

DEPARTMENT OF PUBLIC SAFETY

Division of Fire Prevention and Control

8 CCR 1507-37

RULES FOR COLORADO WILDFIRE RESILIENT HOMES GRANT PROGRAM

STATEMENT OF BASIS, STATUTORY AUTHORITY, AND PURPOSE

Pursuant to Sections 24-33.5-1203.5 and 24-33.5-1239(3), C.R.S., the Director of the Colorado Division of Fire Prevention and Control shall promulgate rules as necessary to carry out the duties of the Division of Fire Prevention and Control. This rule is proposed pursuant to this authority and is intended to be consistent with the requirements of the State Administrative Procedures Act, Section 24-4-101, et seq., C.R.S.

In House Bill 23-1273, the General Assembly determined that protecting Colorado homes from wildfires by retrofitting them with wildfire-resilient strategies and technologies will lower the damage done by destructive wildfires and lessen the cost of these fires on our economy, environment, and society. To address these concerns, the General Assembly declared that it is in the public interest to create a wildfire-resilient homes grant program to protect Coloradans and their homes and surrounding communities from the ever-increasing threats and destruction of wildfires. The purpose of this rule is to establish the criteria to provide grant funding as established in 24-33.5-1239, C.R.S. to homeowners to retrofit or otherwise improve a house or other existing nonresidential structures on a homeowner's property with best practice techniques for structural hardening to make them more resilient to wildfire risk.

Mike Morgan, Division Director
Colorado Department of Public Safety
Division of Fire Prevention and Control

Date of Adoption

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COLORADO WILDFIRE RESILIENT HOMES GRANT

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APPLICABILITY

These rules and regulations govern applications and funding awards associated with the Colorado Wildfire Resilient Homes Grant Program.

ARTICLE 1 – AUTHORITY TO ADOPT RULES AND REGULATIONS

- 1.1 The Director of the Division of Fire Prevention and Control is authorized by the provisions of Section 24-33.5-1203.5, C.R.S., to promulgate rules to carry out the duties of the Division of Fire Prevention and Control.
- 1.2 Section 24-33.5-1239(3), C.R.S. establishes the ability of the Director of the Division of Fire Prevention and Control to promulgate rules for the implementation and administration of the Wildfire Resilient Homes Grant Program.

ARTICLE 2 – DEFINITIONS

- 2.1 The definitions provided in 24-33.5-1202, C.R.S., apply to these rules. The following definitions also apply:

“**Applicant**” means an entity person that applies for funding.

“**AHJ**” means Authority Having Jurisdiction.

“**AMI**” means Area Median Income, as determined by the Department of Local Affairs, Division of Local Government.

“**CSFS**” means the Colorado State Forest Service.

“**Director**” means the Director of the Division of Fire Prevention and Control in the Department of Public Safety.

“**Division**” or “**DFPC**” means the Division of Fire Prevention and Control in the Department of Public Safety.

“**Fund**” means the Wildfire Resilient Homes Grant Program fund.

“**Homeowner**” means a person who owns property on which their primary residence is located. There may also be other nonresidential structures in Colorado located in an area susceptible to wildfires.

“**IRC**” means the International Residential Code as published by the International Code Council.

“**IWUIC**” means the International Wildland Interface Code as published by the International Code Council.

“**Program**” means the Wildfire Resilient Homes Grant Program.

ARTICLE 3 – GRANT TYPE AND APPLICATION PROCESS

3.1 The Wildfire Resilient Homes Grant is available to homeowners through the Division to Homeowners in Colorado to perform retrofit projects to make their primary residence less susceptible to external ignition from wildfire.

3.2 Application Requirements

3.2.1 Applicants must submit a written application to the Division during the posted application acceptance period. Applications submitted before or after the application acceptance period are not eligible for award consideration.

3.2.2 Applications will be reviewed and awarded in the following sequence:

A. Technical review: A technical application review will be conducted to ensure the following criteria are met:

1) A Home Ignition Assessment shall be completed by an organization that regularly conducts Home Ignition Assessments, such as the Fire department/Fire Protection District, insurance carrier, or organization with a wildfire prevention and mitigation mission. Grants shall be used for deficient items that are part of the structure or within 5 feet of the home's structure, including structures attached to the house, and noted on the home ignition assessment. All projects shall include one or more photos of the existing condition as a part of the application.

a) Any homeowner may apply for a wildfire home-hardening grant under this program for a project type listed in the grant application.

~~1) A Home Ignition Assessment shall be completed, and grants shall be used for deficient items that are part of the structure or within 5 feet of the home's structure, including structures attached to the house, and noted on the home ignition assessment.~~

2) Projects shall be completed to meet the standards listed in the grant application, which are written in accordance with the 2021 IWUIC or IRC. The projects shall be completed in conformance with the most recent edition of the IWUIC or IRC.

3) All completed projects shall be reported to the Division upon completion with one or more photos of the completed work. Work to be performed by contractors shall be performed by a licensed contractor.

4) Homeowners shall match the amount of the Award with an equal amount of their own funds or shall meet the match through labor at a rate to be determined annually by the Division. Volunteer labor by others may also be used for the cost share at the same rate.

5) The homeowner agrees to submit a completion report, as specified in the application, with photos of the completed work funded by the grant. Grant-funded projects are subject to in-person inspection by the Division or its designee. The homeowner agrees to submit progress reports as specified in the application process, and a new Home Ignition Assessment shall be completed once the projects funded by the grant are completed, which shall be submitted to the Division.

B. Grant Award: The Director will make awards based on the findings of the Technical Review Board and shall be prioritized to homeowners based on the following criteria:

1) Homeowners whose annual income is 80% or less than the AMI in the Colorado Department of Local Affairs AMI table, current at the time of application and found on the DOLA website. Homeowners who reside in areas with a high Demographic Score on the CDPHE EnviroScreen tool.

2) Homeowners whose properties are located in U.S. Census tracts identified as

having a High-Intensity wildfire risk, with homeowners whose property is located in other areas considered in descending order from Moderate- to Low-Intensity wildfire risk, according to the CSFS Colorado Forest Atlas, located on the Colorado State Forest Service website. If a property located in a Moderate-, Low-, or Lowest-Intensity wildfire risk census tract is noted as having an abnormally high wildfire risk due to local conditions by the home ignition assessor, it may be considered at the higher level of wildfire risk indicated in the assessment.

- 3) Match waivers may be awarded to homeowners who can demonstrate an inability to match the grant award with their own funds or volunteer labor or have a disability.
- 4) Grant award funds may be used with other grants, private monies, or other funding sources to complete the homeowner's wildfire home hardening.

ARTICLE 4: AWARD OF GRANTS

- 4.1 Grant recipients will be notified in writing that they have been chosen to receive grant funding.
- 4.2 The Division shall spend grant money in one of two ways:
 - 4.2.1 The Division will reimburse an award recipient for money spent on wildfire home hardening projects specified in the application upon documented completion of the project.
 - 4.2.2 The Division will award grant funds to an award recipient so that the recipient can use the grant funds to purchase the necessary materials to complete the project, and funds not used for specified projects will be returned to the Division to be awarded to another homeowner.
- 4.3 The grant recipient must maintain any financial records related to grant funds and available for audit by the Division or designee for five (5) years after the date of the grant award letter. Work completed with grant funds must be available for inspection by the Division or designee for five (5) years after the date of the grant award letter.
- 4.4 Grant recipients must seek prior approval from the Division to use grant money for any purchase not identified in the award recipient's grant application and outlined in the grant award.

ARTICLE 5: INQUIRIES

- 5.1 Questions, clarification, or interpretation of these Rules should be addressed in writing to the Community Risk Reduction and Education Branch Chief, Colorado Division of Fire Prevention and Control, 700 Kipling St, Suite 4000, Denver, CO 80215. Telephone number: (303) 239-4100.
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