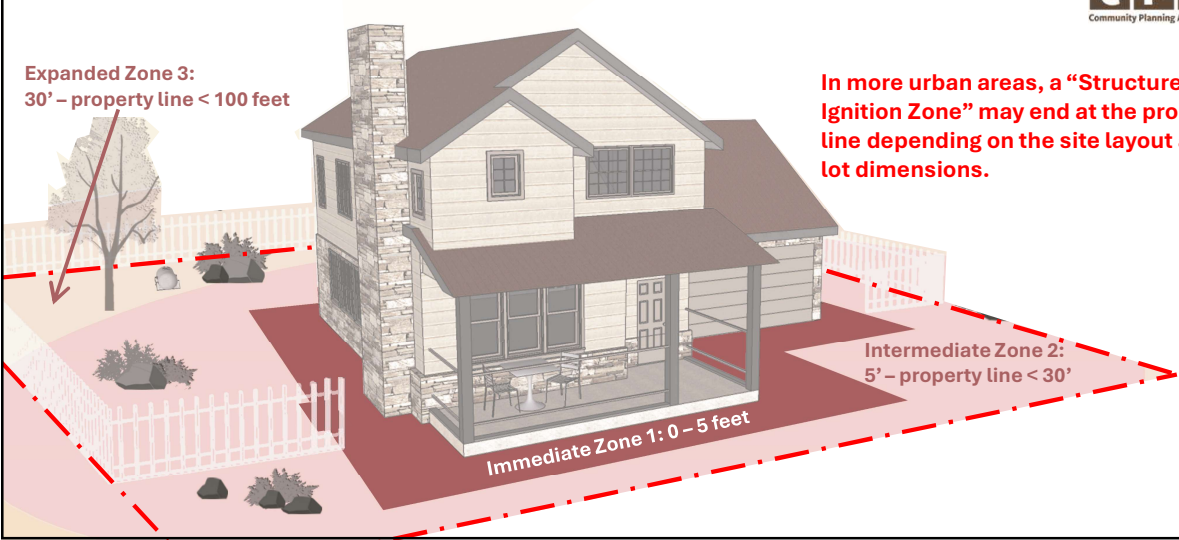
- Protection of Eaves + Soffits
- Exterior Walls, Wall Coverings + Flashing
- Underfloor Enclosure
- Windows + Doors
- Decking
- Appendages + Projections
- Structure Ignition Zone 2 (5-30')
- Structure Ignition Zone 3 (30-100'): spacing of trees

 HEADWATERS ECONOMICS

12

Structure Ignition Zone





Expanded Zone 3:
30' – property line < 100 feet

Immediate Zone 1: 0 – 5 feet

Intermediate Zone 2:
5' – property line < 30'

In more urban areas, a “Structure Ignition Zone” may end at the property line depending on the site layout and lot dimensions.

Fire Code Adoption Process



- 2021 International Fire Code and Local Amendments
- Colorado Wildfire Resiliency Code
- Monument Fire District
- Town of Monument
- El Paso County

2021 International Fire Code



- 17 EPC fire agencies participating
- Creates standardization for builders, the regional building department, and local governments
- Timing is critical to balance energy code requirements



2021 International Fire Code Local Amendments



Highlights

- Lithium-ion battery usage, storage, charging, permitting, suppression systems
- Energy storage systems
- Emergency access and firefighting water supply



Colorado Wildfire Resiliency



- Colorado Wildfire Resiliency Code
- Required Timeline
- Community Benefits
- Map
- Fire Intensity Classifications
- Exemptions
- Regulations Summary
- Details of Regulations
- Structural Ignition Zone

Colorado Wildfire Resiliency



2025 Colorado Wildfire Resiliency Code

01 June 2025 To be updated every 3 years



COLORADO
Department of Public Safety



COLORADO
Division of Fire
Prevention & Control
Department of Public Safety

CWRC Version 1.0

- State-mandated **minimum** requirements for development in WUI areas
- State map determines “Fire Intensity Classifications” which correspond to regulations
- Applies to new construction and significant alterations to existing structures



Required Timeline

Adopted: 2025 Colorado Wildfire Resiliency Code

On 1 July 2025, the Colorado Wildfire Resiliency Code (CWRC) was adopted.

- [8 CCR 1507-39 Rules Adopted](#)
- [2025 CWRC](#)
- [State Map for the application of the 2025 CWRC](#)



Graphic: Division of Fire Prevention & Control

Community Benefits



- Community-wide approach is most effective
- Enhanced public safety; reduces danger for fire fighters
- Regulations align with best practices recommended or required by insurance companies
- Research post fires reveal high rates of under-insurance
- Education on wildfire risk for new community members

Map



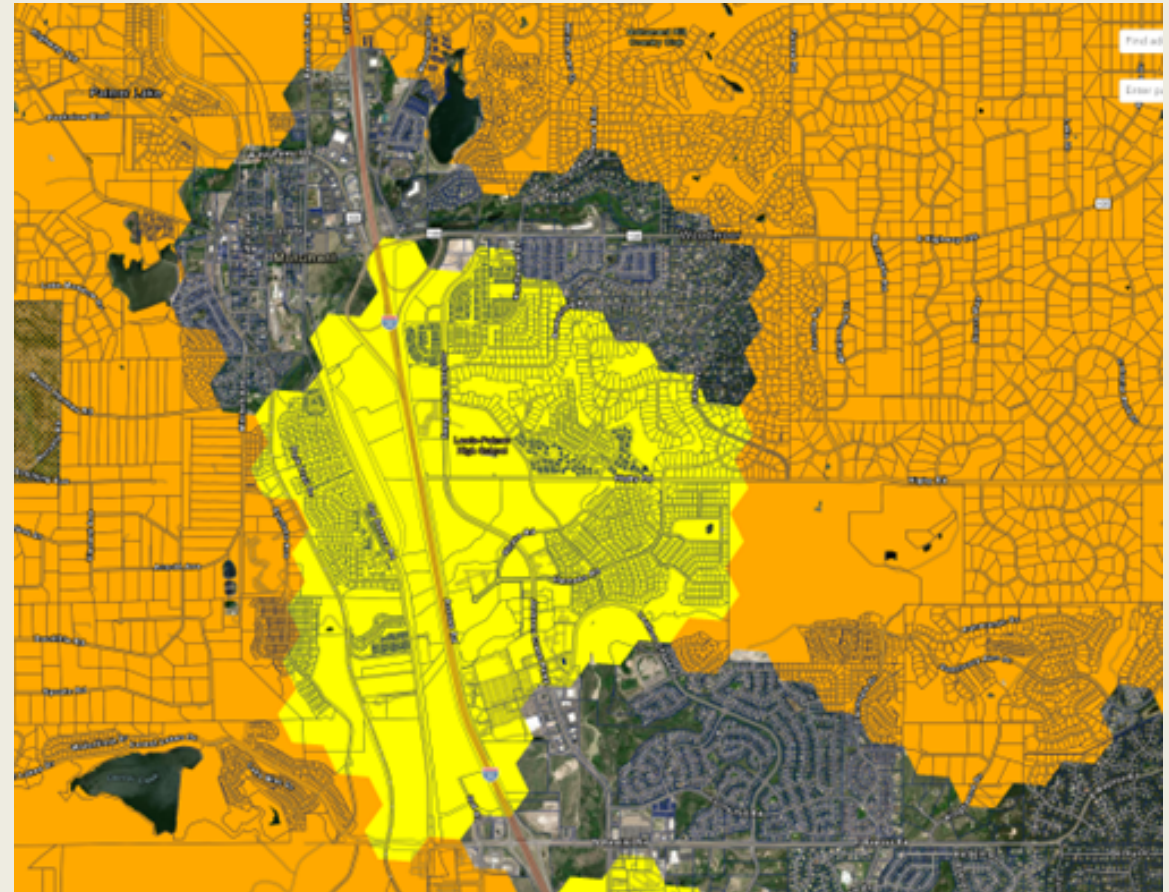
Wildfire Resiliency Code - Fire Intensity Classification

Class 1

-  Low Intensity
-  Low Intensity Federal/Tribal

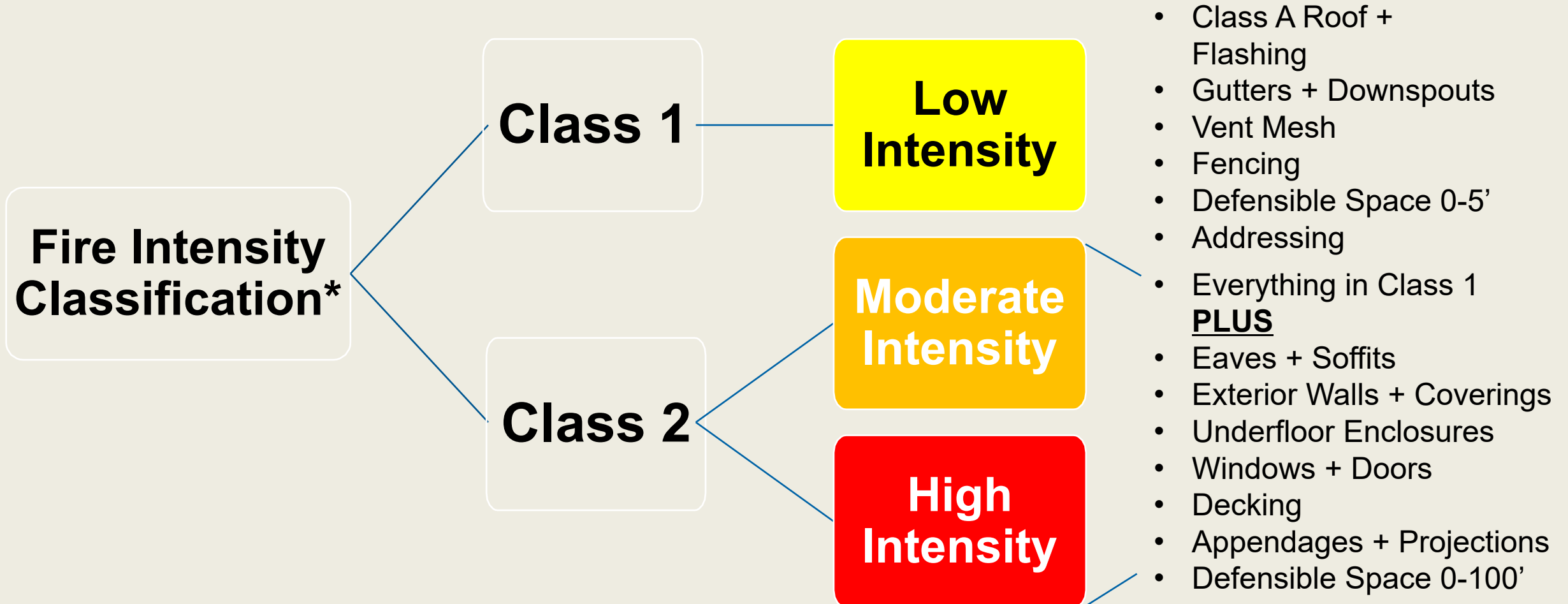
Class 2

-  High Intensity
-  High Intensity Federal/Tribal
-  Moderate Intensity
-  Moderate Intensity Federal/Tribal





Classifications



*No Intensity Rating = no additional regulations



Exemptions

1. Interior alterations
2. Additions < 500 SF
3. Reconstruction, replacement, alterations < 25 percent of the surface area of all exterior walls, roofs, etc.
4. Maintenance
5. Sheds < 120 SF + 10' from occupiable structure
6. Fences > 8 feet from a habitable structure
7. Parcels > 35 acres (+ other criteria)



Note exception
for designated
historic
structures



Class 1: Low

Baseline: Summary of minimum requirements for new construction and significant additions/alterations

- Class A Roof
- Noncombustible Gutters + Downspouts
- Vent Mesh
- Noncombustible or Ignition Resistant Fences + Retaining Walls (0-8')
- Structure Ignition Zone 1 (0-5'): noncombustible landscape materials (e.g. gravel, concrete) within 5 ft (no bark mulch); allows ignition-resistant plantings from approved list; no planting of new trees; Pruning requirements for trees greater than 10" diameter
- Required address markers



Class 2: Mod-High

Cumulative: Everything required for Class 1 **PLUS** additional requirements:

- Protection of Eaves + Soffits
- Exterior Walls, Wall Coverings + Flashing
- Underfloor Enclosure
- Windows + Doors
- Decking
- Appendages + Projections
- Structure Ignition Zone 2 (5-30')
- Structure Ignition Zone 3 (30-100'): spacing of trees

Structure Ignition Zone

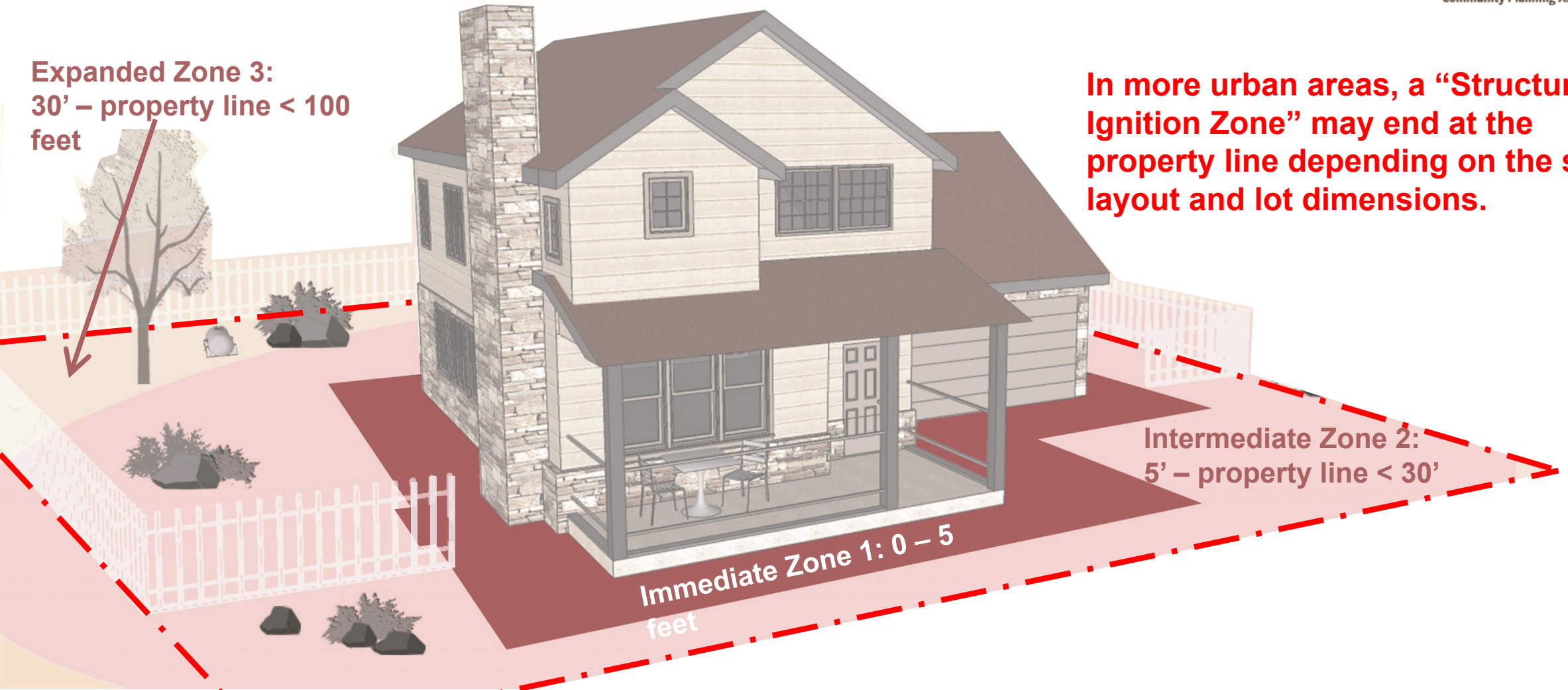


Expanded Zone 3:
30' – property line < 100
feet

In more urban areas, a “Structure Ignition Zone” may end at the property line depending on the site layout and lot dimensions.

Intermediate Zone 2:
5' – property line < 30'

Immediate Zone 1: 0 – 5
feet



MONUMENT FIRE DISTRICT

19775 Mitchell Avenue

Monument, CO 80132

(719) 484-0911

www.monumentfire.org

Proudly serving the Tri-Lakes Region



Colorado Wildfire Resiliency Code FAQs

Is the CWRC really mandatory?

Yes, according to 24-33.5-1237(2)(d) C.R.S., all communities in Colorado are required to adopt the new Wildfire Resiliency Code. This is intended as a supplement to a community's building and fire codes, if such codes have been adopted. The state code is a minimum code – communities are welcome to exceed the code but cannot implement measures less strict than the code. The code must be fully adopted and implemented (or in effect) by July of 2026.

The code, however, only applies to areas that have mapped wildfire risk (of low, moderate or high intensity) on the Colorado risk map.

Who has to implement the code? Who has to enforce it?

According to 24-4-103(4.5)(a)-(c) C.R.S. the Regulatory Analysis of the Draft Rules 8 CCR 1507-39 concerning the adoption of the 2025 Colorado Wildfire Resiliency Code, governing bodies include:

- (I) *The City Council, Town Council, Board of Trustees, or other Governing Body of a city, town, or city and county;*
- (II) *The Board of Directors of a Fire Protection District organized pursuant to part 1 of article 1 of Title 32;*
- (III) *The Governing Body of an improvement district that provides fire protection services organized pursuant to part 5 of article 20 of Title 30; or*
- (IV) *The Board of County Commissioners with respect to the area within a county that is outside the corporate limits of a city or town and outside the boundaries of Fire Protection District.*

Governing bodies with land use regulatory authority must adopt and implement the code. This means municipal or county governments and their planning, building and community development departments. Not all fire districts implement building or fire codes, but those that have regulatory authority to do so will also be responsible for implementing and enforcing the new state code.

Will we have to amend other parts of our existing code(s)?

Very likely, yes. Communities should make sure that their existing ordinances and land use codes – such as a landscaping or subdivision code/ordinance – don't conflict with the state WRC. The CPAW program will be helping your communities identify potential conflicts.

Amending parts of codes that conflict with the new state WRC will have broad benefits for communities, including for the general public, for developers and for the staff responsible for administration and enforcement.

MONUMENT FIRE DISTRICT

19775 Mitchell Avenue

Monument, CO 80132

(719) 484-0911

www.monumentfire.org

Proudly serving the Tri-Lakes Region



Can our community choose to be less strict than the CWRC?

No, the Colorado WRC sets the minimum standards. While a community can apply to adopt a local map which impacts the corresponding regulations, a community cannot adopt regulations that are less strict than the Colorado WRC. It is important to note that the state code does allow for some flexibility for alternative materials, design and methods as long as the specific equivalency criteria are outlined and approved.

Can our community choose to be more strict than the CWRC?

Yes. A community is free to expand the map to include undesignated areas or to change designated areas from Class 1 to the more restrictive Class 2. In terms of the actual text of the WRC, a community may also choose to be more restrictive. Note that additional public engagement is recommended if a community would like to take one or both of these approaches.

What are the options for mapping?

The state map identifies three fire intensity classifications - low, moderate, or high. In many communities (but not all) urban areas are not included on the state map. Parcels designated as low intensity follow Class 1 requirements while parcels designated as having moderate or high follow Class 2 requirements.

- One option is to adopt the state map as is.
- Another option is to adopt a more strict version of the state map than includes urban areas and/or class designations that are more restrictive.
- A third option is to adopt a local map that includes "ground-truthing" of the state map.
 - If this option is pursued, technical documentation is required by a qualified wildfire professional to be submitted to the state for approval

What happens if we don't adopt the code?

That is a question for an attorney. State statute requires that all communities adopt the code by April 2026. When asked this question in meetings, representatives from DFPC have mentioned that refusing to adopt the code could, at the very least, impact a community's ability to get state and federal grants. It is impossible to say, definitively, how refusing to adopt the code will affect community members' ability to get home insurance. Nonetheless, keep in mind that insurers do look for some evidence of community-wide effort to reduce wildfire risk.



Can we use affidavits or self-certification processes as our method of enforcement?

Yes, you can. The code does not specify the type or frequency of enforcement or inspections required. Either of these processes would meet code requirements.

Does the code regulate how close buildings can be together?

No, the code does not regulate the distance between structures. It does, however, apply to accessory non-habitable structures (like sheds or barns) that are greater than 120 sq feet in size and are less than 10 feet away from a habitable structure. So, if you are building a 200 square foot shed 8 feet from your house, it must be built according to the code that applies to your parcel.

Does the code apply to ADUs (accessory dwelling units)?

Yes, the code does apply to accessory structures that are dwelling units, or that are intended to be occupied.

Does the code apply to commercial structures?

Yes, it does apply to commercial structures. Keep in mind that any and all buildings can burn down – or fuel a fire – whether they are intended for commercial or residential uses.

Will the code affect existing streets, such as street trees?

With certain exceptions, the code only applies to new construction. In the case of existing construction, the landscaping requirements are only triggered in a limited number of cases. All of this is to say, existing trees do not have to meet the code requirements. You don't have to worry that the code will require you to remove trees on parcels with existing construction.

How much more will this cost?

We cannot say specifically what the additional costs will be for your community, and those costs may vary widely based on home size and location. However, Headwaters Economics' research shows that, given an average 2,000 square foot home, wildfire resistant construction increases costs by about 3 percent. You can read more about this research [here](#).

What do I do if the required defensible space distances go beyond my property line?

The code only applies to property that is yours – if you do not have 100 feet of defensible space on your property, for example, then you will not be required to meet those standards.

MONUMENT FIRE DISTRICT

19775 Mitchell Avenue

Monument, CO 80132

(719) 484-0911

www.monumentfire.org

Proudly serving the Tri-Lakes Region



What if this creates conflicts with other parts of our code?

We recommend eliminating portions of your code that conflict with the state's WRC. You can do this through text amendments, or you can do this in the same resolution you use to adopt the code. In cases where your code recommends more strict measures than some of the state's – for example, you might ban vinyl fencing – you could keep your community's existing measures in place and not adopt those proposed by the WRC. Communities can keep any measures that are more restrictive than the WRC.

If we adopt the code and designate our community at risk, will insurance rates increase?

We can't answer this for sure, but we can offer some perspective. First, insurance companies maintain their own maps of wildfire risk and they are rating your risk independently of what the state of Colorado does. Whether or not you adopt the code, an insurance company may very well have your community flagged as being high risk.

Insurance companies do know, however, that home hardening measures like those mandated by the code can reduce the loss of homes during a wildfire. Increasingly, insurance companies are looking for homeowners to adopt these methods of construction and landscaping independently of a code. This might suggest that adopting a wildland urban interface code will work in your community's favor.

However, unfortunately, there is no evidence to suggest that the adoption of wildland urban interface codes will lower your insurance premiums. At best, there is some evidence that these codes can ensure you retain your insurance.

RESOLUTION NO. 2026-03
A RESOLUTION ADOPTING THE 2021 INTERNATIONAL FIRE CODE
PROMULGATED BY THE INTERNATIONAL CODE COUNCIL, WITH AMENDMENTS,
AND THE COLORADO WILDFIRE RESILIENCY CODE

WHEREAS, THE TRI-LAKES MONUMENT FIRE PROTECTION DISTRICT D/B/A MONUMENT FIRE DISTRICT ("DISTRICT") IS A QUASI-MUNICIPAL CORPORATION AND POLITICAL SUBDIVISION OF THE STATE OF COLORADO AND A DULY ORGANIZED AND EXISTING SPECIAL DISTRICT PURSUANT TO TITLE 32, COLORADO REVISED STATUTES AND PROVIDING FIRE PROTECTION AND RESCUE SERVICES FOR ITS INHABITANTS AND VISITORS; AND

WHEREAS, §32-1-1002(1)(D), C.R.S., AUTHORIZES A FIRE PROTECTION DISTRICT TO ADOPT AND ENFORCE FIRE CODES AND STANDARDS FOR THE PROTECTION OF LIFE AND PROPERTY, PROVIDED THAT NO SUCH CODE SHALL APPLY WITHIN ANY MUNICIPALITY OR UNINCORPORATED PORTION OF A COUNTY UNLESS THE GOVERNING BODY OF THE MUNICIPALITY OR COUNTY ADOPTS A RESOLUTION AUTHORIZING ITS APPLICATION; AND

WHEREAS, THE DISTRICT LIES WITHIN THE BOUNDARIES OF THE TOWN OF MONUMENT, COLORADO AND UNINCORPORATED PORTIONS OF EL PASO COUNTY, COLORADO; AND

WHEREAS, THE BOARD HAS FURTHER REVIEWED THE COLORADO WILDFIRE RESILIENCY CODE ("CWRC"), DEVELOPED PURSUANT TO STATE STATUTE AS A COMPREHENSIVE WILDFIRE RISK-REDUCTION AND WILDLAND URBAN INTERFACE ("WUI") REGULATORY CODE, AND DETERMINED THAT ADOPTION OF THE CWRC IS NECESSARY TO ENHANCE COMMUNITY RESILIENCE, REDUCE WILDFIRE RISK, AND ENSURE SOUND MITIGATION, CONSTRUCTION, AND VEGETATION MANAGEMENT PRACTICES WITHIN THE DISTRICT; AND

WHEREAS, THE BOARD FINDS THAT ADOPTING BOTH THE 2021 INTERNATIONAL FIRE CODE AS PROMULGATED BY THE INTERNATIONAL CODE COUNCIL ("2021 IFC") AND THE CWRC WILL ALIGN THE DISTRICT WITH REGIONAL FIRE CODE STANDARDS ESTABLISHED THROUGH COLLABORATIVE WORK BY THE EL PASO COUNTY FIRE MARSHALS COMMITTEE, THE PIKES PEAK FIRE CHIEFS COUNCIL, THE PIKES PEAK REGIONAL BUILDING DEPARTMENT, THE HOUSING AND BUILDING ASSOCIATION, AND EL PASO COUNTY PLANNING & COMMUNITY DEVELOPMENT AND WITH THE INPUT OF THE TOWN OF MONUMENT; AND

WHEREAS, THE BOARD HAS CONSIDERED THE EFFECT OF CODE ADOPTION AND ENFORCEMENT AND FINDS THAT ADOPTION OF THE 2021 IFC AND THE CWRC, AS AMENDED, WILL NOT CAUSE UNDUE HARDSHIP OR HINDER ECONOMIC DEVELOPMENT, BUT WILL INSTEAD PROVIDE A REALISTIC, REASONABLE, AND NECESSARY LEVEL OF FIRE PROTECTION FOR AN URBAN FIRE PROTECTION DISTRICT LOCATED IN A REGION WITH GROWING WILDFIRE EXPOSURE; AND

WHEREAS, THE BOARD HEREBY DETERMINES THAT IT IS IN THE BEST INTEREST OF THE RESIDENTS, TAXPAYERS, PROPERTY OWNERS, AND VISITORS OF THE DISTRICT TO MAINTAIN MODERN, CONSISTENT, AND UPDATED FIRE AND WILDFIRE REGULATIONS BY ADOPTING THE 2021 IFC AND CWRC, WITH LOCAL AMENDMENTS.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF DIRECTORS OF THE DISTRICT:

1) Adoption of 2021 International Fire Code (IFC).

- a) The Board hereby adopts the 2021 International Fire Code, as published by the International Code Council, including Appendices A, B, C, D, E, F, G, H, I, J, K, L, M, and N, as amended by this Resolution and set forth in Exhibit A (Local IFC Amendments). These standards shall regulate:
- (1) Fire prevention and protection,
 - (2) Fire protection systems,
 - (3) Emergency access and water supply,
 - (4) Hazardous materials, and
 - (5) Conditions hazardous to life or property within buildings and premises in the District.
- b) Definitions. The following definitions shall be utilized in addition to those set forth in the 2021 International Fire Code:
- (1) Wherever the word "jurisdiction" is used, it is meant to be inclusive of the boundaries of the Monument Fire District as they currently or may exist hereafter.
 - (2) Where the term "Chief" or "Chief of the Community Risk Reduction Division" is used, it shall be held to mean the Fire Chief of the Monument Fire District, or the District's Fire Marshal or a designated member of the District.
 - (3) Where the term "Board" is used, it shall be held to mean the Board of Directors of the Monument Fire District.
 - (4) Wherever the term "International Building Code" is used, it shall be held to mean the International Building Code as adopted, amended and incorporated into the El Paso County Building Code for unincorporated portions of El Paso County or the International Building Code as adopted, amended and incorporated into the applicable municipality's Building Code within a municipality's territorial limits.
 - (5) Wherever the term "corporation counsel" is used, it shall be held to mean the District's Attorney.

2) Adoption of the Colorado Wildfire Resiliency Code (CWRC). The Board hereby adopts by reference the Colorado Wildfire Resiliency Code (CWRC), including applicable chapters, sections, and appendices governing the wildland-urban interface (WUI), ignition-resistant construction, defensible space, vegetation management, access, fuels mitigation, and other wildfire risk-reduction measures. The CWRC shall apply to:

- (1) All new construction within designated WUI areas,
- (2) Exterior building materials and assemblies,
- (3) Defensible space requirements,
- (4) Vegetation management and maintenance,
- (5) Access standards for emergency response, and
- (6) WUI risk reduction measures applicable within the District.

3) Administration and Enforcement. The Fire Chief, Fire Marshal, or designees shall administer and enforce the adopted 2021 IFC and CWRC in conjunction with the governing jurisdiction with police powers. Enforcement may occur:

- a) Through plan review and inspection authority;
- b) In coordination with the Pikes Peak Regional Building Department; and

- c) Pursuant to authority granted through the El Paso County Board of County Commissioners as required by §32-1-1002(1)(d), C.R.S. and the Town of Monument
- 4) Establishment and Duties of Community Risk Reduction Inspectors. Organizational structure and duties of the Community Risk Reduction Division shall be as provided by the District's rules and regulations, as established by Intergovernmental Agreement, and/or by the District's internal organizational structure.
- 5) Repeal of Prior Resolution(s). Any prior Resolution of the District adopting earlier editions of uniform fire codes, are hereby repealed in their entirety immediately upon the effective date of this Resolution.
- 6) Severability. If any part, section, subsection, sentence, clause or phrase of this Resolution or the International Fire Code adopted hereby is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions. The Board of Directors hereby declares that it would have passed and adopted this Resolution and the International Fire Code adopted hereby should any other section, subsection, sentence, clause or phrase be declared invalid.
- 7) Copies on File. A copy of this Resolution and the International Fire Code adopted herein shall be kept on file in the business office of the District and shall be available for public inspection.
- 8) Repealer. All resolutions, or parts thereof, in conflict with this Resolution, are hereby repealed, provided that this section shall not repeal the repealer clauses of any prior resolutions or hereby revive any ordinances or resolutions previously repealed.
- 9) Effective Date. This Resolution shall take effect and be enforced immediately upon its approval by the District's Board of Directors and shall be in full force and effect within the unincorporated portions of El Paso County located within the District, upon the respective adoption of a similar resolution or ordinance by such other jurisdiction(s).
- 10) Authorization. The officers of the District are authorized and directed to take actions necessary and appropriate to affect the provisions of this Resolution.

ADOPTED this 26th day of January, 2026.

TRI-LAKES MONUMENT FIRE PROTECTION DISTRICT

By 
Mark Gunderman, President

ATTEST:

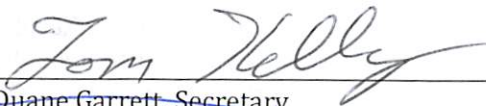
By 
~~Duane Garrett, Secretary~~
Tom Kelly, Treasurer

EXHIBIT A
Revisions to the 2021 International Fire Code.

The following sections of the 2021 International Fire Code are hereby revised with local amendments as follows:

CHAPTER 1 SCOPE AND ADMINISTRATION

Section 101.1. Amend Section 101.1 to read as follows: "101.1 Title. These regulations shall be known as the Fire Code of the Monument Fire District, hereinafter referred to as "this code."

SECTION 104 DUTIES AND POWERS OF THE FIRE CODE OFFICIAL

Section 104.1 General. Amend Section 104.1 to read as follows:

[A] 104.1 General. The fire code official is hereby authorized to enforce the provisions of this code. The fire code official shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules, and shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for in this code. The fire chief or designee has authority in determining the application of this code and resolving any conflicts that may arise from enforcement of this code.

Section 104.6 Official records. Amend Section 104.6 to read as follows:

[A] 104.6 Official records. The fire code official shall keep official records as required by Sections 104.6.1 through 104.6.4. Such official records shall be retained for not less than seven (7) years or for as long as the structure or activity to which such records relate remains in existence, unless otherwise provided by other regulations.

Section 104.7.2 Actions. Add a new Section 104.7.2 to read as follows:

104.7.2 Actions, liability and legal defense. The Colorado Governmental Immunity Act, Article 10 of Title 24 Colorado Revised Statutes, shall apply to the actions, liability and legal defense of any Fire Code Official, officer or employee charged with the enforcement of this code.

SECTION 105 PERMITS

Section 105.1.2 Types of permits. Amend Section 105.1.2 to read as follows:

105.1.2 Types of Permits. There shall be three types of permits as follows:

1. Operational Permit. An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Section 105.5 for either:
 - 1.1 A prescribed period.
 - 1.2 Until renewed or revoked.
2. Construction permit. A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by section 105.6.

3. Administrative permit. An administrative permit allows the applicant to modify fire protection or life safety systems and equipment, having a limited scope of work, for which a construction permit would otherwise be issued. Administrative permits apply to the following:
 - a. 20-Head letters.
 - b. 5-device letters.
 - c. Temporary removal of equipment during construction activities.
 - d. Others as approved by the fire code official.

Section 105.2.2 Inspection authorized. Amend Section 105.2.2 to read as follows:

[A] 105.2.2 Inspection authorized. Before a new operational permit is approved, the fire code official is authorized to inspect the receptacles, vehicles, buildings, devices, premises, storage spaces, areas, activities, processes, procedures, and all other relevant items of fire and life safety to be used to determine compliance with this code or any operational constraints required.

Section 105.3.4.1 Work at risk. Add new Section 105.3.4.1 to read as follows:

105.3.4.1 Work at risk. Where a permit is required, and upon the request of a permit applicant, the fire code official may issue a work-at-risk permit to begin work prior to the issuance of a permit. The work at risk permit will allow the applicant to begin installation, modification, or commencement of a system, process, or activity for which the permit is required prior to approved plans or a construction permit. The holder of the work at risk permit shall be authorized to proceed at their own risk with the installation or modification of the system, or other work requiring a permit, but shall not entitle them to any required inspections of the system or work until construction documents or permit applications are approved and the required permits are posted on site. Any work performed on the system will be done at the risk of the installing contractor. Any required changes or modifications based upon approved plan review or inspection activities will be the responsibility of the contractor and shall be made prior to final approval of the system and Certificate of Occupancy. A work at risk permit fee shall be assessed as set forth by the adopted fee schedule.

Section 105.3.4.2 Temporary use permit. Add a new Section 105.3.4.2 to read as follows:

105.3.4.2 Temporary use permit. A temporary use permit may be issued upon request to allow an activity or temporary use to occur within a given occupancy where the occupancy classification may not meet the intended temporary use, or temporary activity when it is determined to create a considerable risk based upon the activity itself or environmental hazards. A request for temporary use must be submitted in writing to the fire code official and include a permit application, code study with details on the occupant loads, means of egress, fire protection systems, and specific hazards or activities present. Inspections shall be performed in accordance with Section 108 prior to the issuance of the temporary use permit. A temporary use permit may be issued for a maximum of 180 days and may only be extended upon approval by the fire code official. A temporary use permit fee shall be assessed as set forth by the adopted fee schedule.

Section 105.3.6 Compliance with code. Amend Section 105.3.6 to read as follows:

[A] 105.3.6 Compliance with code. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other

ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the fire code official from requiring the correction of errors in the construction documents and other data. Any addition to or alteration of approved construction documents shall be approved by the fire code official as evidenced by the issuance of a new or amended permit.

Section 105.3.6.1 Liability. Add a new Section 105.3.6.1 to read as follows:

105.3.6.1 Liability. The permittee shall indemnify the Fire Department, its officers, agents, and employees against any claim or liability arising from or based on the violation of this code or any other applicable law or regulation caused by any actions or omissions of the permittee arising out of the exercise of the activity authorized by the permit.

Section 105.5 Required operational permits. Amend Section 105.5 to read as follows:

105.5 Required operational permits. The fire code official is authorized to issue operational permits per fire department SOP for the operations set forth in Sections 105.5.1 through 105.5.55

Table 105.5.9 Permit amounts for compressed gases. Amend Table 105.5.9 to read as follows:

TABLE 105.5.9 PERMIT AMOUNTS FOR COMPRESSED GASES

TYPE OF GAS	AMOUNT (cubic feet at NTP)
Carbon dioxide used in carbon dioxide enrichment systems	875 (100 lbs.)
Carbon Dioxide used in insulated liquid carbon dioxide beverage dispensing applications	875 (100 lbs.)
Corrosive	200
Flammable (except cryogenic fluids and liquified petroleum gases)	200
Highly toxic	Any Amount
Inert and simple asphyxiant	6,000
Inert and simple asphyxiant in beverage dispensing applications	875 (100 lbs.)
Oxidizing (including oxygen)	504
Pyrophoric	Any Amount
Toxic	Any Amount

Section 105.5.17 Fire hydrants and valves. Amend Section 105.6.17 to read as follows:

105.5.17 Fire hydrants and valves. A Water District permit is required to use or operate fire hydrants or valves intended for fire suppression purposes that are installed on water systems and provided with ready access from a fire apparatus access road that is open to or generally used by the public.

Exception: A permit is not required for authorized employees of the water company that supplies the system or the fire department to use or operate fire hydrants or valves.

Section 105.5.18 Flammable and combustible liquids. Amend Section 105.5.18 to read as follows:

105.5.18 Flammable and combustible liquids. An operational permit is required:

1. To use or operate a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the off-site transportation in pipelines regulated by the Department of Transportation (DOTn) nor does it apply to piping systems.
2. To store, handle or use Class I liquids in excess of 20 gallons in a building or in excess of 50 gallons outside of a building, except that a permit is not required for the following:
 - 2.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant, or mobile heating plant, unless such storage, in the opinion of the fire code official, would cause an unsafe condition.
 - 2.2. The storage or use of paints, oils, varnishes, or similar flammable mixtures where such liquids are stored for maintenance, painting, or similar purposes for a period of not more than 30 days.
3. To store, handle or use Class II or Class III A liquids in excess of 55 gallons in a building or in excess of 100 gallons outside a building, except for fuel oil used in connection with oil-burning equipment. 3.1. To store, handle or use Class IIIB liquids of 120 gallons or more in a building or outside a building.
4. To store, handle or use Class IIIB liquids in tanks or portable tanks for fueling motor vehicles at motor fuel-dispensing facilities or where connected to fuel-burning equipment.

Exception: Fuel oil and used motor oil used for space heating or water heating.
5. To remove Class I or II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary on-site pumps normally used for dispensing purposes.
6. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries, and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed, or used.
7. To place temporarily out of service (for more than 90 days) an underground, protected above-ground, or above-ground flammable or combustible liquid tank.
8. To change the type of contents stored in a flammable or combustible liquid tank to a material that poses a greater hazard than that for which the tank was designed and constructed.
9. To manufacture, process, blend or refine flammable or combustible liquids.
10. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental, or manufacturing establishments in accordance with Section 5706.5.4 or to engage in on-demand mobile fueling operations in accordance with Section 5707.
11. To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles, marine craft, and other special equipment at commercial, industrial, governmental, or manufacturing establishments in accordance with Section 5706.5.4

or, where required by the fire code official, to utilize a site for on-demand mobile fueling operations in accordance with Section 5707.

12. To manufacture, produce or store, alcoholic beverages, distilled spirits, or wines in excess of 16-percent alcohol content stored in containers/vessels greater than 1.3 gallons each.

Section 105.5.25 Hot work operations. Amend Section 105.5.25 to read as follows:

105.5.25 Hot work operations. An operational permit is required for hot work including, but not limited to:

1. Public exhibitions and demonstrations where hot work is conducted.
2. Use of portable hot work equipment inside an occupied structure.
Exception: Work that is conducted under a construction permit.
3. Fixed-site hot work equipment, such as welding booths.
4. Hot work conducted within a wildfire risk area and/or during burn restrictions or during burn bans.
5. Application of roof coverings with the use of an open-flame device.
6. Where approved, the fire code official shall issue a permit to carry out a hot work program. This program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 35. These permits shall be issued only to their employees or hot work operations under their supervision. Organizations complying with sub-section 6 do not need an operational permit issued by the fire department.

Section 105.5.29 LP-gas. Amend Section 105.5.29 to read as follows:

105.5.29 LP-gas. An operational permit is required for:

1. Storage and use of LP-gas where a single container, cylinder, or tank is more than 125 gallons water capacity; or the aggregate capacity of containers is more than 125 gallons water capacity.
Exception: A permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less or multiple container systems having an aggregate quantity not exceeding 500 gallons (1893 L) serving occupancies in Group R-3, one- and two-family dwellings and townhomes.
2. Operation of cargo tankers that transport LP-gas.
3. One or more LP-gas cabinets associated with a cylinder exchange program.

Section 105.5.34. Open burning. Amend Section 105.5.34 to read as follows:

105.5.34 Open burning and prescribed burns/fires. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be complied with.

Section 105.5.36 Open flames and candles. Amend Section 105.5.36 to read as follows:

105.5.36 Open flames and candles. An operational permit is required to use open flames or candles in connection with assembly areas, dining areas of restaurants, drinking establishments, or to use open flame effects before an audience.

Section 105.5.42 Pyrotechnic special effects material. Amend Section 105.5.42 to read as follows:

105.5.42 Pyrotechnic special effects material and display fireworks. An operational permit is required for use and handling of pyrotechnic special effects material. An operational permit is required for the storage, handling, and use of explosive material used in fireworks displays or for pyrotechnic special effect activities or flame effects before a proximate audience within the scope of Chapter 56 (See Section 105.6.16). An operational permit per 105.5.16 is required for the temporary storage and retail sale of consumer fireworks, 1.4G permitted by Section 5601.1.3.

Section 105.5.53 Lithium batteries. Add a new Section 103.5.53 to read as follows:

105.5.53 Lithium batteries. An operational permit is required for an accumulation of more than 15 cubic feet of lithium-ion and lithium metal batteries, where required by Section 321.1.

Section 105.5.54 Temporary change of use. Add a new Section 105.5.54 to read as follows:

105.5.54 Temporary change of use. An operational permit is required to temporarily change the use of a facility. A maximum of 90 days of use; no extensions or re-issue of permit for a minimum of 8 months.

Section 105.5.55 Other permits not otherwise listed. Add a new Section 105.5.55 to read as follows:

105.5.55 Other permits not otherwise listed. An operational permit may be required for hazardous activities or operations not otherwise specifically listed in this code that the fire code official determines creates a substantial risk or hazard.

Section 105.6 Required construction permits. Amend Section 105.6 to read as follows:

105.6 Required construction permits. The fire code official is authorized to issue construction permits for work as set forth in Sections 105.6.1 through 105.6.27.

Section 105.6.15 LP-gas. Amend Section 105.6.15 to read as follows:

105.6.15 LP-gas. A construction permit is required for:

1. Installation of or modification to an LP-gas system where a single container, cylinder, or tank is more than 125 gallons water capacity; or the aggregate capacity of containers is more than 125 gallons water capacity.
Exception: A permit is not required for individual containers with a 500-gallon water capacity or less or multiple container systems having an aggregate quantity not exceeding 500 gallons, serving occupancies in Group R-3, townhomes, and serving one- and two-family dwellings.
2. One or more LP-gas cabinets associated with a cylinder exchange program.

Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

Section 105.6.20 Solar photovoltaic power systems. Amend Section 150.6.20 to read as follows:

105.6.20 Solar photovoltaic power systems. A construction permit is required to install or modify solar photovoltaic power systems. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

Exceptions: Group R-3 and structures designed and constructed in accordance with the International Residential Code.

Section 105.6.25 Fire protection system demolition permit. Add a new Section 105.6.25 to read as follows:

105.6.25 Fire protection system demolition permit. When a fire protection system, or portion thereof is no longer needed, desired, or required by code, a licensed fire protection contractor shall obtain a permit prior to any demolition or removal of any portion of the system. The request for a demolition permit must include a complete code study showing the system is no longer required and justification for the permanent removal of the system.

Section 105.6.26 Direct Current Fast Charging (DCFC) stations. Add a new Section 105.6.26 to read as follows:

105.6.26 Direct Current Fast Charging (DCFC) stations. A construction permit is required for the installation of any Direct Current Fast Charging (DCFC) stations.

Section 105.6.27 Other permits not otherwise listed. Add a new Section 105.6.27 to read as follows:

105.6.27 Other permits not otherwise listed. A construction permit is required for activities, installations, or operations not otherwise specifically listed in code that the fire code official determines creates a substantial risk or hazard.

SECTION 106 CONSTRUCTION DOCUMENTS

Section 106.1 Submittals. Amend Section 106.1 to read as follows:

[A] 106.1 Submittals. Construction documents and supporting data shall be submitted in two or more sets with each application for a permit and in such form and detail as required by the fire code official. The construction documents shall be prepared by an approved design professional where required by the jurisdiction in which the project is to be constructed.

Exception: The fire code official is authorized to waive the submission of construction documents and supporting data not required to be prepared by an approved design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

Section 106.3 Amended construction documents. Amend Section 106.3 to read as follows:

[A] 106.3 Amended construction documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents. Where field conditions necessitate any substantial change from the approved construction documents, the fire code official shall have the authority to require the amended construction documents to be submitted for approval. Fees may be assessed for time spent on the review of corrected documents in accordance with Section 107 and the adopted fee schedule.

SECTION 107 FEES

Section 107.5 Related fees. Amend Section 107.5 to read as follows:

[A] 107.5 Related fees. The payment of the fee for the construction, alteration, removal or demolition, or activity of work done in connection to or concurrently with the work or authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

Section 107.7 Re-inspection fees. Add a new Section 107.7 to read as follows:

107.7 Re-inspection fees. Re-inspection fee as set forth in the approved/adopted fee schedule may be assessed for each inspection or reinspection when any portion of work for which inspection is called is not complete or when required corrections have not been completed. This subsection is not to be interpreted as requiring reinspection fees upon initial rejection of work for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before work is ready for the inspection or reinspection's, or if hazards are not abated in the required timeframe. The reinspection fees may be assessed:

1. When the permit is not properly posted and/or the approved plans are not available on the work site; or
2. For failure to provide access on the date for which inspection is requested; or
3. For failure to maintain all work in an exposed condition until inspected and approved for installation; or
4. For deviating from plans requiring the approval of the fire code official; or
5. For lack of sufficient documentation, equipment, or personnel needed to complete the inspection; or
6. The work that an inspection has been called for has not been pretested or is not ready for inspection.
7. Failure to comply with the conditions of the permit.
8. When identified, violations or hazards are not corrected or abated within the specified timeframe.

SECTION 111 MEANS OF APPEALS

Section 111.1 Board of appeals. Amend Section 111.1 to read as follows:

[A] 111.1 Board of appeals established. In order to hear and decide appeals of orders, decisions, or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be established by the provisions of Appendix A of this code. When hearing issues related to this code, the board of appeals shall operate in accordance with Appendix A of this code.

Sections 111.2 Limitations on authority. Delete Section 111.2 in its entirety.

Section 111.3 Qualifications. Delete Section 111.3 in its entirety.

Section 111.4 Administration. Delete Sections 111.4 in its entirety.

SECTION 112 VIOLATIONS

Section 112.1 Unlawful acts. Amend Section 112.1 to read as follows:

[A] 112.1 Unlawful acts. It shall be unlawful for a person, firm, or corporation to erect, construct, alter, repair, remove, and/or conduct activities, demolish or utilize a building, occupancy, premises, or system regulated by this code, or cause the same to be done, in conflict with or in violation of any of the provisions of this code.

Section 112.3.1 Service. Amend Section 112.3.1 to read as follows:

[A] 112.3.1 Service. A notice of violation issued pursuant to this code shall be served on the owner, the owner's authorized agent, operator, occupant, or other person responsible for the condition or violation, either by personal service, mail, or by delivering the same to, and leaving it with, some person of responsibility on the premises. The fire code official is authorized to affix a stop work order, a cease and desist tag or similar notice prohibiting the use thereof, until such repairs or alterations are made. For unattended or abandoned locations, a copy of such notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the notice of violation shall be mailed by certified mail with a return receipt requested or a certificate of mailing, to the last known address of the owner, the owner's authorized agent, or occupant.

Section 112.4 Violation penalties. Amend Section 112.4 to read as follows:

[A] 112.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a Misdemeanor punishable by a fine of not more than Three hundred (\$300.00) dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Penalties shall be assessed for violations of this code as authorized by C.R.S. 32-1-1002 (3) and (4), or any other applicable federal, state or local law.

SECTION 113 STOP WORK ORDER

Section 113.4 Failure to comply. Amend Section 113.4 Failure to Comply to read as follows:

[A] 113.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a fines established by the authority having jurisdiction to be not more than Three Hundred (\$300.00) dollars.

Section 113.5 Penalties. Add a new Section 113.5 to read as follows:

113.5 Penalties. It is unlawful for any person to violate any of the provisions of this part including any provisions of the International Fire Code, International Fire Code Appendices, and International Fire Code Amendments, as adopted. Any person convicted of a violation of any provision set forth in this part shall be punished in accord with the penalties as authorized by C.R.S. 32-1-1002 (3) and (4), or any other applicable federal, state or local law.

CHAPTER 2 DEFINITIONS

SECTION 202 GENERAL DEFINITIONS

Definition EXTRACTION. Add a definition to read as follows:

EXTRACTION. The process of removing essential oils or other botanic material from a given plant material.

Definition HOT WORK AREA. Amend definition HOTWORK AREA to read as follows:

HOT WORK AREA. An area no less than a 35-foot radius and 15 feet in elevation; above and below, that is exposed to sparks, hot slag, radiant heat, or convective heat as a result of the hot work.

Definition MINIMUM EXPLOSIVE CONCENTRATION (MEC). Add a definition to read as follows:

MINIMUM EXPLOSIVE CONCENTRATION (MEC). The lowest mass to volume concentration of combustible dust that will propagate a flame (sometimes referred to as LFL). The MEC for grain dust is 0.055 oz. /ft³.

Definition OCCUPANCY CLASSIFICATION. [BG] Institutional Group I-2. Amend Occupancy Conditions to read as follows:

Occupancy Conditions. Buildings of Group I-2 shall be classified as one of the following occupancy conditions and shall comply with Section 407 of the International Building Code:

[BG] Condition 1. This occupancy condition shall include facilities that provide nursing and medical care but do not provide emergency care, surgery, obstetrics, or in-patient stabilization units for psychiatric or detoxification, including, but not limited to, nursing homes, memory care facilities, and foster care facilities.

Definition PILE. Add a definition to read as follows:

PILE. Independently stacked commodities possibly organized by separate spacers, dunnage, or pallets in which the demise of any storage container on a lower tier compromises the structural stability of the storage system.

Definition POST OIL PROCESSING. Add a definition to read as follows:

POST OIL PROCESSING. The process of refining essential oils after extraction from the plant material, including, but not limited to dewaxing, and winterization processes.

Definition POWERED MICROMOBILITY DEVICES. Add a definition to read as follows:

POWERED MICROMOBILITY DEVICES. Motorized bicycles, motorized scooters, and other personal mobility devices powered by a lithium-ion or lithium metal battery. The term does not include motor vehicles that are required to be registered with the Department of Motor Vehicles for the state or jurisdiction.

Definition RACK. Add a definition to read as follows:

RACK. Shelves or similar structural frame-supported system of tiers in which the demise of any storage container on a lower tier does not affect the structural stability of the storage system.

Part II – General Safety Provisions

CHAPTER 3 GENERAL REQUIREMENTS

SECTION 301 GENERAL

Section 301.2 Permits. Amend Section 301.2 to read as follows:

301.2 Permits. Permits shall be required as set forth in Section 105.5 for the activities or uses regulated by Sections 306, 307, 308, 315, 320, 322, and 324

SECTION 304 COMBUSTIBLE WASTE MATERIAL

SECTION 307 OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIRE PLACES

Section 307.1.2 Burn restrictions and burn bans. Add a new Section 307.1.2 to read as follows:

307.1.2 Burn restrictions and burn bans. The Fire Chief of a fire jurisdiction is authorized to issue a burn restriction or burn ban as deemed necessary when local conditions make recreational fires, open burning, other open flame, or similar activities hazardous or objectionable. County wide burn bans shall be issued by the Fire Warden (El Paso County Sherrieff).

Section 307.2.2 Air quality permits. Add a new Section 307.2.2 to read as follows:

307.2.2 Air quality permits. Air quality permits may be required by the State of Colorado Department of Health Air Quality Program for any type of open burning listed in Section 307. It is the

responsibility of the permit holder to contact the State of Colorado Department of Health and/or the El Paso County Department of Health to determine if an Air Quality Permit is required.

Section 307.4.1 Bonfires. Amend Section 307.4.1 to read as follows:

307.4.1 Bonfires. A bonfire shall not be conducted within 50 feet (15 240 mm) of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions that could cause a fire to spread within 50 feet (15 240 mm) of a structure shall be eliminated prior to ignition. A bonfire is generally classified as combustible products stacked or organized greater than 3 feet in diameter and 2 feet in height, utilized for any religious, celebratory, or similar purpose.

Section 307.4.1.1 Materials. Add a new Section 307.4.1.1 to read as follows:

307.4.1.1 Materials. Bonfires shall be constructed of solid wood products as approved by the fire code official and void of any trash, debris, or rubbish. Bonfires should not use flammable liquid as an ignition source.

Section 307.4.2 Recreational fires. Amend Section 307.4.2 to read as follows:

307.4.2 Recreational fires. Recreational fires shall not be conducted within 10 feet of a structure or combustible material. Conditions that could cause a fire to spread within 10 feet of a structure shall be eliminated prior to ignition.

Section 307.4.3 Portable outdoor fireplaces. Amend section 307.4.3 to read as follows:

307.4.3 Portable outdoor fireplaces. Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 10 feet of a structure or combustible material.

Exception: Occupants of one- and- two family dwellings:

1. Shall operate portable outdoor fireplaces in accordance with the manufacturer's instructions.
2. May operate portable outdoor fireplaces with no minimum distance requirement from a structure or combustible material affiliated with occupants of the one- or two-family dwelling.
3. Shall NOT operate a portable outdoor fireplace within 10 feet of a neighboring structure or combustible material, including but not limited to a tree, bush, or common fence.

Section 307.4.3.1 Spark arrestor. Add a new Section 307.4.3.1 to read as follows:

307.4.3.1 Spark arrestor. Use of a functional spark arrestor is required for all solid fuels such as wood or charcoal, for recreational fires, and all outdoor fireplaces.

Section 307.5 Attendance. Amend Section 307.5 to read as follows:

307.5 Attendance. Open burning, bonfires, recreational fires, and use of portable outdoor fireplaces shall be constantly attended by a minimum of one alert, ambulatory, unimpaired, responsible adult until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt,

sand, water barrel, garden hose, or water truck, shall be available for immediate utilization by the attendant responsible.

SECTION 308 OPEN FLAMES

Section 308.1.4 Open-flame cooking devices. Amend Section 308.1.4 to read as follows:

308.1.4 Open-flame cooking devices. Charcoal and solid-fuel burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048mm) of combustible construction. Exceptions:

1. One- and two-family dwellings.
2. Where buildings, balconies, and decks are protected by an automatic sprinkler system.
3. LPG cooking devices having LPG container with a water capacity not greater than 47 pounds [nominal 20-pound LPG capacity].

Section 308.1.4.1 Valves. Add a new Section 308.1.4.1 to read as follows:

308.1.4.1. Valves. All valves shall be turned off when propane cylinders are not in use.

Section 308.1.4.2 Egress from buildings. Add a new Section 308.1.4.2 to read as follows:

308.1.4.2 Egress from buildings. Open flame devices shall never be used or stored in or near stairwells, corridors, or other areas that are intended to be used as a means of egress or considered an interior living space.

Section 308.2 Permits required. Amend Section 308.2 to read as follows:

308.2 Permits required. Permits shall be obtained from the fire code official in accordance with Section 105.5 prior to engaging in the following activities involving open flame, fire, and burning:

1. Use of a torch or flame-producing device to remove paint from a structure.
2. Use of open flame, fire, or burning in connection with Group A or E occupancies.
3. Use or operation of torches and other devices, machines, or processes liable to start or cause a fire in or on wildfire risk areas.
4. Use of flame effects before a proximal audience.

SECTION 316 HAZARDS TO FIRE FIGHTERS

Section 316.3.1 Modifications and alterations. Add a new section 316.3.1 to read as follows:

316.3.1 Modifications and alterations. Modifications, alterations, or changes made to buildings and structures that are of non-approved work and pose a threat to the life and safety of emergency responders are prohibited.

SECTION 319 MOBILE FOOD PREPARATION VEHICLES

Section 319.4.1 Fire protection for cooking equipment. Amend Section 319.4.1 to read as follows:

Section 319.4.1 Fire protection for cooking equipment. Cooking equipment shall be protected by automatic fire extinguishing systems in accordance with Section 904.13.

Exception: If the vehicle was designed and constructed or cooking appliances were installed prior to April 1, 2026, or an approval from the fire code official.

SECTION 322 STORAGE OF LITHIUM-ION AND LITHIUM METAL BATTERIES. ADD A NEW SECTION 322 TO READ AS FOLLOWS:

SECTION 322 - STORAGE OF LITHIUM-ION AND LITHIUM METAL BATTERIES

Section 322.1. Add a new Section 322.1 to read as follows:

322.1 General. The storage of lithium-ion and lithium metal batteries shall comply with Section 322.

Exceptions:

1. New or refurbished batteries installed in the equipment, devices, or vehicles they are designed to power.
2. New or refurbished batteries packed for use with the equipment, devices, or vehicles they are designed to power.
3. Batteries in original retail packaging that are rated at 300 watt-hours or less for lithium-ion batteries or contain 25 grams or less of lithium metal for lithium metal batteries.
4. Temporary storage of batteries or battery components during the battery manufacturing process before completion of final quality control checks.
5. Temporary storage of batteries during the vehicle manufacturing or repair process.

Section 322.2 Permits. Add a new Section 322.2 to read as follows:

322.2 Permits. Permits shall be required for an accumulation of more than 15 cubic feet of lithium-ion and lithium metal batteries, other than batteries listed in the exceptions to Section 322.1, as set forth in Section 105.5.53.

Section 322.3 Fire safety plan. Add a new Section 322.3 to read as follows:

322.3 Fire safety plan. A fire safety plan shall be provided in accordance with Section 403.10.6. In addition, the fire safety plan shall include emergency response actions to be taken upon detection of a fire or possible fire involving lithium-ion or lithium metal battery storage.

Section 322.4 Storage requirements. Add a new Section 322.4 to read as follows:

322.4 Storage requirements. Lithium-ion and lithium metal batteries shall be stored in accordance with Section 322.4.1, 322.4.2, or 322.4.3, as applicable.

Section 322.4.1 Limited indoor storage in containers. Add a new Section 322.4.1 to read as follows:

322.4.1 Limited indoor storage in containers. Not more than 5 cubic feet of lithium-ion or lithium metal loose discarded batteries shall be permitted to be stored in containers in accordance with all the following.

1. Containers shall be open-top and constructed of noncombustible materials or shall be approved for battery collection.
2. A second container or group of containers shall be separated by not less than 3 feet of open space, or 10 feet of space that contains combustible materials.
3. Containers shall be located not less than 5 feet from exits or exit access doors.

Section 322.4.2 Indoor storage area. Add a new Section 322.4.2 to read as follows:

322.4.2 Indoor storage areas. Indoor storage areas for lithium-ion and lithium metal batteries, other than those complying with Section 322.4.1, shall comply with Sections 322.4.2.1 through 322.4.2.6.

Section 322.4.2.1 Technical opinion and report. Add a new Section 322.4.2.1 to read as follows:

322.4.2.1 Technical opinion and report. A technical opinion and report complying with Section 104.8.2 shall be prepared to evaluate the fire and explosion risks associated with the indoor storage area and to make recommendations for fire and explosion protection. The report shall be submitted to the fire code official and shall require the fire code official's approval prior to issuance of a permit. In addition to the requirements of Section 104.8.2, the technical opinion and report shall specifically evaluate the following:

1. The potential for deflagration of flammable gases released during a thermal runaway event.
2. The basis of design for an automatic sprinkler system, approved fire suppression system, and fire alarm system. Such design basis shall reference relevant full-scale fire testing or another approved method of demonstrating sufficiency of the recommended design.

Section 322.4.2.2 Construction requirements. Add a new Section 322.4.2.2 to read as follows:

322.4.2.2 Construction requirements. Where indoor storage areas for lithium-ion and lithium metal batteries are in a building with other uses, battery storage areas shall be separated from the remainder of the building by 2-hour rated fire barriers or horizontal assemblies. Fire barriers shall be constructed in accordance with Section

707 of the International Building Code, and horizontal assemblies shall be constructed in accordance with Section 711 of the International Building Code. Exceptions:

1. Where battery storage is contained in one or more approved prefabricated portable structures providing a complete 2-hour fire resistance rated enclosure, fire barriers and horizontal assemblies are not required.
2. Where battery storage is limited to new batteries in packaging that has been demonstrated to and approved by the fire code official as sufficient to isolate a fire in packaging to the package interior, fire barriers and horizontal assemblies are not required.

Section 322.4.2.3 Fire protection systems. Add a new Section 322.4.2.3 to read as follows:

322.4.2.3 Fire protection systems. Indoor storage areas for lithium-ion and lithium metal batteries shall be protected by an automatic sprinkler system complying with Section 903.3.1.1 or an approved alternative fire suppression system. The system design shall be based on recommendations in the approved technical opinion and report required by Section 322.4.2.1.

Section 322.4.2.4 Fire alarm systems. Add a new Section 322.4.2.4 to read as follows:

322.4.2.4 Fire alarm systems. Indoor storage areas for lithium-ion and lithium metal batteries shall be provided with an approved automatic fire detection and alarm system complying with Section 907. The fire detection system shall use air-aspirating smoke detection, radiant energy-sensing fire detection, or both. The system design shall be based on recommendations in the approved technical opinion and report required by Section 322.4.2.1.

Section 322.4.2.5 Explosion control. Add a new Section 322.4.2.5 to read as follows:

322.4.2.5 Explosion control. Where the approved technical opinion and report required by Section 322.4.2.1 recommends explosion control, explosion control complying with Section 911 shall be provided.

Section 322.4.2.6 Reduced requirements. Add a new Section 322.4.2.6 to read as follows:

322.4.2.6 Reduced requirements for storage of partially charged batteries. Indoor storage areas for lithium-ion and lithium metal batteries with a demonstrated state of charge not exceeding 30 percent shall not be required to comply with Sections 322.4.2.1, 322.4.2.2, or 322.4.2.5, provided that procedures for limiting and verifying that the state of charge will not exceed 30 percent have been approved.

Section 322.4.3 Outdoor storage. Add a new Section 322.4.3 to read as follows:

322.4.3 Outdoor Storage. Outdoor storage of lithium-ion or lithium metal batteries shall comply with Sections 322.4.3.1 through 322.4.3.3.

Section 322.4.3.1 Distance from storage to exposures. Add a new Section 322.4.3.1 to read as follows:

322.4.3.1 Distance from storage to exposures. Outdoor storage of lithium-ion or lithium metal batteries, including storage beneath weather protection in accordance with Section 414.6.1 of the International Building Code, shall comply with one of the following.

1. Battery storage shall be located not less than 20 feet from any building, lot line, public street, public alley, public way, or means of egress.
2. Battery storage shall be located not less than 3 feet from any building, lot line, public street, public alley, public way, or means of egress, where the battery storage is separated by a 2-hour fire-resistance-rated assembly without openings or penetrations and extending 5 feet above and to the sides of the battery storage area.
3. Battery storage shall be located not less than 3 feet from any building, lot line, public street, public alley, public way, or means of egress, where batteries are contained in approved prefabricated portable structures providing a complete 2-hour fire-resistance-rated enclosure.

Section 322.4.3.2 Storage area size limits and separation. Add a new Section 322.4.3.2 to read as follows:

322.4.3.2 Storage area size limits and separation. Outdoor storage areas for lithium-ion or lithium metal batteries, including storage beneath weather protection in accordance with Section 414.6.1 of the International Building Code, shall not exceed 900 sq. ft. The height of battery storage in such areas shall not exceed 10 feet. Multiple battery storage areas shall be separated from each other by not less than 10 feet of open space.

Section 322.4.3.3 Fire Detection. Add a new Section 322.4.3.3 to read as follows:

322.4.3.3 Fire detection. Outdoor storage areas for lithium-ion or lithium metal batteries, regardless of whether such areas are open, under weather protection, or in a prefabricated portable structure, shall be provided with an approved automatic fire detection and alarm system complying with Section 907. The fire detection system shall use radiant energy-sensing fire detection.

SECTION 323 POWERED MICROMOBILITY DEVICES. ADD A NEW SECTION 323 TO READ AS FOLLOWS:

SECTION 323 POWERED MICROMOBILITY DEVICES

Section 323.1 General. Add a new Section 323.1 to read as follows:

323.1 General. Lithium-ion and lithium metal battery-powered micromobility devices shall be operated and maintained in accordance with this section.

Exceptions:

1. Storage, repair, and charging in residential occupancies of battery-powered mobility devices, provided that such devices are for personal use by its owner.
2. Charging of a single powered mobility device in any occupancy by its owner.

323.1.1 Prohibited locations. The use of a residential occupancy as a business for the charging of commercially owned powered mobility devices as part of a rental or sales service shall not be permitted.

Section 323.2 Battery chargers and equipment. Add a new Section 323.2 to read as follows:

323.2 Battery chargers and equipment. Powered micromobility devices shall be charged in accordance with their listing and the manufacturer's instructions using only the original equipment manufacturer-supplied charging equipment or charging equipment in accordance with the listing and manufacturer's instructions.

Section 323.3 Listing. Add a new Section 323.3 to read as follows:

323.3 Listing. Powered micromobility devices shall be listed and labeled in accordance with UL 2272 or UL 2849, as applicable.

Section 323.4 Battery charging areas. Add a new Section 323.4 to read as follows:

323.4 Battery charging areas. Where approved, powered micromobility devices shall be permitted to be charged in a room or area that complies with all the following:

1. Only listed devices utilizing listed charging equipment shall be permitted to be charged.
2. Is provided with sufficient electrical receptacles to allow the charging equipment for each device to be directly connected to a receptacle. Extension cords and relocatable power taps shall not be used.
3. Storage of combustible materials, combustible waste, or hazardous materials shall not be permitted.
4. The charging operation shall not be conducted in or obstruct any required means of egress.
5. Removable storage batteries shall not be stacked or charged in an enclosed cabinet unless the cabinet is specially designed and approved for such purpose.
6. A minimum distance of 18 inches shall be maintained between each removable storage battery during charging operations unless each battery is isolated from neighboring batteries by an approved fire resistant material.
7. A minimum of 18 inches shall be maintained between the locations of the batteries on each powered micromobility device during charging operations.
8. The indoor room or area shall be protected by a fire alarm system utilizing air-aspirating smoke detectors or radiant energy-sensing fire detection.

Section 323.5 Fire safety plan. Add a new Section 323.5 to read as follows:

323.5 Fire safety plan. A fire safety plan shall be provided in accordance with Section 403.10.6. In addition, the fire safety plan shall include emergency response actions to be taken upon detection of a fire or possible fire involving lithium-ion or lithium metal battery storage.

SECTION 324 ELECTRIC VEHICLE (EV) CHARGING STATIONS. ADD A NEW SECTION 324 TO READ AS FOLLOWS:

SECTION 324 ELECTRIC VEHICLE (EV) CHARGING STATIONS.

Section 324.1 Scope. Add a new Section 324.1 to read as follows:

324.1 Scope. Electric vehicle charging stations installed inside of buildings or open parking lots shall be in compliance with the International Building Code, NFPA 70, and this Section as applicable.

Section 324.2 Permit. Add a new Section 324.2 to read as follows:

324.2 Permit. Permits shall be obtained for Direct Current Fast Charging (DCFC) stations as set forth in Section 105.6.

Section 324.3 Access. Add a new Section 324.3 to read as follows:

324.3 Access. Approved fire suppression access shall be provided for all electric vehicle charging stations.

Section 324.4 Listing. Add a new Section 324.4 to read as follows:

324.4 Listing. Electric vehicle charging system equipment shall be listed and labeled in accordance with UL 2202. Electric vehicle supply equipment shall be listed and labeled in accordance with UL 2594.

Section 324.5 Landscape. Add a new Section 324.5 to read as follows:

324.5 Landscape. Landscaping shall not obstruct access to electric vehicle charging stations. Weeds, grass, brush, trash, and other combustible materials shall be kept not less than 10 feet from electrical vehicle charging station.

Section 324.6 Location. Add a new Section 324.6 to read as follows:

324.6 Location. Electric vehicle charging equipment shall be designed and located in a manner that does not create a safety hazard or impede pedestrian, bicycle, or wheelchair movement. Direct current fast charging stations shall be located at grade and not within 25 feet of any exit discharge.

Section 324.7 Emergency disconnect. Add a new Section 324.8 to read as follows:

324.7 Emergency disconnect. An emergency disconnect switch shall be located at least 20 feet but not more than 100 feet away from all direct current fast charging stations.

Section 324.8 Labeling and signage. Add a new Section 324.9 to read as follows:

324.8 Labeling and signage. Permanently affixed labels shall be posted on electronic vehicle charging stations identifying voltage, amperage level, and emergency disconnect location as approved by the fire code official. Safety information related to the operation of the charging station may also be required.

Section 324.9 Separation. Add a new section 324.10 to read as follows:

321.9 Separation. Electric vehicle charging stations shall be segregated into groups not exceeding eight (8) parking spaces consecutively. Each group of charging stations shall be separated by one of the following methods:

1. A minimum of 9 feet separation from neighboring vehicles.
2. A 2-hour fire barrier constructed in accordance with Section 707 of the International Building Code and 2-hour horizontal assembly constructed in accordance with Section 711 of the International Building Code, as appropriate.
3. Alternative separation methods may be permitted as approved by the fire code official.

Exception: Fleet vehicles owned by a single entity may be exempt from separation requirements where approved by the fire code official.

Section 324.10 Vehicle impact protection. Add a new Section 324.11 to read as follows:

324.10 Vehicle impact protection. Where provided, vehicle impact protection shall be in accordance with Section 312.

Section 324.11 Maintenance. Add a new Section 324.12 to read as follows:

324.11 Maintenance. Electric vehicle charging stations shall be properly maintained. Contact information shall be provided on the equipment to address the responsible party of equipment malfunction.

Section 324.12 Securing. Add a new Section 324.13 to read as follows:

324.12 Securing. Electric vehicle charging stations shall be capable of securing electrical discharge when vehicles is not connected. Plug shall be secured from non-authorized use and/or tamper.

CHAPTER 4 EMERGENCY PLANNING AND PREPAREDNESS

SECTION 401 GENERAL

Section 401.1 Scope. Amend Section 401.1 to read as follows:

401.1 Scope. Reporting of emergencies, coordination with emergency response forces, emergency plans, and procedures for managing or responding to emergencies shall comply with the provisions of this section.

SECTION 403 EMERGENCY PREPAREDNESS REQUIREMENTS

Section 403.4.3 Assembly points. Amend Section 403.4.3 to read as follows:

403.4.3 Assembly points. Outdoor assembly areas shall be designated and shall be located a safe distance from the building being evacuated so as to avoid interference with fire department operations. Outdoor assembly areas shall be accessed via an accessible route. The assembly areas shall be arranged to keep each class separate to provide accountability of all individuals.

Section 403.10.6 Lithium-ion and lithium metal batteries. Add a new Section 403.10.6 to read as follows:

403.10.6 Lithium-ion and lithium metal batteries. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for occupancies that involve activities for the research and development, testing, manufacturing, handling, storage of lithium-ion batteries or lithium metal batteries of a fire area exceeding 500 square feet, or the repair or servicing of vehicles powered by lithium-ion batteries or lithium metal batteries.

Exceptions:

1. New or refurbished batteries installed for use in the equipment or vehicles they are designed to power.
2. New or refurbished batteries packed for use with the equipment or vehicles they are designed to power for merchandizing purposes.

3. New or refurbished lithium-ion batteries rated at no more than 300 Watt-hours and lithium metal batteries containing no more than 25 grams of lithium metal in their original retail packaging.
4. The storage, repair, and charging activities in detached one-and two-family dwellings and townhouses, provided that such devices are for personal use.
5. The storage, repair, and charging activities associated with personal use in sleeping units and dwelling units of Group R-1 and R-2 occupancies.

Section 403.10.6.1 Mitigation planning. Add a new Section 403.10.6.1 to read as follows:

403.10.6.1 Mitigation planning. The approved fire safety and evacuation plan shall include thermal runaway event mitigation; measures addressing activities undertaken to prevent thermal runaway; early detection of a thermal runaway event; and mitigation measures to be undertaken to limit the size and impact of the event on occupants and the facility.

SECTION 404 FIRE SAFETY, EVACUATION AND LOCKDOWN PLANS

Section 404.2.1 Fire evacuation plans. Amend Section 404.2.1 to read as follows:

404.2.1 Fire evacuation plans. Fire evacuation plans shall include the following:

1. Emergency egress or escape routes and whether evacuation of the building is to be complete by selected floors or areas only or with a defend-in-place response.
2. Procedures for employees who must remain to operate critical equipment before evacuating.
3. Procedures for the use of elevators to evacuate the building where occupant evacuation elevators complying with Section 3008 of the International Building Code are provided.
4. Procedures for assisted rescue for persons unable to use the general means of egress unassisted.
5. Procedures for accounting for employees and occupants after evacuation has been completed.
6. Identification and assignment of personnel responsible for rescue or emergency medical aid.
7. The preferred and any alternative means of notifying occupants of a fire or emergency.
8. The preferred and any alternative means of reporting fires and other emergencies to the fire department or designated emergency response organization.
9. Identification and assignment of personnel who can be contacted for further information or explanation of duties under the plan.
10. A description of the emergency voice/alarm communication system alert tone and preprogrammed voice messages, where provided.
11. Outdoor assembly areas shall be accessible by all occupants. Outdoor assembly areas shall be designated and shall be located a safe distance, as approved by the fire code official, from the building being evacuated so as to avoid interference with fire department operations.

Section 404.2.2 Fire safety plans. Amend Section 404.2.2 to read as follows:

404.2.2 Fire safety plans. Fire safety plans shall include the following:

1. The procedure for reporting a fire or other emergency.
2. The life safety strategy includes the following:
 - 2.1. Procedures for notifying occupants, including areas with a private mode alarm system.
 - 2.2. Procedures for occupants under a defend in-place response.
 - 2.3. Procedures for evacuating occupants, including those who need evacuation assistance.
3. Site plans indicating the following:
 - 3.1. The occupancy assembly point.
 - 3.2. The locations of fire hydrants.
 - 3.3. The normal routes of fire department vehicle access.
4. Floor plans identifying the locations of the following:
 - 4.1. Exits.
 - 4.2. Primary evacuation routes.
 - 4.3. Secondary evacuation routes.
 - 4.4. Accessible egress routes.
 - 1.5 Areas of refuge.
 - 1.6 Exterior areas for assisted rescue.
 - 1.7 Refuge areas associated with smoke barriers and horizontal exits.
 - 1.8 Manual fire alarm boxes.
 - 1.9 Portable fire extinguishers.
 - 1.10 Fire alarm annunciators and controls.
5. A list of major fire hazards associated with the normal use and occupancy of the premises, including maintenance and housekeeping procedures.
6. Identification and assignment of personnel responsible for maintenance of systems and equipment installed to prevent or control fires.
7. Identification and assignment of personnel responsible for maintenance, housekeeping, and controlling fuel hazard sources.

SECTION 408 FIRE WATCH. ADD A NEW SECTION 408 TO READ AS FOLLOWS:

SECTION 408 FIRE WATCH

Section 408.1 General. Add a new Section 408.1 to read as follows:

408.1 General. Fire Watch shall be required at the discretion of the fire code official for a building with a disabled fire protection system, or when there are situations that could compromise the public's safety.

Section 408.2 Fire Watch Duties. Add a new Section 408.2 to read as follows:

408.2 Fire Watch Duties. The primary duty of fire watch personnel shall be to perform constant patrols and watch for the occurrence of fire. The combination of fire watch duties and site security duties is acceptable if approved by the fire code official.

1. Conduct continuous patrols of the entire facility (or affected area)
2. Identify any fire, life, or property hazards.

3. Immediately notify the Fire Department if a fire is discovered by calling 9-1-1.
4. Notify occupants of the facility of the need to evacuate.
5. Maintain a log of Fire Watch activities.
6. Fire Watch personnel cannot have other duties besides their assigned Fire Watch except those assigned or approved by the fire code official.
7. Fire Watch personnel must be familiar with the existing system of the facility.

Section 408.2.1 Fire Watch patrol frequency. Add a new Section 408.2.1 to read as follows:

408.2.1 Fire Watch patrol frequency. Fire Watch personnel shall continuously patrol the entire facility (or affected area) in a manner such that the entire patrol area is inspected every 30 minutes. If the patrol cannot be completed in 30 minutes more personnel are needed to perform the fire watch.

Exception: Based on the risk, facilities such as those with occupant's incapable of self-preservation, shall be patrolled every 15 minutes.

Section 408.2.2 Fire Watch log. Add a new Section 408.2.2 to read as follows:

408.2.2 Fire Watch log. A Fire Watch log shall be maintained on-site. The log must be available at all times until the Fire Watch has been terminated by fire code official. Records shall be made available for review by the fire code official upon request the log shall show the following:

1. Name of the person conducting the Fire Watch.
2. Times that each patrol was started and completed.

Section 408.3 Fire Watch levels. Add a new Section 408.3 to read as follows:

408.3 Fire Watch levels. Levels of Fire Watch are based on occupancy types and shall adhere to Table 408.3(1) and Table 408.3(2). Modification to Fire Watch shall be at the discretion of the fire code official prior to modifications are implemented.

Table 408.3(1) Fire Watch level. Add a new Table 408.3(1) to read as follows:

Table 408.3(1) Fire Watch level

LEVEL 1	Continuous monitoring of the affected area for signs of smoke or fire for the sole purpose of notifying emergency services (dialing 9-1-1)	One or more approved employees of the building owner; security guards; or qualified fire department personnel
LEVEL 2	Same as Level 1 and assist with evacuation	Same as LEVEL 1
LEVEL 3	Same as Level 2 and fire extinguishment / hazard mitigation	One or more qualified fire department personnel. NOTE: An emergency action plan may be required. Established only by fire code official

Table 408.3(2) Fire Watch per occupancy classification. Add a new Table 408.3(2) to read as follows:

Table 408.3 (2) Fire Watch per occupancy classification

Situation	Level of Fire Watch per Occupancy Classification					
	A	B, M	E	H	F, I, R	S
Loss of any required fire protection system	1 or 2	1A	2 ^B	2 or 3	1, 2, or 3	1 ^C , 2 ^D , or 3
Special circumstances such as an occupant load increase, or the nature of the activity.	3	ESTABLISHED ONLY BY THE FIRE CODE OFFICIAL. AS REQUIRED BY FIRE INSPECTION OR OTHER CIRCUMSTANCES				

- a. All building occupants and/or staff must be notified that the system(s) are out of service.
- b. Only while the building is occupied, and all staff must be notified that the system(s) are out of service.
- c. Stocked but no occupants.
- d. During operations.

Section 408.4 Fire Watch fees. Add a new Section 408.4, to read as follows:

408.4 Fire Watch fees. Fire Watch involving fire department personnel shall have fees assessed as set forth in the approved/adopted fee schedule.

Part III – Building and Equipment Design Features

CHAPTER 5 FIRE SERVICE FEATURES

SECTION 501 GENERAL

Section 501.1 Scope. Amend Section 501.1 to read as follows:

501.1 Scope. Fire service features for buildings, structures, and premises shall comply with this chapter and Appendix D.

SECTION 503 FIRE APPARATUS ACCESS ROADS

Section 503.1 Where required. Amend Section 503.1 to read as follows:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and Appendix D.

Section 503.2 Specifications. Amend Section 503.2 to read as follows:

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8 and Appendix D.

Section 503.3 Marking. Amend Section 503.3 to read as follows:

Section 503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words “NO PARKING – FIRE LANE” shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. Markings shall be provided for and maintained in accordance with section D103.6.

Section 503.4 Obstruction of fire apparatus access roads. Amend Section 503.4 to read as follows:

Section 503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1, 503.2.2, Appendix D, and any area marked as a fire lane as described in Section 503.3 shall be maintained at all times.

SECTION 505 PREMISES IDENTIFICATION

Section 505.1 Address identification. Amend Section 505.1 to read as follows:

505.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 5 inches high with a minimum stroke width of 1/2 inch. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure. Address identification shall be maintained.

Section 505.1.1 Suite numbers. Add a new Section 505.1.1 to read as follows:

505.1.1 Suite numbers. Any area occupied by tenants of a mall or shopping center, or any area used for other than single-unit or multi-unit residential occupancy that abuts a public courtyard or other public space shall be identified by numbers that are a minimum of 4 inches (101.6 mm) in height with a minimum stroke of 1/2 inch (12.7mm) so as to be plainly visible and legible from a distance of at least fifty (50) feet (1.5 m) from the main entrance to the area.

Section 505.1.2 Addressing of rear doors. Add a new Section 505.1.2 to read as follows:

505.1.2 Addressing of rear doors. The rear door entrance of access doors of all malls, strip centers, commercial center buildings and other areas with multi-tenant spaces shall be identified with the appropriate address number and business name. The address numbers and/or letters shall be at least 3 inches (76.2 mm) in height and no less than three-eighths (3/8) inch (9.5 mm) stroke.

SECTION 506 KEY BOXES

Section 506.1 Where required. Amend Section 506.1 to read as follows:

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for lifesaving, fire-fighting purposes, or where monitored fire protection systems or elevators exist in the building, the fire code official is authorized to require a key box to be installed on new and existing buildings; and in an approved location. The key box shall be of an approved type listed in accordance with UL 1037 and shall contain keys to gain necessary access as required by the fire code official.

SECTION 507 FIRE PROTECTION WATER SUPPLIES

Section 507.3 Fire Flow. Amend Section 507.3 to read as follows:

507.3 Fire Flow. Fire flow requirements for buildings or portion of buildings and facilities shall be determined as outlined in Appendix B of this code.

Section 507.5 Fire hydrant systems. Amend Section 507.5 to read as follows:

507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6, NFPA 24, and Appendix C.

Section 507.5.1 Where required. Amend Section 507.5.1 to read as follows.

507.5.1 Where required. Where a portion of the facility of building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions:

1. For Group R3 and Group U occupancies, the distance requirement shall be 500 feet.
2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 500 feet.
3. Use of alternative water supply per NFPA 1142 or the International Wildland-Urban Interface Code as authorized by the fire code official.

Section 507.5.1.1 Hydrant for standpipe. Amend Section 507.5.1.1 to read as follows:

507.5.1.1 Hydrant for standpipe and fire sprinkler systems. Buildings equipped with a standpipe and/or fire sprinkler system installed in accordance with Chapter 9 shall have a fire hydrant within 100 feet (30.4 m) of the fire department connection.

SECTION 509 FIRE PROTECTION AND UTILITY EQUIPMENT IDENTIFICATION AND ACCESS

Section 509.2.1 Clear space. Add Section 509.2.1 to read as follows:

Section 509.2.1 Clear space. A three (3) foot clear space shall be maintained in front of, to the side of, and around, fire protection equipment, to include all fire sprinkler riser assemblies, control valves, fire alarm control panels, fire alarm annunciators, and power supply panels. This clear space shall include an unobstructed path of travel to the fire protection system appurtenances.

SECTION 510 EMERGENCY RESPONDER COMMUNICATION COVERAGE

Section 510.4 Technical requirements. Amend section 510.4 to read as follows:

510.4 Technical requirements. Systems, components, and equipment required to provide the emergency responder radio coverage system shall comply with this section, the published technical and performance rules and regulations of the Pikes Peak Radio Communications Network and NFPA 1225 Standard for Emergency Services Communications.

SECTION 511 FIRE FIGHTER AIR REPLENISHMENT SYSTEMS. ADD A NEW SECTION 511 TO READ AS FOLLOWS:

SECTION 511 FIRE FIGHTER AIR REPLENISHMENT SYSTEMS.

Section 511.1 General. Add a new Section 511.1 to read as follows:

511.1 General. Where required by the fire code official, a fire fighter air replenishment system shall be provided in accordance with Appendix L101.2.

CHAPTER 6 BUILDING SERVICES AND SYSTEMS

SECTION 603 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS

Section 603.5 Relocatable power taps and current taps. Amend Section 603.5 to read as follows:

603.5 Relocatable power taps and current taps. The construction and use of current taps and relocatable taps shall be in accordance with NFPA 70 and this code. Multiplug adapters, such cube adapters, unfused plug strips or any other device not complying with NFPA 70 shall be prohibited.

Section 603.5.2 Application and use. Amend Section 603.5.2 to read as follows:

603.5.2 Application and use. Relocatable power taps and current taps shall be directly connected to a permanently installed receptacle.

SECTION 611 MAGNETIC RESONANCE IMAGING FACILITIES. ADD A NEW SECTION 611 TO READ AS FOLLOWS:

SECTION 611 MAGNETIC RESONANCE IMAGING FACILITIES

Section 611.1 General. Add a new Section 611.1 to read as follows:

611.1 General. Magnetic resonance imaging (MRI) facilities shall be inspected, tested, and maintained in accordance with the most current American College of Radiology (ACR) safety Guidelines and NFPA 99 Health Care Facilities Code.

Exception: As approved by the fire code official, existing facilities may comply with the edition in effect at the time of installation.

Section 611.2 Records. Add a new Section 611.2 to read as follows:

611.2 Records. Records shall be maintained of all testing and repair conducted on the MRI device/facility and associated devices and equipment. Records shall be available to the fire code official.

Section 611.3 Zones. Add a new Section 611.3 to read as follows:

611.3 Zones. All MRI Zones shall be clearly established within the facility with proper signage per the ACR.

Section 611.4 Signage. Add a new Section 611.4 to read as follows:

611.4 Signage. In addition to the ACR required signage an NFPA 704 shall be required at the entry to the MRI Level IV zone.

Section 611.4.1 Size. Add a new Section 611.4.1 to read as follows:

611.4.1 Size. The NFPA 704 signage at the MRI level IV Zone shall be a minimum of 7-1/2 IN x 7-1/2 IN with each individual block being a minimum of 3-1/4 IN x 3-1/4 IN. The following shall be in each individual block. Blue-2, Red-0, Yellow-0, White MRI.

CHAPTER 7 FIRE AND SMOKE PROTECTION FEATURES

CHAPTER 8 INTERIOR FINISH, DECORATIVE MATERIALS, AND FURNISHINGS

SECTION 806 NATURAL DECORATIVE VEGETATION IN NEW AND EXISTING BUILDINGS

Section 806.5 Maintenance. Add a new Section 806.5 to read as follows:

806.5 Maintenance. Live natural vegetation shall be maintained. Dried out dead vegetation shall be removed.

CHAPTER 9 FIRE PROTECTION SYSTEMS

SECTION 901 GENERAL

Section 901.1.1 Approved Contractors. Add a new Section 901.1.1 to read as follows:

901.1.1 Approved Contractors. All fire protection systems and appliances referenced by this code shall be designed, installed, repaired, inspected, tagged, and maintained by an approved licensed

contractor. Private fire hydrants shall be inspected and maintained by an approved licensed contractor.

Exceptions:

1. Non-rechargeable portable fire extinguishers are permitted to be inspected by a property owner or management company representative. These individuals are not required to maintain an FSC-D license or Service Technician D. Companies conducting inspections on fire extinguishers shall maintain a current copy of NFPA 10 Standard for Portable Fire Extinguishers as a reference for inspection requirements and shall maintain records of annual inspections as required by NFPA 10.
2. New portable fire extinguishers may be installed and tagged by a general contractor, or a business owner/manager without requiring a fire suppression contractor license.
3. The monthly inspection of portable fire extinguishers required by NFPA 10 Standard for Portable Fire Extinguishers, does not have to be performed by a licensed fire suppression contractor.

Section 901.3.1 Administrative permits. Add a new Section 901.3.1 to read as follows:

901.3.1 Administrative permits. Any additions or remodeling to existing commercial sprinkler systems involving 20 sprinkler heads or less, fire alarm systems involving 5 devices or less, or temporary removal of system components during construction, will not require a construction permit when approved by the fire code official. The approved letters shall become the de-facto permit for the scope of work described therein. The letter submittal and review process shall comply with the guidance documents provided by the fire code official.

Section 901.4.8 System replacement. Add a new Section 901.4.8 to read as follows:

901.4.8 System replacement. Where a fire protection or life safety system is being replaced, the system shall be designed and installed per the current edition of the appropriate NFPA standard. Replacement of fire alarm control units (FACU) shall fall under one of the following conditions:

1. Failure due to damage or age and cannot be repaired or replaced with an identical unit. If the new FACU is not listed as compatible with the remaining existing devices, components, or equipment, the existing required fire alarm system no longer functions as originally designed and installed and the entire system must be brought up to compliance with currently adopted codes and standards.
2. Building or system expansion or modification. If the existing FACU cannot support additional components or equipment resulting from a system expansion of building modification and a new FACU is not listed as compatible with the existing devices, components, or equipment the existing required system must be brought up to compliance with the currently adopted codes and standards.
3. Voluntary replacement. If a new FACU is desired, and one cannot be found that is compatible with the existing devices, components, or equipment, the system must either be left in place as-is or brought up to compliance with currently adopted codes and standards.

Section 901.7 System out of service. Amend Section 901.7 to read as follows:

901.7 Systems out of service. Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall be either evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service.

Where utilized, fire watches shall be provided with not less than one approved means for notification of the fire department, and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires. Follow fire watch requirements as required in section 408.

Exception: Facilities with an approved notification and impairment management program. The notification and impairment program for water-based fire protection systems shall comply with NFPA 25

Section 901.7.7 Permanent removal from service. Add a new Section 901.7.7 to read as follows:

901.7.7 Permanent removal from service. When a fire protection system is permanently removed from service it shall be completely removed from the structure, to include all valves, panels, devices, appliances, wiring, piping, appurtenances, fire department connections, etc. The only portion of the system permitted to remain includes portions concealed in walls or ceilings. The water riser stub coming out of the ground and associated fire line shall be abandoned in accordance with the responsible water district standards. A construction permit per 105.6.26 is required prior to any system removal.

SECTION 903 AUTOMATIC SPRINKLER SYSTEM

Section 903.2.4 Group F-1. Amend Section 903.2.4 to read as follows:

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 12,000 square feet.
2. A Group F-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.
4. A Group F-1 occupancy used to manufacture lithium-ion or lithium metal batteries.
5. A Group F-1 occupancy used to manufacture vehicles, energy storage systems or equipment containing lithium-ion or lithium metal batteries where the batteries are installed as part of the manufacturing process.

Section 903.2.7.3 Lithium-ion or lithium metal battery storage. Add a new Section 903.2.7.3 to read as follows:

903.2.7.3 Lithium-ion or lithium metal battery storage. An automatic sprinkler system shall be provided in a room or space within a Group M occupancy where required for the storage of lithium-ion or lithium metal by Section 322 or Chapter 32 of this code.

Section 903.2.9 Group S-1. Amend Section 903.2.9. to read as follows:

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 12,000 square feet.
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.
4. A Group S-1 fire area used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet.
5. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 square feet.

Section 903.2.9.1 Repair garages. Amend Section 903.2.9.1 to read as follows:

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the International Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 10,000 square feet.
2. Buildings not more than one story above grade plane, with a fire area containing a repair garage exceeding 12,000 square feet.
3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 square feet.
5. A Group S-1 fire area used for the repair of vehicles powered by lithium-ion or lithium metal batteries that exceed 500 square feet.

Section 903.2.11.1.4 Lithium battery laboratories. Add a new Section 903.2.11.1.4 to read as follows:

903.2.11.1.4 Lithium battery laboratories; research and development or testing. An automatic sprinkler system shall be installed throughout the fire areas utilized for the research and development or testing of lithium-ion or lithium metal batteries.

Section 903.3.1.1 NFPA 13 sprinkler system. Amend Section 903.3.1.1 to read as follows:

903.3.1.1 NFPA 13 sprinkler systems. Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in Sections 903.3.1.1.1 and 903.3.1.1.3.

Section 903.3.1.1.1 Exempt locations. Amend Section 903.3.1.1.1 to read as follows:

903.3.1.1.1 Exempt locations. Automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved monitored automatic fire detection system in accordance with Section 907.2 and NFPA 72 that will respond to visible or invisible

particles of combustion. Sprinklers shall not be omitted from a room merely because it is damp, of fire-resistance-rated construction, or contains electrical equipment.

1. A room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. A room or space where sprinklers are considered undesirable because of the nature of the contents, where approved by the fire code official.
3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
4. Safe deposit or other vaults of fire-resistive construction when used for the storage of records, files, and other documents, when stored in metal cabinets.
5. Elevator machine rooms, provided all of the following are met:
 - 5.1. The elevator equipment is to be installed within an enclosure having a fire-resistive rating no less than that specified by the International Building Code
 - 5.2. No combustible storage is permitted to be stored in the room.
 - 5.3. A portable fire extinguisher rated not less than 2A:20BC is provided at the door giving access into the room.

Section 903.3.1.1.3 Shell building design. Add a new Section 903.3.1.1.3 to read as follows:

903.3.1.1.3 Shell building design. Fire sprinkler systems in shell buildings, other than specified as a Group B Occupancy, shall be designed according to the requirements set forth in NFPA 13 for Ordinary Hazard Group II criteria.

Section 903.3.1.1.4 Lithium-ion or lithium metal batteries. Add a new Section 903.3.1.1.4 to read as follows:

903.3.1.1.4 Lithium-ion or lithium metal batteries. Where automatic sprinkler systems are required by this code for areas containing lithium-ion or lithium metal batteries, the design of the system shall be installed in accordance with Section 322.4.2.

903.3.5.2 Residential combination services. Amend Section 903.3.5.2 to read as follows:

903.3.5.2 Residential combination services. A single combination water supply shall be permitted provided that the domestic demand is added to the sprinkler demand as required by NFPA 13D.

Section 903.3.5.3 Dead-end fire service mains. Add new Section:903.3.5.3 to read as follows:

903.3.5.3 Dead-end fire service mains. Unless approved by the fire code official, dead-end fire service mains shall not be used when there is not a reliable secondary or redundant means of water supply within 500 feet of a structure along an approved route.

Section 903.3.5.4 Safety factor in hydraulic information. Add a new Section 903.3.5.4 to read as follows:

903.3.5.4 Safety factor in hydraulic information. A safety factor of 10% shall be incorporated into the fire flow information when designing water-based fire suppression systems.

Section 903.4 Sprinkler system supervision and alarms. Amend Section 903.4 to read as follows:

903.4 Sprinkler system supervision and alarms. Valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and waterflow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Limited area sprinkler systems in accordance with Section 903.3.8.
3. Automatic sprinkler systems installed in accordance with NFPA ~~13R~~ 13D where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths, or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, pre-action, and deluge sprinkler systems that are sealed or locked in the open position.
8. Underground key or hub gate valves in roadway boxes.

Section 903.4.2 Alarms. Amend Section 903.4.2 to read as follows:

903.4.2 Alarms. An approved audible and visual device, located on the exterior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler waterflow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Section 903.4.2.1 Waterflow alarm systems. Add a new Section 903.4.2.1 to read as follows:

903.4.2.1 Waterflow alarm systems. Additional initiating and/or notification devices may be required by the fire code official in normally occupied areas. To include separated occupancies being served by the same automatic sprinkler system.

SECTION 904 ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS

Section 904.2.1 Restriction. Amend Section 904.2.1 to read as follows:

904.2.1 Restriction on using automatic sprinkler system exceptions or reductions. Automatic fire-extinguishing systems shall not be considered alternatives for the purposes of exceptions or reductions permitted for automatic sprinkler systems or by other requirements of this code.

Exception: Data and/or server rooms not exceeding 800 square feet, protected with only an alternative extinguishing system.

Section 904.13.2 System interconnection. Amend Section 904.13.2 to read as follows:

904.13.2 System interconnection. The actuation of the fire extinguishing system shall automatically shut down the fuel and/or electrical power supply to the cooking equipment; any electrical receptacles under the hood and any receptacle that could be used to power equipment located under the hood shall also be shut down. The fuel and electrical power supply reset shall be manual.

Section 904.13.2.1 Ventilation. Add a new Section 904.13.2.1 to read as follows:

904.13.2.1 Ventilation system interconnection. Upon activation of the fire suppression systems, the exhaust for the hood shall remain on.

Section 904.13.6 Monitoring. Add a new Section 904.13.6 to read as follows:

904.13.6 Monitoring. Where an occupancy is equipped with a fire alarm system in accordance with this code, the cooking system shall be connected to the building fire alarm.

SECTION 905 STANDPIPE SYSTEMS

Section 905.3.1 Height Class III. Amend Section 905.3.1 to read as follows:

905.3.1 Height Class I. standpipe systems shall be installed throughout a building where any of the following conditions exist:

1. Four or more stories are above or below grade plane.
2. The floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.
3. The floor level of the lowest story is located more than 30 feet below the highest level of fire department vehicle access.

Exceptions:

1. Class I standpipes are permitted in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Class I standpipes are permitted in Group and E occupancies.
3. Class I standpipes are permitted in parking garages.
4. Class I standpipes are permitted in basements equipped throughout with an automatic sprinkler system.
5. Class I standpipes are permitted in buildings where occupant-use hose lines will not be utilized by trained personnel or the fire department.
6. In determining the lowest level of fire department vehicle access, it shall not be required to consider either of the following:
 - 6.1. Recessed loading docks for four vehicles or less.
 - 6.2. Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.

Section 905.3.4 Stages. Amend Section 905.3.4 to read as follows:

905.3.4 Stages. Stages greater than 1,000 square feet in area shall be equipped with a Class I wet standpipe system with 2½ inch hose connections on each side of the stage.

Section 905.3.4.1 Hose and cabinet. Delete Section 905.3.4.1 in its entirety:

Section 905.3.6 Helistops and heliports. Amend Section 905.3.6 to read as follows:

905.3.6 Helistops and heliports. Buildings with a rooftop helistop or heliport shall be equipped with a Class I standpipe system extended to the roof level on which the helistop or heliport is located in accordance with Section 2007.5.

Section 905.3.8 Landscaped roofs. Amend Section 905.3.8 to read as follows:

905.3.8 Landscaped roofs. Buildings or structures that have landscaped roofs and that are equipped with a standpipe system shall have the standpipe system extended to the roof level on which the rooftop garden or landscaped roof is located. Roof top valves shall be protected from tampering.

Section 905.4 Location of Class I standpipe hose connections. Amend Section 905.4 to read as follows:

905.4 Location of Class I standpipe hose connections. Class I standpipe hose connections shall be provided in all of the following locations:

1. In every required interior exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located on an intermediate landing unless otherwise approved by the fire code official.

Exceptions:

1. A single hose connection shall be permitted to be installed in the open corridor or open breezeway between open stairs that are not greater than 75 feet apart.
2. Where stairways are constructed with a vestibule in accordance with the International Building Code, the hose connections may be installed inside the floor level vestibule.
3. On each side of the wall adjacent to the exit opening of a horizontal exit.
4. Where floor area adjacent to a horizontal exit are reachable from an interior exit stairway hose connection by a 30-foot hose stream from a nozzle attached to 100 feet of hose, a hose connection shall not be required at the horizontal exit.
2. In every exit passageway, at the entrance from the exit passageway to other areas of a building. Exception: Where floor areas adjacent to an exit passageway are reachable from an interior exit stairway hose connection by a 30-foot (9144 mm) hose stream from a nozzle attached to 100 feet (30 480 mm) of hose, a hose connection shall not be required at the entrance from the exit passageway to other areas of the building.
3. In covered mall buildings, adjacent to each exterior public entrance to the mall and adjacent to each entrance from an exit passageway or exit corridor to the mall. In open mall buildings, adjacent to each public entrance to the mall at the perimeter line and adjacent to each entrance from an exit passageway or exit corridor to the mall.
4. Where the roof has a slope less than 4 units vertical in 12 units horizontal (33.3-percent slop), a hose connection shall be located to serve the roof or at the highest

landing of an interior exit stairway with access to the roof provided in accordance with Section 1011.2.

5. Where the most remote portion of a non-sprinklered floor or story is more than 150 feet (45 720 mm) from a hose connection or the most remote portion of a sprinklered floor or story is more than 200 feet (60 960 mm) from a hose connection, the fire code official is authorized to require that additional hose connections be provided in approved locations.

SECTION 906 PORTABLE FIRE EXTINGUISHERS

Section 906.1 Where required. Amend Section 906.1 to read as follows:

906.1 Where required. Portable fire extinguishers shall be installed in all of the following locations:

1. In new and existing Group, A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.

Exceptions:

1. In group R-2 occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each dwelling unit is provided with a portable fire extinguisher having a minimum rating of 1-A:10-B: C.
2. In Group E occupancies portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each classroom is provided with a portable fire extinguisher having a minimum rating of 2-A:20-B: C.
3. In storage areas of Group S occupancies where forklift powered industrial truck or powered cart operators are the primary occupants, fixed extinguishers, as specified in NFPA 10, shall not be required where in accordance with all of the following:
 - 3.1. Use of vehicle-mounted extinguishers shall be approved by the by the fire code official.
 - 3.2. Each vehicle shall be equipped with a 10-pound, 40A:80B:C extinguisher affixed to the vehicle using a mounting bracket approved by the extinguisher manufacturer of the fire code official for vehicular use.
 - 3.3. Not less than two spare extinguishers of equal or greater rating shall be available onsite to replace a discharged extinguisher.
 - 3.4. Vehicle operators shall be trained in the proper operation, use and inspection of extinguishers.
 - 3.5. Inspections of vehicle-mounted extinguishers shall be performed daily.
4. Within 30 feet (9144 mm) distance of travel from commercial cooking equipment and from domestic cooking equipment in Group I-1; I-2, Condition 1; and R-2 college dormitory occupancies.
5. In areas where flammable or combustible liquids are stored, used or dispensed.
6. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 3316.1
7. Where required by the sections indicated in Table 906.1.
8. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the fire code official.
9. Main electrical rooms not provided with fire sprinklers.

Section 906.2.1. Amend Section 906.2.1 by adding an exception, to read as follows:

906.2.1 Certification of service personnel for portable fire extinguishers. Service personnel providing or conducting maintenance on portable fire extinguishers shall possess a valid certificate issued by an approved governmental agency, or other approved organization for the type of work performed.

Exception: Certification or licensing is not required for fire authorities or their employees who are maintaining and recharging air-pressurized water (APW) extinguishers which are the property of the fire authority.

Section 906.5.1 Storage of extinguishers. Add a new Section 906.5.1 to read as follows:

906.5.1 Storage of extinguishers. Occupancies that store used, or serviced extinguishers shall have a storage closet or cabinet, enclosed by a solid surface, or by other means determined by the fire code official.

SECTION 907 FIRE ALARM AND DETECTION SYSTEMS

Section 907.1 General. Amend Section 907.1 to read as follows:

907.1 General. This section covers the application, installation, performance, and maintenance of fire alarm systems and their components in new and existing buildings and structures. The requirements of Section 907.2 apply new buildings and structures, new fire alarm systems in existing buildings, and complete fire alarm system replacements. The requirements of Section 907.9 are applicable to new and existing buildings and structures.

Section 907.2 Where required. Amend Section 907.2 to read as follows:

907.2 Where required – new buildings and structures. An approved fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.25.1 and provide occupant notification in accordance with Section 907.5 unless other requirements are provided by another section of this code.

Not fewer than one manual fire alarm box shall be provided in an approved location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or waterflow detection devices. Where other sections of this code allow the elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

Exceptions:

1. The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.
2. The manual fire alarm box is not required for Group R-2 occupancies unless required by the fire code official to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. Where provided, the manual fire alarm box shall not be located in an area that is open to the public.

Section 907.2.2.2 Laboratories. Add a new Section 907.2.2.2 to read as follows:

907.2.2.2 Lithium battery laboratories; research and development or testing. A fire alarm system shall be installed throughout the fire areas utilized for the research and development or testing of lithium-ion or lithium metal batteries.

Section 907.2.4.1 Manufacturing involving lithium-ion or lithium metal batteries. Add a new Section 907.2.4.1 to read as follows:

907.2.4.1 Manufacturing involving lithium-ion or lithium metal batteries. The fire alarm systems shall be required and designed in accordance with Section 322.4.2.

Section 907.2.6.2 Group I-2. Amend Section 907.2.6.2 to read as follows:

907.2.6.2 Group I-2. An automatic smoke detection system shall be installed in corridors in Group I-2, Condition 1 facilities, and spaces permitted to be open to the corridors by Section 407.2 of the International Building Code. The system shall be activated in accordance with Section 907.4. Group I-2, Condition 2 occupancies shall be equipped with an automatic smoke detection system as required in Section 407 of the International Building Code.

Exceptions:

1. Corridor smoke detection is not required in smoke compartments that contain sleeping units where such units are provided with addressable smoke detectors that comply with UL 268. Such detectors shall provide an audible and visual alarm at the care providers' station attending each unit.
2. Corridor smoke detection is not required in smoke compartments that contain sleeping units where sleeping unit doors are equipped with automatic door-closing devices with integral smoke detectors on the unit sides installed in accordance with their listing, provided that the integral detectors perform the required alerting function.

Section 907.2.7.2 Storage of lithium-ion or lithium metal batteries. Add a new Section 907.2.7.2 to read as follows:

907.2.7.2 Storage of lithium-ion or lithium metal batteries. The fire alarm systems shall be required in accordance with Section 322 and designed in accordance with Section 322.4.2.

Section 907.2.10.1 Storage of lithium-ion or lithium metal batteries. Add a new Section 907.2.10.1 to read as follows:

907.2.10.1 Storage of lithium-ion or lithium metal batteries. The fire alarm systems shall be required and designed in accordance with Section 322.4.2.

Section 907.2.24 Main electrical rooms. Add a new Section 907.2.24 to read as follows:

907.2.24 Main electrical rooms. Main electrical rooms permitted to be non-sprinklered under NFPA 13 shall be provided with an approved monitored automatic smoke detection system installed in accordance with NFPA 72 and electronically supervised by an approved supervising station in accordance with this code.

Section 907.4.4 Lithium-ion or lithium metal batteries. Add a new Section 907.4.4 to read as follows:

907.4.4 Lithium-ion or lithium metal batteries. Where fire alarm systems are required by this code for areas containing lithium-ion or lithium metal batteries, the design of the system shall be installed in accordance with Section 322.4.2.

Section 907.5.2.2 Emergency voice/alarm. Amend Section 907.5.2.2 to read as follows:

907.5.2.2 Emergency voice/alarm communication systems. Emergency voice/alarm communication systems required by this code shall be designed and installed in accordance with NFPA 72. The operation of any automatic fire detector, sprinkler water-flow device, or manual fire alarm box shall automatically sound an alert tone followed by voice instructions giving approved information and directions on a general or staged evacuation in accordance with the building's fire safety and evacuation plans required by Section 404. In high-rise buildings, the system shall operate on at least the alarming floor, the floor above, the floor below, the main ground level, and the highest occupied floor. Speakers shall be provided throughout the building by paging zones. At a minimum, paging zones shall be provided as follows:

1. Elevator groups.
2. Exit stairways.
3. Each floor.
4. Areas of refuge as defined in Chapter 2.

SECTION 910 SMOKE AND HEAT REMOVAL

Section 910.3.5 Fusible link temperature rating. Amend Section 910.3.5 to read as follows:

910.3.5 Fusible link temperature rating. Where vents are installed in areas provided with automatic fire sprinklers and the vents operate by a fusible link, the fusible link shall have a temperature rating of at least 100 F above the operating temperature of the fire sprinklers.

SECTION 912 FIRE DEPARTMENT CONNECTIONS

Section 912.2.3 Multiple Fire Departments Connections (FDC). Add a new Section 912.2.3 to read as follows:

912.2.3 Multiple Fire Department Connections (FDC). When the demand of a sprinkler system exceeds 1,500 gallons per minute, additional fire department connections shall be provided and located as required by the fire code official. All FDC's shall be of equal capacity.

SECTION 914 FIRE PROTECTION BASED ON SPECIAL DETAILED REQUIREMENTS OF USE AND OCCUPANCY

Section 914.12 Extraction operations. Add a new Section 904.12 to read as follows:

914.12 Extraction operations. Extraction rooms, booths, or hoods, including ductwork where required for hazardous exhaust systems, shall be protected by an approved automatic fire-extinguishing system complying with Chapter 9 where any of the following exist:

1. Extraction processes utilizing flammable and/or combustible materials, or off-gassing flammable vapors from spent plant material or oil.
2. Vapors are released exceeding 25% of the lower flammable limit from flammable liquid extraction processes or flammable liquid post-oil processing.

Section 916.6.1. Add a new table 916.1 to read as follows:

Table 916.6.1 Location for Gas Detection Sensors

GAS NAME	SPECIFIC GRAVITY	DETECTOR LOCATION
<i>Lighter than Air</i>		
Ammonia	0.6	12 to 18 Inches from Ceiling
Helium	0.14	12 to 18 Inches from Ceiling
Hydrogen	0.07	12 to 18 Inches from Ceiling
Methane	0.55	12 to 18 Inches from Ceiling
Neon	0.69	12 to 18 Inches from Ceiling
<i>Neutrally Buoyant</i>		
Ambient Air	1	
Acetylene	0.91	48 to 75 Inches from the Floor
Carbon Monoxide	0.97	48 to 75 Inches from the Floor
Nitrogen	0.97	48 to 75 Inches from the Floor
Oxygen	1.1	48 to 75 Inches from the Floor
<i>Heavier than Air</i>		
Argon	1.38	12 to 18 Inches from the Floor
Carbon Dioxide	1.52	12 to 18 Inches from the Floor
Chlorine	2.5	12 to 18 Inches from the Floor
Ozone	1.65	12 to 18 Inches from the Floor
Propane (LPG)	1.5	12 to 18 Inches from the Floor
Krypton	2.89	12 to 18 Inches from the Floor
Refrigerant R-22	3	12 to 18 Inches from the Floor
Refrigerant R-134A	3.5	12 to 18 Inches from the Floor
Refrigerant R-410A	3	12 to 18 Inches from the Floor
Sulfur Dioxide	2.25	12 to 18 Inches from the Floor
Xenon	4.53	12 to 18 Inches from the Floor

CHAPTER 10 MEANS OF EGRESS

SECTION 1009 ACCESSIBLE MEANS OF EGRESS

Section 1009.8 Two-way communication. Amend Section 1009.8 to read as follows:

1009.8 Two-way communication. A two-way communication system complying with Sections 1009.8.1, 1009.8.2, and NFPA 72 shall be provided at the landing serving each elevator or bank of elevators on each accessible floor that is one or more stories above or below the level of exit discharge.

Exceptions:

1. Two-way communication systems are not required at the landing serving each elevator or bank of elevators where the two-way communication system is provided within areas of refuge in accordance with Section 1009.6.5.
2. Two-way communication systems are not required on floors provided with ramps conforming to the provisions of Section 1012.
3. Two-way communication systems are not required at the landings serving only service elevators that are not designated as part of the accessible means of egress or serve as part of the required accessible route into a facility.
4. Two-way communication systems are not required at the landings serving only freight elevators.
5. Two-way communication systems are not required at the landing serving a private residence elevator.
6. Two-way communication systems are not required in Group I-2 or I-3 facilities.

CHAPTER 11 CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS

SECTION 1101 GENERAL

Section 1101.4.4 Variance. Add a new Section 1101.4.4 to read as follows:

1101.4.4 Variance. The authority having jurisdiction (AHJ) may issue a variance to any of the provisions of Chapter 11 where it is not practical or poses an undue hardship. Granting of a variance shall be based on showing of good cause and a request shall be made in writing from the building owner.

SECTION 1107 EXISTING HIGH PILED STORAGE FACILITIES. ADD A NEW SECTION 1107 TO READ AS FOLLOWS:

SECTION 1107 EXISTING HIGH PILED STORAGE FACILITIES

Section 1107.1 Scope. Add a new Section 1107.1 to read as follows:

1107.1 Scope. Existing buildings utilizing high pile storage defined by Chapter 32 in which no official record exists; such as certificate of occupancy, fire department records, or similar verifying high pile use, the building shall comply with this section.

Section 1107.2 General. Add a new Section 1107.2 to read as follows:

1107.2 General. Based on the storage arrangement and commodity class, existing buildings shall comply with Table 3206.2.

Section 1107.3 Performance requirements. Add a new Section 1107.3 to read as follows.

1107.3 Performance requirements. Where structural limitations, as determined by an engineering analysis by a Colorado registered structural engineer, prohibits compliance with Chapter 32, storage arrangement and commodity class shall be in compliance with 104.9 of this code. Such performance alternatives shall be submitted for review and approved by the fire code official.

SECTION 1108 EXISTING ELECTRICAL ENERGY STORAGE SYSTEMS. ADD A NEW SECTION 1108 TO READ AS FOLLOWS:

SECTION 1108 EXISTING ELECTRICAL ENERGY STORAGE SYSTEMS

Section 1108.1 Scope. Add a new Section 1108.1 to read as follows:

1108.1 Scope. Existing buildings utilizing existing electrical energy storage systems (ESS) as defined by Section 1207, shall comply with this section.

Section 1108.2 Permit. Add a new Section 1108.2 to read as follows:

1108.2 Permit. An operational permit will be required per Section 105.5.14.

Section 1108.2.1 Permit requirements. Add a new Section 1108.2.1 to read as follows:

1108.2.1 Permit requirements. In order to obtain an operational permit, the following must be reviewed and approved by the fire code official:

1. Hazard mitigation analysis per Section 1207.1.4.
2. Fire remediation plan per Section 1207.1.6.
3. Decommissioning plan per Section 1207.2.3.

Section 1108.3 Repairs. Add a new Section 1108.3 to read as follows:

1108.3 Repairs. Repairs of ESS systems with OEM compatible parts shall comply with Section 1207.3.6.

Section 1108.4 System replacement. Add a new Section 1108.4 to read as follows:

1108.4 System Replacement. Replacement of ESS systems shall comply with Section 1207.3.8.

Section 1108.5 Inspection and testing. Add a new Section 1108.5 to read as follows:

1108.5 Inspection and testing. Inspection and testing of existing ESS systems shall comply with Section 1207.2.2.1.

CHAPTER 12 ENERGY SYSTEMS

SECTION 1207 ELECTRICAL ENERGY STORAGE SYSTEMS (ESS)

Section 1207.1 Scope. Amend Section 1207.1 to read as follows:

1207.1.1 Scope. ESS having capacities exceeding the values shown in Table 1207.1.1 shall comply with this section and NFPA 855 Standard for the Installation of Stationary Energy Storage Systems as required by the fire code official.

CHAPTER 13 RESERVED

CHAPTER 14 RESERVED

CHAPTER 15 RESERVED

CHAPTER 16 RESERVED

CHAPTER 17 RESERVED

CHAPTER 18 RESERVED

CHAPTER 19 RESERVED

PART IV – SPECIAL OCCUPANCIES AND OPERATIONS

CHAPTER 20 AVIATION FACILITIES

SECTION 2006 AIRCRAFT FUELING

Section 2006.4.1.1 Documentation. Add a new Section 2006.4.1.1 to read as follows:

2006.4.1.1 Documentation. A vehicle maintenance checklist for aircraft-fueling vehicles shall be documented on a daily basis by the apparatus operator, in accordance with current Air Transport Association (ATA) Specification form 103.04A.

SECTION 2007 HELISTOPS AND HELISPORTS

Section 2007.1 General. Amend Section 2007.1 to read as follows:

2007.1. General. Helistops and heliports shall be maintained in accordance with Sections 2007.2 through 2007.8. Helistops and heliports on buildings shall be constructed in accordance with the International Building Code, and NFPA 418 Standard for Heliports.

Section 2007.5 Standpipe systems. Amend Section 2007.5 to read as follows:

2007.5 Standpipe systems. A building with a rooftop helistop or heliport shall be provided with a Class I standpipe system extended to the roof level on which the helistop or heliport is located. All

portions of the helistop and heliport area shall be within 150 feet of a 2½-inch outlet on the standpipe system.

CHAPTER 21 DRY CLEANING

CHAPTER 22 COMBUSTIBLE DUST PRODUCING FACILITIES

CHAPTER 23 MOTOR FUEL DISPENSING FACILITIES AND REPAIR GARAGES

SECTION 2303 LOCATION OF DISPENSING DEVICES

Section 2303.2 Emergency disconnect switches. Amend Section 2303.2 to read as follows:

2303.2. Emergency disconnect switches. Approved, clearly identified, and readily accessible emergency disconnect switches shall be provided at approved locations to stop the transfer of fuel to the fuel dispensers in the event of a fuel spill or other emergency.

Two emergency disconnect switches for exterior fuel dispensers shall be required as follows:

1. Exterior: Shall be located within 100 feet (30.4 m) of, but not less than 20 feet (6 m) from, the fuel dispensers. The switch shall be a mushroom-style switch/ that is readily accessible and must cut off power to all dispensers and pumps.
2. Interior: Shall be located at the attendant duty location. The switch shall be a mushroom-type switch/button which will shut off the flow of fuel and cut off power to all dispensers and pumps.
3. Emergency disconnect switches shall shut off the power in conformance with NFPA 70 and NFPA 30A.
4. Emergency controls shall be of a type that is only manually resettable.

For interior fuel-dispensing operations, the emergency disconnect switch shall be installed at an approved location along the path of egress.

Section 2303.2.2 Emergency disconnect switch signage. Add a new Section 2303.2.2 to read as follows:

2303.2.2 Emergency disconnect switch signage. Signs shall be provided in approved locations and of the legible size as follows:

1. Interior: At least 1 inch (25.2 mm) in height and 1/8-inch (3.175 mm) stroke red on white background.
2. Exterior: At least 2 inches (51 mm) in height and 1/4-inch (6.35 mm) stroke red on white background.

CHAPTER 24 FLAMMABLE FINISHES

CHAPTER 25 FRUIT CROP RIPENING

CHAPTER 26 FUMIGATION AND INSECTICIDAL FOGGING

CHAPTER 27 SEMICONDUCTOR FABRICATION FACILITIES

CHAPTER 28 LUMBER YARDS

CHAPTER 29 MANUFACTURE OF ORGANIC COATINGS

CHAPTER 30 INDUSTRIAL OVENS

CHAPTER 31 TENTS, TEMPORARY SPECIAL EVENT STRUCTURES

CHAPTER 32 HIGH-PILED COMBUSTIBLE STORAGE

SECTION 3201 GENERAL

Section 3201.5 Facility closure. Add a new Section 3201.5 to read as follows:

3201.5. Facility closure. Facilities containing permitted high-piled storage areas, that are no longer utilizing high-piled storage practices shall comply with sections 3201.5.1 through 3201.5.2.

Section 3201.5.1 Temporarily out-of-service facilities. Add a new Section 3201.5.1 to read as follows:

3201.5.1. Temporarily out-of-service facilities. Facilities without a high-piled combustible storage operational permit; containing fire protection systems not being monitored or inspected on a regular basis shall be deemed permanently out of service and shall be closed in an approved manner complying with section 3201.5.2. High piled combustible storage facilities that do not meet this section are considered temporarily out of service and shall continue to maintain a permit, monitoring, and inspections.

Section 3201.5.2 Facility closure plan. Add a new Section 3201.5.2 to read as follows:

3201.5.2. Facility closure plan. When a high-piled combustible storage facility is considered for permanent closure as defined in Section 3201.5.1, the permit holder for the facility shall apply for closure approval by submitting an application to the fire code official a minimum of 30 days prior to facility closure. The closure plan shall be finalized by an owner/operator scheduled inspection to verify compliance with the application and close out the operational permit.

SECTION 3205 HOUSEKEEPING AND MAINTENANCE

Section 3205.7 Designation. Amend Section 3205.7 to read as follows:

3205.7 Designation of storage heights. Where required by the fire code official, an approved visual method of indicating the maximum allowable storage height shall be provided.

SECTION 3211 BUILDINGS CONTAINING AREAS CAPABLE OF ACCOMMODATING HIGH PILE COMBUSTIBLE STORAGE. ADD A NEW SECTION 3211 TO READ AS FOLLOWS:

SECTION 3211 BUILDINGS CONTAINING AREAS CAPABLE OF ACCOMMODATING HIGH PILE COMBUSTIBLE STORAGE

Section 3211.1 General. Add a new Section 3211.1 to read as follows:

3211.1 General. Any building containing an area capable of high piled storage, but otherwise not meeting definitions and/or requirements of this chapter, shall be maintained in accordance with section 3211.2.

Section 3211.2 Designation of storage heights. Add a new Section 3211.2 to read as follows:

3211.2 Designation of storage heights. Areas capable of high piled combustible storage, but currently not being utilized as such, shall have visual storage height limits displayed in accordance with Section 3205.7.

SECTION 3212 EXISTING BUILDINGS. ADD A NEW SECTION 3212 TO READ AS FOLLOWS:

SECTION 3212 EXISTING BUILDINGS

Section 3212.1 General. Add a new Section 3212.1 to read as follows:

3212.1 General. Existing facilities containing high piled combustible storage areas shall be in accordance with Section 1107.

CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION & DEMOLITION

SECTION 3301 GENERAL

Section 3301.1 Scope. This chapter shall apply to structures in the course of construction, alteration or demolition, including those in underground locations. Compliance with NFPA 241 is required for items not specifically addressed herein. This scope applies to commercial, multi-family residential, and townhouse developments.

Exception: One and Two-Family Dwellings, not including townhouses as specified above, shall comply with Chapter 33 but shall be exempt from sections 3303.1, 3303.1.1, 3303.2, and 3303.3.

SECTION 3303 OWNER'S RESPONSIBILITY FOR FIRE PROTECTION

Section 3303.3.1 Violations. Delete Section 3303.3.1 in its entirety.

SECTION 3311 ACCESS FOR FIRE FIGHTING

3311.1.1 Minimum specifications for temporary roads. Add a new Section 3311.1.1 to read as follows:

3311.1.1. Minimum specifications for temporary roads. Temporary access roads shall be an all-weather surface comprised of either the first lift of asphalt or concrete/compacted gravel to a thickness capable of supporting the imposed loads of fire department apparatus. A 20-ft minimum width shall be maintained unless the permanent road is designed less than 20-ft, in which case the temporary road shall be the intended width of the permanent road. Adequate street signs and fire lane signs shall be installed where applicable. Temporary access roads must be approved by the fire code official and maintained in accordance with this section.

SECTION 3312 MEANS OF EGRESS

Section 3312.1 Stairways required. Amend Section 3312.1 to read as follows:

3312.1 Stairways required. Where building construction exceeds 30 feet to an occupiable floor level in height above the lowest level of fire department vehicle access, a temporary or permanent stairway shall be provided. As construction progresses, such stairways shall be extended to within one floor of the highest point of construction having secured decking or flooring.

SECTION 3313 WATER SUPPLY FOR FIRE PROTECTION

Section 3313.2 Combustible building materials. Amend Section 3313.2 to read as follows:

3313.2 Combustible building materials. When combustible building materials of the building under construction are delivered to a site, a minimum fire flow of that equal to the building size and type referenced in Table B105.1(2) shall be provided. The fire hydrants used to provide this fire-flow supply shall be within the requirements of Table C102.1 of the combustible building materials, as measured along an approved fire apparatus access lane.

Section 3313.3.1 Fire separation up to 30 feet. Amend Section 3303.3.1 to read as follows:

3313.3.1 Fire separation up to 30 feet. Where a building of Type III, IV, or V construction has a fire separation distance of less than 30 feet from property lot lines, and an adjacent property has an existing structure or otherwise can be built on, the water supply shall provide the minimum fire flow of that equal to the building size and type referenced in Table B105.1(2) for the building.

Section 3313.3.2 Fire separation of 30 feet up to 60 feet. Amend Section 3313.3.2 to read as follows:

3313.3.2 Fire separation of 30 feet up to 60 feet. Where a building of Type III, IV, or V construction has a fire separation distance of 30 feet up to 60 feet from property lot lines, and an adjacent property has an existing structure or otherwise can be built on, the water supply shall provide a minimum fire flow of that equal to the building size and type referenced in Table B105.1(2) for the building.

Section 3313.3.3 Fire separation of 60 feet or greater. Amend Section 3313.3.3 to read as follows:

3313.3.3 Fire separation of 60 feet or greater. Where a building of Type III, IV, or V construction has a fire separation of 60 feet or greater from a property lot line, a water supply shall provide the

minimum fire flow required for the building size and type referenced in Table B105.1(2) for the building.

Section 3313.4 Vertical construction. Amend Section 3313.4 to read as follows:

3313.4 Vertical construction, Type I and II construction. When combustible building materials and/or fuel powered stationary equipment are delivered to the construction site, water supply in accordance with Section 3313.2 shall be provided.

SECTION 3314 STANDPIPES

Section 3314.1 Where required. Amend Section 3314.1 to read as follows:

3314.1 Where required. In buildings required to have standpipes by Section 905.3.1, not less than one standpipe shall be provided for use during construction. Such standpipes shall be installed prior to construction exceeding 30 feet in height above the lowest level of fire department vehicle access. Such standpipes shall be provided with fire department hose connections at locations adjacent to stairways complying with Section 3312.1. As construction progresses, such standpipes shall be extended to within one floor of the highest point of construction having secured decking or flooring. Additional standpipes may be required by request of the fire code official.

SECTION 3319 ONE AND TWO-FAMILY DWELLINGS. ADD A NEW SECTION 3319 TO READ AS FOLLOWS:

SECTION 3319 ONE AND TWO-FAMILY DWELLINGS.

3319.1 Where required. Add a new Section 3319.1 to read as follows:

3319.1 Where required. One and Two-Family Dwellings shall comply with this section. The following items are to be inspected by a qualified person and documented in accordance with section 3303.3.

This list shall include the following as applicable:

1. Fire hydrants are operational, clearly visible from access roads and are not obstructed.
2. Temporary heating equipment shall be in accordance with section 3304.
3. Street signs are visible and installed.
4. Construction site addressing visible and clear of obstructions.
5. Control of combustible waste material in accordance with section 3305.
6. Fire apparatus access roads required by section 3311 are maintained clear of obstructions that reduce the width of the usable roadway to less than 20 feet.
7. Portable fire extinguisher(s) on site and quickly accessible for use by all trades.
8. Any trades conducting hot work shall comply with section 3303.8.

CHAPTER 34 TIRE REBUILDING AND TIRE STORAGE

SECTION 3408 FIRE PROTECTION

Section 3408.3 Fire sprinklers. Add a new Section 3408.3 to read as follows:

3408.3 Fire sprinklers. Where the area for storage of tires exceeds the requirements of Section 903.2.9.2, the area shall be sprinklered in accordance with Section 903.3.1.1.

CHAPTER 35 WELDING AND OTHER HOT WORK

CHAPTER 36 MARINAS

CHAPTER 37 COMBUSTIBLE FIBERS

CHAPTER 38 HIGHER EDUCATION LABS

CHAPTER 39 PROCESSING AND EXTRACTION FACILITIES

SECTION 3903 PROCESSING AND EXTRACTION

Section 3903.1 Construction. Amend Section 3903.1 to read as follows:

3903.1 Construction. Processing shall be in a building complying with the International Building Code and Sections 3903.1.1 through 3903.7.1.

Section 3903.1.1 Extraction rooms. Add a new Section 3903.1.1 to read as follows:

3903.1.1 Extraction rooms. Extraction rooms utilizing hazardous materials shall be fully enclosed in accordance with the International Building Code.

Exception: Enclosed booths constructed in accordance with Chapter 24.

Section 3903.1.2 Penetrations. Add a new Section 3903.1.2 to read as follows:

3903.1.2 Penetrations. Shall be comply with Section 703

Section 3903.1.3 Means of egress. Add a new Section 3903.1.3 to read as follows:

3903.1.3 Means of egress. Means of egress shall comply with the following:

1. Exit doors leading from the extraction room shall swing in the direction of egress.
2. Exit doors from the extraction room must be provided with panic hardware.

Section 3903.1.4 Fire protection. Add a new Section 3903.1.4 to read as follows:

3903.1.4 Fire protection. Extraction rooms, booths, or hoods, including ductwork where required for hazardous exhaust systems, shall be protected by an approved automatic fire-extinguishing system complying with Chapter 9 where any of the following exist:

1. Extraction processes utilizing flammable and/or combustible materials, or off-gassing flammable vapors from spent plant material or oil.
2. Vapors are released exceeding 25% of the lower flammable limit from flammable liquid extraction processes or flammable liquid post-oil processing.

Section 3903.1.5 Electrical equipment. Add a new Section 3903.1.5 to read as follows:

3903.1.5 Electrical equipment. Extraction rooms, hoods, or booths utilizing hazardous materials shall be classified as a Class 1 Division 1 area in accordance with NFPA 70.

Section 3903.7 Smoking and open flames. Add a new Section 3903.7 to read as follows:

3903.7 Smoking and open flames. Smoking, open flames, direct-fired heating devices, and other similar equipment shall be prohibited in areas where flammable vapors exist.

Section 3903.7.1 Smoking. Add a new Section 3903.7.1 to read as follows:

3903.7.1 Smoking. Smoking shall be prohibited, and “No Smoking” signs shall be provided in accordance with Section 5003.7.1.

SECTION 3904 SYSTEMS AND EQUIPMENT

Section 3904.3 Equipment field verification. Add a new Section 3904.3 to read as follows:

3904.3 Equipment field verification. All newly installed extraction equipment shall be inspected, and location field verified by the fire code official.

Section 3904.3.1 Re-certification. Add a new Section 3904.3.1 to read as follows:

3904.3.1 Re-certification. The extraction equipment shall be recertified every 2 years by the manufacturer or by an approved third party. The recertification report shall include the following items from 3904.2.2.2: 1-5, 7 & 9-11.

Section 3904.4 Refrigerated equipment. Add a new Section 3904.4 to read as follows:

3904.4 Refrigerated equipment. Refrigerators, freezers, and other cooling equipment used to store or process flammable and/or combustible materials shall be listed for the storage of flammable/combustible liquids or be listed for Class 1, Division 1 locations. Equipment shall be in accordance with NFPA 45 and applicable provisions of the International Building Code and this code.

Section 3904.5 Explosion hazards. Add a new Section 3904.5 to read as follows:

3904.5 Explosion hazards. Where an explosion condition exists, heating equipment such as vacuum ovens, heating mantels, heat guns, or other equipment shall not be used to heat flammable or combustible liquids or oils containing LPG.

SECTION 3905 SAFETY SYSTEMS

Section 3905.1 Gas detection. Amend Section 3905.1 to read as follows:

3905.1 Gas detection. For extraction processes utilizing flammable gases as solvents, a continuous gas detection system complying with Section 916 shall be provided. The gas detection design shall be in compliance with Section 5001.3.3.19.

Section 3905.1.2 Failure of the gas detection system. Amend Section 3905.1.3 to read as follows:

3905.1.2 Failure of the gas detection system. Failure of the gas detection system shall result in the deactivation of the heating system; activation of the mechanical ventilation system where the system is interlocked with the gas detection system.

Section 3905.1.3 Gas detection components. Add a new Section 3905.1.2 to read as follows:

3905.1.3 Gas detection system components. Gas detection system control units shall be listed and labeled in accordance with UL 864 or UL 2017 for use with the vapors being detected.

Section 3905.1.4 Interlocks. Add a new Section 3905.1.4 to read as follows:

3905.1.4 Interlocks. Electrical components within the extraction room shall be interlocked with the gas detection system. Activation of the gas detection system shall disable all light switches and electrical outlets.

Section 3905.3 LPG use. Add a new Section 3905.3 to read as follows:

3905.3 LPG use. Extraction equipment utilizing LPG shall comply with Chapter 61 and NFPA 58

SECTION 3906 EXHAUST. ADD A NEW SECTION 3906 TO READ AS FOLLOWS:

SECTION 3906 EXHAUST

Section 3906.1 Exhaust system. Add a new Section 3906.1 to read as follows:

3906.1 Exhaust system. A hazardous exhaust system complying with this code and the International Mechanical Code shall be provided for flammable and/or combustible material extraction processes.

Exceptions:

1. Unheated distillation process with less than 1/2 gallon of flammable and/or combustible materials performed under a listed and labeled chemical fume hood installation complying with this code.
2. Solvent distillation units in compliance with Section 5705.4.

SECTION 3907 CO2 EXTRACTIONS. ADD A NEW SECTION 3907 TO READ AS FOLLOWS:

SECTION 3907 CO2 EXTRACTIONS

Section 3907.1 Carbon dioxide solvent. Add a new Section 3901.1 to read as follows:

3907.1 Carbon dioxide solvent. Extraction facilities using carbon dioxide as a solvent shall comply with 5307.

Section 3907.2 Calibration. Add a new Section 3907.2 to read as follows:

3907.2 Calibration. Auto calibrating and self-zeroing devices or detectors shall be prohibited.

CHAPTER 40 - STORAGE OF DISTILLED SPIRITS AND WINES

SECTION 4003 PRECAUTIONS AGAINST FIRE

Section 4003.3.4 Electrical. Amend Section 4003.4 to read as follows:

4003.3.4 Electrical. Electrical wiring and equipment shall be installed and maintained in accordance with Section 603, Section 608, and NFPA 70.

Section 4003.4 Lightning. Amend Section 4003.4 to read as follows:

4003.4 Lightning. Structures containing barrel storage shall be protected from lightning. The lightning protection equipment shall be installed in accordance with NFPA 70 and NFPA 780.

Section 4003.5 Standby or emergency power. Add a new Section 4003.5 to read as follows:

4003.5 Standby or emergency power. Where mechanical ventilation, treatment systems, limit controls, alarm, detection, or other electrically operated systems are required, such systems shall be provided with an emergency or standby power system in accordance with NFPA 70 and Section 604.1, as amended.

Exception: Standby power for mechanical ventilation and limit control systems shall not be required where an approved fail-safe engineered system is installed.

Section 4003.6 Security. Add a new Section 4003.6 to read as follows:

4003.6 Security. The manufacture, production, and storage of distilled spirits and wines shall be safeguarded from unauthorized access in an approved manner.

SECTION 4004 STORAGE

Section 4004.1.1 Storage plan. Add a new Section 4004.1.1 to read as follows:

4004.1.1 Storage plan. Aisle and storage plans shall be submitted in accordance with Chapter 50.

Section 4004.1.2 Emergency planning. Add a new Section 4004.1.2 to read as follows:

4004.1.2 Emergency planning. Fire safety and evacuation plans in accordance with Section 404, shall be prepared, and maintained.

SECTION 4006 SIGNAGE

Section 4006.1 Hazard identification signs. Amend Section 4006.1 to read as follows:

4006.1 Hazard identification signs. Unless otherwise exempted by the fire code official, visible hazard identification signs, as specified in Section 5003.5 through 5003.6.2 and NFPA 704 for the specific material contained, shall be placed on stationary containers and above-ground tanks; at entrances to locations where hazardous materials are stored, dispensed, used, or handled in quantities requiring a permit; and at specific entrances and locations designated by the fire code official. Exception: Casks are not required to be labeled.

Section 4006.1.1 Maintenance and style. Amend Section 4006.1.1 to read as follows:

4006.1.1 Maintenance and style. Signs and markings required by Section 4006.1 shall not be obscured or removed; shall be in English as a primary language or in symbols permitted by this code; shall be durable; and the size, color, and lettering shall be as specified in Section 5003.6 through 5003.6.1.

Part V – Hazardous Materials

CHAPTER 50 HAZARDOUS MATERIALS

SECTION 5001 GENERAL

Section 5001.2.2 Hazard categories. Amend Section 5001.2.2 to read as follows:

5001.2.2 Hazard Categories. Hazardous materials shall be classified according to hazard categories. The categories include materials regulated by this chapter and materials regulated elsewhere in this code, including Appendix E for Hazard Categories.

Section 5001.3.3.19 Detection of a gas or vapor. Add a new Section 5001.3.3.19 to read as follows:

5001.3.3.19 Detection of a gas or vapor. Detection and alarm are required where a release of a hazardous material gas or vapor could cause immediate harm to any person by exceeding the permissible exposure level (PEL) of the gas, by decreasing the oxygen level to below 19.5 percent, or by exceeding 25 percent of the lower flammable limit (LFL) of a flammable gas. A detection and alarm system may initiate a means of mitigation of the dangerous effects of a release as well as notification to occupants.

SECTION 5003 GENERAL REQUIREMENTS

Section 5003.5 Hazard identification signs. Amend Section 5003.5 to read as follows:

5003.5 Hazard identification signs. Unless otherwise exempted by the fire code official, visible hazard identification signs as specified in NFPA 704 for the specific material contained shall be placed on stationary containers and above-ground tanks and at entrances to locations where hazardous materials are stored, dispensed, used, or handled in quantities requiring a permit and at specific entrances and locations per section 5003.6.2 or designated by the fire code official.

Section 5003.5.1 Markings. Amend Section 5003.5.1 to read as follows:

5003.5.1 Markings. Individual containers, cartons, or packages shall be conspicuously marked or labeled in an approved manner. Rooms or cabinets containing hazardous materials shall be conspicuously labeled, for example: "COMPRESSED GAS"

Section 5003.6.1 Size. Add a new section 5003.6.1 to read as follows:

5003.6.1 Size. Exterior of the structure the NFPA 704 signs shall be a minimum of 10 IN X 10 IN with each individual block being a minimum of 5 IN X 5IN. The hazard ranking numbers shall be a minimum of 4 IN in height and 2.5 IN in width, with a 5/8 stroke. Interior door leading to rooms storing hazardous materials the NFPA 704 signs shall be a minimum of 7-1/2 IN X 7-1/2 IN with each individual block being a minimum of 3 1/4 IN X 3-1/4 IN. The hazard ranking numbers shall be a minimum of 3 IN in height and 2 IN in width, with a 13/32 stroke. NFPA 704 labels on containers, cartons, cabinets, cylinders, and packages shall be a minimum of 5 IN X 5 IN with each individual block being a minimum of 2-1/2 IN X 2-1/2 IN. The hazard ranking numbers shall be a minimum of 2 IN in Height and 1.5 IN in width, with a 5/16 stroke. All letters and numbers on the NFPA 704 shall be black in color.

Section 5003.6.2 Location of signs. Add a new Section 5003.6.2 to read as follows:

5003.6.2 Location of signs. Signs shall be in locations approved by the fire code official and as a minimum shall be posted at the following locations:

1. Two exterior walls, doors, or enclosures containing a means of access to a building or facility.
2. Each access to a room or area that contains hazardous materials.
3. Each principal means of access to an exterior storage area that contains hazardous materials.

SECTION 5004 STORAGE

Section 5004.1 Scope. Amend 5004.1 to read as follows:

5004.1 Scope. Storage of hazardous materials in amounts exceeding the maximum allowable quantity per control area as set forth Section 5003.1 shall be in accordance with Sections 5001, 5003, 5004, and 5005.

Storage of hazardous materials in amounts not exceeding the maximum allowable quantity per control area as set forth in Section 5003.1 shall be in accordance with Section 5001, 5003, and 5004.2. Retail and wholesale storage and display of nonflammable solid and nonflammable and

noncombustible liquid hazardous materials in Group M occupancies and Group S storage shall be in accordance with Section 5003.11.

Section 5004.2 Spill control and secondary containment for liquid and solid hazardous materials. Amend Section 5004.2 to read as follows:

5004.2 Spill control and secondary containment for liquid and solid hazardous materials. Regardless of the MAQ, rooms, buildings or area for the storage of liquid or solid hazardous materials shall be provided with spill control and secondary containment in accordance with Section 5004.2.1 through 5004.2.3.

Exception: Outdoor storage of containers on approved containment palettes in accordance with Section 5004.2.3.

Section 5004.2.1 Spill control for hazardous material liquids. Amend Section 5004.2.1 to read as follows:

5004.2.1 Spill control for hazardous material liquids. Rooms, buildings or areas used for storage of hazardous materials liquids in individual vessels having a capacity of more than 55 gallons, or in which the aggregate capacity of multiple vessels exceeds 120 gallons, shall be provided with spill control to prevent the flow of liquids to adjoining areas. Floors in indoor locations and similar surfaces in outdoor locations shall be constructed to contain aa spill from the largest single vessel by one of the following methods:

1. Liquid-tight sloped or recessed floors in indoor locations or similar areas in outdoor locations.
2. Liquid-tight floors in indoor locations or similar areas in outdoor locations provided with liquid-tight raised or recessed sills or dikes.
3. Sumps and collection systems.
4. Other approved engineered systems.

Except for surfacing, the floors, sills, dikes, sumps and collection systems shall be constructed of noncombustible material, and the liquid-tight seal shall be compatible with the material stored. When liquid tight sills or dikes are provided, they are not required at perimeter openings having an open-grate trench across the opening that connects to an approved collection system.

Section 5004.2.2 Secondary containment for hazardous material liquids and solids. Amend Section 5004.2.2 to read as follows:

5004.2.2 Secondary containment for hazardous material liquids and solids. Where required by Table 2704.2.2 buildings, rooms or areas used for the storage of hazardous materials liquids or solids shall be provided with secondary containment in accordance with this section when the capacity of an individual vessel or the aggregate capacity of multiple vessels exceeds the following:

1. Liquids: Capacity of an individual vessel exceeds 55 gallons (114 L) or the aggregate capacity of multiple vessels exceeds 120 gallons (454 L); and

2. Solids: Capacity of an individual vessel exceeds 550 pounds (136.1 kg) or the aggregate capacity of multiple vessels exceeds 1,000 pounds (249.5 kg).

CHAPTER 51 AEROSOLS

CHAPTER 52 RESERVED

CHAPTER 53 COMPRESSED GASES

SECTION 5306 MEDICAL GASES

Section 5306.5 Medical gas systems and equipment. Amend Section 5306.5 to read as follows:

5306.5 Medical gas systems and equipment. Medical gas systems and equipment shall be installed, tested and labeled in accordance with NFPA 99 and the general provisions of this chapter. Existing medical gas systems and equipment shall be used and maintained in accordance with the use, maintenance, inspection and testing provisions of NFPA 99 for medical gas systems and equipment. Veterinary clinics shall comply with NFPA 99, Chapter 15 Dental Gas and Vacuum Systems.

SECTION 5307 COMPRESSED GASES NOT OTHERWISE REGULATED

Section 5307.2.1 Gas detection system. Amend section 5307.2.1 to read as follows:

5307.2.1 Gas detection system. In rooms or areas not provided with ventilation in accordance with Section 5307.2 or where over 6,000 cubic feet of compressed gas is stored or used, a gas detection system complying with Section 916, or where approve, and oxygen depletion alarm system, either of which initiates audible and visual alarm signals in the room or area where sensors are installed, shall be provided.

Section 5307.2.2 Auto Shutoff Add Section 5307.2.2 to read as follows:

5307.2.2 Auto Shutoff. Where over 6,000 cubic feet of compressed gas is in use and connected to a system and ventilation per Section 5307.2 is not provided, a gas detection system that activates an automatic fail-safe feature that shuts off the flow from the supply tank upon activation is required.

Section 5307.2.3 Signage. Add Section 5307.2.3 to read as follows:

5307.2.3 Signage. Hazard identification signs shall be posted at the entrance to the room and indoor areas where the inert gas is located, and at the entrance to the room or indoor area where the inert gas containers are located. The sign shall be not less than 8 inches (200 mm) in width and 6 inches (150 mm) in height and indicate:

Section 5307.2.3.1 Inert gas systems. Add Section 5307.2.3.1 to read as follows:

5307.2.3.1 Inert gas systems.

CAUTION -INERT GAS IF ALARM IS SOUNDING VENTILATE THE AREA BEFORE
ENTERING A HIGH INERT GAS CONCENTRATION IN THIS AREA CAN CAUSE
ASPHYXIATION

Section 5307.3.1 Ventilation Amend section 5703.3.1 to read as follows:

5307.3.1 Ventilation. Where insulated liquid carbon dioxide storage tanks, cylinders, piping and equipment are located indoors, rooms or areas containing storage tanks, cylinders, piping and equipment, and other areas where a leak of carbon dioxide is expected to accumulate, shall be provided with mechanical ventilation in accordance with Section 5004.3 and designed to maintain the room containing carbon dioxide at a negative pressure in relation to the surrounding area. These systems shall comply with the system requirements in 5004.3.1 and shall be equipped with Standby or emergency power per 5004.7.

Exception: A gas detection system with a fail-safe auto shut off, complying with Section 5307.3.1 shall be permitted in lieu of mechanical ventilation.

Section 5307.3.2 Gas detection system. Amend Section 5307.3.2 to read as follows:

5307.3.2 Gas detection system. Where a carbon dioxide system in accordance with Section 5307.3 is in use, a gas detection system shall be provided in rooms or indoor areas and in below-grade outdoor locations with insulated carbon dioxide systems. Carbon dioxide sensors shall be provided within 12 inches (305 mm) of the floor in the area where the gas is expected to accumulate or other approved locations.

The system shall be designed as follows:

1. Activates an audible and visible supervisory alarm at a normally attended location upon detection of a carbon dioxide concentration of 5,000 ppm (9000 mg/m³).
2. Activates an audible and visible alarm within the room or the immediate area where the system is installed upon detection of a carbon dioxide concentration of 30,000ppm (54 000 mg/m³).
3. Activates a fail-safe feature that shuts off flow from the supply tank upon reaching 5,000 ppm (9000 mg/m³) and/or loss of power.

Exception: A ventilation system complying with Section 5307.3.2 shall be permitted in lieu of a fail-safe auto shutoff.

SECTION 5308 CARBON DIOXIDE (CO₂) GAS ENRICHMENT SYSTEMS USING A NATURAL GAS BURNER IN PLANT GROWING (HUSBANDRY) APPLICATIONS. ADD A NEW SECTION 5308 TO READ AS FOLLOWS:

SECTION 5308 CARBON DIOXIDE (CO₂) GAS ENRICHMENT SYSTEMS USING A NATURAL GAS BURNER IN PLANT GROWING (HUSBANDRY) APPLICATIONS

Section 5308.1 General. Add a new Section 5308.1 to read as follows:

5308.1 General. Natural gas burners that are utilized to generate carbon dioxide (CO₂) in plant growing (husbandry) applications shall comply with Sections 5308.2 through 5308.6. A mechanical exhaust system shall be provided as required by 5308.6 and the International Mechanical Code. This code section shall apply to all applications in new and existing buildings.

Section 5308.2 Permits. Add a new Section 5308.2 to read as follows:

5308.2 Permits. Permits shall be required in accordance with Sections 105.6 and 105.7.

Section 5308.3 Equipment. Add a new Section 5308.3 to read as follows:

5308.3 Equipment. Natural gas burners shall be listed, labeled, and installed in accordance with the manufacturer's installation instructions. Piping systems, combustion and ventilation air, and venting for natural gas appliances shall be designed and installed in accordance with approved standards, the International Fuel Gas Code, and manufacturer's recommendations.

Section 5308.4 Required protection. Add a new Section 5308.4 to read as follows:

5389.4 Required protection. A carbon dioxide (CO₂) gas detection system shall be provided in accordance with Section 5308.4.1 and a carbon monoxide (CO) gas detection system shall be provided in accordance with Section 5308.4.2.

Section 5308.4.1 Carbon dioxide (CO₂) detection. Add a new Section 5308.4.1 to read as follows:

5308.4.1 Carbon dioxide (CO₂) detection. Rooms or areas where carbon dioxide is used indoors or in enclosed outdoor locations shall be provided with a carbon dioxide gas detection and alarm system.

Section 5308.4.1.1 Detectors. Add a new Section 5308.4.1.1 to read as follows:

5308.4.1.1. Detectors. Detectors shall comply with all of the following:

1. Suitable for the use intended and shall be listed or approved.
2. Permanently mounted.
3. Installed at a height of no more than 18 inches above the floor.
4. Directly connected to building electrical or fire alarm systems and protected from accidental disconnection or damage.
5. Auto calibrating and self "zeroing" devices are not permitted unless they can be zeroed and spanned.
6. Where the point of use is remote from the supply a detection and alarm system is required for each point of use.

Section 5308.4.1.2 Notification. Add a new Section 5308.4.1.2 to read as follows:

5308.4.1.2 Notification. The detection system shall be capable of notifying personnel in the immediate area of a leak at 5,000 parts per million. Upon reaching 30,000 parts per million this system must notify all building occupants of a mandatory evacuation.

Exception: Systems with a fail-safe feature that shuts off carbon dioxide flow from the source upon reaching 5,000 parts per million or loss of power are not required to notify building occupants at 30,000 parts per million.

Section 5308.4.1.3 Signage. Add a new Section 5308.4.1.3 to read as follows:

5308.4.1.3 Signage. Shall be in compliance with Section 5307.

Section 5308.4.1.4 Shut down. Add a new Section 5308.4.1.4 to read as follows:

5308.4.1.4 Shut down. All carbon dioxide (CO₂) burner systems shall shut down in the event of a loss of electrical power to the carbon dioxide (CO₂) detectors.

Section 5308.4.2 Carbon monoxide (CO) detection. Add a new Section 5308.4.2 to read as follows:

5308.4.2 Carbon monoxide (CO) detection. Rooms or areas where carbon dioxide burners are used indoors or in enclosed outdoor locations shall be provided with a carbon monoxide gas detection and alarm system.

Section 5308.4.2.1 Detectors. Add a new Section 5308.4.2.1 to read as follows:

5308.4.2.1 Detectors. Detectors shall comply with all of the following:

1. Shall be listed or approved for the intended use.
2. Permanently mounted.
3. Installed per manufacturer's recommendations and directions.
4. Directly connected to building electrical and protected from accidental disconnection or damage.

Section 5308.4.2.2 Notification. Add a new Section 5308.4.2.2 to read as follows:

5309.4.2.2 Notification. The CO detection system shall be capable of notifying personnel in the immediate area of a leak at 35 ppm and upon activation shall initiate the following:

1. Close the valve to each burner.
2. Activate the mechanical exhaust system.

Section 5308.4.2.3 Shut down. Add a new Section 5308.4.2.3 to read as follows:

5308.4.2.3 Shut down. All carbon dioxide (CO₂) burner systems shall shut down in the event of a loss of electrical power to the carbon monoxide (CO) detectors.

Section 5309.5 Detector testing. Add a new Section 5309.5 to read as follows:

5309.5 Detector testing. The equipment, systems and devices listed in 5308.4 shall be tested annually and in accordance with the approved manufacturer's requirements.

Section 5308.6 Ventilation. Add a new Section 5308.6 to read as follows:

5308.6 Ventilation. Mechanical ventilation shall be installed in addition to a detection and alarm system as required in Section 5308.4. All gas systems shall have ventilation installed as required by Sections 5001.3.3.10, 5004.3 through 5004.3.1, and the International Mechanical Code. Construction plan data and/or a technical report by a registered design professional shall be submitted to the fire

code official demonstrating compliance with the requirements. Approved plans/permits for ventilation from the governing mechanical authority shall be prima facie evidence for compliance.

Exception: No ventilation is required for those systems equipped with a gas detection fail-safe feature, as described in the exception for 5308.4.1.2.

CHAPTER-54 CORROSIVE MATERIALS

CHAPTER-55 CRYOGENIC FLUIDS

CHAPTER-56 EXPLOSIVES AND FIREWORKS

SECTION 5601 GENERAL

Section 5601.1.3 Fireworks. Amend Section 5601.1.3 to read as follows:

5601.1.3 Fireworks. The possession of permissible fireworks as defined by 12-28-101 C.R.S. and as permitted by Article 28 of Title 12 C.R.S. shall be permitted by individuals over the age of sixteen years. No fire protection district shall prohibit the sale of permissible fireworks, as defined in section 32-1-1002 (1) (d).

Exceptions:

1. Storage handling of fireworks as permitted in Section 5604.
2. Manufacture, assembly and testing of fireworks as permitted in Section 5605.
3. The use of fireworks for fireworks display as permitted in Section 5608.
4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where permitted by applicable laws (Article 28 of Title 12 C.R.S.), ordinances and regulations, provided that such fireworks and facilities comply with the 2006 edition of NFPA 1124, CPSC 16 CFR Parts 1500 and 1507, and DOTn 49 CFR Parts 100-185, as applicable for consumer fireworks.

SECTION 5608 FIREWORKS DISPLAY

Section 5608.1 General. Amend Section 5608.1 to read as follows:

5608.1 General. Outdoor fireworks display, use of pyrotechnics before a proximate audience, and pyrotechnic special effects in motion picture, television, theatrical, and group entertainment productions shall comply with Sections 5608.2 through 5608.10 and NFPA 1123, ~~or~~ NFPA 1126 and/or NFPA 160, as applicable.

Section 5608.2.1.1 Fire extinguishers. Add a new Section 5608.2.1.1 to read as follows:

5608.2.1.1 Fire extinguishers. The person, group, or organization sponsoring the firework display shall consult with the fire code official to determine the level of fire protection required. Four or more fire extinguishers of the classification and size as approved by the fire code official shall be readily accessible while the pyrotechnics are being loaded, prepared for firing, or fired.

Section 5608.2.1.2 Standby personnel. Add a new Section 5608.2.1.2 to read as follows:

5608.2.1.2 Standby personnel. Standby fire department personnel and equipment may be required by the fire department prior to and during the event. The fire department shall be reimbursed by the event coordinator or responsible party for all costs associated with providing this service.

Section 5608.2.1.3. Weather conditions. Add a new Section 5608.2.1.3 to read as follows:

5608.2.1.3 Weather conditions. Firework displays if permitted during “High” or “Very High” fire danger conditions shall require a minimum of one dedicated brush truck with sufficient staffing to operate said vehicle at the site of the display both prior to and throughout the event. The total number of equipment and staffing shall be approved by the fire code official. Firework displays are prohibited during any issued burn bans, extreme fire danger, or red flag warning conditions.

Exception: Scheduled public events held over well-irrigated landscaping and/or bodies of water as approved by the fire code official and the presence of standby equipment and personnel.

Section 5608.6.1 Mortar rack reinforcement. Add a new Section 5608.6.1 to read as follows:

5608.6.1 Mortar rack reinforcement. Aboveground mortar racks shall be constructed and secured to withstand a catastrophic malfunction in a mortar rack(s). Added sandbag reinforcement to the mortar rack(s) shall be required. Sandbags shall be used to secure mortar rack(s) and to prevent tip-over or movement. Placement of sandbags at the mortar rack(s) shall be on spectator sides of the rack(s) and on each end of a rack or group of racks at a minimum. The sandbags shall be stacked to a minimum height of three-fourths (3/4) of the rack(s) frame height.

Section 5608.8.1 Wind speed. Add new Section 5608.8.1 to read as follows:

5608.8.1 Wind speed. Firework displays shall not be fired when wind speeds measured by the fire code official are exceeding 15 mph.

CHAPTER-57 FLAMMABLE AND COMBUSTIBLE LIQUIDS

CHAPTER-58 FLAMMABLE GASES AND FLAMMABLE CRYOGENIC FLUIDS

CHAPTER-59 FLAMMABLE SOLIDS

CHAPTER-60 HIGHLY TOXIC AND TOXIC MATERIALS

CHAPTER-62 ORGANIC PEROXIDES

CHAPTER-61 LIQUEFIED PETROLEUM GASSES

SECTION 6109 STORAGE OF PORTABLE LP-GAS CONTAINERS AWAITING USE OR RESALE

Section 6109.13 Protection of containers. Amend Section 6901.13 to read as follows:

6109.13 Protection of containers. LP-gas containers shall be stored within a suitable enclosure or otherwise protected against tampering. Vehicle impact protection shall be provided as required by Section 6107.4.

CHAPTER-63 OXIDIZERS, GASSES, AND CRYOGENIC FLUIDS

CHAPTER-64 PYROPHORIC MATERIALS

CHAPTER-65 PYROXYLIN (CELLULOSE NITRATE) PLASTICS

CHAPTER-66 UNSTABLE (REACTIVE) MATERIALS

CHAPTER-67 WATER REACTIVE SOLIDS AND LIQUIDS

Part VI – Reference Standards

CHAPTER-80 REFERENCED STANDARDS

SECTION 8001 GENERAL. ADD A SECTION 8001 TO READ AS FOLLOWS:

8001 GENERAL

SECTION 8001.1 Adoption of Standards. Add a new Section 8001.1 as follows:

Section 8001.1 Adoption of Standards. In every case where this code references NFPA standards, the most current edition, to include TIA's and errata's of said standards is hereby adopted. The current edition shall become effective on January 1 of the year following NFPA's effective date for said standard.

AMEND CHAPTER 80 ADD REFERENCES TO READ AS FOLLOWS:

ACR	American College of Radiology safety guidelines
DISCUS	Distilled Spirits Council of U.S. 1250 Eye Street, NW Suite 400, Washington D.C. 20005 Recommended Fire Protection Practices for Distilled Spirits Beverage Facilities
NFPA 418	Standard for Heliports
NFPA 497	Recommended Practice for the Classification of Flammable Liquids, Gases, or Vapors and of Hazardous (Classified) Locations for Electrical Installations in Chemical Process Areas
NFPA 855	Standard for Installation of Stationary Energy Storage Systems
NFPA 1225	Standard for Emergency Services Communications
UL 2272	2016 Electrical Systems for Personal E-Mobility Devices
UL 2849	2020 Electrical Systems for eBikes
MUTCD	Manual on Uniform Traffic Control Devices for Streets and Highways

Part VII - Appendices

APPENDIX A - BOARD OF APPEALS

Appendix A is adopted with the following amendments.

SECTION A101 GENERAL

Section A101.3 Membership of board. Amend Section A101.3 to read as follows:

A101.3 Membership of board. The board shall consist of all elected members of the Fire Protection District Board of the authority having jurisdiction. The fire code official shall be an ex officio member of said board but shall not vote on any matter before the board.

Section A101.3.1 Qualifications. Delete Section A101.3.1 in its entirety.

Section A101.3.2 Alternate members. Delete Section A101.3.2 in its entirety.

Section A101.3.3 Vacancies. Delete Section A101.3.3 in its entirety.

Section A101.3.4 Chairperson. Delete Section A101.3.4 in its entirety.

Section A101.3.5 Secretary. Delete Section A101.3.5 in its entirety.

Section A101.3.6 Conflict of interest. Delete Section A101.3.6 in its entirety.

Section A101.3.7 Compensation of members. Delete Section A101.3.7 in its entirety.

Section A101.3.8 Removal from the board. Delete Section A101.3.8 in its entirety.

Section A101.4 Rules and procedures. Amend Section A101.4 to read as follows:

A101.4 Rules and procedures. The board should maintain current established policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence but should mandate that only relevant information be presented. The fire code official may request outside fire code officials from neighboring jurisdictions to be present to assist with interpretation of this code.

Section A101.5 Notice of meetings. Amend Section A101.5 to read as follows:

A101.5 Notice of meetings. The board shall meet on their normal schedule of public meetings. Notice of meetings shall be within the board's normal notices and should not differ from existing proceedings.

Section A101.5.1 Open hearing. Delete Section A101.5.1 in its entirety.

Section A101.5.2 Quorum. Delete Section A101.5.2 in its entirety.

Section A101.5.3 Postponed hearing. Delete Section A101.5.3 in its entirety.

Section A101.6 Legal counsel. Amend Section A101.6 to read as follows:

A101.6 Legal counsel. The jurisdiction should consult with their currently established counsel to the board to provide general legal advice concerning matters before them for consideration.

Section A101.7 Board decision. Amend Section A101.7 to read as follows:

A101.7 Board decision. The board shall only modify or reverse the decision of the fire code official by a majority vote of the board members.

Section A101.8 Court review. Amend Section A101.8 to read as follows:

A101.8 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. The fire district board shall operate in accordance with their established rules, regulations and procedure in accordance with Colorado Revised Statute Title 32.

APPENDIX B – FIRE FLOW REQUIREMENTS

Appendix B is adopted in its entirety.

APPENDIX C FIRE HYDRANT LOCATION & DISTRIBUTION

Appendix C is adopted in its entirety.

APPENDIX D – FIRE APPARATUS ACCESS ROADS

Appendix D is adopted with the following amendments.

SECTION D102 REQUIRED ACCESS

Section D102.1 Access and loading. Amend Section D102.1 to read as follows:

D102.1 Access and loading. Facilities, buildings, or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with asphalt, concrete, or other approved driving surface capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds with a minimum single axle weight of 27,000 pounds. Alternative methods such as brick pavers, road, base, and gravel as approved by the fire code official.

SECTION D103 MINIMUM SPECIFICATIONS

Figure D103.1 Dead-End Fire Apparatus Access Roads. Amend Figure D103.1 to depict as follows:

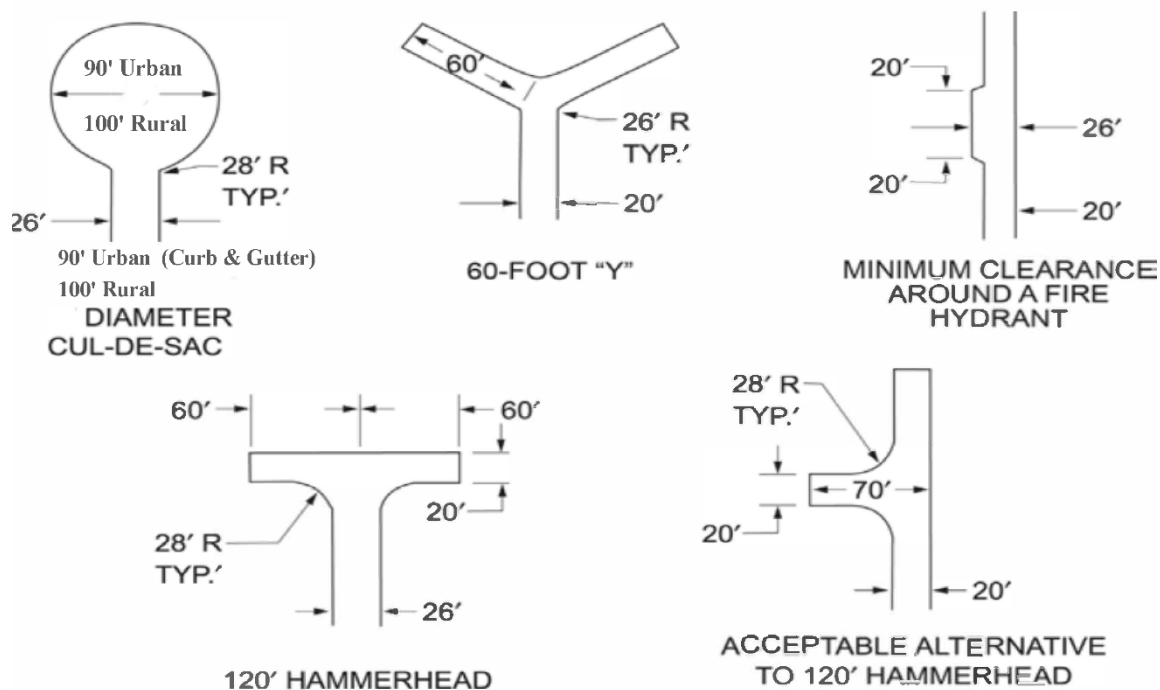


Table D103.4 Requirements for Dead-End Fire Apparatus Access Roads. Amend Table D103.4 to read as follows:

LENGTH (feet)	WIDTH (feet)	TURNAROUND REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 90' urban (curb & gutter), 100' rural diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 90' urban (curb & gutter), 100' rural diameter cul-de-sac in accordance with Figure D103.1
Over 750	Special approval required	

For SI: 1 foot = 304.8 mm.

Section D103.5 Fire apparatus road gates. Amend Section D103.5 to read as follows:

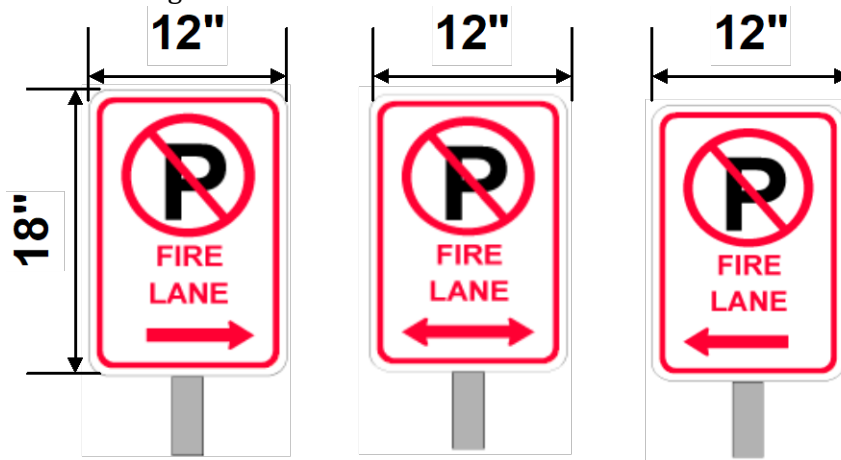
D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Where a single gate is provided, the gate clear opening width shall be not less than 16 or as approved as the approved as the fire code official. Where a fire apparatus road consists of a divided roadway, the gate clear opening width shall be not less than 16 or as approved as the approved as the fire code official.
2. Gates shall be approved by the fire code official.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. When outbound/egress movements do not include an automatic method of the gate opening when a vehicle is present, an approved means of opening the gate by the fire department shall be provided. Emergency opening devices shall be approved by the fire code official.
6. Methods of locking shall be submitted for approval by the fire code official.
7. Electric gate operators, where provided, shall be listed in accordance with UL 325.
8. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F2200.

Section D103.6 Signs. Amend Section D103.6 to read as follows:

D103.6 Signs. Where required by the fire code official, fire apparatus access roads shall be marked with permanent “NO PARKING – FIRE LANE” signs complying with Figure D103.6 or Figure D103.6.1. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

Add a new Figure D103.6.1 to read as follows:



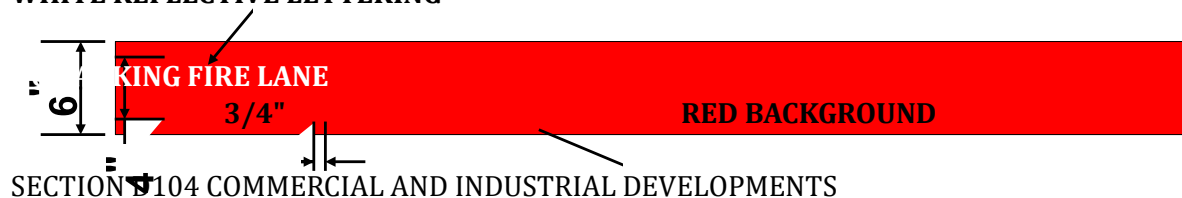
Section D103.6.3 Striping. Add a new section D103.6.3 to read as follows:

D103.6.3 Striping. The curb or edge of the fire apparatus access roads shall be marked by painted lines of red traffic paint six (6) inches in width to show the boundaries of the lane. Where a posted fire lane sign is not used by the approval of the fire code official. The words “NO PARKING FIRE LANE” shall appear in four (4) inch white reflective letters at thirty (30) feet intervals on the red border

marking complying with Figure D103.6.3.1. Where a curb is available, the striping shall be on the vertical face of the curb.

Add a new Figure D103.6.3.1 to read as follows:

WHITE REFLECTIVE LETTERING



Section D104.3 Remoteness. Amend Section D104.3 to read as follows:

D104.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

Exception: The fire code official is authorized to modify this requirement when the required remoteness is not possible due to the location on property, topography, waterways, non-negotiable grades or similar.

SECTION D106 MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

D106.3 Remoteness. Amend Section D106.3 to read as follows:

D106.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

Exception: The fire code official is authorized to modify this requirement when the required remoteness is not possible due to the location on property, topography, waterways, non-negotiable grades or similar.

SECTION D107 ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

Section D107.1 One- or two-family dwelling residential developments. Amend D107.1 to read as follows:

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.

Exceptions:

1. Where there are more than 30 dwelling units on accessed from a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.

2. The number of dwelling units on accessed from a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.
3. The fire code official is authorized to modify the requirement of two separate and approved fire apparatus access roads, when they are not possible due to location on property, topography, waterways, non-negotiable grades, or similar.

Section D107.2 Remoteness. Amend Section D107.2 to read as follows:

D107.2 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

Exception: The fire code official is authorized to modify this requirement when the required remoteness is not possible due to the location on property, topography, waterways, non-negotiable grades or similar.

APPENDIX E – HAZARD CATEGORIES

Appendix E is adopted for informational purposes only.

APPENDIX F – HAZARD RANKING

Appendix F is adopted for informational purposes only.

APPENDIX G – CRYOGENIC FLUIDS – WEIGHT AND VOLUME EQUIVALENTS

Appendix G is adopted for informational purposes only.

APPENDIX H – HAZARDOUS MATERIALS MANAGEMENT PLAN (HMMP) AND HAZARDOUS MATERIALS INVENTORY STATEMENT (HMIS) INSTRUCTIONS

Appendix H is adopted for informational purposes and details the required information and format for submittal of a Hazardous Material Management Plan.

APPENDIX I – FIRE PROTECTION SYSTEMS – NONCOMPLIANT CONDITIONS

Appendix I is adopted for informational purposes only.

APPENDIX J – BUILDING INFORMATION SIGN

Appendix J is adopted for informational purposes only.

APPENDIX K – CONSTRUCTION REQUIREMENTS FOR EXISTING AMBULATORY CARE FACILITIES

Appendix K is adopted for informational purposes only.

APPENDIX L – REQUIREMENTS FOR FIRE FIGHTER AIR REPLENISHMENT SYSTEMS

Appendix L is adopted for informational purposes only.

APPENDIX M – HIGH-RISE BUILDINGS – RETROACTIVE AUTOMATIC SPRINKLER REQUIREMENT

Appendix M is adopted for informational purposes only.

APPENDIX N – INDOOR TRADE SHOWS AND EXHIBITIONS

Appendix N is adopted for informational purposes only.



**Economic & Planning
Systems, Inc.**
The Economics of Land Use

DEVELOPMENT IMPACT FEE FEASIBILITY STUDY

DRAFT REPORT

Prepared for:
Town of Monument

Prepared by:
Economic & Planning Systems, Inc.

February 9, 2026

EPS #243153

Table of Contents

1.	Introduction and Summary of Findings	1
	Purpose and Scope	1
	Impact Fee Definitions and Legal Framework.....	1
	Impact Fee Requirements	2
	Impact Fee Limitations.....	3
	Summary of Findings	3
2.	Growth Projections	7
	Growth Trends.....	7
	Buildout Capacity Estimates.....	11
	Growth Projections	14
3.	Capital Project Needs	15
	Parks and Trails.....	15
	Facilities.....	19
	Fleet	21
	Police	21
	Transportation.....	21
4.	Police Impact Fee Nexus Study	24
	Service Population.....	24
	Occupancy Factors by Land Use Type.....	25
	Level of Service Definition.....	28
	Residential Impact Fee Calculation.....	29
	Nonresidential Impact Fee Calculation	29
	Adoption Process	30

List of Tables

Table 1.	Maximum Residential Impact Fee for Police Capital Costs.....	4
Table 2.	Maximum Nonresidential Impact Fee for Police Capital Costs	4
Table 3.	Population and Household Trends, 2010-2024	7
Table 4.	Housing Units by Tenure, 2010-2024	8
Table 5.	Vacant Land by Zoning District, Monument	11
Table 6.	Nonresidential Development Capacity, Monument	12
Table 7.	Residential Development Capacity	13
Table 8.	20-Year Growth Projection, Monument, 2026-2045	14
Table 9.	Parks Capital Improvement Plan and Impact Fee Eligibility	16
Table 10.	Service Population Forecast, 2026-2045	17
Table 11.	Park and Trail Impact Fee Scenarios.....	18
Table 12.	Facilities Capital Improvement Plan and Impact Fee Eligibility.....	19
Table 13.	Public Works Shop Plan-Based Impact Fee Option	20
Table 14.	Monument Service Population Calculation, 2024.....	24
Table 15.	Monument Residential Service Demand Factor Calculation, 2024	25
Table 16.	PUMS Average Household Size by Type, 2023.....	26
Table 17.	Effective Household Size, Monument	26
Table 18.	Monument Nonresidential Occupancy Factors.....	27
Table 19.	Police Capital Assets and Level of Service	28
Table 20.	Police Residential Impact Fee Calculation.....	29
Table 21.	Police Nonresidential Impact Fee Calculation	29

List of Figures

Figure 1.	Residential Building Permits, Monument, 2010-2024.....	9
Figure 2.	Commercial Deliveries, Monument, 2010-2024	10
Figure 3.	Major Roads	22

1. Introduction and Summary of Findings

Purpose and Scope

The Town of Monument hired Economic & Planning Systems (EPS) to prepare a Development Impact Fee Nexus Study to enable it to begin collecting development impact fees. The Town is interested in collecting impact fees to fund projects in the categories of:

- Parks and trails
- Transportation (roads)
- Facilities
- Fleet
- Police

Over the course of the project, EPS determined that the Town should only pursue impact fees for Police. Our findings are that the projects needed in the other fee categories do not meet the legal requirements to be eligible for impact fee funding. This Report documents and contains in this order:

- The legal background for impact fees
- A summary of findings and recommendations
- An analysis of land use conditions and growth projections
- Evaluations of the capital project needs for the categories and departments listed above
- A draft Impact Fee Nexus Study for Police

Impact Fee Definitions and Legal Framework

Impact fees are charges on new development to pay for capital facilities needed to serve growth. Impact fees have a complex legal background that places limitations on how they can be used. Over the years, state and federal courts including the U.S. Supreme Court, have found that impact fees are a type of exaction. An exaction is a requirement to provide a public benefit (e.g., property or money) in exchange for a building permit or land use approval, and that requirement to provide a public benefit makes impact fees like a “taking” under the constitution. The 5th Amendment of the U.S. Constitution states that government cannot take private property for public use without compensation. Some exactions are not considered to be takings if they serve a legitimate government purpose and meet other specific criteria established in U.S. Supreme Court case law.

Impact fees (and other exactions) need to meet the requirements of “essential nexus” and “rough proportionality.” The nexus requirement means that there needs to be a direct relationship between the impact of the new development project and the fee being charged (and how it is being spent). The proportionality requirement means that the impact fee should be scaled to the size of the development and account for differences in the intensity of impacts from different land uses (e.g., a retail development generates more traffic than a warehouse).

Impact Fee Requirements

Section 29-20-104 and 104.5 of the Colorado Revised Statutes governs impact fees in Colorado. In addition, impact fees still need to meet the constitutional legal requirements summarized above.

- **Capital Facilities** – Impact fees must be spent on capital facilities, which have been further defined as directly related to a government service, with an estimated useful life of at least five years and that are required based on charter or a general policy. Impact fees may not be used for operations or maintenance.
- **Existing Deficiencies** – Impact fees are collected to mitigate impacts from growth and cannot be used to address existing deficiencies. In the analysis used to establish an impact fee program, the evaluation must distinguish between the impacts of growth and the needs of existing development.
- **Capital Maintenance** – Major “capital maintenance” projects are not typically eligible to be funded with impact fees unless it can be shown that the project increases the capacity of the community to accommodate growth. In that case, only the growth-serving element of the project is eligible to be funded with impact fees.
- **Credits** – In the event a developer must construct off-site infrastructure in conjunction with their project, the local government must provide credits against impact fees for the same infrastructure, provided that the necessary infrastructure serves the larger community. Credits may not apply if a developer is required to construct such a project as a condition of approval due to the direct impact on the capital facility created by the project. Credits are handled on a case-by-case basis.
- **Timing** – The local government must hold revenues in accounts dedicated to the specific use. Funds must be expended within a reasonable period or returned to the developer. The state enabling legislation does not specify the maximum length of time to be used as a “reasonable period.” This has been generally accepted or interpreted as a 10 year time period.

- **Accounting Practices** – The local government must adopt stringent accounting practices as specified in the state enabling legislation. Funds generated by impact fees may not be commingled with any other funds.
- **Affordable Housing and Other Policy Exemptions** – The law allows impact fees on affordable housing “as defined by the community” to be waived. Local governments can also elect not to charge fees on, or to discount fees on certain land use types for economic development or other policy reasons. The fees cannot, however, be calculated or applied in a way that transfers the impacts of waived or discounted fees to other development.

Impact Fee Limitations

The biggest limitation on impact fees is that they cannot be used on maintenance projects or to upgrade older facilities to meet current standards, unless a significant component of that project increases the facility’s capacity to serve people. Many communities face large unfunded maintenance backlogs and need to identify other funding sources to address that. Second, impact fees almost never serve as the primary funding source for capital projects. Fees take time to accrue because they are only collected with new development in contrast to tax revenues, which are more stable from year to year and can be bonded against. Also, infrastructure projects require funding up front to be completed, and impact fee fund balances take time to grow.

Summary of Findings

1. *The Town can consider implementing an impact fee for Police.*

The Draft Nexus study contained in Chapter 4 of this Report justifies an impact fee for the Town’s Police Department. The need for an impact fee is also justified by the Police Department’s staffing plans to grow from 30 to 37 sworn officers over about the next 10 years. The Police Department is one of the Town’s departments that is the most directly affected by growth and development. New residents and businesses add to call and incident response volume, which requires the Department to acquire more capital equipment to support the staffing needed. The impact fee revenue could be used for vehicles (including all equipment); a new or expanded facility for the Department; and officer gear with a useful life of five years or more.

Table 1 and **Table 2** below shows the maximum impact fee that the Town could charge based on the Nexus Study. The maximum residential fee for a single family detached home is \$799.98. The maximum nonresidential impact fees per 1,000 square feet of building are \$659.96 for retail/commercial, \$361.11 for office, and \$171.22 for industrial buildings.

Table 1. Maximum Residential Impact Fee for Police Capital Costs

Description	Factor	Total
Police Impact Fees		
Inventory and Replacement Cost	--	\$4,782,306
Cost per Service Population	15,362	\$311.30
SFD Impact Fee	2.57	\$799.98
SFA Impact Fee	1.85	\$576.22
MF Impact Fee	1.46	\$455.70

Source: Town of Monument; Economic & Planning Systems

Table 2. Maximum Nonresidential Impact Fee for Police Capital Costs

Description	Factor	Total
Police Impact Fees (per 1,000 sq. ft.)		
Inventory and Replacement Cost	--	\$4,782,306
Cost per Service Population	15,362	\$311.30
Retail Impact Fee	2.12	\$659.96
Office Impact Fee	1.16	\$361.11
Industrial Impact Fee	0.55	\$171.22

Source: Town of Monument; Economic & Planning Systems

2. *The town is expected to grow significantly over the next 20 years, but the land use pattern and geography of the town make it difficult to expand roads and parks in ways that meet the criteria for impact fees.*

The town is projected to add approximately 3,500 housing units over the next 20 years if the recent pace of development continues. The town could also add nearly 1.0 million square feet of nonresidential development, including about 500,000 square feet of industrial space, over the next 20 years. While there is enough growth to support an impact fee program, other factors make it less feasible or practical.

Most of the town east of I-25 is in the Triview Metropolitan District. This Title 32 Metropolitan District or “Metro District” constructs and maintains all parks and roadways within its boundaries, and this is where most future growth in the town will occur. In other areas of the town, the Town does not have much ability to acquire additional land to expand existing parks or build new parks that could be funded with impact fees.

The Town's transportation needs are difficult to align with impact fee requirements. First, there is little need for new roads as major roadway networks are already established and there are few areas that need road extensions. Second, the town is surrounded by low-density development in unincorporated El Paso County that the Town is unlikely to annex and would therefore not need more transportation investment to connect these areas.

3. *Most planned capital projects and expenditures in Monument do not meet the requirements for impact fee funding.*

In Chapter 3, a detailed review and evaluation is presented on capital project and expenditure needs for the proposed impact fee categories. The vast majority of capital projects are:

- Maintenance projects – Repairs and deferred maintenance on existing assets
- Upgrades to existing facilities – In most cases, improving or upgrading existing facilities (e.g. adding a playground to an existing park, or adding sidewalks to existing neighborhoods) cannot be funded with impact fees because the projects are not needed as a result of growth. Rather, these projects are needed to meet changing community preferences.
- Projects not well defined – Some projects may not be realistic to complete, putting the Town at risk of having to refund unspent fee revenue.

4. *Impact fees can be calculated using current levels of service or using longer range capital project plans.*

Most impact fees today are calculated on the current level of service in a community, expressed as the value or replacement cost of its capital assets. This approach is useful when communities are mainly using impact fees to continue their established patterns of growth and capital spending. When communities, like Monument, have projects that are more aspirational in nature and related to changing community preferences, a plan-based approach can be used.

A plan-based method uses longer range capital improvement plans or master plans that clearly identify capital projects, costs, and estimated timing of need. Parks and trails master plans, facilities master plans, and transportation master plans are some of the most common types of plans that can be used in an impact fee program. The Town does not currently have capital plans or master plans for the types of projects it is interested in funding.

5. *Some impact fee types, particularly Parks and Trails, should be revisited after more capital project planning has been done.*

Impact fees can be calculated from a community wide master plan such as Parks and Trails or Transportation Master Plan. These plans often identify desired projects that expand capital facilities to meet the goals of the community. An analysis can be done to allocate the costs of these projects between new development and existing development, as required in the requirements for impact fees and nexus studies. This approach allows communities to generate funding for a broader range or more aspirational projects. Once the Town has completed more master planning and more detailed capital improvement planning, impact fees for other capital cost needs can be reevaluated.

2. Growth Projections

Since impact fees apply only to new development, it is important to determine if the Town has enough development capacity and expected growth to make an impact fee program viable. The amount of expected development influences the amount of fee revenue that could be generated and influences the amount and types of capital project needs. The analysis in this Chapter shows that the Town has significant development capacity. By 2045, it is estimated that the town could grow by approximately 3,500 housing units and over 900,000 square feet of nonresidential development.

Growth Trends

As shown below in **Table 3**, the town has experienced steady population and household growth between 2010 and 2024. Over this period, the town's population increased by 5.4 percent, while the number of households grew by 5.8 percent. Both measures significantly outpaced growth in El Paso County and the State of Colorado, where population increased by 1.5 percent and 1.3 percent, respectively, and household growth occurred at similarly modest rates.

Table 3. Population and Household Trends, 2010-2024

Description	2010	2024	2010-2024		
			Total	Ann. #	Ann. %
Population					
Monument	6,104	12,696	6,592	471	5.4%
El Paso County	622,260	767,042	144,782	10,342	1.5%
Colorado	5,029,200	6,009,761	980,561	70,040	1.3%
Households					
Monument	1,984	4,393	2,409	172	5.8%
El Paso County	235,957	288,341	52,384	3,742	1.4%
Colorado	1,972,870	2,364,843	391,973	27,998	1.3%

Source: U.S. Census; ESRI Business Analyst; Economic & Planning Systems

Housing tenure (renting or owning) trends further illustrate changes in the local housing market. As shown below in **Table 4**, owner-occupied units have increased by 2,000 units since 2010, while renter-occupied units have increased by 409 units. The proportion of renter-occupied housing has decreased over time, suggesting that recent development has been more ownership-oriented. These trends help inform assumptions about future residential development types and densities.

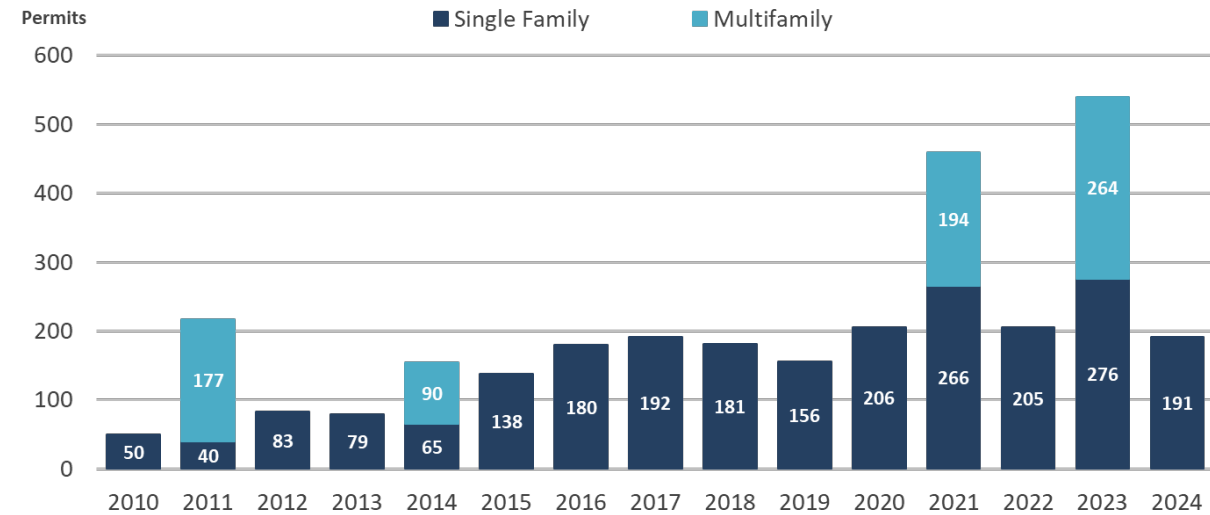
Table 4. Housing Units by Tenure, 2010-2024

Housing Units	2010	2024	2010-2024		
			Total	Ann. #	Ann. %
Monument					
Owner Occupied	1,617	3,617	2,000	143	5.9%
Renter Occupied	367	776	409	29	5.5%
Vacant	<u>93</u>	<u>193</u>	<u>100</u>	<u>7</u>	<u>5.4%</u>
Total	2,077	4,586	2,509	179	5.8%
El Paso County					
Owner Occupied	152,289	189,833	37,544	2,682	1.6%
Renter Occupied	83,668	98,508	14,840	1,060	1.2%
Vacant	<u>16,895</u>	<u>16,620</u>	<u>-275</u>	<u>-20</u>	<u>-0.1%</u>
Total	252,852	304,961	52,109	3,722	1.3%
Colorado					
Owner Occupied	1,293,102	1,515,612	222,510	15,894	1.1%
Renter Occupied	679,768	849,231	169,463	12,105	1.6%
Vacant	<u>240,030</u>	<u>252,278</u>	<u>12,248</u>	<u>875</u>	<u>0.4%</u>
Total	2,212,900	2,617,121	404,221	28,873	1.2%

Source: Esri Business Analyst; U.S. Census; Economic & Planning Systems

The Town issued an average of 194 residential building permits (total units) per year between 2010 and 2024. Permit activity peaked in 2023 and moderated in 2024, reflecting broader market cycles rather than a structural decline in demand, as shown below in **Figure 1**. Permit issuance has remained consistently positive, demonstrating sustained demand of residential development within the town.

Figure 1. Residential Building Permits, Monument, 2010-2024

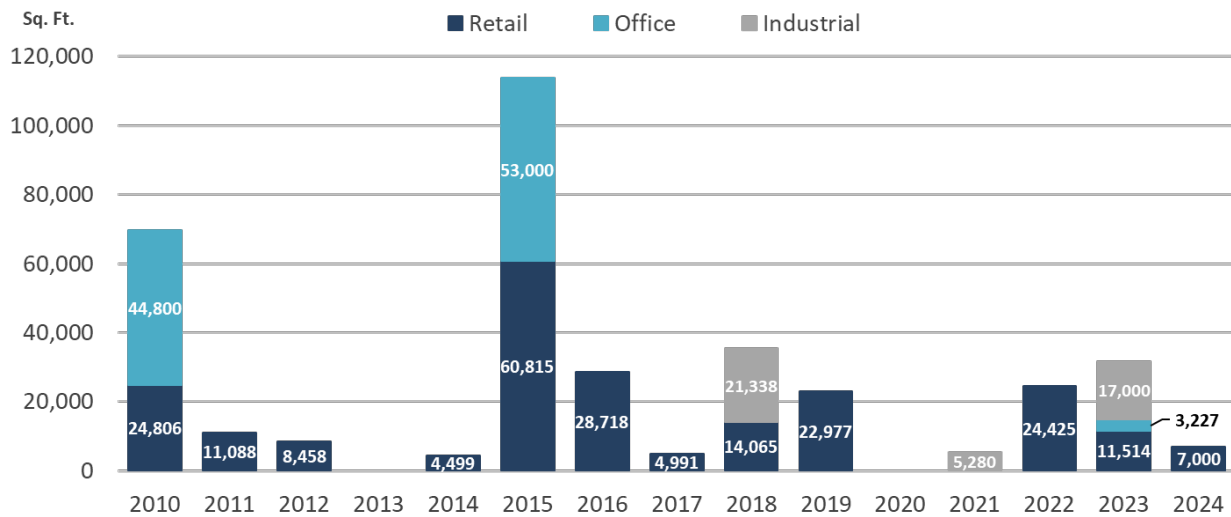


Source: Economic & Planning Systems

Commercial development in the town has occurred in waves rather than as steady annual growth, which is typical, as shown below in **Figure 2**. Retail has accounted for the majority of new commercial space, with notable deliveries in 2010, 2015, 2016, and 2019, including a peak of more than 60,000 square feet in 2015. After several years of limited activity, retail development resumed between 2022 and 2024, indicating renewed market demand.

Office and industrial development have been more irregular but still meaningful. Office construction was concentrated in 2010 and 2015, with minimal activity otherwise, reflecting modest long-term demand for office space. Industrial development emerged later in the study period, with deliveries beginning in 2018 and continuing intermittently through 2023, suggesting growing demand for employment-oriented uses. Overall, the data indicates that while year-to-year development fluctuates, the town continues to attract sufficient nonresidential growth to support an impact fee program's viability.

Figure 2. Commercial Deliveries, Monument, 2010-2024



Source: Economic & Planning Systems

Buildout Capacity Estimates

In total, the town contains approximately 1,409.5 acres of vacant land, which translates to 563.8 net developable acres based on a 40 percent net-to-gross assumption.

Residentially zoned land represents the majority of remaining capacity, with roughly 1,096.0 gross acres (438.4 net developable acres), largely concentrated in Planned Unit Development and Planned Residential Districts. Nonresidential zoning districts account for 313.5 gross acres (125.4 net developable acres), primarily within planned commercial and industrial districts. This distribution indicates that the Town has sufficient capacity to sustain a new impact fee program.

Table 5. Vacant Land by Zoning District, Monument

Zone District	Zone Abbrev.	Vacant Gross Acres <i>Total</i>	Net-to-Gross <i>% of Total</i>	Net Developable Acres <i>Total</i>
Non-Residential				
Commercial Center	CC	88.3	40.0%	35.3
Downtown Business	DB	5.1	40.0%	2.0
Light Industrial	LI	27.7	40.0%	11.1
Planned Commercial Development District	RP-PCD	112.8	40.0%	45.1
Planned Industrial Development District	RP-PID	68.2	40.0%	27.3
Planned Multi-Use Development District	RP-PMD	11.5	40.0%	4.6
Total		313.5	40.0%	125.4
Residential				
Residential Attached	RA	0.4	40.0%	0.1
Large Lot Residential	LLR	0.2	40.0%	0.1
Single-Family Detached Low Density	SFD-1	9.9	40.0%	4.0
Single-Family Detached Medium Density	SFD-2	2.6	40.0%	1.0
Mobile Home Park	MHP	1.0	40.0%	0.4
Planned Unit Development	PUD	563.8	40.0%	225.5
Planned Residential District Multiple Family	RP-PRD-10	0.4	40.0%	0.2
Planned Residential District Estate	RP-PRD-2	323.5	40.0%	129.4
Planned Residential District Single-family	RP-PRD-4	192.2	40.0%	76.9
Planned Residential District Single-family	RP-PRD-6	2.2	40.0%	0.9
Total		1,096.0	40.0%	438.4
Total		1,409.5	--	563.8

Source: El Paso County Assessor's Office; Economic & Planning Systems

The Town has substantial capacity for future nonresidential development across retail, office, and industrial uses. In total, approximately 125.4 acres of land are designated for nonresidential uses, representing a combined 5.5 million square feet of land area, as shown below in **Table 6**. Based on assumed floor area ratios (FARs) by use type, this land could support up to 990,208 square feet of nonresidential building space at full buildout.

Industrial uses account for the largest share of nonresidential land capacity, comprising 45.8 percent of the total, or 57.4 acres. Due to a lower assumed FAR of 0.10, this land translates to approximately 250,144 square feet of industrial building capacity. Retail development represents 31.9 percent of total nonresidential land, or 40.0 acres, and with an assumed FAR of 0.25, and could accommodate up to 436,086 square feet of retail space. Office uses comprise the remaining 22.3 percent, or 27.9 acres, also assumed at an FAR of 0.25, yielding an estimated 303,979 square feet of office capacity.

Across all nonresidential categories, the weighted average FAR is approximately 0.18, reflecting a development pattern characterized by relatively low-intensity commercial and employment uses. This level of capacity indicates that the Town has sufficient opportunity for future nonresidential growth, which is a key consideration in evaluating the long-term viability of an impact fee program.

Table 6. Nonresidential Development Capacity, Monument

Description	% Total	Acres	Land Sq. Ft.	FAR	Building Capacity Sq. Ft.
Total Non-Residential Capacity					
Retail	31.9%	40.0	1,744,344	0.25	436,086
Office	22.3%	27.9	1,215,914	0.25	303,979
Industrial	<u>45.8%</u>	<u>57.4</u>	<u>2,501,436</u>	<u>0.10</u>	<u>250,144</u>
Total	100.0%	125.4	5,461,694	0.18	990,208

Source: Economic & Planning Systems

The Town also has significant capacity to accommodate future residential growth. In total, approximately 438.4 acres are designated for residential development, which could support up to 2,408 dwelling units at full buildout based on assumed densities by housing type, as shown below in **Table 7**. This equates to an overall average density of approximately 5.5 dwelling units per acre.

Single family detached housing represents the vast majority of residential capacity, accounting for 86.1 percent of total residential land, or 377.4 acres. At an assumed density of 5.3 dwelling units per acre, this land could accommodate approximately 2,011 dwelling units, making it the primary driver of future residential growth. Single family attached housing comprises 13.8 percent of residential capacity, or 60.7 acres, and at 6.5 dwelling units per acre, could support an additional 394 dwelling units.

Mobile home development represents a very small share of overall residential capacity, totaling just 0.4 acres (0.1 percent of residential land) and supporting approximately three dwelling units at an assumed density of 7.6 dwelling units per acre.

Overall, the residential capacity analysis indicates that the Town has ample land available to accommodate future growth, with development patterns that are expected to accommodate primarily single-family detached units.

Table 7. Residential Development Capacity

Description	% Total	Acres	DU/Acre	DU
Residential Capacity				
Single Family Attached	13.8%	60.7	6.5	394
Single Family Detached	86.1%	377.4	5.3	2,011
Mobile Home	<u>0.1%</u>	<u>0.4</u>	<u>7.6</u>	<u>3</u>
Total	100.0%	438.4	5.5	2,408

Source: Economic & Planning Systems

Growth Projections

The growth forecast assumes a pace of development that is generally consistent with the Town's average annual absorption between 2010 and 2024. For the nonresidential development, annual development is projected at approximately 17,500 square feet of retail, 3,750 square feet of office, and 30,000 square feet of industrial space, as shown in **Table 8**. Under these assumptions, cumulative nonresidential development by 2045 is expected to reach approximately 350,000 square feet of retail, 75,000 square feet of office, and just over 500,000 square feet of industrial space. Industrial development represents the largest share of nonresidential growth over the forecast period, reflecting both historical trends and the availability of appropriately zoned land.

Residential growth is similarly projected to occur at a stable, incremental pace consistent with recent historical averages. Annual residential absorption is assumed at 150 single family detached units, 25 single family attached units, and a limited number of mobile home units early in the forecast period. By 2045, cumulative residential development is projected to total approximately 3,000 single family detached units, 500 single family attached units, and six mobile home units. Overall, the forecast reflects a continuation of the Town's recent growth patterns.

Table 8. 20-Year Growth Projection, Monument, 2026-2045

Description	Annual Abs.	2026	2030	2035	2040	2045
Commercial Development						
Annual Forecast (Sq. Ft.)						
Retail	17,500	17,500	17,500	17,500	17,500	17,500
Office	3,750	3,750	3,750	3,750	3,750	3,750
Industrial	30,000	30,000	30,000	30,000	30,000	0
Cumulative Forecast (Sq. Ft.)						
Retail		17,500	87,500	175,000	262,500	350,000
Office		3,750	18,750	37,500	56,250	75,000
Industrial		30,000	150,000	300,000	450,000	500,287
Residential Development						
Annual Forecast (DU)						
Single Family Attached	25	25	25	25	25	25
Single Family Detached	150	150	150	150	150	150
Mobile Home	5	5	0	0	0	0
Cumulative Forecast (DU)						
Single Family Attached		25	125	250	375	500
Single Family Detached		150	750	1,500	2,250	3,000
Mobile Home		5	6	6	6	6

Source: Economic & Planning Systems

3. Capital Project Needs

This Chapter reviews the Town's lists of capital project and equipment needs and compares those lists to the criteria that need to be met for them to be funded with impact fees.

- Impact fees must be spent on projects, or the portion of a project's cost, that are needed as a direct result of the demands from new development. Projects funded with impact fees should increase the capacity of the facility to serve more people.
- Impact fees cannot be used to remedy existing deficiencies, or to fund operations or maintenance costs.
- Projects should be well-defined with some level of planning and cost estimates. Collecting a fee is a pledge to spend the fee on the designated purpose, so projects should have some level of pre-planning that ensures they can be realistically completed. Impact fees also need to be spent "within a reasonable time period," emphasizing the need to have well defined capital project lists.

Parks and Trails

The Town's list of capital projects and capital maintenance needs are summarized in **Table 9**. There are currently 26 Park projects totaling \$2.8 million that EPS has classified as either maintenance work or upgrades to existing facilities. For example, adding ADA access to the existing cemetery is a project needed to address a design deficiency in the original facility compared to current needs and standards; it is not needed because of growth. Similarly, adding restrooms to an existing park-n-ride is an example of a project addressing an existing deficiency in the facility.

There are 10 projects that potentially meet the criteria for an impact fee program, which total \$26.3 million. The proposed I-25 pedestrian bridge comprises \$20.0 million of this list. Impact fees are unlikely to raise all of the funding needed for this project, and if the Town does not find additional funding through sources like grants or bond funding, it may have collected funds it cannot spend.

Table 9. Parks Capital Improvement Plan and Impact Fee Eligibility

Project Name	Cost
Not Eligible: Maintenance and Upgrades to Existing Facility	
ADA at Cemetery - street & entrance	\$500,000
Dirty Woman Creek Park playground	500,000
Replace tot lot playground at Limbach	300,000
Restroom at Old Park n Ride	250,000
Gateway arch over 2nd street	200,000
Exercise equipment along Santa Fe trail	200,000
Rebuild Skatepark	200,000
Shade at Water wise garden	120,000
Pavilion at Limbach	100,000
Limbach Wall	60,000
Town entrance signage & Phase 1 of Old Park n Ride	50,000
Wayfinding signage in DT & Hwy 105	45,000
Pavilions at Monument Lake	40,000
Rebuild In-Fields at Santa Fe Ball Park	40,000
Repairs at Pioneer Hall in Lavelett	30,000
Fence repair at Lavelett	25,000
Lighting at Limbach Park	25,000
Replace split rail fence in Dirty Woman Creek Park	23,000
2nd street lights	20,000
Monument Lake Trail ADA Improvements	15,000
ADA Path at Dirty Woman Creek Park	10,000
Community Garden	10,000
Bleachers	10,000
Monument Lake Stairs	4,000
New town entrance (old Park n Ride), Phase 3	TBD
Town entrance signage & Phase 2 of Old Park n Ride	TBD
Total	\$2,777,000
Eligible: Growth Projects	
Pedestrian bridge over I-25	\$20,000,000
Sports Field	4,000,000
Purchase & develop land behind Monument Lake	500,000
Park Trail Park improvements	500,000
Trail around Monument Lake	300,000
Trail Connections	300,000
Heart of Monument Park	200,000
Pickleball Courts	200,000
Design of Pedestrian bridge over I-25	200,000
Pump Track	100,000
Total	\$26,300,000
Not Including Pedestrian Bridge	\$6,300,000

Source: Town of Monument; Economic & Planning Systems

This section shows a hypothetical plan-based impact fee calculation for Parks. A plan-based impact fee uses a list of projects needed over a defined time period and allocates the costs to new development. Since many projects will be used by existing and future development (residents), the calculation also needs to allocate the costs to future development so that new development is only paying its proportionate share of the cost.

The first step in this planning level calculation is to determine how much of the Town's service population in 2045 is new (from growth) to make that allocation. Service population is a figure that includes the residential population (in homes in Monument), and the effective nonresidential population comprised of workers who commute into Monument. For Parks, we are focused on the residential population. As shown in **Table 10**, 46.1 percent of the people in Monument in 2045 are estimated to be new since 2026. This is the percentage of the cost of parks projects that can be allocated to new development in a plan-based impact fee calculation.

Table 10. Service Population Forecast, 2026-2045

Description	Residential Population	Non-Residential Effective Population	Total Service Population (2045)
Service Population Forecast			
Existing Service Population	13,408	1,954	15,362
New Service Population (2045)	<u>11,462</u>	<u>765</u>	<u>12,227</u>
Total Service Population (2045)	24,870	2,720	27,590
Allocation to growth (% of 2045)			
Existing Service Population	53.9%	71.9%	55.7%
New Service Population (2045)	<u>46.1%</u>	<u>28.1%</u>	<u>44.3%</u>
Total Service Population (2045)	100.0%	100.0%	100.0%

Source: Economic & Planning Systems

Three scenarios of a plan-based Parks and Trails impact fee are shown below in **Table 11**. These scenarios test the impact of removing projects that have a lower degree of certainty of being completed. If all growth-related projects are included (\$26.3 million), the fee per single family detached home would be about \$3,600. This fee amount is roughly in line with what other jurisdictions up and down the I-25 Corridor charge for parks and would generate meaningful revenue. However, it includes two projects that are speculative: the I-25 pedestrian bridge and a Sports Field. If impact fee revenues don't accrue as expected, or if the bridge projects is determined not to be feasible (there has not been any design analysis for this project); the Town may end up collecting more revenue than it can spend on eligible projects.

Scenario 2 removes the I-25 bridge and Scenario 3 removes the Sports Field. **The Town has not identified a site for the Sports Field and may not be able to acquire the land.** Without the pedestrian bridge, the impact fee would be about \$860 per single family detached home. Removing the Bridge and Sports Field yields a fee of about \$315 per dwelling unit. Revenue projections through 2045 range from \$1.1 million to \$12.1 million in the scenarios, showing that other funding will still need to be identified to fill the gaps. These are also low fees that may not be enough to justify the administrative costs of an impact fee program. Lastly, most of the remaining growth of the town is in the Triview Metro District, which builds and maintains public parks within its boundaries, diminishing the role of the Town in building new parks.

Table 11. Park and Trail Impact Fee Scenarios

Description	Factor	All Eligible and Maybe	No Bridge	No Bridge or Sports Field
Total Cost	--	\$26,300,000	\$6,300,000	\$2,300,000
Allocation to Growth	46.1%	\$12,121,130	\$2,903,541	\$1,060,023
Cost per New Population	11,462	\$1,057	\$253	\$92
	<u>Household Size</u>			
SFD Impact Fee	3.41	\$3,604	\$863	\$315
SFA Impact Fee	2.45	\$2,596	\$622	\$227
MF Impact Fee	1.94	\$2,053	\$492	\$180
SFD Impact Fee Revenue	3,000	\$10,810,981	\$2,589,703	\$945,447
SFA Impact Fee Revenue	500	\$1,297,833	\$310,888	\$113,499
Total Revenue 2024-2045		\$12,108,813	\$2,900,590	\$1,058,946

Source: Town of Monument; Economic & Planning Systems

Facilities

For Facilities, the one project determined to meet the criteria for impact fee funding is a new Public Works Shop. The cost estimate for a new Shop is \$18.0 million (Table 12). The remaining projects were judged to be repairs and maintenance.

Table 12. Facilities Capital Improvement Plan and Impact Fee Eligibility

Project Name	Cost
Not Eligible	
259 Reinforce Foundation	\$250,000
Access Control Replacement/Standardization (All buildings)	188,000
PW Shop insulation & building repairs	175,000
Parking lot repave at 259	100,000
Roof at Town Hall	90,000
Overhead doors at PW Shop	32,000
Town Hall Parking lot	30,000
Town Hall Front Steps & façade repairs	25,000
Total	\$890,000
Partially Eligible	
New Public Works Shop	\$18,000,000
Total	\$18,000,000

Source: Town of Monument; Economic & Planning Systems

A planning level impact fee calculation was also provided for this building (Table 13). Using the same allocation technique as Parks and Trails, 44.3 percent of the cost of this building is allocated to growth. This results in a fee ranging from \$955 per multifamily unit to \$1,700 per single family detached dwelling unit. The Town should consider whether collecting an impact fee for one project is worth the administrative cost. The impact fee could fund an estimated \$6.4 million of the cost based on the pace of development from 2010 to 2024.

Table 13. Public Works Shop Plan-Based Impact Fee Option

Description	Factor	All Eligible and Maybe
Total Cost	--	\$18,000,000
Allocation to Growth	44.3%	\$7,977,391
Cost per New Service Population	12,227	\$652
SFD Impact Fee	2.57	\$1,677
SFA Impact Fee	1.85	\$1,208
MF Impact Fee	1.46	\$955
Retail Impact Fee	2.12	\$1,383
Office Impact Fee	1.16	\$757
Industrial Impact Fee	0.55	\$359
SFD Impact Fee Revenue	3,000	\$5,029,737
SFA Impact Fee Revenue	500	\$603,808
MF Impact Fee Revenue	0	\$0
Retail Impact Fee Revenue	350,000	\$484,093
Office Impact Fee Revenue	75,000	\$56,760
Industrial Impact Fee Revenue	500,287	\$179,518
Total Revenue 2024-2045		\$6,353,916

Source: Town of Monument; Economic & Planning Systems

Fleet

An impact fee for Fleet is not recommended. Most of the Town's fleet needs are replacement of vehicles and equipment that are at end of life, which is not a capital need related to growth. Impact fees should generally only be used for net increases to fleet and not for replacement or maintenance expenses. The needs for additional fleet come from increased maintenance responsibilities, such as growth in roadways and parks. New roadways may require additional fleet to maintain them, such as new plow routes or overall increased staffing and equipment demands. Likewise, adding new parks and trails would increase staffing and equipment demands. As noted in the Parks section, the Town does not have a defined capital improvement plan (CIP) for expanding its park or transportation systems enough to justify net additions to fleet and major equipment.

Police

The Town could implement an impact fee for Police. The next Chapter contains a Nexus Study that can be used to adopt an impact fee for Police if the Town chooses. Police staffing needs are directly related to the growth of the town, and each new hire requires several capital equipment purchases that are eligible to be funded with impact fees.

Transportation

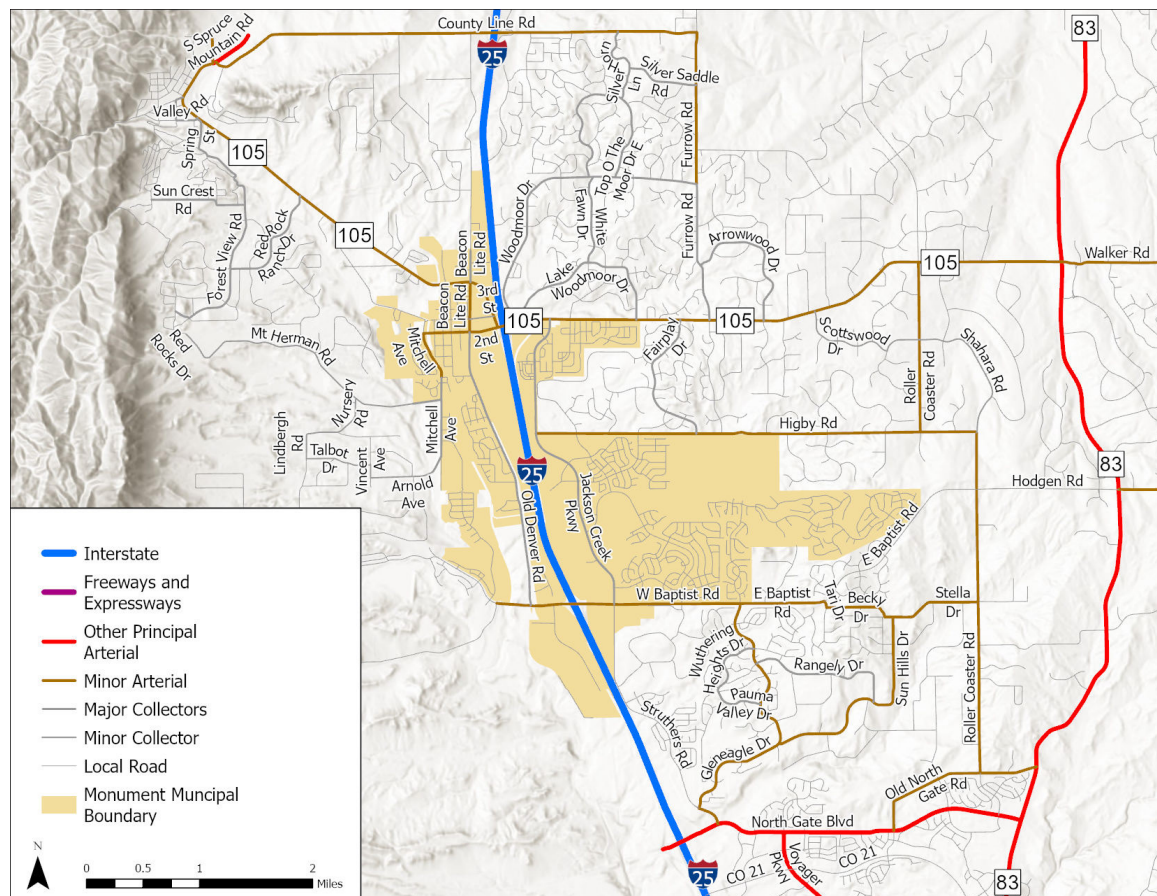
A transportation impact fee is not recommended for Monument. We have not identified enough transportation projects that meet the criteria for impact fees. Transportation impact fees are often used for the following types of projects that create additional roadway capacity (more vehicles per day), and capacity in other transportation modes (e.g., walking, biking):

- Constructing new roads
- Adding additional lanes to existing roads (widening)
- Some intersection and traffic light improvements that increase roadway throughput
- Highway interchanges
- Local matching funds for state and federal projects that increase capacity and/or construct new transportation facilities

These types of capacity projects are most often done on major roads in a community, typically defined as arterials and sometimes collectors. In Monument, arterials and collectors are roads like Mitchell Ave., Old Denver Road, Monument Lake Road, Jackson Creek Parkway, and Higby. A review of roadway and jurisdiction boundary mapping indicates that there is little or no need or space to extend major roads in Monument; the town's major roadway network has been established (**Figure 3**). The town is also surrounded by low density unincorporated development that is unlikely to be annexed into the town, and therefore there is no need to extend Monument's roads into these areas or make road improvements in these areas.

Further, the Town should only spend resources on roads of townwide benefit, not roads internal to or serving a single development. Those costs should be, and are, the responsibility of the developers. The Triview Metro District is responsible for most new road construction, and maintenance, within its boundaries.

Figure 3. Major Roads



Road Projects

EPS and transportation planners from Bohannon Huston reviewed the Town's list of major road projects that are planned, and evaluated them against the criteria for impact fees, summarized below.

- **Old Denver Road** – There are planned improvements to Old Denver Road that include turn lanes, minor widening of the shoulder, and drainage improvements. Some access improvements are also needed, which are the responsibility of new development projects such as the Connexus Business Park. These projects are either funded by developers or are maintenance projects that cannot be funded with impact fees.
- **Jackson Creek Parkway** – The section of Jackson Creek Parkway between Higby Road and about the YMCA property is proposed to be widened from two to four lanes. The project is being value engineered to reduce the original estimate of \$17.0 million to approximately \$13.0 million. To date, the Town has secured \$8.0 million in grants, leaving a gap of about \$5.0 million. While impact fees could be charged for this type of project, the revenue is needed soon, and impact fees would take several years to generate enough funding.
- **Sidewalks** – The Town is interested in expanding the sidewalk network into areas that do not have sidewalks. This concept cures a preexisting design deficiency and cannot be funded with impact fees. Other communities, such as Denver, fund sidewalk programs with either separate dedicated taxes or assessments.

4. Police Impact Fee Nexus Study

This Chapter contains a draft Nexus Study to support an impact fee for the Town's Police Department. EPS used a standards-based method, also known as the incremental expansion method, to calculate the Police impact fee. The incremental expansion method is based on the current level of service (LOS) for the Police Department, which is expressed as the current replacement cost of all Police capital assets. The impact fee calculates what each "increment" of new development needs to pay to maintain the current level of capital investment for the Town's service population. "Service Population" is a figure that accounts for the Town's population plus an effective population of workers who commute into the town.

Service Population

Service population is a metric that combines the resident population plus in-commuting workers for a total "daily" or "functional" population. Capital expansion fee calculations use service population and person-occupancy factors by land use type as the basis for allocating costs to residential and nonresidential development (except for parks, which uses residential population).

The calculation of service population is shown in **Table 14**. The Town of Monument had an estimated population of 13,048 people in 2024. There are an estimated 4,509 jobs in Monument and an estimated 4,145 employees (workers) after adjusting for people who hold multiple jobs. In-commuters account for 94.3 percent of the job holders and because they are present in the town for only part of a day, they are weighted at 50 percent of the impact of a full-time resident. These adjustments add 1,954 of equivalent population to the residential population, resulting in a total service population of 15,362.

Table 14. Monument Service Population Calculation, 2024

Description	Factor	2024 Source
Service Population		
Population	A	13,408 U.S. Census, 2024
Jobs		4,509 JobsEQ, 2024
Jobs per Employed Person		1.09 LEHD, 2023
Employees		4,145 EPS Estimate
In-Commuters (% Total)		94.3% LEHD, 2023
In-Commuters (% Total)		3,909 LEHD, 2023
Commuting Employee Weight		50.0% EPS Estimate
In-Commuting Employee Impact	B	1,954 EPS Estimate
Total Service Population	=A+B	15,362

Source: U.S. Census; LEHD; Economic & Planning Systems

Occupancy Factors by Land Use Type

Occupancy factors are developed in this section to convert units or square feet of new development into increments of new service population. The occupancy factors also allocate service demand between residential and nonresidential land uses.

Residential Occupancy Factors

Service demand for residential development comes from the number of people in each new home. Residential occupancy factors are calculated from the time people spend at their residence and the household size associated with the type of home. People in general are estimated to spend approximately 75.4 percent of their day at home, as shown in **Table 15**. The other 24.6 percent of the time spent away from home is accounted for in the nonresidential occupancy factors.

Table 15. Monument Residential Service Demand Factor Calculation, 2024

Description	Factor	2024	Source
Residential Conditions			
Population		13,408	U.S. Census, 2022
Nonworking Residents	68.3%	9,159	LEHD 2023; U.S. Census
Working Residents	31.7%	4,249	LEHD 2023; U.S. Census
Out Commuter Residents	94.3%	4,007	LEHD 2023; U.S. Census
Work/Live Residents	5.7%	242	LEHD 2023; U.S. Census
Residential Service Demand			
Nonworking Residents	20 hours per day	183,179	person-hours per day
Out Commuter Residents	14 hours per day	56,095	person-hours per day
Work/Live Residents	14 hours per day	<u>3,392</u>	person-hours per day
Residential Total	A	242,666	person-hours per day
Total Person-Hours per Day	B	24	321,792 population X 24 hours
Residential Service Demand Factor	=A/B	75.4%	% of day spent at home

Source: U.S. Census; LEHD; Economic & Planning Systems

Next, this service demand factor is applied to the average household size for different types of homes. U.S. Census Public Use Microdata Sample (PUMS) data was used to estimate the household size for different types of dwelling units. The average household size in the Monument area is 3.24 people per household, as shown in **Table 16**. For Single Family Detached units, it is 3.41 people per household; for Single Family Attached units, it is 2.45 people per household; and for Multifamily (apartments) it is 1.94 people per household.

Table 16. PUMS Average Household Size by Type, 2023

Description	2023
Single Family Detached	3.41
Single Family Attached	2.45
Multifamily	<u>1.94</u>
Total	3.30

Source: U.S. Census PUMS; Economic & Planning Systems

The final step is to convert the average household sizes into the effective household size used to calculate the residential impact fees. This is done by multiplying each household size against the residential service demand factor of 75.4 percent to provide an effective household size, as shown in **Table 17**.

Table 17. Effective Household Size, Monument

Description	Monument Avg. HH Size	% of Time in Unit	Effective HH Size
Single Family Detached	3.41	75.4%	2.57
Single Family Attached	2.45	75.4%	1.85
Multifamily	1.94	75.4%	1.46

Source: 2023 American Housing Survey, Division 8 (Mountain Region), U.S. Census Bureau; Economic & Planning Systems

Nonresidential Occupancy Factors

Service demand from nonresidential development is comprised of on-site employees, and customers or visitors to the business. Nonresidential occupancy factors are derived from vehicle trip rate factors, vehicle occupancy data, and employee per square foot factors, shown in **Table 18**. Daily trip rates are one-half the average daily trip ends during a weekday and are sourced from the Institute of Transportation Engineers (ITE) Trip Generation Manual. Employee per square foot factors come from the U.S. Energy Information Administration Commercial Building Survey. Service population figures were derived for three general land use categories, ranging from 0.55 for industrial uses, to 2.12 for retail and commercial uses.

Table 18. Monument Nonresidential Occupancy Factors

Land Use Category	Unit Sq. Ft.	ITE Code	Daily Trip Ends	Daily Trips ^[1] (Trip ends / 2)	Persons/ Trip	Persons per 1,000 sq. ft. (8 hours/day)	Employees per 1,000 sq. ft. (8 hours/day)	Employee Hours in Day	Employee Hours
Factor				A	B	C = A * B	D		E
Retail/Commercial	1,000	820	37.75	18.88	1.91	36.11	2.12	8	16.98
Office and Other Services	1,000	710	9.74	4.87	1.18	5.75	3.15	8	25.17
Industrial	1,000	110	4.87	2.44	1.18	2.87	1.57	8	12.56

Land Use Category	Visitors per 1,000 sq. ft. (8 hours/day)	Visitor Hour Factor	Visitor Hours	Total Hours	Total Hours in Day	Service Population per day
Factor	F = C - D	G	H = F * G	I = E + H	J	= I / J
Retail/Commercial	33.99	1.00	33.99	50.97	24	2.12
Office and Other Services	2.60	1.00	2.60	27.77	24	1.16
Industrial	1.30	0.50	0.65	13.21	24	0.55

Source: Economic & Planning Systems

^[1]The daily trips are the daily trip ends divided by 2 so that non-residential land uses are not charged for both ends of a trip (origin and destination)

Level of Service Definition

The LOS for Police is the total replacement cost of its capital assets divided by the Town's total service population. The total replacement cost of police facilities, fleet, and equipment is estimated at \$6.4 million, shown in **Table 19**. The capital assets include one half of the Town Hall building occupied by the Police Department, plus all associated gear and vehicles.

Impact fees need to be adjusted for other revenue sources to ensure that the fee does not include any "double paying". This analysis accounts for \$1.65 million in revenues generated by the dedicated 0.5 percent public safety sales tax, which helps fund and enhance police services. After accounting for this funding source, the net replacement cost totals \$4.8 million, or \$311.30 per service population.

Table 19. Police Capital Assets and Level of Service

Description	Units	Cost Factor	Replacement Cost
Police Facilities			
Police Facilities	8,376 sq. ft.	\$500 per sq. ft.	\$4,188,000
Subtotal	8,376 sq. ft.	\$500 per sq. ft.	\$4,188,000
Police Fleet/Equipment			
Clothing/Uniform	30 sw orn pers.	\$1,741 per sw orn pers.	\$52,239
Duty Gear/Equipment	30 sw orn pers.	\$12,904 per sw orn pers.	\$387,117
Vehicle and Equipment	30 sw orn pers.	\$51,750 per sw orn pers.	\$1,552,500
Onboarding Costs	30 sw orn pers.	\$8,415 per sw orn pers.	\$252,450
Subtotal	30	\$74,810	\$2,244,306
Total			\$6,432,306
(Less Public Safety Sales Tax)			-\$1,650,000
Net Total			\$4,782,306
Net Cost per Service Population		15,362 service pop.	\$311.30

Source: Town of Monument; Economic & Planning Systems

Residential Impact Fee Calculation

Residential impact fees for Police were calculated using a cost per service population factor that is then multiplied by the effective household size for each housing unit type. For Single Family Detached units, this results in a fee of \$799.98 per unit, as shown below in **Table 20**. For Single Family Attached units, this results in a fee of \$576.22 per unit. For Multifamily units, this results in a fee of \$455.70 per unit.

Table 20. Police Residential Impact Fee Calculation

Description	Factor	Total
Police Impact Fees		
Inventory and Replacement Cost	--	\$4,782,306
Cost per Service Population	15,362	\$311.30
SFD Impact Fee	2.57	\$799.98
SFA Impact Fee	1.85	\$576.22
MF Impact Fee	1.46	\$455.70

Source: Town of Monument; Economic & Planning Systems

Nonresidential Impact Fee Calculation

Using the previously derived service population and occupancy factors, the proposed nonresidential impact fee was calculated for three major land uses. The proposed fees range from \$171.22 per 1,000 square feet for industrial uses to \$659.96 per 1,000 square feet for retail/commercial use, as shown below in **Table 21**.

Table 21. Police Nonresidential Impact Fee Calculation

Description	Factor	Total
Police Impact Fees (per 1,000 sq. ft.)		
Inventory and Replacement Cost	--	\$4,782,306
Cost per Service Population	15,362	\$311.30
Retail Impact Fee	2.12	\$659.96
Office Impact Fee	1.16	\$361.11
Industrial Impact Fee	0.55	\$171.22

Source: Town of Monument; Economic & Planning Systems

Adoption Process

If the Town Council elects to adopt an impact fee for Police, this Chapter can be converted to a standalone nexus study report. The next steps would be for the Town to draft an ordinance containing a fee schedule, descriptions of the applicable land use types, and procedures for collecting and spending the fees. The Town may choose to adopt the maximum fee calculated in this Study or a lower fee based on policy considerations.

IMPACT FEE FEASIBILITY STUDY

Town Council Update

February 17, 2026



**Economic & Planning
Systems, Inc.**

The Economics of Land Use

DENVER
LOS ANGELES
OAKLAND
SACRAMENTO

ECONOMIC & PLANNING SYSTEMS



**REAL ESTATE
ECONOMICS**



**PUBLIC
FINANCE**



**LAND USE &
TRANSPORTATION**



**ECONOMIC
DEVELOPMENT &
REVITALIZATION**



**FISCAL &
ECONOMIC
IMPACT ANALYSIS**



**HOUSING
POLICY**



**PUBLIC-PRIVATE
PARTNERSHIP (P3)**



**PARKS &
OPEN SPACE
ECONOMICS**

AGENDA

- Background on impact fees and legal requirements
- Recommendation on Police impact fees
- Explanation for why other impact fees are recommended at this time
- Next steps
 - Consider an ordinance for Police impact fees
 - Continue work on capital project planning
 - Consider other revenue options

WHAT ARE IMPACT FEES?

- Charges on new development to defray capital costs directly related to new development
- “Growth pays its way” policy
- Spend on:
 - Capital improvements needed to serve growth
 - Maintain level of service as Town grows
 - Projects with community-wide benefit (not just one development)
- Cannot not be spent on:
 - Maintenance, operations, existing deficiencies
 - Project-specific impacts
 - Paying for same improvement twice (double charging)

LEGAL FRAMEWORK

- Impact fees are monetary exactions
 - An exaction is a requirement to provide a public benefit for a land use approval
 - Exactions are a type of taking
 - Takings are prohibited without just compensation (U.S. Constitution, 5th Amendment)
- Some exactions are allowed if they serve a legitimate government purpose and meet specific criteria
- US Supreme Court decisions guide impact fee practices
 - Essential Nexus: directly related to the project (impacts of growth)
 - Rough Proportionality: roughly proportional to the impact of the project
 - “Nolan and Dolan Test” refers to two SCOTUS decisions

COLORADO LAW & OTHER BEST PRACTICES

- Capital facilities
 - Useful life of at least 5 years
 - Required based on charter or general policy
- Credits and double paying
 - Give credit if developer builds or funds project that would be paid with impact fees
 - Fee needs to be adjusted for other funding sources
- Accounting
 - Impact fees tracked in a dedicated fund
 - Must be spent “within a reasonable time period” (about 10 years or depending on the complexity and size of the project)
- General accountability
 - Collecting a fee for a specific purpose is a pledge to spend it for that purpose
 - Are we collecting fees for a project that may not happen?

POLICE IMPACT FEE

JUSTIFICATION FOR IMPACT FEE

- Police staffing needs are tied to population and jobs in Monument
- Hiring new officers and staff requires equipment purchases
- Maintaining the “level of service” requires buying equipment needed to support officers and staff
- Police needs:
 - Increase sworn officers from 30 to 37 over next ~10 years
 - Acquire 1 vehicle for every 2 officers
 - Patrol gear and training for each officer
 - Future need for a dedicated or expanded Police facility

POLICE CAPITAL INVESTMENT

- Approximately \$75,000 in capital investment per officer (not including half of Town Hall)
- ~\$300 per person plus jobs in Monument (service population)

Description	Units	Cost Factor	Replacement Cost
Police Facilities			
Police Facilities	8,376 sq. ft.	\$500 per sq. ft.	\$4,188,000
Subtotal	8,376 sq. ft.	\$500 per sq. ft.	\$4,188,000
Police Fleet/Equipment			
Clothing/Uniform	30 sw orn pers.	\$1,741 per sw orn pers.	\$52,239
Duty Gear/Equipment	30 sw orn pers.	\$12,904 per sw orn pers.	\$387,117
Vehicle and Equipment	30 sw orn pers.	\$51,750 per sw orn pers.	\$1,552,500
Onboarding Costs	30 sw orn pers.	\$8,415 per sw orn pers.	\$252,450
Subtotal	30	\$74,810	\$2,244,306
Total			\$6,432,306
(Less Public Safety Sales Tax)			-\$1,650,000
Net Total			\$4,782,306
Net Cost per Service Population		15,362 service pop.	\$311.30

Source: Town of Monument; Economic & Planning Systems

POLICE IMPACT FEES

- Single Family Detached home: \$799.98
- 100,000 sq. ft. retail building: \$66,000

Description	Factor	Calculation
Inventory and Replacement Cost	--	\$4,782,306
Cost per Service Population	15,362	\$311.30
Household Size		
Single Family Detached	2.57	\$799.98
Single Family Attached (Townhome/Duplex)	1.85	\$576.22
Multifamily (Apartments)	1.46	\$455.70

Source: Town of Monument; Economic & Planning Systems

Description	Factor	Calculation	
Inventory and Replacement Cost	--	\$4,782,306	
Cost per Service Population	15,362	\$311.30	
		Per 1,000 sq. ft.	Per sq. ft.
Retail Impact Fee	2.12	\$659.96	\$0.66
Office Impact Fee	1.16	\$361.11	\$0.36
Industrial Impact Fee	0.55	\$171.22	\$0.17

Source: Town of Monument; Economic & Planning Systems

QUESTIONS ON POLICE IMPACT FEE?

CAPITAL PROJECT EVALUATIONS

CAPITAL PROJECT LIST EVALUATION

Is/does the project...	Eligible for impact fees?
Needed because of growth?	Yes
Increase capacity to serve	Yes
A maintenance project	No
Retrofit or address an existing deficiency	No
Already funded, or developer's responsibility	No

PARKS AND TRAILS

- \$26.3 million in capital projects
- \$20.0 million pedestrian bridge over I-25
 - Low certainty that this project can happen
 - Needs more planning/scoping
 - May be better suited to other grant funding
- \$4.0 million Sports Field
 - Site not identified
 - May not be able to acquire land
- Other projects not well defined or too small to be worth a fee program

Project Name	Cost
Pedestrian bridge over I-25	\$20,000,000
Sports Field	4,000,000
Purchase & develop land behind Monument Lake	500,000
Park Trail Park improvements	500,000
Trail around Monument Lake	300,000
Trail Connections	300,000
Heart of Monument Park	200,000
Pickleball Courts	200,000
Design of Pedestrian bridge over I-25	200,000
Pump Track	<u>100,000</u>
Total	\$26,300,000
Not Including Pedestrian Bridge	\$6,300,000

Source: Town of Monument; Economic & Planning Systems

FACILITIES

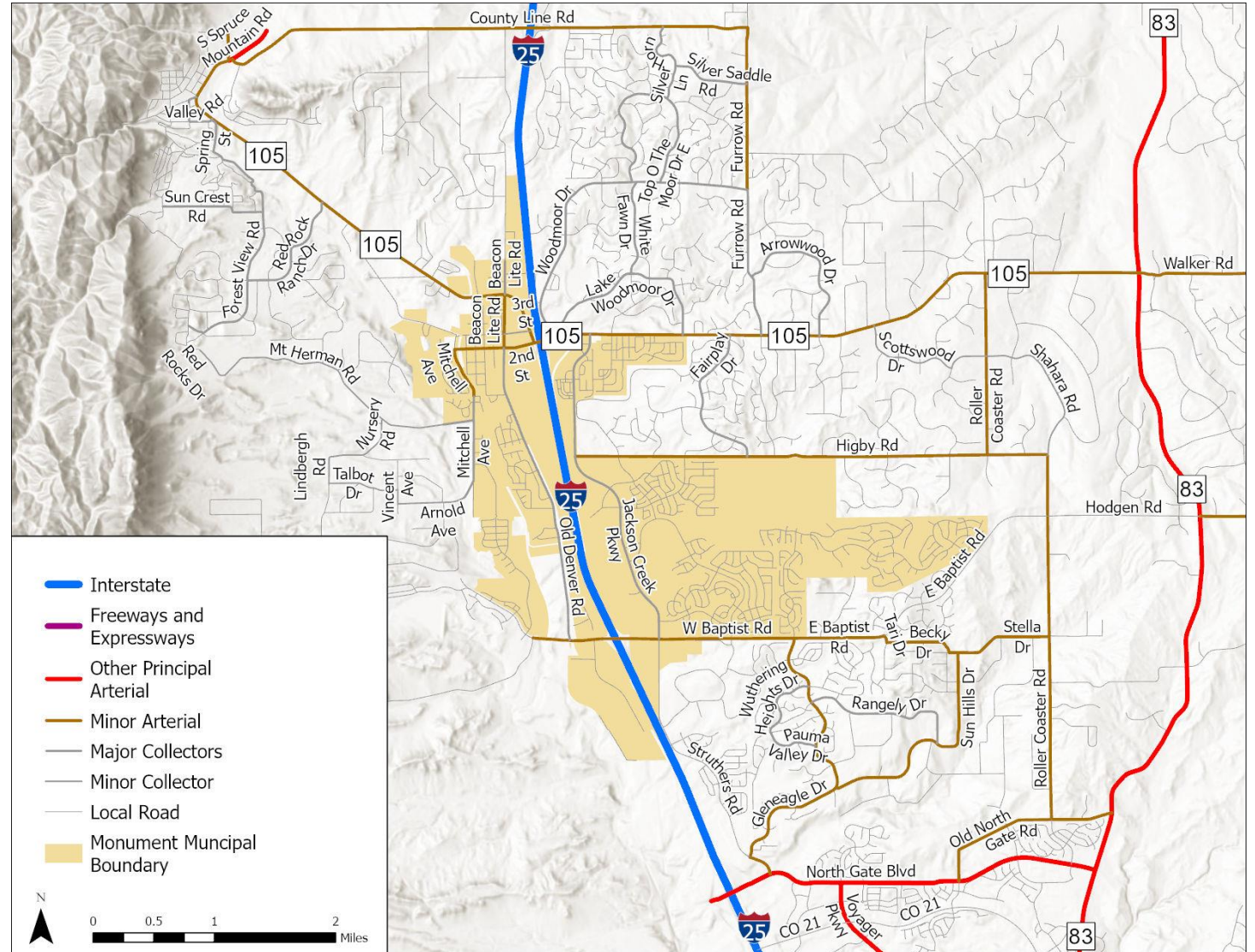
- Several maintenance projects
- One new facility: Public Works Shop
 - \$18.0M project
 - Roughly half the cost may be eligible for impact fees
- Risks and considerations
 - Is it worth collecting an impact fee for one project?
 - What if the project doesn't materialize?
 - Best to have several projects that fees can be spent on

Project Name	Cost
Not Eligible	
259 Reinforce Foundation	\$250,000
Access Control Replacement/Standardization (All buildings)	188,000
PW Shop insulation & building repairs	175,000
Parking lot repave at 259	100,000
Roof at Town Hall	90,000
Overhead doors at PW Shop	32,000
Town Hall Parking lot	30,000
Town Hall Front Steps & façade repairs	<u>25,000</u>
Total	\$890,000
Partially Eligible	
New Public Works Shop	<u>\$18,000,000</u>
Total	\$18,000,000

Source: Town of Monument; Economic & Planning Systems

TRANSPORTATION

- Town is mostly hemmed in by existing development
- Little need to extend major roads
- Road projects identified are either maintenance or already funded
- Jackson Creek Parkway
 - Revenue needed soon
 - Impact fee revenues take time to accrue



DISCUSSION AND NEXT STEPS

NEXT STEPS

- Consider an ordinance for a Police Impact Fee
 - Can adopt maximum amount calculated or lower amount
 - Define when it goes into effect
 - Can be phased in with many options
- Continue capital project planning work
 - Staff can develop a more defined Capital Improvement Plan
 - A Parks and Trails Master Plan can be a solid basis for impact fees

CONSIDER OTHER FUNDING SOURCES

- Improvement districts and special assessments
 - Gain support from property owners to fund projects with localized benefits
 - Sidewalks, neighborhood park improvements, drainage
- Transportation Utility Fee
 - Monthly bill to pay for street maintenance programs
 - Often sent with utility bill (water, sewer)
 - Difficult to implement, especially with multiple water districts in Town
- Voter approved tax measures
 - Dedicated sales or property tax for capital projects
 - Bond against revenues
 - Commerce City: citizen outreach, projects with broad support, approved 0.5% sales tax

TOWN OF MONUMENT

ORDINANCE NO. 02-2026

AN ORDINANCE AMENDING TITLE 13 OF THE MONUMENT MUNICIPAL CODE TO PROHIBIT THE PROVISION OF TOWN WATER SERVICE TO PROPERTIES LOCATED NORTH OF THE PALMER DIVIDE

WHEREAS, the Town of Monument ("Town") is a Colorado home rule municipality organized and operating under a Home Rule Charter adopted pursuant to Article XX of the Colorado Constitution and the Town's Home Rule Charter approved by the electors on November 8, 2022; and

WHEREAS, pursuant to Section 1.3 of the Town of Monument Home Rule Charter, the Town may adopt ordinance and resolutions on local and municipal matters, unless otherwise prohibited by Charter or by laws applicable to home rule municipal corporations in the State of Colorado and has all rights powers and liabilities applicable to a Colorado home rule municipal corporation as set forth in Article XX of the Colorado Constitution and title 32, Colorado Revised Statutes, and other applicable statutes; and

WHEREAS, the Town Council is the governing body of the Town under a Council-Manager form of government and is charged with establishing legislative policy for the Town, including policies governing municipal water supply and service; and

WHEREAS, pursuant to Title 13 of the Monument Municipal Code the Town owns and operates a municipal water utility; and

WHEREAS, the Town Water Department is actively analyzing permanent and renewable water supply sources necessary to ensure long-term reliability for existing residents and lawful future development; and

WHEREAS, the Town is evaluating its existing and potential future wholesale or contractual water supplies that may originate from the Arkansas River Basin and be conveyed through regional delivery infrastructure, including but not limited to the Northern Delivery System and the Loop Water System, and these water supplies within the Arkansas Basin and subject to Colorado Water Court Division 2 decrees and flow-protection agreements; and

WHEREAS, such decrees and agreements strictly require participating entities to prevent return flows, including wastewater discharges and irrigation percolation, from reaching the South Platte River Basin (Water Division 1) to protect downstream water rights; and

WHEREAS, the Palmer Divide is a well-recognized topographic and hydrologic divide separating the Arkansas River Basin to the south, which is adjudicated by the Water Court, Water Division 2, from the South Platte River Basin to the north, which is adjudicated by the Water Court, Water Division 1; and

WHEREAS, the extension of Town water service to properties north of the Palmer Divide would create return flows that drain into the South Platte River Basin, preventing their reuse or being credited to the Town, and necessitating replacement or augmentation in the Arkansas River Basin; and

WHEREAS, violating these decrees would threaten the Town's ability to secure renewable water, expose the Town to severe legal enforcement and penalties, and endanger the public health and welfare of the citizens of Monument; and

WHEREAS, there are currently no properties north of the Palmer Divide receiving municipal water service from the Town, and the Town Council desires to proactively prohibit the provision of Town water service to properties located north of the Palmer Divide to protect and preserve the Town's water supply and prevent future violations; and

WHEREAS, this Ordinance was introduced by title, considered at a public hearing, and voted upon at the regular meeting of the Town Council on February 17, 2026.

**THE TOWN COUNCIL OF THE TOWN OF MONUMENT, COLORADO,
ORDAINS:**

SECTION 1. Incorporation. The recitals set forth above are incorporated and ordained as if set forth in this section in full.

SECTION 2. Addition of Chapter 13.20. Title 13 of the Monument Municipal Code is hereby amended by the addition of Chapter 13.20, as set forth in Exhibit A, attached hereto and incorporated herein.

SECTION 3. Publication. Pursuant to Subsection 6.5 and 3.6 of the Town of Monument Home Rule Charter and Subsection 2.04.040, F. of the Monument Municipal Code, upon approval this Ordinance shall be published on the Town's official website in full for not less than ten (10) days.

SECTION 4. Authentication and Filing. Upon passage this Ordinance shall be authenticated by the Mayor and Town Clerk and maintained by the Town Clerk in such form as is sufficient to assure reasonable access by the public. Failure to authenticate any ordinance shall not invalidate it or suspend its operation.

SECTION 5. Effective Date. This Ordinance shall become effective and be in full force and effect ten (10) days after final publication.

SECTION 6. Severability. If any portion of this Ordinance or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications of the Ordinance which can be given effect without the invalid portion or application, provided such remaining portions or applications are not determined by the court to be inoperable.

INTRODUCED, PASSED, and ADOPTED/REJECTED by the Town Council of the Town of Monument, Colorado this 17th day of February 2026 by a vote of _ for and _ against.

TOWN OF MONUMENT

By _____
Mitch LaKind, Mayor

Attest:

Tina Erickson, Town Clerk

EXHIBIT A
TO ORDINANCE NO. 02-2026

Chapter 13.20 – Prohibition on Water Service North of the Palmer Divide

13.20.010 – Purpose

The purpose of this Chapter is to protect the Town's water supply and fulfill its legal obligations by preventing Return Flows to the South Platte River Basin. These requirements are established to safeguard the health, safety, and welfare of all residents and visitors of Town.

13.20.020 - Definitions.

For purposes of this section:

- A **Municipal Water Service** means the provision, delivery, or availability of potable or non-potable water of or supplied by the Town, directly by the Town or by a third party provider, whether by direct or indirect service connection, wholesale service, intergovernmental agreement, contract, or any other mechanism.
- B **Palmer Divide** means the natural topographic and hydrologic divide generally separating the Arkansas River Basin from the South Platte River Basin.
- C **Property North of the Palmer Divide** means any parcel of land, territory, or service area where the use of Municipal Water Service could result in Return Flows entering the South Platte River Basin (Water Division 1).
- D **Return Flows** means water released or discharged from Municipal Water Service, including but not limited to wastewater discharge, septic system percolation, outdoor landscaping irrigation runoff, subsurface percolation from irrigation, and any other release or discharge of water from Municipal Water Service.

13.20.030 - Prohibition.

The Town shall not provide Municipal Water Service to any Property North of the Palmer Divide for any purpose. This prohibition is absolute and applies to all forms of water use, including domestic, commercial, industrial, fire protection, and outdoor landscaping/irrigation.

13.20.040 - Determination of Location.

The Town Manager, in consultation with the Public Works Director, or their designees, shall have the sole administrative authority to determine whether a specific property constitutes a Property North of the Palmer Divide, based on a site-specific analysis. The Town Manager's determination shall be final. The Town may require a site-specific analysis be conducted and determination be made at the property owner's expense as a condition of annexation of any property in the vicinity of the Palmer Divide.

13.20.050 - Scope of Prohibition.

The prohibition in this section applies to Municipal Water Service by the Town regardless of whether the property is:

- A. Inside or outside the Town's corporate limits; or
- B. Subject to annexation, proposed annexation, or any intergovernmental or development agreement.

13.20.050 - Administrative Limitation.

No Town officer, employee, board, commission, or agent shall approve, authorize, or facilitate any agreement, infrastructure extension, or utility commitment that would result in the provision of Municipal Water Service in violation of this section.

13.20.060 - No Vested Rights.

Nothing in this section shall be construed to create a vested right to water service, nor shall this section obligate the Town to extend water service to any property.



TOWN OF MONUMENT COUNCIL MEMORANDUM

TO: Mayor and Town Council

FROM: Jennifer Phillips, Finance Director

Dan Ungerleider, Planning Director

DATE: February 17, 2026

SUBJECT: Resolution Approving Submission of a FEDERAL BUILD Grant Application in the amount of \$5,000,000 and authorizing use of General Fund Reserve Funds in the amount of \$1,000,000 TO \$1,500,000 for the Local Match

STRATEGIC PRIORITIES (2026-2028)

- ☒ **Ensure Long-Term Financial Health and Sustainability** - Supports long-range financial health, forecasting and sustainability to ensure efficient and resilient municipal services.
- ☐ **Strengthen Community Engagement** - Enhances community engagement, and strengthens communication and collaboration with residents, partners, and neighboring communities.
- ☒ **Enable Responsible Community Development** - Establishes clear, accountable plans, processes, and procedures for responsible and enduring community development and growth.
- ☐ **Reinforce a Positive Work Culture** - Promotes a positive and professional work culture that attracts and retains top talent and enhances high-quality service delivery to the community.

PURPOSE OF MEMORANDUM

Request approval of Resolution 09-2026, authorizing staff to submit a Federal Grant Application for Jackson Creek Parkway under the Better Utilizing Investments to Leverage Development (BUILD) Grant Program and authorizing use of General Fund Reserve Funds for the Local Match.

BACKGROUND

The Jackson Creek Parkway Improvement Project is part of an overall improvement program designed to address community needs and desires for the entire corridor that will also accommodate existing and future development.

The widening project specifically involves expanding Jackson Creek Parkway from one lane in each direction to two lanes in each direction, extending the four-lane configuration from

Higby Road north to the intersection of Highway 105. The project also includes drainage improvements, median landscaping, pedestrian and bike pathways, and "Gateway" treatments.

During 2023 and 2024, the Town secured grant funding from the Colorado Department of Transportation for Jackson Creek Parkway.

TOTAL ESTIMATED PAYMENT TO LOCAL AGENCY 89.39% \$7,310,077.00
TOTAL ESTIMATED FUNDING BY LOCAL AGENCY 10.61% \$867,369.00
TOTAL PROJECT ESTIMATED FUNDING 100.00% \$8,177,446.00

DISCUSSION / ANALYSIS

In 2025, Town staff refocused efforts on the Jackson Creek Parkway project. With no additional funding secured for the project, staff directed the design consultant to adjust the design to accomplish road improvements for the amount currently secured by the Town, \$8,177,446. The revised road design focuses the first section of the project on adding northbound lanes and proposes using the existing lanes for the southbound lanes. It is anticipated that construction could begin in April 2027 with construction complete by January 2028.

The remaining cost to build the southbound lanes is expected to be nearly \$5 million. Staff continue to seek funding opportunities for this portion of the project. The 2026 National Infrastructure Investments program released their notice of funding opportunity for the Better Utilizing Investments to Leverage Development Grant Program. This grant requires a minimum 20% local match. The higher the local match, the stronger the grant application will be rated by the federal government.

The only funding available for a local match is the General Fund Reserve, which currently is estimated at \$8.8 million, which is a 60% reserve.

FINANCIAL IMPACT

Staff are seeking the Town Council's approval to submit the BUILD grant and are requesting Council direction on the amount of the local match:

- 20% local match = \$1 million
- 25% local match = \$1.25 million
- 30% local match = \$1.5 million

RECOMMENDED ACTION

Approve Resolution 09-2026 authorizing submission of a BUILD application in the amount of \$5 million with a minimum local match of 20-30%.

ATTACHMENTS

Resolution 09-2026 - AUTHORIZING SUBMISSION OF A FEDERAL GRANT UNDER THE
BETTER UTILIZING INVESTMENTS TO LEVERAGE DEVELOPMENT (BUILD) GRANT
PROGRAM

TOWN OF MONUMENT
RESOLUTION NO. 09-2026

**A RESOLUTION AUTHORIZING SUBMISSION OF A FEDERAL BUILD GRANT
APPLICATION TO FUND THE TOWN'S JACKSON CREEK PARKWAY WIDENING
PROJECT .**

WHEREAS, the Town of Monument ("Town") is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and Town's Home Rule Charter and approved by the electors on November 8, 2022; and

WHEREAS, the Town of Monument has identified the need to ensure long-term financial health and sustainability as a strategic priority for 2026–2028, including supporting prudent financial planning, long-range forecasting, and responsible investment in order to maintain efficient, resilient, and high-quality municipal services for the benefit of the Monument community; and

WHEREAS, Financial Policy 5 –When the potential for the Town's expenditures exceed a local match of \$20,000, departments should seek Council approval prior to submission of the grant application; and

WHEREAS, the Town has secured nearly \$8 million in grant funds for the 1.2-mile segment of Jackson Creek Parkway; and

WHEREAS, the estimated project cost exceeds the current amount of funding secured for this project, requiring additional funding; and

WHEREAS, the federal government has issued the FY 2026 Notice of Funding Opportunity for the Better Utilizing Investments to Leverage Development (BUILD) Grant Program; and

WHEREAS, the Town's Jackson Creek Parkway expansion project possesses qualifying attributes making it eligible for consideration for this program; and

WHEREAS, the BUILD grant application requires a minimum local match of 20% of the total estimated project cost, which is currently estimated to be \$5 million, thereby requiring a minimum local match amount of \$1 million; and

WHEREAS, a minimum amount of \$1 million in General Fund Reserve Funds requires Town Council Authorization;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MONUMENT, COLORADO THAT:

The Town shall submit a grant application for the federal BUILD grant program for the remaining section of Jackson Creek Parkway at an estimated cost of \$5 million with a minimum local match of \$1 million.

PASSED AND RESOLVED by the Town Council of the Town of Monument, Colorado,
this 17th day of February 2026, by a vote of ____ for and ____ against.

TOWN OF MONUMENT

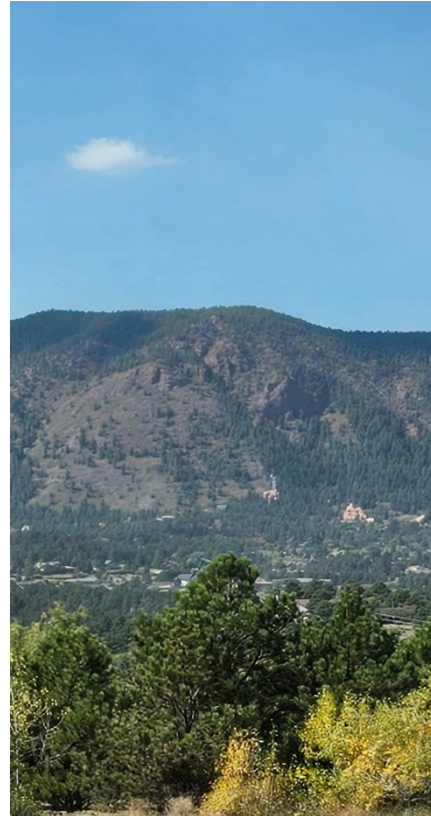
Mitch LaKind, Mayor

ATTEST:

Tina Erickson, Town Clerk

Jackson Creek Parkway Improvement Project Status Update & BUILD Grant Application

February 17, 2026



Jackson Creek Parkway Improvement Project

INTRODUCTION

The Jackson Creek Parkway Improvement Project is part of an overall improvement program designed to address community needs and desires for the entire corridor that will also accommodate existing and future development.

The widening project specifically involves expanding Jackson Creek Parkway from one lane in each direction to two lanes in each direction, extending the four-lane configuration from Higby Road north to the intersection of Highway 105. The project also includes drainage improvements, median landscaping, pedestrian and bike pathways, and “Gateway” treatments.



Jackson Creek Parkway Improvement Project

PROJECT BUDGET

- In 2025 the project's design engineer provided an engineer's estimate to accompany 90% construction design plans
- Engineer's estimated construction cost was \$17.1M
 - Exceeds available budget by over 50%
 - Estimate is based on late 2024/early 2025 construction costs and cost due to inflation could result in increase in 2026 when contractor bids are secured
- This resulted in the need to design an interim solution, the Town does not have the available budget to bridge this major funding gap



Jackson Creek Parkway Improvement Project

FUNDING SUMMARY

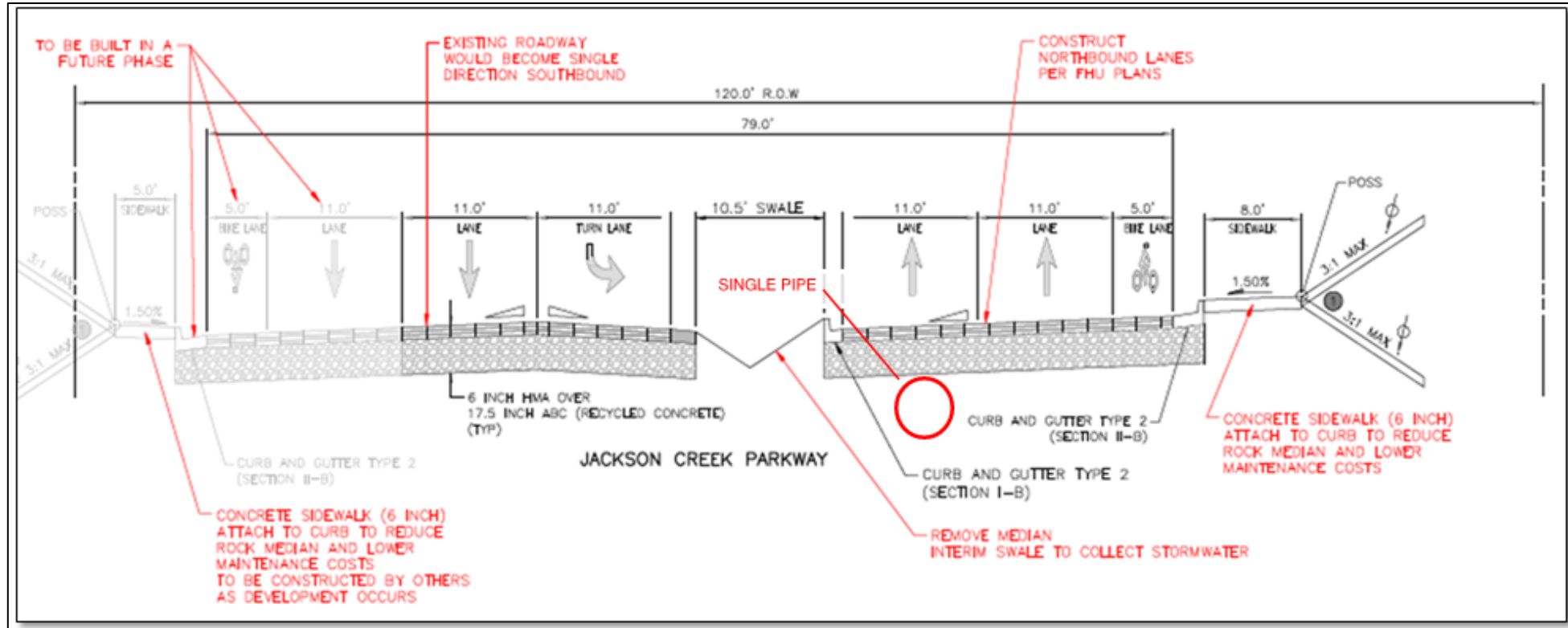
Total Project Allocation (CDOT):	\$	8,177,446
Expended for design	\$	1,200,000
Needed to complete design*	\$	500,000
Remaining CDOT funds for construction:	\$	6,477,446
Additional Developer Funds	\$	831,096
2023 Carbon Reduction Program Funds	\$	241,575
TOTAL FUNDS AVAILABLE FOR CONSTRUCTION:	\$	7,550,117

* Any funds unexpended and can be rolled into construction (per CDOT).



Jackson Creek Parkway Improvement Project

REVISED ROAD DESIGN

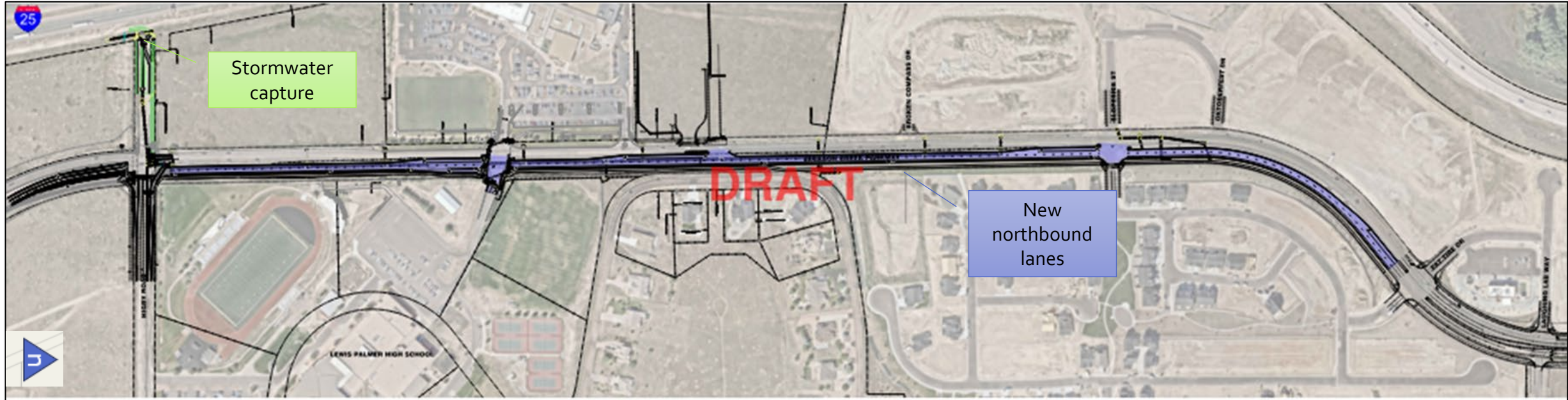


A new approach was advanced to construct improvements within available budget.



Jackson Creek Parkway Improvement Project

REVISED ROAD DESIGN

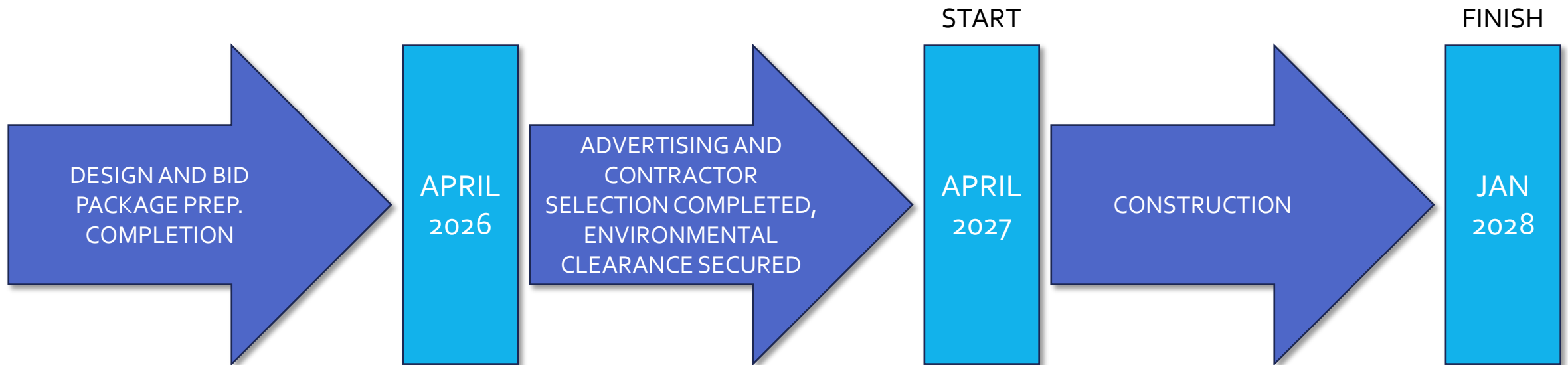


The aerial depicts the construction proposed.
This approach gains new northbound lanes and uses existing roadway for southbound lanes.



Jackson Creek Parkway Improvement Project

IMPLEMENTATION SCHEDULE



BUILD Grant Program

- **FY 2026 National Infrastructure Investments**
- **Funds projects that will have a significant local or regional impact and improve transportation infrastructure**
- **Total federal funding = \$1.5 billion**
- **Applications are due by February 24, 2026**



BUILD Grant Program

- **Grants are awarded on a competitive basis for planning and constructing surface transportation infrastructure projects that improve:**
 - **Safety**
 - **Environmental sustainability**
 - **Quality of life**
 - **Mobility and community connectivity**
 - **Economic competitiveness and opportunity**
 - **State of good repair**
 - **Partnerships and collaboration**
 - **Innovation**



Next Steps

- Identifying funding for remaining portion of Jackson Creek Parkway (South Lanes)
- Cost estimated to be \$5 million
- Apply for federal funding through BUILD* Grant
 - *Better Utilizing Investments to Leverage Development
- Grant Application due February 24, 2026
- Requires minimum local match of 20%
 - Higher local match amount, stronger grant application



Next Steps

- **Financial Impact**

- **Estimated 2025 General Fund Reserve Ending Fund Balance**
 - \$8.8 million = 60%
- **2026 Adopted Budget estimated General Fund Reserve Ending Fund Balance**
 - \$5.87 million = 40%
- **20% local match = \$1 million**
- **25% local match = \$1.25 million**
- **30% local match = \$1.5 million**



Jackson Creek Parkway Improvement Project

Town Council Actions

- Approve submission of BUILD grant application
- Identify local match amount from General Fund Reserve
- Approve resolution 09-2026





TOWN OF MONUMENT COUNCIL MEMORANDUM

TO: Mayor and Town Council
Madeline VanDenHoek, Town Manager

FROM: Jennifer Phillips, Finance Director
Dan Ungerleider, Planning Director

DATE: February 17, 2026

SUBJECT: Resolution No. 13-2026, A Resolution Authorizing The Submission Of A Grant Application To The Department Of Local Affairs For The Energy/Mineral Impact Assistance Fund For The Development Of A Master Transportation Plan

STRATEGIC PRIORITIES (2026-2028)

- ☒ **Ensure Long-Term Financial Health and Sustainability** - Supports long-range financial health, forecasting, and sustainability to ensure efficient and resilient municipal services.
- ☐ **Strengthen Community Engagement** - Enhances community engagement, and strengthens communication and collaboration with residents, partners, and neighboring communities.
- ☒ **Enable Responsible Community Development** - Establishes clear, accountable plans, processes, and procedures for responsible and enduring community development and growth.
- ☐ **Reinforce a Positive Work Culture** - Promotes a positive and professional work culture that attracts and retains top talent and enhances high-quality service delivery to the community.

PURPOSE OF MEMORANDUM

Staff requests approval of Resolution 13-2026, permitting submission of a Department of Local Affairs grant application to fund Phase I of the Town's Master Transportation Plan and authorizing the use of \$250,000 in General Fund Reserve funds as the local match.

BACKGROUND

Last September the State adopted Colorado's 2050 Statewide Transportation Plan (the "Plan"). The Plan sets a vision for a safer, more resilient, and inclusive mobility network, and will be used to prioritize transportation projects in the State, and establishes the following key strategic priorities:

- **Fixing Roads & Safety:** Major reductions in poor road conditions and targeted safety upgrades, including wildlife crossings and vulnerable user protections.
- **Expanding Choices:** Investments in transit, mobility hubs, and multimodal options to serve diverse communities and reduce reliance on single-occupancy vehicles.
- **Regional Collaboration:** Integration of local priorities from 10 rural TPRs and 5 MPOs ensures solutions fit each community's needs.

- Forward-Looking Strategies: Emphasis on electrification, connected vehicles, and sustainable freight to prepare for future demands.

DISCUSSION / ANALYSIS

Key projects include the design of a mobility hub in Monument, safety enhancements, transit expansion, and coordination with military facilities. These efforts aim to address the region's growing population, evolving transportation needs, and environmental sustainability goals in line with the following Town Strategic Priorities: to Ensure Long-Term Financial Health and Sustainability; to Strengthen Community Engagement; and to Enable Responsible Community Development.

Over the coming months, aligning the Town's Monument 2040 Comprehensive Plan and Capital Development Plan with the State's Plan will be critical. Strategic alignment with state priorities will enhance the Town's competitiveness for funding and increase the likelihood that local transportation initiatives are incorporated into future State Transportation Plans.

A Master Transportation Plan is estimated to cost at least \$500,000. Similar to the DOLA grant used to fund Monument 2040, this grant requires a minimum one-for-one local match and will fund up to \$200,000, or a project total of \$400,000.

In order to maximize the benefit of the grant, the Town Engineer has structured the development of the Master Transportation Plan into two (2) phases. In doing, the Town will be able to maximize the funding match made available by the State (DOLA) secured by two (2) separate grant awards and will allow opportunity to seek regional partners who may also benefit from the results of the Town's Master Transportation Plan.

Given that the Plan's estimated cost will exceed the maximum funding provided for by the current DOLA grant, and that it is understood that this will be an extremely competitive application process, Staff is requesting Town Council authorize Staff to offer a \$50,000 increase to the grant's required \$250,000 local match. This increase will illustrate the Town's commitment moving forward, and it will allow the Town to complete more objectives during Phase I of the Plan's development.

FINANCIAL IMPACT

The General Fund Reserve—currently estimated at \$8.8 million, representing a 60% reserve—is the only available funding source for the match. A Master Transportation Plan aligned with regional, county, and statewide transportation initiatives, and grounded in the Town's identified needs, will be essential for securing future funding necessary to implement local transportation improvements.

RECOMMENDED ACTION

A motion to **APPROVE** Resolution No. 13-2026, A Resolution Authorizing The Submission Of A Grant Application To The Department Of Local Affairs For The Energy/Mineral Impact Assistance Fund For The Development Of A Master Transportation Plan.

ATTACHMENTS

- Resolution No. 13-2026
- Draft Scope - Master Transportation Plan Scope

TOWN OF MONUMENT
RESOLUTION NO. 13-2026

**A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION
TO THE DEPARTMENT OF LOCAL AFFAIRS FOR THE ENERGY/MINERAL
IMPACT ASSISTANCE FUND FOR THE DEVELOPMENT OF A MASTER
TRANSPORTATION PLAN**

WHEREAS, the Town of Monument (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and Town’s Home Rule Charter and approved by the electors on November 8, 2022; and

WHEREAS, the Town of Monument has identified the need to ensure long-term financial health and sustainability as a strategic priority for 2026-2028, including supporting prudent financial planning, long-range forecasting, and responsible investment in order to maintain efficient, resilient, and high-quality municipal services for the benefit of the Monument community; and

WHEREAS, the Town of Monument has established enabling responsible community development as a strategic priority for 2026-2028, emphasizing the importance of clear, consistent, and accountable plans, processes, and procedures that foster positive conditions for thoughtful, sustainable, and enduring growth within the community; and

WHEREAS, Financial Policy 5 –When the potential for the Town’s expenditures exceed a local match of \$20,000, departments should seek Council approval prior to submission of the grant application; and

WHEREAS, in September 2025, the State adopted Colorado’s 2025 Statewide Transportation Plan; and

WHEREAS, the Plan will be used to prioritize transportation projects in the State; and

WHEREAS, the Town is expected to develop a transportation plan with the goal of strategically aligning with state priorities that will enhance the town’s competitiveness for funding and increase the likelihood that local transportation initiatives are incorporated into future State Transportation projects; and

WHEREAS, the Town intends to apply for a Department of Local Affairs grant application requires a minimum local match 100% local requiring an estimated local match amount of \$250,000; and

WHEREAS, use of \$250,000 in General Fund Reserve Funds requires Town Council Authorization;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MONUMENT, COLORADO THAT:

The Town shall submit a grant application for the State's Department of Local Affairs grant to fund a Transportation Plan at the estimated cost of \$500,000 with a required local match 250,000.

PASSED AND RESOLVED by the Town Council of the Town of Monument, Colorado, this 17th day of February 2026, by a vote of ____ for and ____ against.

TOWN OF MONUMENT

Mitch LaKind, Mayor

ATTEST:

Tina Erickson, Town Clerk

MEMORANDUM

TO: The Honorable Mayor and Town Council
FROM: Thomas A. Tharnish, Director of Public Works
DATE: February 17, 2026
RE: Resolution 11-2026 to approve a fee in-lieu of water rights.

BACKGROUND: The Town of Monument Municipal Code, Section 13.04.160 provides that the Town of Monument may accept a fee in-lieu of water rights in the event that the water rights associated with the proposed development are insufficient. The Town Council, by resolution, shall establish the cost per acre-foot which shall be utilized to calculate the amount of such fee. The fee in-lieu shall be paid prior to final plat recordation.

DISCUSSION: In accordance with the current town code, Section 13.04.150, if the water supply is insufficient, the Town can withhold approval and charge any proposed development, allow the developer to secure additional water rights or accept the fee in-lieu of water rights. When a development is considered “Water Short”, having a set fee amount would ensure each development would be charged the same amount on an acre-foot basis of the shortage of water rights. The senior water staff has been consulting with the Town’s water consultant about what the fee should be, it was determined that a fee of \$30,000 per acre-foot should be the fee at this time-based information from neighboring communities. The current fee was set at \$10,000 approved by Resolution 04-2018. One other note after receiving the advice from the Town’s water consultant, he recommended the town set a maximum limit of the amount that would be allowed to no more 10% of the water project demand. The (%) established here is similar to other municipalities that have a similar fee.

PROS/CON’S: Pro’s - By moving forward with this resolution to establish a “fee in-lieu of water rights”, it will allow for the Planning Department and the Water Department to work together seamlessly to ensure the Town’s water portfolio is protected and will ensure that water-short developers pay the appropriate fee if the Council allows the development to move forward. Con’s - By not approving this resolution, we would need to calculate what a fee should be for each individual water-short development and come back to the Town Council to re-establish what the new fee should be.

FISCAL IMPACT: The total cost of this resolution will be a positive amount to the budget based upon how water-short a development would be when it is initiated with our Planning Department.

STAFF RECOMMENDATION: Recommend passage of Resolution 11-2026, approving a fee in-lieu for water short development projects. The new fee proposed by approving this resolution will be set \$30,000 per acre-foot and a maximum limit of no more than 10% of the water project demand.

TOWN OF MONUMENT

RESOLUTION NO. 11- 2026

A RESOLUTION APPROVING A FEE IN-LIEU OF WATER RIGHTS

WHEREAS, the Town of Monument Municipal Code Section 13.04.160 provides that the Town of Monument may accept a fee in-lieu of water rights in the event water rights associated with a proposed development are insufficient to meet the projected demand, and;

WHEREAS, the Town of Monument Municipal Code Section 13.04.160 further provides that the Town Councils shall establish by resolution the cost per acre-foot which shall be utilized to calculate the amount of such fee, and;

WHEREAS, the Town of Monument staff has researched, and utilized the Town's Water Consultant, to research similar municipalities as to what they charge for developments who are presented as "water-short" based upon full buildout of their development, and;

WHEREAS, the Town of Monument staff has determined that a fee of \$30,000 per acre-foot for water rights is consistent with the market value of replacing water needed to ensure a development project meets the water demand at full buildout and limit the amount of any project that is water-short to 10% of the total amount needed to meet the total water demand of the development project, and;

WHEREAS, the Town of Monument Town Council believes establishing a fee in-lieu of water rights as set forth in Section 13.04.160 of the Town of Monument Municipal Code is necessary and in the best interests of the citizens of the Town of Monument, and;

WHEREAS, this resolution is in line with 2 of the Town's new Strategic Priorities for "Ensure Long Term Financial Health and Sustainability" and "Enable Responsible Community Development".

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MONUMENT, COLORADO THAT:

The Town Council hereby approves a "fee in-lieu of water rights" at an amount of \$30,000 per acre-foot and also limits the amount of water needed to 10% of the total water demand at full buildout.

PASSED AND RESOLVED by the Town Council of the Town of Monument, El Paso County, Colorado, this 17th day of February 2026 by a vote of ____ for and ____ against.

TOWN OF MONUMENT

ATTEST:

Mitch LaKind, Mayor

Tina Erickson, Town Clerk

TOWN OF MONUMENT FEE SCHEDULE

REVISED 09/01/25 02/17/2026

I. ADMINISTRATION DEPARTMENT FEES

A. LICENSES AND PERMITS

Business Licenses		
Initial Application Fee, Annual Renewal Fee	\$75	Fee is not prorated
Late Renewal Fee, Duplicate License Fee	\$10	Per month
Solicitor's License Application Fee	\$10	
Escort Bureau Application Fee	\$1000	Non-refundable
Escort, Escort Service Runner Application Fee	\$500	Non-refundable
Refuse Hauler - First Vehicle	\$25	\$10 per additional vehicle
Sexually-Oriented Business Application Fee, Transfer Ownership	\$600	Non-refundable
Sexually-Oriented Business Annual License Fee	\$300	
Sexually-Oriented Business Manager Registration Fee	\$250	
Permits		
Farmer's Market Application Fee, Annual Renewal Fee	\$200	
Lake Use Application Fee	\$350	
Special Event Permit Application Fee	\$100	Waived for non-profits orgs.
Special Event Permit Maintenance Fee	\$35	If applicable
Special Event Permit Service Fee	\$500	If temporary fencing required
Special Event Permit Security Fee	\$70/hr/officer	If applicable
Liquor Licenses and Special Event Liquor Permits		
State fees: https://sbg.colorado.gov/liquor Local fees: https://www.townofmonument.org/163/Liquor-Licenses		

B. OTHER ADMINISTRATIVE FEES

Cemetery Services		
Burial Rights Full Size Plot	\$800	
Burial Rights Cremation Garden	\$350	
Open/Close Fees Full Size Plot	\$350	
Open/Close Fees Cremation Garden	\$150	Cremation only
Disinterment Fee	\$750	

Notary Services		
Document Notarization	\$5	No charge for senior citizens
Payment Processing Fees		
EFT Web Transaction Fee	\$.74	Per transaction
EFT Returned Item Basic Fee	\$7	Per item
EFT Return NSF of Account Closed Fee	\$14	Per item
EFT Return Stop Payment or Charge Back Fee	\$30	Per item
Credit/Debit Card Web Transaction Fee	\$.74	Per transaction
Bank Bill Pay Transaction Fee	\$.25	Per transaction
Return Check Fee	\$25	Per check

C. PARK RESERVATIONS

FEES PER RESERVATION FACILITY: Dirty Woman Creek Pavillion & Grill, Dirty Woman Creek Sports Field, Santa Fe Trail Baseball Field North, Santa Fe Trail Baseball Field South		
Use Fee	\$50	First 4 hours
Use Fee	\$15	Each additional hr.
Maintenance Fee	\$35	Non-refundable
Damage Deposit	\$100	Refundable

D. PUBLIC RECORDS

Type	Fee
Standard Copy (8.5"x11" Black & White)	\$. 25 per page
Non-Standard Copy	All non-standard copies charged at the actual cost of production.
Color or Certified Copy	\$2 per page
Audio/Video Recordings	\$15 per recording
Faxes	\$. 50 per page (10 page minimum)
Research and Retrieval	\$41.37 per hour (after the first hour).
Manipulation	Actual cost of manipulation (e.g., redaction costs, reformatting costs).
Transmittal	Actual cost of delivery (other than by electronic mail).
Third-Party Documents	Actual cost of production.

II. PLANNING DEPARTMENT FEES

A. CONSTRUCTION PERMITS

Type	Fee	
Residential: New	\$150 + 2% use tax	
Residential: Addition	\$25 + 2% use tax	
Commercial/Multi Family	\$125 + 2% use tax	
*Residential Fence Permit	\$15 + 2% use tax	
Non-Residential Fence Permit	\$50 + 2% use tax	
Revocable Permit	\$25 + 2% use tax	
Revocable Permit for Sandwich Sign	No charge	
Sign Permit	\$100 per permanent sign	\$15 per temporary sign
Temporary Use Permit, Business Operating in a Parking Lot, or Demolition Permit	\$50	

Monument construction new builds (residential and commercial) will utilize a combined permit to include sidewalks, landscaping and fences related to that property. All related fees will be included on one permit for ease of payment. *There are no fees for existing fences that need to be replaced or repaired.

B. ENGINEERING REVIEW FEES

-fees apply to review of engineering plans

Construction Documents (CD)	\$500 for internal review only
<i>Outside fees such as engineering and consultant fees may be billed directly, which replaces the retainer.</i>	

C. FEES-IN-LIEU

Fees-in-Lieu of Park Land Dedication	
- Pro-rated using the average value of land in the Town, <u>plus</u>, - Cost per acre of constructing the improvements for that type of facility	
Such fee may be updated from time to time to reflect current market land values and costs of the improvements and shall be adopted by Resolution and included in the Town's fee schedule.	
- Average value of land in the Town at \$83,160 per acre - Cost per acre of constructing improvements as documented in the <i>Town of Monument Parks, Trails, and Open Space Master Plan</i> (see Monument Municipal Code § 18.02.350, 18.02.330(B), and 18.02.330(D))	

Fees-in-Lieu of School Land Dedication (Based on a District Conducted Fee Study)	
Unit Type	Fee Per Unit
Single-Family Detached	\$2,217.84
Townhouse/Duplex/Single-Family Attached	\$1,412.82
Multi-Family/Other	\$992.39

D. IMPACT FEES

Drainage Impact Fees (2018 El Paso County Drainage Basin Fees)	
Basin Name and Number	Fee Per Impervious Acre
Crystal Creek (FOMO5300) Dirty Woman Creek (FOMO5200) Monument Branch (FOMO03800)	\$18,350
Jackson Creek (FOMO4400)	\$7,263
Palmer Lake (FOMO5400)	\$12,717
Teachout Creek (FOMO4800)	\$5,044
Monument Rock (FOMO4800)	\$7,953
Beaver Creek (FOMO4600)	\$10,970
Traffic Impact Fees	
Type	Fee Per Dwelling Unit (DU) or 1,000 Sq. Ft. (KSF)
Single Family	\$707/du
Multi-Family	\$457/du
Industrial	\$515/ksf
Office	\$1,186/ksf
Retail High Trip	\$4,418/ksf
Retail Low Trip	\$2,165/ksf

E. NEW BUILD SITE DEVELOPMENT & INFRASTRUCTURE INSPECTION FEES

Site Preparation, Grading, & Stormwater Drainage	
0-5 Acres	\$150
6-50 Acres	\$350
Over 50 Acres	\$1,000
Potable Water Distribution Systems, Sanitary Sewer Collections, & Transmission Systems	
0-499 Linear Feet	\$250
500-2,500 Linear Feet	\$1,000
Over 2,500 Linear Feet	\$2,000

Pavement (Impervious Surface)	
0-4,999 Square Feet	\$150
5,000-25,000 Square Feet	\$600
Over 25,000 Square Feet	\$1,200
Curbing or Sidewalk, Irrigation	
0-1,000 Linear Feet	\$150
Over 1,000 Linear Feet	\$500
Landscaping	
Per Lot	\$50
Dust Control	
Disturbed Area Exceeding One (1) Acre in Size	\$50
Tree Removal	
Per Mature Tree - Commercial & Residential New Build/Development Only	\$25 (max. of \$500)
Work Within Town Right-of-Way	
Road Cuts & Restoration	\$200 per lane (omitted bond)
Jack & Bore	\$125 per lane
Maintenance of Traffic	\$100 per application
Final Inspection	
0-5 Acres	\$125
6-50 Acres	\$350
Over 50 Acres	\$600
Outside fees such as engineering and consultant fees may be billed directly. Note 1: Acceptance of road restoration shall include submittal of subsurface density tests and/or engineer's certification that backfill has been properly compacted and asphalt has been properly installed to meet all applicable standards. Note 2: A Maintenance of Traffic Plan is required for any work done within a Town right-of-way. The plan must be submitted by a person or entity qualified to prepare such a plan. Work within the right-of-way may not commence until the plan and the installation are approved by the Town. For any activity not in a listed category including but not limited to investigation fees, fee(s) due and payable pursuant to Chapter 17.09 of the Monument Municipal Code will be assessed at an hourly rate of \$50.	

F. OTHER PLANNING FEES

Type	Fee
Zoning Variance: Non-Residential	\$1,000
Zoning Variance: Residential	\$500
Conditional Use	\$500 *
Annexation	\$2,000 if 10 acres or less / \$3,500 if over 10 acres
Pre-Application Meeting	No charge: \$1,000 retainer upon request for consultant review
Additional Review Fee (After 2 Reviews)	\$200: plus \$50/Hour (\$1,000 max. fee per review)
Additional Charges	\$50/hour for additional research (at staff discretion)

CMRS Facility Fees

Building, Structure or Roof-Mounted, or Freestanding	\$500 **
Small Cell, Microcell Facility, or Small Cell Network	\$270 ***

Applicants will be invoiced for any outside engineering fees. *There may be an additional \$3,000 application fee charged for requests with infrastructure issues; at Planning Department Staff discretion.**For non-recurring fees, including a single up-front application that includes up to five small cell facilities, with an additional \$100 for each small cell facility beyond five, or \$1,000 for non-recurring fees for a new pole (i.e., not a collocation) intended to support one or more small cell facilities. ***Per small cell facility per year for all recurring fees, including any right of way access fee or fee for attachment to Town-owned structures in the right of way.

Subdivision	Fee
Preliminary Plat *	\$3,000
Final Plat, Minor Plat, or Replat	\$1,500
Plat, Right-of-Way or Easement of Vacation, Sketch Plan, or Plat Amendment	\$1,000
Zoning	Fee
Preliminary PUD* or Site Plan	\$3,500 if 5 acres or less / \$5,000 if over 5 acres
Final PUD	\$3,000
PUD Major Amendment	\$2,000
PUD Minor Amendment or Rezoning	\$1,000
Zoning Letters	\$50

Applicants will be invoiced for any outside engineering fees. *Preliminary/Final concurrent review charged as preliminary.

III. POLICE DEPARTMENT FEES

Service	Fee
Fingerprinting: Resident	\$10
Fingerprinting: Non-Resident	\$20
Crime Analysis	\$20/hour
Local Background Checks	\$5/hour
Sex Offender Initial Registration	\$30

IV. WATER DEPARTMENT FEES

A. IMPACT FEES

Water Service Size (inches)	Domestic (Potable) Water – Indoor Use or Combined Indoor/Outdoor Use	Irrigation Only
3/4 Typical SFE	\$23,080	\$23,080
1	\$41,030	\$41,030
1 1/2	\$92,320	\$92,320
2	\$123,090	\$180,650
3	\$276,960	\$369,280
4	\$492,730	\$656,500
Multi-Family Units – Indoor Consumption Only, With Separate Irrigation Service		
3/4 (MFU)	\$14,000	

B. NEW TAP/LINE INSPECT, METER SET, & MONTHLY BASE RATE FEES

Water Meter Installation and Monthly Base Rates			
Meter Size (Inches)	Installation Fee	Base Rate/Month	Base Rate/Month Outside Town's Service Boundary
3/4	\$470	\$31.85	\$47.78
1	\$571	\$56.71	\$85.07
1 1/2	\$987	\$127.43	\$191.15
2	\$1,287	\$226.49	\$339.74
3	*	\$509.68	\$764.52
4	*	\$905.94	\$1,358.91
Installation fees include meter, transponder, and installation by Town Staff. *Coordinate with the Water Dept.			

C. OTHER WATER DEPARTMENT FEES

Item	Fee
Town Labor of Installation and Inspection	\$150
Meter Test (tested accurate)	\$125
After Hours/Weekend Trip Fee	\$40
Shut-Off Notice Fee (Effective Upon Issuing a Shut-Off Notice)	\$20
Construction Meter Deposit (\$2,900 Refundable)	\$3,000
Lien Fee	\$100

D. WATER NON-PAYMENT OR REQUESTED TURN OFF/TURN ON FEES

Item	Fee
First Time Shut-off	\$50 per incident
Second Time Shut-off (Within One Year From First Shut-off)	\$100 per incident
Third Time Shut-off (Within One Year From First Shut-off)	\$150 per incident
Late Payment Fees	\$12.50 per month

E. WATER RATES

All water sold by the Town shall be sold at the following rates.

1. Residential/Commercial, mobile-home parks, and multifamily units with residential billing status in the Town; excluding Triview and Village Center Metropolitan Districts:

Volumetric Rates Per Gallon by Use Type

Usage in Gallons	Residential/ Commercial	Residential/ Commercial Outside Town's Service Boundary	Bulk Water for Residential	Bulk Water for Commercial, Government, & Contractors
0 – 3,000g	\$0.013	\$0.020	\$0.016	\$0.030
3,001-6,000g	\$0.014	\$0.021	\$0.023	\$0.032
6,001-12,000g	\$0.015	\$0.023	\$0.025	\$0.034
12,001-24,000g	\$0.016	\$0.024	\$0.027	\$0.036
24,001g+	\$0.017	\$0.026	\$0.029	\$0.038

F. FEES-IN-LIEU**Fees-in-Lieu of Water Rights**

- \$30,000 per acre-foot
- Limited to 10% of the total water demand at full buildout

MEMORANDUM

TO: The Honorable Mayor and Town Council Thomas A. Tharnish, Director
FROM: of Public Works
DATE: February 17, 2026
RE: Resolution 12-2026 to approve a policy for evaluation and acceptance of groundwater associated with development

BACKGROUND: The Town of Monument Water Department staff has evaluated the need to provide a utility policy to establish clear and consistent administrative procedures for evaluating groundwater associated with development applications and for determining whether groundwater classified as “not-nontributary” may be accepted into the Town’s municipal water portfolio. The Town has been utilizing a utility policy regarding determining water classification since 2017 but as more developments have come across water classified as not-nontributary it would benefit the Town to set this policy in a resolution to detail the procedures needed for the Town to implement the current Town Code section 13.04.130, Water Rights – Conveyance.

DISCUSSION: After performing an evaluation with the Town’s water consultant of what steps would be needed to structure this policy to implement with all future developments to protect the Town’s utilization of our groundwater that is classified as not-nontributary, it was determined that a resolution would provide the necessary steps to implement and allow the Town Council to change the fees in the future to protect the Town’s groundwater portfolio.

PROS/CON’S: Pro’s - By moving forward with this resolution to approve a policy for evaluation and acceptance of groundwater associated with development, it protects the future of the Town’s water portfolio and the Town council can adjust the current fee structure in the future. Con’s - By not approving this resolution, we will not have an approved policy to evaluate and accept groundwater when new developments come before the Town Council.

FISCAL IMPACT: The fiscal impact of having this policy in effect will be positive to the budget as developments will need to pay a fee, **(\$40,000 per acre-foot)**, if the water underneath the parcels are classified as not-nontributary and they don’t bring a renewable water source for the Town to evaluate.

STAFF RECOMMENDATION: Recommend passage of Resolution 12-2026, approving a policy for evaluation and acceptance of groundwater associated with development.

**TOWN OF MONUMENT
RESOLUTION NO. 12 - 2026**

**A RESOLUTION APPROVING A POLICY FOR EVALUATION AND ACCEPTANCE OF
GROUNDWATER ASSOCIATED WITH DEVELOPMENT**

WHEREAS, the Town of Monument has utilized an internal utility policy since 2017 to guide the classification of water associated with development applications; and

WHEREAS, as development activity has increased, the Town has encountered a growing number of applications involving groundwater classified as not-nontributary, requiring more consistent, transparent, and defensible procedures to ensure proper implementation of Town Code Section 13.04.130, Water Rights – Conveyance; and

WHEREAS, the Town, in coordination with its water consultant, evaluated the steps necessary to formalize these procedures in a manner that protects the Town’s long-term groundwater interests and ensures consistent application to all future development proposals; and

WHEREAS, that evaluation determined that adoption of a formal policy by resolution is necessary to clearly define evaluation procedures, and protect the Town’s groundwater portfolio; and

WHEREAS, this policy requires certain developments to pay a fee when the groundwater beneath their property is classified as not-nontributary and no renewable water source is provided for the Town to review, with the fee set at \$40,000 per acre-foot, helping the Town recover long-term costs related to managing and protecting its groundwater resources; and

WHEREAS, the Town of Monument has identified ensuring long-term financial health and sustainability as a Strategic Priority for 2026–2028, including prudent financial planning, long-range forecasting, and responsible investment to maintain efficient, resilient, and high-quality municipal services; and

WHEREAS, adoption of this policy and associated fee directly supports the Town’s Strategic Priority of ensuring long-term financial health and sustainability by responsibly managing water resources and aligning development impacts with long-term municipal costs.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MONUMENT, COLORADO THAT:

The Town Council hereby approves a policy for evaluating and acceptance of groundwater associated with development, attached hereto as Exhibit A.

PASSED AND RESOLVED by the Town Council of the Town of Monument, El Paso County, Colorado, this 17th day of February 2026 by a vote of ____ for and ____ against.

TOWN OF MONUMENT

ATTEST:

Mitch LaKind, Mayor

Tina Erickson, Town Clerk

Water Department Policy 1 - Evaluation and Acceptance of Groundwater Associated with Development

Adopted February 17, 2026

1.01 Purpose and Authority

The purpose of this policy is to establish clear, consistent administrative procedures for evaluating groundwater associated with development applications and for determining whether groundwater classified as not-nontributary may be accepted into the Town of Monument's municipal water portfolio.

This policy is adopted pursuant to and implements the requirements of Town Code §13.04.130 (Water Rights—Conveyances) and is intended to guide staff review, Town decision-making, and applicant expectations. Nothing in this policy expands or limits the Town's authority under applicable law or Town Code.

1.02 Applicability

This policy applies to all applications for annexation, rezoning, planned unit development, final planned unit development site plan amendment, platting, or replatting that rely in whole or in part on groundwater supplies, including Denver Basin aquifers.

1.03 Step 1 – Determination of Water Demand

As part of any applicable development application, the applicant shall submit a water demand analysis identifying the total potable water demand at full buildout of the proposed development. Demand shall be expressed in acre-feet per year and single-family equivalents (SFEs) and shall utilize Town-adopted demand factors and methodologies.

1.04 Step 2 – Evaluation of Water Supply Availability and Classification

The Town shall evaluate the availability and legal classification of groundwater underlying the subject property, including Denver Basin aquifers, and shall classify such groundwater as tributary, nontributary, or not-nontributary in accordance with Colorado law and criteria applied by the State Engineer.

1.05 Step 3 – Not-Nontributary Depletion Analysis and Augmentation Requirement

For groundwater classified as not-nontributary, the Town shall determine the maximum post-pumping stream depletion obligation associated with the use of such groundwater, including the total augmentation requirement necessary to fully replace depletions over time.

Not-nontributary groundwater shall not be used as a permanent municipal water supply unless and until an augmentation plan is adjudicated in water court and approved for inclusion in the Town's augmentation portfolio.

1.06 Step 4 – Interim Water Service

At its sole discretion, the Town may provide interim water service to a development utilizing not-nontributary groundwater prior to inclusion of such groundwater in the Town's augmentation plan, provided that:

- a) The groundwater has been conveyed to the Town pursuant to Town Code §13.04.130; and
- b) Provision of interim service does not impair existing Town water supplies, water rights, or legal obligations.

Provision of interim service shall not be construed as a guarantee of permanent water service or acceptance of not-nontributary groundwater into the Town's long-term water portfolio.

1.07 Step 5 – Insufficient Augmentation Supply Remedies

If the applicant is unable to provide sufficient water supplies to augment post-pumping depletions associated with not-nontributary groundwater, the Town shall determine, in its discretion, one or more of the following remedies:

a) Reduced Development Yield

Development water supply shall be limited to the quantity of nontributary groundwater available as determined pursuant to Step 2 of this policy.

b) Provision of New Renewable Water

The applicant shall convey new renewable water supplies, acceptable to the Town, in an amount sufficient to fully replace the not-nontributary depletion obligation.

c) Fee in Lieu of Replacement Water

The applicant may pay a fee equal to the maximum depletion replacement obligation, as determined under Step 3, multiplied by the Town-established unit cost of replacement water. The current unit cost is \$40,000 per acre-foot, subject to adjustment by Town Council.

1.08 Step 6 – Timing of Fee Payment

Any fee paid in lieu of replacement water shall be paid in full prior to issuance of any land use permits, including but not limited to building permits, final plats, or development agreements authorizing construction.

1.09 Administration and Interpretation

The Town Manager or designee is authorized to administer this policy and to require such studies, analyses, and documentation as may be reasonably necessary to implement its provisions.

Any interpretation of this policy shall be made in a manner consistent with Town Code, applicable state law, and the long-term protection of the Town's water resources.

1.10 Effective Date

This policy shall become effective upon adoption by the Town Council and shall apply to all applicable development applications submitted on or after the effective date.

**TOWN OF MONUMENT
RESOLUTION NO. 10-2026**

**A RESOLUTION APPROVING A LEASE AGREEMENT WITH THE TRI-LAKES
CHAMBER OF COMMERCE FOR PROPERTY LOCATED AT 166 SECOND STREET**

WHEREAS, the Town of Monument (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town’s Home Rule Charter approved by the electors on November 8, 2022 (“Charter”); and

WHEREAS, the Town of Monument recognizes strengthening community engagement as a strategic priority for 2026–2028, with a focus on enhancing communication, transparency, and collaboration among Monument residents, neighboring communities, partner organizations, and town administration to support informed decision-making and shared community goals; and

WHEREAS, the Tri-Lakes Chamber of Commerce and Visitor Center serves as a key community partner by connecting residents, businesses, visitors, and regional organizations, expanding the Town’s outreach beyond traditional government channels, supporting community events and economic vitality, and providing a welcoming point of engagement that strengthens civic participation and collaboration; and

WHEREAS, the Monument Town Council has determined it to be in the best interest of the citizens of Monument to enter into a lease agreement with the Tri-Lakes Chamber of Commerce for the use of Old Town Hall located at 166 Second Street; and

WHEREAS, the Tri-Lakes Chamber of Commerce desires to enter into a lease agreement with the Town for use of the property.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE
TOWN OF MONUMENT, COLORADO THAT:**

Section 1. Incorporation. The recitals set forth above are incorporated and resolved as if set forth in this section in full.

Section 2. Approval of Lease Agreement. The Lease Agreement, in the form attached hereto and incorporated herein as Exhibit A, is approved. The Mayor is authorized to execute the Lease Agreement and the Town Clerk is authorized to attest such signatures.

Section 3. Effective Date. This Resolution shall become effective and be in full force and effect immediately upon approval.

Section 4. Severability. If any portion of this Resolution or the application thereof shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications which can be

given effect without the invalid portion or application, provided such remaining portions or applications are not determined by the court to be inoperable.

PASSED AND RESOLVED by the Town Council of the Town of Monument, El Paso County, Colorado, this 17th day of February, 2026, by a vote of ____ for and ____ against.

TOWN OF MONUMENT, COLORADO

By: _____
Mitch LaKind, Mayor

Attest:

Tina Erickson, Town Clerk

EXHIBIT A
LEASE AGREEMENT

LEASE AGREEMENT

THIS LEASE AGREEMENT ("Lease") is made and entered into this ____ day of _____, 2026, by and between the Town of Monument, a home-rule municipality organized under the laws of the State of Colorado ("Landlord"), and Tri-Lakes Chamber of Commerce, a duly formed 501C6 non-profit in the State of Colorado ("Tenant" and together with Landlord, the "Parties," or either of the Parties individually, the "Party"). The Parties therefore agree as follows:

1. Premises. Landlord leases to Tenant and Tenant leases from Landlord real property located at 166 Second Street, Monument, Colorado 80132 (the "Premises").

2. Term. The term of this Lease shall be one year, commencing retroactively at 12:01 a.m. on the first day of January 1, 2026 ("Initial Term"). The Lease may be renewed for additional one (1) year terms (each a "Renewal Term") upon submitting a written request thirty (30) days prior to the expiration of the Initial Term and each Renewal Term, and upon approval of Landlord, which approval will not be unreasonably withheld.

3. Rent. As rent, Tenant will pay the sum of one dollar (\$1.00) payable in advance on the first (1st) day of each and every year prior to the Initial Term and each Renewal Term. Upon renewal of this Lease, the amount of rent for each Renewal Term shall increase by an amount agreed upon by the Parties.

4. Use. Tenant intends to use and occupy the Premises for its business operations.

5. Tenant Maintenance. Tenant agrees that it will keep the Premises in good order and condition and will, at the expiration or other termination of the Lease, surrender and deliver up the same in like condition as the same now is or shall be at the commencement of the Initial Term hereof subject to ordinary wear and tear and damage by the elements, fire, and other unavoidable casualty. Tenant shall pay maintenance and repair costs except as set forth in the following section.

6. Landlord Maintenance. Prior to commencement of the Initial Term Tenant has inspected the Premises and confirmed that is suitable for occupancy for Tenant's intended purpose and assumes all risk associated with Tenant's and its visitors', customers', patrons', agents', members' employees', volunteers, and invitees' (collectively "Tenant and its Personnel") occupancy or use of the Premises. Landlord agrees that it is responsible for the repairs and maintenance of the items described in Exhibit A, attached hereto and incorporated herein by this reference, that exceed \$5,000 in costs. In recognition of the nominal rent paid by Tenant, should any repairs or maintenance be needed to the Premises that exceed \$5,000, in lieu of making such repairs

or maintenance the Landlord may give Tenant thirty (30) day written notice of termination of this Lease.

7. Use of Common Areas. Tenant and its Personnel shall be entitled to the nonexclusive use in common with others of any driveways, sidewalks, footways and parking areas. No parking areas are assigned. Tenant agrees to coordinate with Landlord the parking of Tenant staff and guests to minimize parking congestion during peak times.

8. Subletting. Tenant is not permitted to sublet the Premises or any part thereof.

9. Prohibited Uses. Tenant will not use or permit the Premises, any part thereof, or Landlord's property in the vicinity of Premises to be used for any disorderly, unlawful, or extra hazardous purpose or for any purpose other than hereinbefore specified and will not manufacture any commodity therein. This provision shall require Tenant to control and be responsible for the conduct of Tenant's Personnel while said persons are in or about the Premises.

10. Damage to Premises. All injury to the Premises or the building of which they are a part caused by Tenant its agents, servants, employees, and visitors shall be repaired by Tenant at its sole expense. In the event that Tenant shall fail to do so, Landlord shall have the right to make such necessary repairs, alterations, and replacements (structural, nonstructural, or otherwise), and any charge or cost so incurred by Landlord shall be paid by Tenant within twenty (20) days thereafter. This provision shall be construed as an additional remedy granted to Landlord and not in limitation of any other rights and remedies that Landlord has or may have in said circumstances.

11. No Partnership. Landlord assumes no liability or responsibility whatsoever with respect to the conduct and operation of the business to be conducted in the Premises. Landlord shall not be liable for any accident to or injury to any person or persons or property in or about the Premises that are caused by the conduct and operation of said business or by virtue of equipment or property of Tenant in said Premises, except for accidents to or injury to any person or persons or property in or about the common areas described in Paragraph 7 that are directly and solely caused by Landlord.

12. Utility and Other Charges.

(a) Except for sewer service, Tenant has previously arranged for utility services to the Premises in Tenant's name; Tenant shall continue to maintain all utility services except sewer service to be supplied to the Premises in the Tenant's name and shall pay all utility charges when due. Landlord shall bill Tenant for sewer service provided by the Monument Sanitation District and Tenant shall pay for such service within ten (10) days of being billed by Landlord.

(b) Landlord shall pay for all applicable property taxes.

13. Default. It is agreed that if Tenant shall fail to pay the rent or any utility or other charge at the time the same shall become due and payable or if Tenant shall violate or fail or neglect to keep and perform any of the covenants, conditions, and agreements herein contained on the part of Tenant to be kept and performed or if the demised Premises shall become vacant or deserted, then, and in each and every such event from thenceforth and at all times thereafter, at the option of Landlord, Tenant's right of possession shall thereupon cease and terminate, and Landlord shall be entitled to the possession of the Premises and to re-enter the same without demand of rent or demand of possession of said Premises and may forthwith proceed to recover possession of the Premises by process of law.

14. No Trial by Jury. Landlord and Tenant waive any right either may have to trial by jury in any action arising under this Lease or pertaining to the Premises.

15. Insurance.

(a) Tenant shall maintain with respect to the leased Premises general liability insurance with minimum limit of \$505,000 per person per occurrence and \$1,421,000 per occurrence in the aggregate or in such other amounts as provided under the Colorado Governmental Immunity Act, 24-10-101, *et seq.*, C.R.S. Tenant shall name Landlord as an additional named insured. Tenant shall deliver a certificate of such insurance to Landlord upon the commencement of the Initial Term of this Lease and continuing evidence of such coverage as so requested by Landlord. Such insurance policy shall provide that it cannot be cancelled without at least thirty (30) days' prior notice to Landlord. Landlord may but is not obligated to pay any premium not timely paid by Tenant or perform or cause to be performed any acts that are required by the company issuing the insurance policy. Any payment made by Landlord and the cost of performing or causing to be performed any acts that are required by the insurance carrier shall become immediately due and owing from Tenant to Landlord as additional rent and shall be collectible as such.

(b) Landlord shall maintain property insurance in amounts sufficient to protect its interests with such amounts to be determined in its sole discretion. Property insurance maintained by Landlord will not cover Tenant's personal property and any such losses incurred by Tenant are its sole responsibility.

16. Casualty. If the Premises shall be so damaged by fire or other casualty as to be untenable, unless said repair begins within twenty (20) days thereafter, either Party hereto, upon written notice to the other Party given at any time following the expiration of twenty (20) days after said fire or other major casualty, may terminate this Lease.

17. Successors and Assigns. It is agreed that all rights, remedies, and liabilities herein given to or imposed on either of the Parties hereto shall extend to their respective successors, and assigns.

18. Mechanic's Liens. Tenant will not permit any mechanic's lien or liens to be placed on the Premises or any improvement thereof and agrees, if any such lien be filed on account of the acts of Tenant, promptly to pay the same. In the event Tenant fails to pay any such lien, it may be paid by Landlord and charged to Tenant as additional rent hereunder.

19. Holdover Tenancy. If Tenant shall continue to remain in the Premises after the expiration of the Initial Term or any Renewal Term of this Lease without a subsequent Renewal Term going into effect, Tenant shall, by virtue of this Lease, become a tenant by the month at the rental rate of ten dollars (\$10.00) per month or the costs for Landlord to collect payment from Tenant per month, whichever is greater.

20. Termination.

(a) By Tenant. Tenant, in its sole discretion, may terminate this Lease upon thirty (30) days prior written notice to Landlord without any additional fees or rents payable to Landlord beyond the date of termination. Tenant shall be responsible for all rent and other charges through the date of termination.

(b) By Landlord. Landlord, in its sole discretion, may terminate this Lease upon thirty (30) days prior written notice to Tenant. If a month-to-month tenancy results from Tenant's holding over, as described in Paragraph 19, Landlord may terminate this lease upon providing Tenant with thirty (30) days prior written notice of the same.

21. Entire Agreement. This Lease contains the entire and only agreement between the Parties, and no oral statements or representations or prior written matter not contained or referred to in this instrument shall have any force or effect. This Lease shall not be modified in any way except by a writing subscribed by both Parties hereto. The failure of Landlord or Tenant to insist on strict performance by the other of any of the covenants or conditions of this Lease in any one or more instances shall not be construed as a waiver of relinquishment for the future of any such covenants or conditions, but the same shall be and remain in full force and effect. No waiver of any provision of this Lease shall be deemed to have been made unless in writing and signed by the Party to be charged therewith.

22. Law and Venue. This Lease and all amendments thereof shall be governed and construed in accordance with the laws of the State of Colorado. Venue for any dispute arising out of or relating to the Lease shall be in the State of Colorado District Court for El Paso County.

23. Notices. All notices required or desired to be given hereunder by either Party to the other shall be given by certified or registered mail. Notices to the respective Parties shall be addressed as follows:

To Landlord:	<u>Town of Monument</u> <u>Attn: Madeline VanDenHoek</u> <u>645 Beacon Lite Road</u> <u>Monument, CO 80132</u>
With Copy to:	<u>Collins Cole Winn & Ulmer</u> <u>Attn: Robert Cole</u> <u>165 S. Union Boulevard, Suite 785</u> <u>Lakewood, CO 80228</u>
To Tenant:	<u>Tri-Lakes Chamber of Commerce</u> <u>Attn: Terri Hayes</u> <u>P.O. Box 147</u> <u>166 Second Street</u> <u>Monument, CO 80132</u>

Either Party may, by like written notice, designate a new address to which said notices shall be directed.

24. Headings. All headings preceding the text of the paragraphs of this Lease are inserted solely for convenience of reference, and none of them shall constitute a part of this Lease or affect its meaning, construction, or effect.

25. Interpretation. Interpretation based on drafting the terms of the Lease shall not be interpreted in favor of or against either Party based on who drafted the document.

26. Indemnification. To the fullest extent permitted by law, Tenant shall indemnify and hold harmless Landlord, its officials, contractors and employees and any of them from and against all claims, losses, liabilities, damages and costs (including all attorney fees) which are incurred as a result of Tenant's use of the Premises whether any such loss or liability was caused by the negligence of Tenant or its Personnel. Landlord shall not be liable for any damage or injury to Tenant or any other person or to any property located or occurring on the Premises, or any part thereof, or in common areas thereof, unless such damage is the proximate result of the unlawful act of Landlord, its agents or its employees and Landlord is not otherwise immune from liability under the Colorado Governmental Immunity Act, § 24-10-101, *et seq.*, C.R.S.

27. Annual Appropriation. Pursuant to Article X, Section 20 of the Colorado Constitution, Landlord's obligations hereunder are subject to the annual appropriation of funds necessary for the performance thereof, which appropriations will be made in the sole discretion of the Town Council of the Town of Monument. In the event that sufficient funds for the obligations contemplated in this Lease are not made, such event shall trigger termination.

28. Counterparts. This Lease may be executed in any number of counterparts, each of which shall be an original, and all of such counterparts when together shall constitute but one and the same instrument.

29. Signage. With Landlord's permission, Tenant has previously installed one large sign facing 2nd Street, one sign by the front door, and one sign at the side entrance of the building located on the Premises announcing the Tenant's place of business. Any additional signs shall be approved by Landlord in writing at Landlord's sole discretion. Further, all costs associated with creation, placement, and removal of the sign at such time Tenant vacates the premises, are the sole responsibility of the Tenant.

[Remainder of page left intentionally blank]

IN WITNESS WHEREOF, Landlord and Tenant have hereunto set their hands and seals all as of the day and year first written above.

LANDLORD:

Town of Monument, a home-rule municipality
organized under the laws of the State of
Colorado

By: _____

Attest:

TENANT:

Tri-Lakes Chamber of Commerce, a duly
formed 501C6 non-profit in the State of
Colorado

By: _____

STATE OF COLORADO

)

) ss.

COUNTY OF EL PASO

)

Subscribed and sworn to before me by _____ as
_____ of _____ this ____ day of
_____, 20__.

Witness my hand and official seal.

My commission expires: _____

Notary Public

EXHIBIT A

REPAIR AND MAINTENANCE BY LANDLORD

Landlord shall be responsible for the repairs and maintenance to the following items related to the Premises and the building on which it is located that exceed \$5,000 in costs: electrical systems, plumbing systems, HVAC systems, interior walls and ceilings, flooring, windows and window seals, roof damage affecting the interior of the Premises, and door hardware such as locks, closers, and panic devices.

Monthly Report to Town Council

January
2026



**State of
the
Watershed
Summit
hosted by
Fountain
Creek
Watershed**



**Mayor LaKind Presenting at the
Tri-Lakes Chamber of Commerce
State of the Region Event**



**Monument Economic Development
Committee Touring the School
District's Career & Innovation Center**

Prepared by
Madeline VanDenHoek
Town Manager

Town Manager's Message



With the start of the new year, staff has begun implementation of the Town's 2026-2028 Strategic Plan while continuing progress on several active projects and initiatives.

In early January, Mayor LaKind and I met with the Walmart leadership team to provide updates on current and upcoming development activity and to answer questions from their staff. We also met with NES and the Tri-Lakes Chamber of Commerce to strengthen partnerships and maintain positive collaboration with our business and community stakeholders.

Members of Town Council and staff attended the State of the Watershed Summit hosted by Fountain Creek Watershed, as well as the State of the Tri-lakes Region event, where Mayor LaKind served as a speaker. The Legislative Committee has also resumed meetings in conjunction with the State legislative session.

Staff continues to support economic development efforts, including ongoing coordination with Project Cobalt, the State Office of Economic Development, and the Colorado Springs Chamber and the EDC. In addition, we are meeting with members of the development community to discuss future opportunities and are advancing work on projects critical to the Town's long-term water supply.

Tri-Lakes Dynamic Rotary Club hosted a Glow Bingo Fundraiser on Jan. 23 in support of the Heart of Monument Play Park.



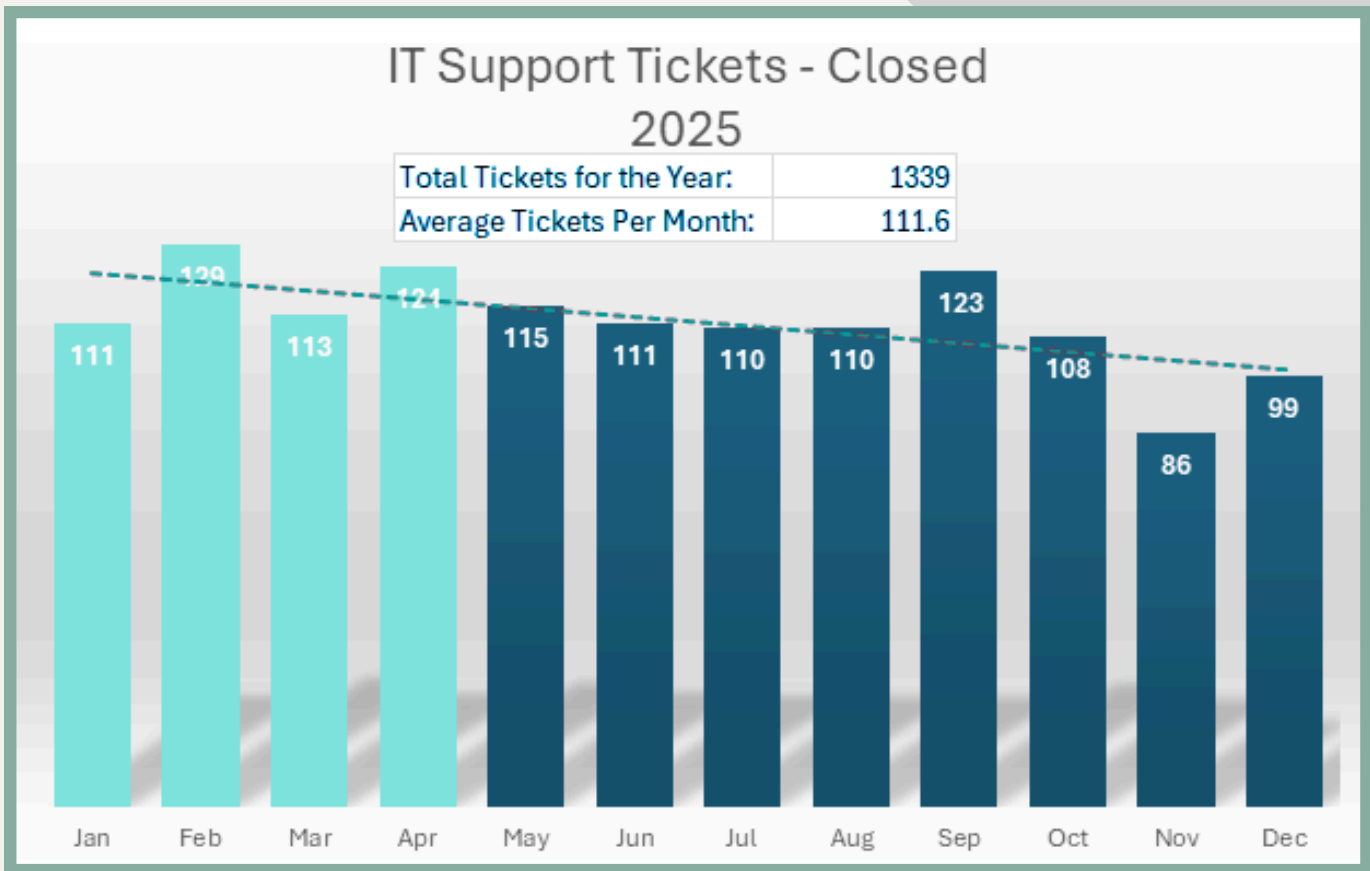
Administration

- Revised the parking feasibility analysis to include a preferred option and estimated revenues using the most conservative revenue assumptions.
- Created a Council memorandum template that aligns agenda items with the Town's four strategic priorities using checkboxes.
- Drafted example "whereas" clauses for resolutions and ordinances that advance one or more strategic priorities.
- Designed posters for Council Chambers highlighting the Town's strategic priorities, objectives, and vision.
- Researched and shared information regarding redistricting requirements and timelines ahead of the municipal election.
- Updated the Councilmember committee assignment spreadsheet with meeting details and contact information.
- Reviewed the December legal invoice and analyzed year-to-date attorney expense trends.
- Updated the Town website based on the newly adopted Strategic Plan and related engagement strategies.
- Provided Town attorneys with detailed notes, recommendations, and concerns from the January 5 Study Session on Title 8.
- Submitted Request for Reimbursement #3 to DOLA related to the Veregy project.
- Created a comprehensive spreadsheet of all special districts, including service plans and contact information.
- Drafted a resolution approving the lease agreement with the Chamber of Commerce.
- Met with staff to plan the migration of development project files from DoD to Laserfiche and to develop standardized templates.
- Began inventory and records destruction efforts within the Public Works Department.
- Scheduled and completed initial monthly records check-in meetings with most departments.
- Applied records retention schedules to numerous Laserfiche records; testing and learning are ongoing.
- Created a standardized template for cemetery records.
- Returned Laserfiche working hours to a regular schedule following the holidays.

Finance & Human Resources

- Launched development of Townwide grant administration program.
- Kicked off the 2025 Audit.
- Re-On Boarded a police officer.
- Completed CML compensation survey.
- Launched recruitment for Utility Administrative Coordinator.
- Implemented no tax on overtime into the Town's payroll system.
- Drew down \$600,000 from Flagstar for Veregy Project.
- Completed arbitrage report for the 2020 Certificate of Participation bonds.
- Completed all 1099 forms.
- Submitted Community Development Block Grant for ADA improvements at Dirty Woman Creek Park.
- Jennifer met with El Paso County CFO at the request of County Commissioner Bill Wysong.
- Continued to support project Cobalt.

Information Technology



- December completed tickets: 99 (IT Director completed 51%, up 1% over November).
- January month-to-date tickets completed: 85 (IT Director completed 64%, up 10% over December).
- Six mobile devices were upgraded, and one new mobile device was deployed to staff.
- Three police officer laptops were reprovisioned to replace aging devices experiencing performance issues, improving reliability and response times.
- Annual departmental technology asset reviews were completed and stored in OneDrive, providing department leadership with visibility into computers, mobile devices, software licensing, renewal timelines, and planned upgrades. Police Department documents have been finalized and shared, and all remaining department documents were completed by January 15.
- Technology preparation is underway for the new Senior Planner, including desktop setup and laptop configuration. The Samsung tablet is pending delivery.
- Display and mouse response delays affecting dais computers and presentation monitors were identified and documented with assistance from Planning Director Dan Ungerleider. An onsite A/V vendor visit determined the digital nameplate system requires removal of the controlling PC for repair, and a proposal is in progress for alternative configurations to improve responsiveness and display resolution.
- Completed two 45-minute, one-on-one technology support appointments for Silver Key Senior Services clients over the past 30 days, continuing the Town's commitment to supporting seniors in the community.

Planning

PERMITS ISSUED PER MONTH AND BY CATEGORY														
Category	Total-25	YTD-26	Jan-26	Feb-26	Mar-26	Apr-26	May-26	Jun-26	Jul-26	Aug-26	Sep-26	Oct-26	Nov-26	Dec-26
Commercial Alteration	3	1	1											
Commercial New	9	0	0											
Commercial One Stop	36	0	0											
Land Use	20	0	0											
Miscellaneous	2	0	0											
One Stop	32	0	0											
Public Works	55	1	1											
Residential Alteration	47	2	2											
Residential New	143	7	7											
subtotal	347	11	11											

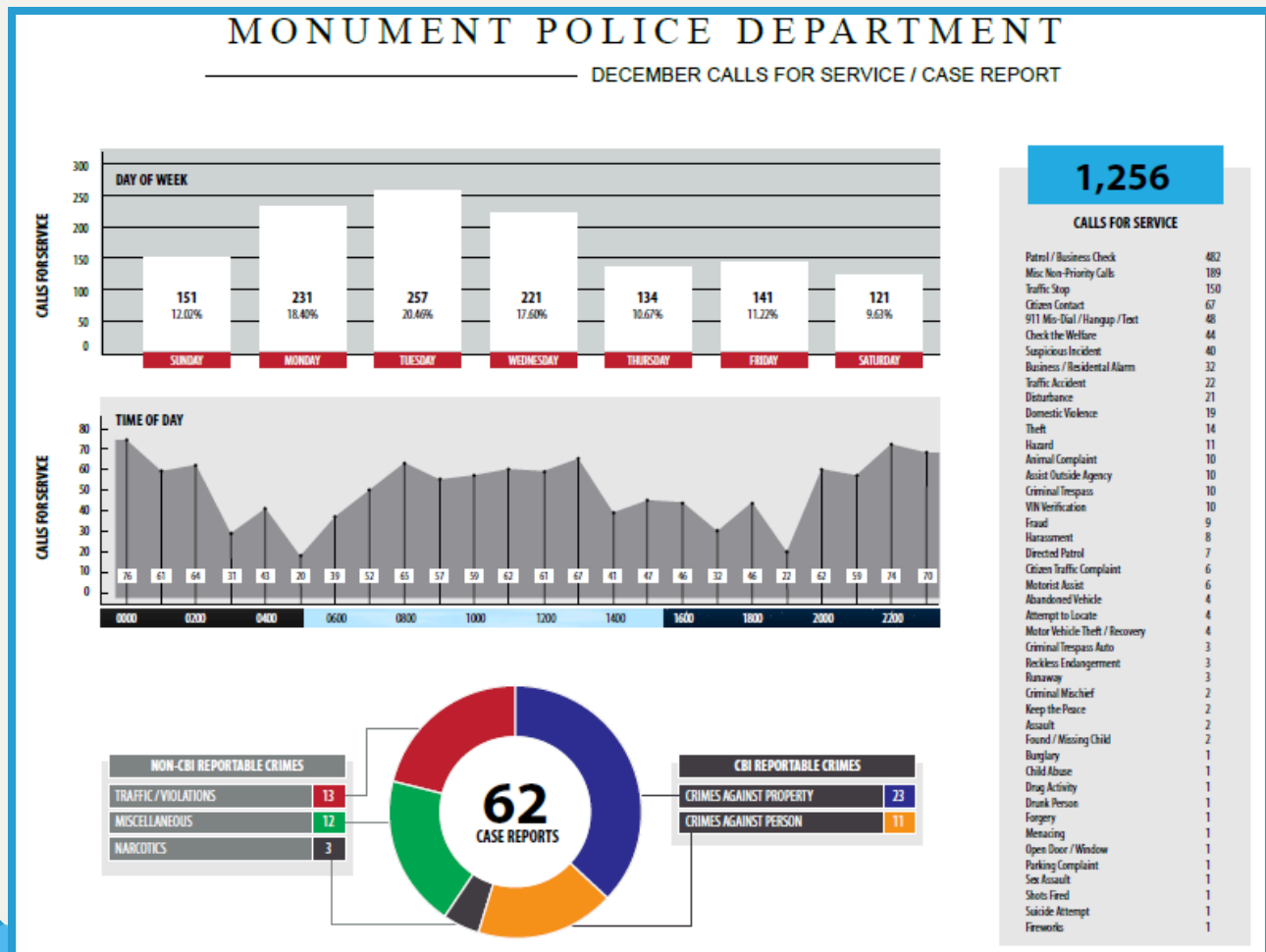
- Planning Technician Brooke Holtz continued to seek and collect past due developer fees and reimbursement costs per code, including those generated by Town Engineer and Town Attorney services. This has proven to be difficult task given that seeking reimbursement has not been conducted consistently in the past.
- Along with maintaining daily office functions, permit reviews remained steady. The Department processed and issued 347 permits in 2025. The Department has issued eleven permits so far in January 2026.
- The community visioning survey closed earlier in January. The Town's consultant will be posting a summary of the results at www.townofmonument.org/monument2040 in mid-February. These results will provide the foundation supporting the development of the draft Monument 2040 comprehensive Plan.
- The Town's consultant team is in process of drafting the Stormwater Management Plan Update. A draft report will be made available for public review in late February.
- The Planning Department continues to coordinate with the Monument Fire District (MFD) in preparation for the adoption of the State Wildfire Resiliency Code (SWRC). While MFD will be taking the lead, the Town will be required to adopt the State Code by reference and support MFD's implementation of these updated standards by April 1, 2026. The MFD is scheduled to present the SWRC to Council on February 17, 2026, and seek Council approval on March 16, 2026.
- On January 20, the Town Council approved the Town's Official Three-Mile Annexation Plan in map form. The Plan illustrates that the Town has planned and prepared for potential future annexations within the prescribed three-mile limit set by the State. A copy of the map is posted in the Council Chamber and on the Planning Department's Map webpage.



Planning (cont'd)

- On January 14, 2026, the Town Engineer Taylor Goertz and his team lead a joint workshop with Town Council and the Planning Commission. The purpose of the workshop was to discuss the content and use of Stormwater Drainage Reports and Traffic Impact Studies within the Town's development review process. A copy of that evening's presentation is posted at www.townofmonumnet.org/planning.
- The Planning Commission has one regular member vacancy and two alternate member vacancies. Residents interested in serving may apply at: <https://www.townofmonument.org/263/Planning-Commission>.
- The Town's maps were viewed 796 times over the past 30 days, an increase from 557 views in December.
- Completed updates to the Town of Monument's 3-Mile (Annexation) Plan map.
- Conducted mapping of all open space areas and drainage pond ownership throughout Town.
- Added new projects Under Construction page to the Current Development Review Projects storymap to enhance project tracking and public visibility.
- Implemented minor configurations and updates to support ongoing asset management integration efforts.
- Estimated the Town's current population, and based on this analysis, confirmed that the Town's two council districts remain balanced in population relative to one another.
- Prepared and organized required data for submission to CDOT as part of the annual HUTF reporting process.

Police



Police (cont'd)

- Our new PSA, Dominique Pierson will be starting on February 9.
- We currently have one Police Officer candidate in the background process and will be holding Police Officer oral boards soon.
- Records Tech Amy Stalnaker was selected for the Strategic Programs Coordinator position and will transition into that position at a later date.
- We will be holding oral boards for a Records Tech.
- Mitch Mihalko was selected as our new Patrol Lieutenant and will be joining us soon.
- Corporal Hoeh was recognized at the Town Council meeting as one of two Employees of the Year.
- Community Resource Officer Reifel has scheduled another Coffee with a Cop event for 18 February from 0900 to 1100, at Forge Coffee Lab.

Public Works

- Coordinated with the Town Engineer on redesigning improvements for Jackson Creek Parkway.
- Began planning for 2026 capital improvements related to concrete and asphalt.
- Worked with crews to develop new training protocols for the year.
- Completed the Town's stormwater projects.
- Assisted crews with repairs following high-wind events.



Facilities

- Completed fire extinguisher updates and annual inspections for Town facilities, Police Department cruisers, and Public Works vehicles and equipment.
- Repaired multiple leaks at Town Hall.
- Updated and synchronized the Town Hall thermostat system for improved efficiency.
- Reconfigured PD office space to improve functionality and accommodate staffing needs.

Fleet

- Diagnosed EGR-related fault codes on the tandem truck.
- Replaced the EGR differential pressure sensor.
- Heated and reshaped a wheel on an F-550 following storm damage.
- Replaced the hydraulic motor for the spinner on the Freightliner sander.
- Replaced worn cutting edges on the grader following snowstorm operations.
- Replaced and reupholstered the seat cushion in an older loader.
- Tightened a hydraulic fitting on a newer skid loader.

Public Works (cont'd)

Parks

- Removed holiday lighting from Town parks.
- Repaired split-rail fencing at multiple park locations.
- Assisted Streets with snow removal operations.
- Completed snow cleanup following winter storm events.
- Removed and disposed of three full truckloads of trash collected throughout Town.



Streets

- Installed a new flashing stop sign at 2nd Street and Beacon Lite.
- Replaced and repositioned boulders at Pilot and replaced signage in the traffic island.
- Repaired manholes and water caps across Town using heat-applied material to raise rings for snowplow clearance.
- Completed manhole repairs in Willow Springs, Past Times, Lake of the Rockies, and Knollwood.
- Installed new rules and regulations signage at the lake using the new bucket truck winch.

Public Works (cont'd)

Water

- Successfully prepared the booster station for operations in collaboration with the Beacon Lite project and added a new on-site control screen.
- Sent some Water operators to train in the art of snow removal to continue with the cross-training initiatives.
- Responded promptly to a leak incident in Willow Springs, ensuring swift resolution and minimal disruption.
- Continued efforts on training related to hydrant maintenance, bolstering our operational readiness.
- Operators engaged in various training programs to enhance skill sets and improve service delivery.
- Organized and hosted a festive Christmas breakfast for the Public Works team in collaboration with the Streets and Parks staff, fostering team spirit and staff engagement.
- Coordinated locates and collaboration efforts with the Beacon Lite project to facilitate seamless progress.
- Currently working on cost estimations for the demolition of the shed at the future tank site, moving forward with strategic planning.
- Obtained new submersible pumps and hoses to equip our break van, the old ones have been in service for 15+ years.

