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MEETING AGENDA OF THE TOWN COUNCIL OF THE TOWN OF FRISCO
FRISCO TOWN HALL
1 MAIN STREET
FRISCO, COLORADO 80443
FEBRUARY 10, 2026
4:30 PM

WORK SESSION

Agenda Item #1: Summit Fire & EMS Authority 2024 International Fire Code Amendments Discussion

Agenda Item #2: Frisco Bay Marina Update

BREAK FOR DINNER 6:30PM - 7:00PM

REGULAR MEETING

Call to Order:
Rick Ihnken, Mayor

Roll Call:
Rick Ihnken, Andy Held, Martin Allen, Robyn Goldstein, Dan Kibbie, Zach Ryan, Elizabeth Skrzypczak-Adrian

Public Comments:
Public Comment is reserved for items not slated for a public hearing on the meeting' s agenda. If you plan to comment on an item already slated for a public hearing later on the meeting's agenda, please wait until that item is announced and public comment is requested at that time. State your name and address for the record, and limit comments to three minutes or less. No Council action is taken on Public Comments at Council meetings. Council takes public comments under advisement, and if a Council and/or Staff response is deemed necessary or appropriate, the individual making the comment will receive a formal response from the Town at a later date. Be sure to sign in at the Welcome Table at each meeting if providing in person Public Comment, and include contact information for follow up communication.

Mayor and Council Comments:

Staff Updates:

Police and Court Activity - January 2026

Consent Agenda:

Minutes from January 27, 2026 Meeting

Resolution 26-08: A RESOLUTION AUTHORIZING THE PURCHASE OF A MEECO SULLIVAN PADDLE DOCK FOR THE FRISCO BAY MARINA

Resolution 26-09: A RESOLUTION AUTHORIZING THE PURCHASE OF PONTOON BOATS FOR THE FRISCO BAY MARINA

New Business:

Agenda Item #3: 2024 International Code Council Code Amendments Public Hearing

Agenda Item #4: First Reading Ordinance 26-05: AN ORDINANCE ESTABLISHING, PURSUANT TO SECTION 171-11 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, THE PLANT INVESTMENT FEES, CAPITAL EQR SCHEDULES, DELIVERY CHARGES, FLAT RATES, AND USAGE FEES TO BE CHARGED IN CONNECTION WITH THE TOWN'S WATER SYSTEM

Agenda Item #5: First Reading Ordinance 26-06: AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2025 BUDGET

Agenda Item #6: First Reading Ordinance 26-07: AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2026 TOWN BUDGET

Old Business:

Agenda Item #7: Second Reading Ordinance 26-03: AN ORDINANCE AMENDING CHAPTER 180 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING THE UNIFIED DEVELOPMENT CODE, BY AMENDING SECTION 180-6.16 OUTDOOR LIGHTING, SECTION 180-6.19 SIGNS, SECTION 180-8. NONCONFORMITIES, AND SECTION 180-9.3. GENERAL DEFINITIONS, CONCERNING OUTDOOR LIGHTING

Agenda Item #8: Second Reading Ordinance 26-01: AN ORDINANCE AMENDING CHAPTER 167 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING VEHICLES AND TRAFFIC, BY ADDING A NEW SECTION 167-14, CONCERNING THE VIOLATION OF VEHICLE REGISTRATION REQUIREMENTS, TO ALLOW FOR THE CITATION OF VEHICLE REGISTRATION VIOLATIONS INTO THE MUNICIPAL COURT

Agenda Item #9: Second Reading Ordinance 26-04: AN ORDINANCE AMENDING

CHAPTER 1, SECTION 1-14, OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING GENERAL PENALTIES FOR VIOLATIONS OF THE CODE, TO ALIGN THE PROVISIONS THEREOF WITH COLORADO STAUTORY AUTHORIZATIONS AND THE LIMITATIONS OF A RECENT DECISION OF THE COLORADO SUPREME COURT

Adjourn:

Estimated Start Times for items are estimates only - it is recommended to arrive early if there is a particular item of interest on the Agenda, should the Council be running ahead of schedule. Town Council Agendas can legally be amended up until 24 hours prior to the beginning of the scheduled meeting.

Questions: Stacey Campbell, Town Clerk | townclerk@townoffrisco.com | (970)668-5276

TOWN OF FRISCO
COLORADO

TO:	**Mayor and Town Council**
FROM:	**Katie Kent, Community Development Director**
RE:	**Summit Fire & EMS Authority 2024 International Fire Code Amendments Discussion**
DATE:	**February 10, 2026**

Summary & Background:

Summary:

The purpose of the work session before the Town Council is for Summit Fire & EMS Authority to provide information to the Council regarding their proposed 2024 International Fire Code Amendments. Attached to this memo is a draft Resolution that Summit Fire & EMS provided for the Council packet. This Resolution outlines their proposed amendments and has not been adopted by Summit Fire & EMS as of February 4th. Information to be provided at the work session will be presented by Scott Benson, Fire Marshall Division Chief of Community Risk.

Staff requests the Town Council use this work session as an opportunity to ask questions about the proposed amendments and provide feedback to the Summit Fire & EMS Authority on the information presented at the work session.

Background

Frisco Town Code, Section 65-1.C. currently states that the International Fire Code, including Appendix Chapters B, C, D, E, F, G, H, I, J, K, N, and amended Appendix Chapter P, 2018 Edition, First Printing: August 2017, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795 (the "International Fire Code"), all to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards for the construction and maintenance of buildings and structures and is adopted for the purpose of protecting the public health, safety and general welfare.

Frisco Town Code, Section 65-4, references amendments to the International Fire Code. If the Town supports the proposed amendments by the Summit Fire & EMS Authority, then these amendments would be inserted into this section of Town Code.

To adopt the 2024 International Fire Code (IFC), the Town must follow a formal legislative process that tailor the code to community needs. The final, revised code, incorporating the 2024 text by reference along with local amendment, must be formally passed by the Town Council through an ordinance. Once enacted, the town must ensure a certified copy is on file with the town clerk for public inspection, often with a delayed effective date to provide time for contractor training and public education on new life safety standards.

In addition to the International Fire Code, Colorado's Wildland-Urban Interface (WUI) code, is a mandatory, minimum state standard that mandates structural hardening and defensible space requirements. The Town must adopt and enforce local building and fire codes that meet or exceed the state's new minimum standards for wildfire safety. Community Development Staff have been familiarizing themselves with the WUI requirements and will be bringing landscaping regulation modifications forward for discussion and code adoption in Chapter 180 to also be in compliance with WUI requirements. Maps to identify fire intensity zones can be found here: 2025 Colorado Wildfire Resiliency Code Map. 2022 Wildland-Urban Interface

Analysis:
While many municipalities choose to modify the International Fire Code (IFC) to fit local needs, a town is not legally required to adopt local amendments when implementing the code. The IFC is designed to be adopted "as is" as a complete, legally binding set of minimum standards for fire safety, allowing a jurisdiction to adopt a specific edition, such as the 2024 version, without making any changes. While amendments are commonly used to add more stringent requirements based on local factors, a municipality has the authority to adopt the base model code without any deletions, modifications, or additions.

Public comment has been received, and inserted as an attachment to this memo, from Summit County Builders Association (SCBA) requesting the Council exercise its discretion thoughtfully when adopting the local fire code. The Town of Silverthorne provided information regarding modifications they requested of Summit Fire & EMS; this has been attached to this memo for Frisco Council's consideration.

Financial Impact:
Some of the proposed code amendments will result in additional construction costs for builders and homeowners. The proposed fire sprinkler requirements for all homes 4,500 square feet or greater (the current requirement starts at 6,000 square feet) will result in increased costs for fire sprinkler installation. Sprinkler installation runs around $6 a square foot in Summit, so a 4,500 square foot building could cost approximately $27,000 more to construct with adoption of those proposed code updates. Additionally, proposed amendments requiring fire sprinklers, triggered by additions to existing structures, are not clearly defined as written and will result in additional costs. The increased wind and snow load requirements for our Climate Zone 7 in the residential and commercial codes could add moderately to the construction costs of increasing structural integrity on ceilings and roofs. Most other changes to the codes are not

expected to have significant financial implications for construction.

Environmental Sustainability:

Alignment with Strategic Plan:

Staff Recommendation:
This memo along with the attachments are intended as an update for Council, and no formal action is required at this time. Council comments or suggestions to the Summit Fire & EMS Authority are encouraged; specifically with regards to the proposed amendments. Town Staff anticipate final adoption of the 2024 International Fire Code and any association amendments, at the same time as other building codes are adopted in early April.

Reviews and Approvals:

Katie Kent, Community Development Director	Created/Initiated - 2/4/2026
Diane McBride, Assistant Town Manager	Approved - 2/6/2026
Tom Fisher, Town Manager	Final Approval - 2/6/2026

Attachments:
1. Attachment 1 - Summit Fire & EMS Authority Proposed Code Amendments
2. Attachment 2 - Summit County Builders Association Correspondence
3. Attachment 3 - Town of Silverthorne Correspondence

SUMMIT FIRE & EMS FIRE PROTECTION DISTRICT

RESOLUTION NO. 2026-03

A RESOLUTION ADOPTING THE INTERNATIONAL FIRE CODE, 2024 EDITION, WITH CERTAIN AMENDMENTS THERETO AND ADOPTING THE COLORADO WILDFIRE RESILIENCY CODE

WHEREAS, Summit Fire & EMS Fire Protection 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

WHEREAS, pursuant to § 32-1-1001(1)(d), C.R.S, the District is authorized to adopt and enforce fire codes, but no such code shall apply within any municipality or the unincorporated portion of any county unless the governing body of such municipality or county adopts a resolution stating that such code shall be applicable within the District's boundaries; and

WHEREAS, the Board of Directors ("Board") of the District hereby finds and determines that it is in the best interest of the residents, taxpayers, and visitors of the District to maintain adequate and updated regulations by means of adopting by reference the 2024 edition of the International Fire Code, as modified herein, for application within the District for the purpose of establishing rules of conduct and standards for the protection of life, health, property, security, and welfare of the residents, taxpayers, and visitors of the District; and

WHEREAS, the Board desires to adopt by reference the 2024 edition of the International Fire Code, in its entirety and except as modified herein.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Red, White and Blue Fire Protection District as follows:

1. Incorporation. The recitals set forth above are incorporated and resolved as if set forth in this section in full.

2. Adoption of Fire Code. That a certain document, two (2) copies of which are on file in the District's business office, being marked and designated as the International Fire Code, 2024 Edition, including Appendix Chapters B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, published by the International Code Council be and is hereby adopted as the Fire Code of the District, in the State of Colorado, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, penalties, conditions, and terms of said Fire Code on file in the office of the District are hereby referred to, adopted, and made a part hereof as if fully set out in this Resolution with the additions,

insertions, deletions, and changes, if any, prescribed in Sections 2, 3, 4, 5, and 6 of this Resolution.

3. Applicability within the Towns of Frisco, Keystone, Dillon, Silverthorne, Montezuma and unincorporated Summit County. The Fire Code of the District shall not apply within the Towns Towns of Frisco, Keystone, Dillon, Silverthorne, Montezuma and unincorporated Summit County unless the governing body of the Towns Towns of Frisco, Keystone, Dillon, Silverthorne, Montezuma and unincorporated Summit County adopts a resolution stating that such code shall be applicable.

4. Amendments to the Fire Code. The following sections of the 2024 edition of the International Fire Code are hereby revised by deleting the stricken text and adding the capitalized, double-underlined text as follows:

CHAPTER 1

Section 102.7 is modified as follows:

102.7 Referenced codes and standards.
The codes and standards referenced in this code shall be THE MOST CURRENTLY PUBLISHED EDITION OF those that are listed in Chapter 80, and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

Section 105.1.2 is modified as follows:

105.1.2 Types of permits.
There shall be two 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 permits. A CONSTRUCTION PERMIT ALLOWS THE APPLICANT TO CONSTRUCT, ENLARGE, ALTER, REPAIR, MOVE, DEMOLISH, OR CHANGE THE OCCUPANCY OF A BUILDING OR STRUCTURE, THE LIKES OF WHICH ARE REGULATED BY THIS CODE. A construction permit ALSO allows the applicant to install or modify systems and equipment for which a permit is required by Section 105.6.

Section 105.5.36 is modified as follows:

105.5.36 Open burning.

An operational permit is required for the kindling or maintenance 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 adhered to.
~~**Exception:** *Recreational fires.*~~

Section 105.5.51 is modified as follows:

105.5.51 Temporary membrane structures, special event structures and tents.
An operational permit is required to operate an air-supported temporary membrane structure, a temporary *special event structure* or a tent having an AGGREGATE area in excess of ~~400~~200 square feet (18.58 m^2).

Exceptions:
1. Tents used exclusively for recreational camping purposes
2. Tents, curtains and extensions attached thereto, when used for funeral services
3. Tents open on all sides, which comply with all of the following:
   3.1 Individual tents having a maximum size of ~~700~~200 square feet (18.58 m^2).
   3.2 The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m^2) total.
   3.3 A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.

Section 105.5.55 is modified as follows:

105.5.55 Temporary heating or cooking in tents or membrane structures. WHERE REQUIRED BY LOCAL REGULATIONS, an operational permit is required to operate temporary heating or cooking equipment within tents or membrane structures.

Section 105.5.57 is modified as follows:

105.5.57 Temporary heating for construction sites.
WHERE REQUIRED BY LOCAL REGULATIONS, an operational permit is required to operate temporary heating equipment in structures during the course of construction, *alteration*, or demolition.

Section 105.6.26 add the following new provision:

105.6.26 WILDFIRE MITIGATION.
A CONSTRUCTION PERMIT IS REQUIRED TO PERFORM THE DEFENSIBLE SPACE REQUIREMENTS OF APPENDIX Q THAT DO NOT FALL UNDER A VOLUNTARY WILDFIRE MITIGATION PROGRAM.

Section 112.1.1 add the following new provision:

112.1.1 PROCEDURES.
TO REQUEST A HEARING BEFORE THE BOARD OF APPEALS, THE APPLICANT SHALL FILE A REQUEST IN WRITING TO THE *FIRE CODE OFFICIAL*. THE *FIRE CODE OFFICIAL* SHALL ARRANGE FOR THE BOARD OF APPEALS TO MEET WITHIN 10 WORKING DAYS FROM RECEIPT OF THE REQUEST. ALL APPLICABLE FEES AS STATED IN THE FIRE DISTRICT FEE SCHEDULE SHALL BE PAID WHEN THE WRITTEN REQUEST IS MADE.

Section 112.3 is modified as follows:

112.3 Qualifications.
The board of appeals shall consist of members who are qualified by experience and training on matters pertaining to the provisions of this code ~~and are not employees of the jurisdiction~~.

Section 113.4 is modified as follows:

113.4 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 the provisions of this code, shall be guilty of a MISDEMEANOR, punishable by a fine ~~of not more than [AMOUNT] dollars~~ or by imprisonment ~~not exceeding [NUMBER OF DAYS],~~ or both such fine and imprisonment AS DETERMINED BY THE COURT. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

CHAPTER 2

The General Definitions are modified as follows:

GENERAL DEFINITIONS

CONTROLLED BURNING. ANY FIRE INTENTIONALLY IGNITED TO MEET SPECIFIC LAND MANAGEMENT OBJECTIVES, SUCH AS REDUCING FLAMMABLE FUELS, RESTORE ECOSYSTEM HEALTH, RECYCLE NUTRIENTS, OR PREPARE AN AREA FOR NEW TREES OR VEGETATION. CONTROLLED BURNING MAY ALSO BE KNOWN BY THE TERM "PILE BURNING" AND "PRESCRIBED BURNING."

DEFENSIBLE SPACE. AN AREA EITHER NATURAL OR MAN-MADE, WHERE MATERIAL CAPABLE OF ALLOWING A FIRE TO SPREAD UNCHECKED HAS BEEN TREATED, CLEARED OR MODIFIED TO SLOW THE RATE AND INTENSITY OF AN ADVANCING WILDFIRE AND TO CREATE AN AREA FOR FIRE SUPPRESSION OPERATIONS TO OCCUR.

FIRE AREA. The aggregate floor area enclosed and bounded by fire walls MEETING THE REQUIREMENTS OF SECTION 706 OF THE INTERNATIONAL BUILDING CODE AND~~fire barriers,~~ exterior walls or horizontal assemblies of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor above. FOR BUILDINGS CONSTRUCTED UNDER THE *INTERNATIONAL RESIDENTIAL CODE*, THE FIRE AREA IS THE AGGREGATE FLOOR AREA ENCLOSED AND BOUNDED BY THE INTERIOR SIDE OF THE DRYWALL OR FINISHED WALL.

STRUCTURE IGNITION ZONE (HIZ). THE STRUCTURE AND THE AREA AROUND THE STRUCTURE (OR STRUCTURE). THE HIZ TAKES INTO ACCOUNT BOTH THE POTENTIAL OF THE STRUCTURE TO IGNITE AND THE QUALITY OF *DEFENSIBLE SPACE* SURROUNDING IT.

MITIGATION. ACTION THAT MODERATES THE SEVERITY OF A FIRE HAZARD OR RISK.

MOBILE FUELING. The operation of dispensing liquid fuels from tank vehicles into the fuel tanks of ~~motor~~ vehicles. Mobile fueling may also be known by the terms "Mobile fleet fueling," "Wet fueling," ~~and~~ "Wet hosing," OR "HOT FUELING."

PERMANENT FIRE RING. A PERMANENTLY CONSTRUCTED FEATURE WITHOUT AIR GAPS IN ITS SURROUNDING SIDES AND A SOLID BOTTOM, OR EARTHEN BOTTOM FREE OF ROOTS AND OTHER ORGANIC MATERIAL, USED TO CONTAIN CAMPFIRES AND PREVENT THEM FROM SPREADING AND TURNING INTO A WILDFIRE.

PORTABLE OUTDOOR FIREPLACE. A COMMERCIALLY DESIGNED AND MANUFACTURED DEVICE WITH A SCREEN THAT PREVENTS EMBER EMISSIONS.

STRUCTURE. THAT WHICH IS BUILT OR CONSTRUCTED.

TREE CROWN. THE PRIMARY AND SECONDARY BRANCHES GROWING OUT FROM THE MAIN STEM, TOGETHER WITH TWIGS AND FOLIAGE.

WILDLAND-URBAN INTERFACE. THAT GEOGRAPHICAL AREA WHERE STRUCTURES AND OTHER HUMAN DEVELOPMENT MEETS OR INTERMINGLES WITH WILDLAND OR VEGETATIVE FUELS.

CHAPTER 3

Section 304.1.3 is modified as follows:

304.1.3 Vegetation.
Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirements in urban-wildland interface areas shall be in accordance with ~~the *International Wildland-Urban Interface Code*~~APPENDIX Q, LOCAL CODES, POLICIES, AND ORDINANCES.

Section 304.3.4 is modified as follows:

304.3.4 Capacity of 1 cubic yard or more.
Dumpsters with an individual capacity of 1.0 cubic yard [200 gallons (0.76 m^3)] shall not be stored in buildings or placed within 5 feet (1524 mm) of combustible walls, openings or combustible roof eave lines unless the dumpsters are constructed of noncombustible materials or low heat release materials in accordance with Section 304.3.2.

Exceptions:
1. Dumpsters in areas protected by an approved automatic sprinkler system installed throughout in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Storage in a structure shall not be prohibited where the structure is of Type I or IIA construction, located not less than 10 feet (3048 mm) from other buildings and used exclusively for dumpster or container storage.
3. STORAGE IN A STRUCTURE SHALL NOT BE PROHIBITED WHERE THE STRUCTURE COMPLIES WITH LOCAL CODES, POLICIES, AND ORDINANCES AS MANDATED BY THE AUTHORITY HAVING JURISDICTION.

Section 304.3.5 is modified as follows:

304.3.5 Capacity exceeding 1.5 cubic yards.
Dumpsters and containers with an individual capacity of 1.5 cubic yards [40.5 cubic feet (1.15 m^3)] or more shall not be stored in buildings or placed within 5 feet (1524 mm) of combustible walls, openings or combustible roof eave lines.

Exceptions:
1. Dumpsters or containers that are placed inside buildings in areas protected by an approved automatic sprinkler system installed throughout in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Storage in a structure shall not be prohibited where the structure is of Type I or IIA construction, located not less than 10 feet (3048 mm) from other buildings and used exclusively for dumpster or container storage.

3. STORAGE IN A STRUCTURE SHALL NOT BE PROHIBITED WHERE THE STRUCTURE IS IN COMPLIANCE WITH LOCAL CODES, POLICIES, AND ORDINANCES AS MANDATED BY THE AUTHORITY HAVING JURISDICTION.

Section 308.1.5 is modified as follows:

308.1.5 Open-flame devices in wildfire risk areas.
Torches and other devices, machines or processes liable to start or cause fire shall ~~not be operated or used in or on wildfire risk areas, except by a permit in accordance with Section 105.5 secured from the fire code official.~~ COMPLY WITH LOCAL FIRE RESTRICTIONS.

Exception: Use within inhabited premises or designated campsites that are not less than 30 feet (9144 mm) from grass-, grain-, brush- or forest-covered areas.

Section 308.1.7 is modified as follows:

308.1.7 Sky lanterns.
A person shall not release or cause to be released a~~n~~ ~~untethered~~ sky lantern UNLESS OTHERWISE APPROVED BY THE *FIRE CODE OFFICIAL*.

Section 311.2.2 is amended as follows:

311.2.2 Fire protection.
Fire protection systems shall be maintained in an operable condition at all times.

Exceptions:
1. Where the premises have been cleared of all combustible materials and debris and, in the opinion of the *fire code official*, the type of construction, *fire separation distance* and security of the premises do not create a fire hazard.
2. Where approved by the *fire code official*, buildings that will not be heated and where *fire protection systems* will be exposed to freezing temperatures, fire alarm and *automatic sprinkler systems* are permitted to be placed out of service and standpipes are permitted to be maintained as dry systems (without an automatic water supply), provided that the building does not have contents or storage, and windows, doors and other openings are secured to prohibit entry by unauthorized persons.
3. Where *approved* by the *fire code official*, fire alarm and *automatic sprinkler systems* are permitted to be placed out of service in seasonally occupied buildings: that will not be heated; where fire protection systems will be exposed to freezing temperatures; where *fire areas* do not exceed ~~12,000~~6,000 square feet (~~1115~~557.42 m^2); ~~and~~OR that do not store motor vehicles or hazardous materials.

Section 313.1 is modified as follows:

313.1 General.
Fueled equipment including, but not limited to, motorcycles, mopeds, AND THE LIKE~~lawn-care equipment and portable generators~~, shall not be stored, operated, or repaired within a building.

Section 315.3 is modified as follows:

315.3 Storage in buildings.
Storage of materials in buildings shall be orderly and stacks shall be stable. Storage of combustible materials shall be separated from heaters or heating devices by distance or shielding so that ignition cannot occur. STORAGE ROOM DOORS SHALL BE PROVIDED WITH *APPROVED* SIGNAGE.

315.3.1 Ceiling clearance.
Storage shall be maintained 2 feet (610 mm) or more below the ceiling in nonsprinklered areas of buildings or not less than 18 inches (457 mm) below sprinkler head deflectors in sprinklered areas of buildings.

Exceptions:
1. The 2-foot (610 mm) ceiling clearance is not required for storage along walls in nonsprinklered areas of buildings WHERE THE SHELVING DOES NOT EXCEED 30-INCHES (762 MM) IN DEPTH.
2. The 18-inch (457 mm) ceiling clearance is not required for storage along walls in areas of buildings equipped with an automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.

315.3.3 Equipment rooms.
Combustible materials shall not be stored in boiler rooms, mechanical rooms, elevator machine rooms, electrical equipment rooms, ~~or in~~ fire command centers, OR OTHER ROOMS WHERE A POTENTIAL IGNITION SOURCE EXISTS, AS DETERMINED BY THE *FIRE CODE OFFICIAL*, as specified in Section 508.1.5.

Section 320.1 is modified as follows:

320.1 General.
The storage of lithium-ion and lithium-metal batteries shall comply with Section 320 AND APPLICABLE STATE STATUTES.

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 not more than 300 watt-hours for lithium-ion batteries or contain not more than 25 grams of lithium metal for lithium metal batteries.
4. Temporary storage of batteries or battery components during the battery manufacturing process prior to completion of final quality control checks.
5. Temporary storage of batteries during the vehicle manufacturing or repair process.

Section 322.4 is modified as follows:

322.4 Battery charging areas.

Where *approved*, powered micromobility devices shall BE permitted to be charged in a room or area that complies with all of 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 (457.2 mm) 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 (457.2 mm) shall be maintained between the location of the battery on each powered micromobility device during charging operations.
8. The ~~indoor room or area~~BUILDING shall be protected by an *APPROVED* fire alarm system~~ utilizing air-aspirating smoke detectors or radiant energy-sensing fire detection~~.

Section 323.1 add the following new provision:

323.1 ELECTRIC VEHICLE CHARGING STATIONS INSIDE A STRUCTURE.

ELECTRIC VEHICLE CHARGING STATIONS INSTALLED INSIDE A STRUCTURE SHALL BE INSTALLED IN COMPLIANCE WITH NFPA 70, STATE AND LOCAL REQUIREMENTS. EV CHARGING STATIONS SHALL BE INSTALLED IN IMMEDIATE PROXIMITY TO AN EXIT THAT IS APPROPRIATELY SIZED FOR THE VEHICLE.

EXCEPTION:
ONE- AND TWO-FAMILY DWELLINGS BUILT UNDER THE INTERNATIONAL RESIDENTIAL CODE

CHAPTER 4

Section 403.11.3.1 is modified as follows:

403.11.3.1 Number of crowd managers.
Not fewer than two trained crowd managers, and not fewer than one trained crowd manager for each 250 persons IN A CONTROLLED ACCESS AREA or portion thereof, shall be provided for the gathering.

Exceptions:
1. Outdoor events IN A CONTROLLED ACCESS AREA with fewer than ~~1,000~~500 persons in attendance shall not require crowd managers.
2. Assembly occupancies used exclusively for religious worship with an occupant load not exceeding ~~1,000~~500 shall not require crowd managers.
3. The number of crowd managers shall be reduced where, in the opinion of the *fire code official,* the fire protection provided by the facility and the nature of the event warrants a reduction.

CHAPTER 5

Section 505.1 is modified as follows:

505.1 Address identification.
New and existing buildings shall have *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 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 12 INCHES (304.8 MM) high with a minimum stroke width of ~~½~~1.5 inchES (~~12.7~~38.1 mm), UNLESS OTHERWISE *APPROVED*. 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 numbers shall be maintained AND VISIBLE IN ALL WEATHER CONDITIONS.

EXCEPTION: ONE- AND TWO-FAMILY DWELLING AND TOWNHOUSES, NOT MORE THAN THREE STORIES ABOVE GRADE PLANE, THAT FALL UNDER THE PRESCRIPTIVE PROVISIONS OF THE INTERNATIONAL RESIDENTIAL CODE BUILDINGS ADDRESS NUMBERS SHALL BE A MINIMUM OF 5 INCHES (127 MM) HIGH OR 4 INCHES (101.6 MM)

REFLECTIVE ON A CONTRASTING BACKGROUND, UNLESS OTHERWISE *APPROVED*, WITH A MINIMUM STROKE WIDTH OF ½ INCH (12.7 MM) AND BE VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. ADDRESS NUMBERS SHALL BE MAINTAINED AND VISIBLE IN ALL WEATHER CONDITIONS.

Section 506.1.2 is modified as follows:

506.1.2 Key boxes for ~~nonstandardized~~ fire service elevator keys.
Key boxes provided for ~~nonstandardized~~ fire service elevator keys shall comply with Section 506.1 and all of the following:

1. The key box shall be compatible with an existing rapid entry key box system in use in the jurisdiction and *approved* by the *fire code official.*
2. The front cover shall be permanently labeled with the words "FIRE DEPARTMENT USE ONLY—ELEVATOR KEYS."
3. The key box shall be mounted at each elevator bank at the lobby nearest to the lowest level of fire department access.
4. The key box shall be mounted 5 feet 6 inches (1676 mm) above the finished floor to the right side of the elevator bank.
5. Contents of the key box are limited to fire service elevator keys. Additional elevator access tools, keys and information pertinent to emergency planning or elevator access shall be permitted where authorized by the *fire code official*.
6. In buildings with two or more elevator banks, a single key box shall be permitted to be used where such elevator banks are separated by not more than 30 feet (9144 mm). Additional key boxes shall be provided for each individual elevator or elevator bank separated by more than 30 feet (9144 mm).

Section 508.1 is modified as follows:

508.1 General.
Where required by other sections of this code, BUILDINGS, STRUCTURES, FACILITIES THAT ARE GREATER THAN 50,000 SQUARE FEET (4645 M^2), AND IN all buildings classified as high-rise buildings by the *International Building Code*, ~~and in F-1 and S-1 occupancies with a building footprint greater than 500,000 square feet (46,452 m^2)~~ a *fire command center* for fire department operations MAY be provided, AS REQUIRED BY THE *FIRE CODE OFFICIAL*, and shall comply with Sections 508.1.1 through 508.1.7.
Section 509.2.1 add the following new provision:

Section 509.2.1 add the following new provision:

509.2.1 SPRINKLER VALVE ROOM DOOR.
WHERE ALLOWED BY THE INTERNATIONAL BUILDING CODE, SPRINKLER VALVE ROOM ACCESS DOORS SHALL SWING OUT FROM THE ROOM AND BE EQUIPPED WITH PANIC HARDWARE.

CHAPTER 6

Section 601.1 is modified as follows:

601.1 Scope.
The provisions of this chapter shall apply to the installation, operation, testing, ~~and~~ maintenance, AND IDENTIFICATION of the following building services and systems:

1. Electrical systems, equipment and wiring.
2. Information technology server rooms.
3. Elevator systems, emergency operation and recall.
4. Fuel-fired appliances, heating systems, chimneys and fuel oil storage.
5. Commercial cooking equipment and systems.
6. Commercial cooking oil storage.
7. Mechanical refrigeration systems.
8. Hyperbaric facilities.
9. Clothes dryer exhaust systems.
10. STORAGE ROOMS.
11. FIRE COMMAND ROOMS.
12. SPRINKLER RISER ROOMS.

Section 604.6.2.4 is modified as follows:

604.6.2.4 Responsibility to provide keys.
The building *owner* shall provide up to ~~three~~FIVE standardized fire service elevator keys where required by the *fire code official*, upon installation of a standardized fire service key switch or switches in the building**.**

Section 605.2.1.6 add the following new provision:

605.2.1.6 CHIMNEYS AND HEATING APPLIANCES.
CHIMNEYS AND FIREBOXES FOR SOLID, FUEL BURNING APPLIANCES SHALL BE INSPECTED ANNUALLY FOR SOUNDNESS, CORROSION, PROPER SUPPORT, AND FREEDOM FROM COMBUSTIBLE DEPOSITS BY A QUALIFIED INDIVIDUAL OR COMPANY. A CERTIFICATE OF INSPECTION IN A FORM ACCEPTABLE TO THE F*IRE CODE OFFICIAL* SHALL BE TRANSMITTED.

Section 605.8 is modified as follows:

605.8 Gas AND UTILITY meters.
Above-ground gas AND UTILITY meters, regulators and piping subject to damage shall be protected by a barrier complying with Section 312 or otherwise protected in an *approved* manner. GAS AND UTILITY METERS AND PIPING SHALL BE PROTECTED FROM SNOW & ICE SHEDDING FROM A ROOF AREA. SNOW AND ICE BUILD-UP AROUND GAS & UTILITY METERS SHALL BE KEPT CLEAR AT ALL TIMES.

Section 608.2 is modified as follows:

608.2 Permits.
An operational permit ~~shall~~MAY be ~~obtained~~REQUIRED for refrigeration systems as set forth in Section 105.5.46.

CHAPTER 7

Section 704.1 add the following new provisions:

704.1.1 FIRE-RESISTANCE-RATED LABELING.
THE FIRE-RESISTANCE RATING SHALL BE MARKED IN AN *APPROVED* MANNER ON THE FOLLOWING FIRE RESISTANCE RATED CONSTRUCTION FEATURES:

1. STRUCTURAL MEMBERS.
2. EXTERIOR WALLS.
3. FIRE WALLS, FIRE BARRIERS, FIRE PARTITIONS.
4. HORIZONTAL ASSEMBLIES.
5. SHAFT ENCLOSURES.

704.1.2 FIRE RATED PRODUCTS.
THE FIRE RATED MATERIAL AND MANUFACTURER INFORMATION SHALL BE LABELED NEXT TO ALL SEALED PENETRATIONS. THE INFORMATION SHALL BE PROVIDED ON ALL PLAN SETS AT ALL PENETRATION LOCATIONS.

704.1.3 SMOKE BARRIER LABELING.
THE FIRE-RESISTANCE RATING AND SMOKE-RESISTANT CHARACTERISTICS OF SMOKE BARRIERS SHALL BE MARKED IN AN *APPROVED* MANNER ON THE RATED CONSTRUCTION FEATURE.

CHAPTER 8

Section 803.13 is modified as follows:

803.13 Laminated products factory produced with OR WITHOUT an attached wood substrate.

Laminated products factory produced with OR WITHOUT an attached wood substrate shall comply with one of the following:

1. The laminated product shall meet the criteria of Section 803.1.1 when tested in accordance with NFPA 286 using the product mounting system, including adhesive, of actual use.
2. The laminated product shall have a Class A, B or C flame spread index and smoke-developed index based on the requirements of Table 803.3, in accordance with ASTM E84 or UL 723. Test specimen preparation and mounting shall be in accordance with ASTM E2579.

CHAPTER 9

Section 901.4.2 is modified as follows:

901.4.2 Nonrequired fire protection systems.

Fire protection and *life safety systems* required by this code~~,~~ ~~or~~ the International Building Code, OR THE INTERNATIONAL RESIDENTIAL CODE shall be ~~allowed to be furnished for partial or~~ INSTALLED THROUGHOUT A BUILDING FOR complete protection~~,~~ provided that such installed system meets the applicable requirements of this code, ~~and~~ the International Building Code, AND THE INTERNATIONAL RESIDENTIAL CODE.

Section 901.4.4 is modified as follows:

901.4.4 Fire areas.

Where buildings, or portions thereof, are divided into fire areas so as not to exceed the limits established for requiring a fire protection system in accordance with this chapter, such fire areas shall be separated by fire ~~barriers~~WALLS constructed in accordance with ~~Section 707 of~~ the International Building Code or horizontal assemblies constructed in accordance with ~~Section 711 of~~ the International Building Code, or both, having a fire-resistance rating of not less than that determined in accordance with ~~Section 707.3.10 of~~ the International Building Code.

Section 903.2.1 is modified as follows:

903.2.1.1 Group A-1.

An automatic sprinkler system shall be provided throughout ~~stories~~BUILDINGS containing Group A-1 occupancies ~~and throughout all stories from the Group A-1 occupancy to and~~

~~including the levels of exit discharge serving that occupancy~~ where one of the following conditions exists:

1. The fire area exceeds 12,000 square feet (1115 m^2).
2. The fire area has an occupant load of ~~300~~50 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multiple-theater complex.

903.2.1.2 Group A-2.
An automatic sprinkler system shall be provided throughout ~~stories~~BUILDINGS containing Group A-2 occupancies ~~and throughout all stories from the Group A-2 occupancy to and including the levels of exit discharge serving that occupancy~~ where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (464 m^2).
2. The fire area has an occupant load of ~~100~~50 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.1.3 Group A-3.
An automatic sprinkler system shall be provided throughout ~~stories~~BUILDINGS containing Group A-3 occupancies ~~and throughout all stories from the Group A-3 occupancy to and including the levels of exit discharge serving that occupancy~~ where one of the following conditions exists:

1. The fire area exceeds 12,000 square feet (1115 m^2).
2. The fire area has an occupant load of ~~300~~50 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.1.4 Group A-4.
An automatic sprinkler system shall be provided throughout ~~stories~~BUILDINGS containing Group A-4 occupancies ~~and throughout all stories from the Group A-4 occupancy to and including the levels of exit discharge serving that occupancy~~ where one of the following conditions exists:

1. The fire area exceeds 12,000 square feet (1115 m^2).
2. The fire area has an occupant load of ~~300~~50 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.1.6 Assembly occupancies on roofs.
Where an occupied roof has an assembly occupancy with an occupant load exceeding ~~100~~50 ~~for Group A-2 and 300~~ for ~~other~~ Group A occupancies, ~~all floors between the occupied roof and the level of exit discharge shall be equipped with an automatic sprinkler system in~~ AN AUTOMATIC SPRINKLER SYSTEM SHALL BE PROVIDED THROUGHOUT ~~stories~~THE BUILDING in accordance with Section 903.3.1.1 or 903.3.1.2.

> ~~**Exception:** Open parking garages of Type I or Type II construction.~~

903.2.1.7 Multiple fire areas.
An automatic sprinkler system shall be provided where multiple fire areas of Group A-1, A-2, A-3 or A-4 occupancies share exit or exit access components and the combined occupant load of these fire areas is ~~300~~50 or more.

Section 903.2.2 is modified as follows:

903.2.2 Ambulatory care facilities.
An automatic sprinkler system shall be installed throughout the entire ~~floor~~BUILDING containing an ambulatory care facility where either of the following conditions exist at any time:

1. Four or more care recipients are incapable of self-preservation.
2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility.

~~In buildings where ambulatory care is provided on levels other than the level of exit discharge, an automatic sprinkler system shall be installed throughout the entire floor as well as all floors below where such care is provided, and all floors between the level of ambulatory care and the nearest level of exit discharge, the level of exit discharge, and all floors below the level of exit discharge.~~

~~**Exception:** Floors classified as an open parking garage are not required to be sprinklered.~~

903.2.2.2 Laboratories involving research and development or testing.
An *automatic sprinkler system* shall be installed throughout ~~the fire areas~~BUILDINGS utilized for the research and development or testing of lithium-ion or lithium metal batteries.

Section 903.2.3 is modified as follows:

903.2.3 Group E.
An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 12,000 square feet (1115 m^2) in area.

2. The Group E fire area is located on a floor other than a level of exit discharge serving such occupancies.

   Exception: In buildings where every classroom has not fewer than one exterior exit door at ground level, an automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area.

3. The Group E fire area has an occupant load of ~~300~~50 or more.

Section 903.2.7 is modified as follows:

903.2.7 Group M.
An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 12,000 square feet (1115 m^2).
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m^2).
4. THE GROUP M FIRE AREA HAS AN OCCUPANT LOAD OF 50 OR MORE.

Section 903.2.9 is modified 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~~6,000 square feet (~~1115~~557.42 m^2).
2. A Group S-1 fire area is located more than ~~three~~TWO stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds ~~24,000~~6,000 square feet (~~1115~~557.42 m^2).
4. A Group S-1 fire area used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet (464 m^2).
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 (46.4m^2).

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~~6,000 square feet (~~929.03~~ 557.42 m^2).

2. Buildings not more than one story above grade plane, with a fire area containing a repair garage exceeding ~~12,000~~6,000 square feet (~~1115~~557.42 m^2).
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 (464 m^2).
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 (46.4 m^2).

Section 903.2.10 is modified as follows:

903.2.10 Group S-2 parking garages.
An automatic sprinkler system shall be provided throughout buildings classified as parking garages where any of the following conditions exist:

1. Where the *fire area* of the enclosed parking garage, in accordance with Section 406.6 of the *International Building Code*, exceeds ~~12,000~~6,000 square feet (~~1115~~ 557.42 m^2).
2. Where the enclosed parking garage, in accordance with Section 406.6 of the *International Building Code*, is located beneath other groups.
   ~~**Exception:** Enclosed parking garages located beneath Group R-3 occupancies.~~
3. Where the *fire area* of the open parking garage, in accordance with Section 406.5 of the *International Building Code,* exceeds 48,000 square feet (4460 m^2).

Section 903.2.11.1 is modified as follows:

903.2.11.1 Stories without openings.
An automatic sprinkler system shall be installed throughout all ~~stories~~BUILDINGS, ~~including basements, of all buildings~~ where the floor area OF THE STORY EXCEEDS 1,500 square feet (139 m^2) and where the story does not comply with the following criteria for exterior wall openings:

1. Openings below grade that lead directly to ground level by an exterior stairway complying with Section 1011 or an outside ramp complying with Section 1012. Openings shall be located in each 50 linear feet (15,240mm), or fraction thereof, of exterior wall in the story on not fewer than one side. The required openings shall be distributed such that the lineal distance between adjacent openings does not exceed 50 feet (15,240 mm).
2. Openings entirely above the adjoining ground level totaling not less than 20 square feet (1.86 m^2) in each 50 linear feet (15,240 mm), or fraction thereof, of exterior wall in the story on not fewer than one side. The required openings shall be distributed such that the lineal distance between adjacent openings does not exceed 50 feet (15,240 mm). The height of the bottom of the clear opening shall not exceed 44 inches (1118 mm) measured from the floor.

903.2.11.1.2 Openings on one side only.
Where openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet (22,860 mm) from such openings, the ~~story~~BUILDING shall be equipped throughout with an *approved* automatic sprinkler system, or openings shall be provided on not fewer than two sides of the story.

903.2.11.1.3 Basements.
Where any portion of a basement is located more than 75 feet (22,860 mm) from openings required by Section 903.2.11.1, or where walls, partitions or other obstructions are installed that restrict the application of water from hose streams, the ~~basement~~BUILDING shall be equipped throughout with an *approved* automatic sprinkler system.

Section 903.2.11.3 is modified as follows:

903.2.11.3 Buildings 55 feet or more in height.
An automatic sprinkler system shall be installed throughout buildings that have one or more stories with an occupant load of 30 or more located 55 feet (16,764 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

~~**Exceptions:**~~
~~1 . Occupancies in Group F-2.~~

Section 903.2.13 add the following new provision:

903.2.13 GROUP B OR MIXED OCCUPANCIES.
AN AUTOMATIC SPRINKLER SYSTEM SHALL BE PROVIDED THROUGHOUT ALL BUILDINGS CONTAINING GROUP B OR MIXED OCCUPANCIES WHERE ONE OF THE FOLLOWING CONDITIONS EXISTS:

1. THE FIRE AREA EXCEEDS 6,000 SQUARE FEET (557.42 M^2).
2. WHERE THE COMBINED FIRE AREAS OF GROUP B AND MIXED OCCUPANCIES ON ALL FLOORS INCLUDING MEZZANINES AND BASEMENTS IS GREATER THAN 6,000 SQUARE FEET (557.42 M^2).

Section 903.2.14 add the following new provision:

903.2.14 BUILDINGS CONSTRUCTED UNDER THE INTERNATIONAL RESIDENTIAL CODE.
AN AUTOMATIC SPRINKLER SYSTEM INSTALLED IN ACCORDANCE WITH SECTION 903.3.1.3 OR P2904 OF THE INTERNATIONAL RESIDENTIAL CODE SHALL BE PROVIDED THROUGHOUT ALL DETACHED ONE AND TWO-FAMILY DWELLINGS AND MULTIPLE SINGLE-FAMILY DWELLINGS (TOWNHOUSES), COMPLYING WITH THE REQUIREMENTS OF THE *INTERNATIONAL RESIDENTIAL*

CODE, WHOSE TOTAL AGGREGATE FIRE AREA EXCEEDS 4,500 SQUARE FEET (418.06 M^2).

> **EXCEPTION:** UNLESS OTHERWISE REQUIRED BY MORE RESTRICTIVE LOCAL CODES, POLICIES, AMENDMENTS, ORDINANCES, OR PLAT NOTE.

Section 905.3.1 is modified as follows:

905.3.1 Height.
Class ~~III~~I standpipe systems shall be installed throughout buildings 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 (9144 mm-) above the lowest level of the fire department vehicle access.
3. The floor level of the lowest story is located more than 30 feet (9144 mm-) below the highest level of fire department vehicle access.

Exceptions:

1. Class I standpipes are allowed 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 allowed in Group B and E occupancies.
3. Class I standpipes are allowed in parking garages.
4. Class I standpipes are allowed in basements equipped throughout with an automatic *sprinkler system.*
5. Class I standpipes are allowed 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 905.3.1.1 add the following new provision:

905.3.1.1 BUILDING AREA.
IN BUILDINGS EXCEEDING 10,000 SQ. FT. (929 M^2) WITHIN SURROUNDING EXTERIOR WALLS, AN *APPROVED* CLASS I STANDPIPE SYSTEM SHALL BE PROVIDED WHERE ANY PORTION OF THE BUILDING'S INTERIOR IS MORE THAN 140 FEET (42.67 M) OF TRAVEL, VERTICALLY AND/OR HORIZONTALLY, FROM THE NEAREST POINT OF FIRE DEPARTMENT VEHICLE ACCESS.

Section 905.4 is modified 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* or *exterior exit stairway*, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at the ~~main floor~~INTERMEDIATE landing unless otherwise *approved* by the *fire code official*.

   Exception: 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 (22,860 mm) apart.

2. On each side of the wall adjacent to the exit opening of a horizontal *exit*.

   Exception: Where floor areas adjacent to a horizontal *exit* are reachable from an *interior exit stairway* or *exterior 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 horizontal *exit*.

3. 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* or *exterior 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.

4. 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.
5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), 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 1011.12.
6. Where the most remote portion of a nonsprinklered floor or story is more than ~~150~~ 140 feet (~~45 720~~42,672 mm) from a hose connection or the most remote portion of a sprinklered floor or story is more than ~~200~~140 feet (~~60 960~~42,672 mm) from a hose connection, the *fire code official* is authorized to require that additional hose connections be provided in *approved* locations.

Section 907.6.6 is modified as follows:

907.6.6 Monitoring.
Fire alarm systems required by this chapter, ~~or by~~ the International Building Code, OR THE INTERNATIONAL RESIDENTIAL CODE shall be monitored by an *approved* supervising station in accordance with NFPA 72.

Exception: Monitoring by a supervising station is not required for:
1. Single- and multiple-station smoke alarms required by Section 907.2.10.
2. Smoke detectors in Group I-3 occupancies.
3. Automatic sprinkler systems in one- and two- family dwellings.

Section 915.1 is modified as follows:

915.1 General.
Carbon monoxide detection shall be installed in new buildings in accordance with Section~~s~~ 915.1.1 AND IN ACCORDANCE WITH STATE STATUTE. Carbon monoxide detection shall be installed in existing buildings in accordance with Section 1103.9 AND IN ACCORDANCE WITH STATE STATUTE.

Exception: Carbon monoxide detection is not required in Group S, Group F and Group U occupancies that are not normally occupied, SO LONG AS THE EXEMPTION OF THESE OCCUPANCIES IS ALLOWED BY STATE STATUTE.

CHAPTER 11

Section 1103.5.6 add the following new provisions:

1103.5.6 ADDITIONS AND ALTERATIONS TO EXISTING BUILDINGS.
EXISTING BUILDINGS CONSTRUCTED PRIOR TO THE ADOPTION OF THIS CODE, WITH A FIRE AREA EXCEEDING 6,000 SQUARE FEET (557.42 M^2), UNDERGOING ADDITIONS, ALTERATIONS, OR REMODEL WORK SHALL BE EVALUATED UNDER THE INTERNATIONAL FIRE CODE, FOR THE NEED FOR ADDITIONAL FIRE PROTECTION. PORTIONS OF BUILDINGS SEPARATED BY *APPROVED* FIRE WALLS AS OUTLINED IN CHAPTER 7, SECTION 707 OF THE INTERNATIONAL BUILDING CODE MAY BE CONSIDERED AS SEPARATE BUILDINGS.

1103.5.6.1 EXISTING BUILDINGS WITH A FIRE AREA NOT EXCEEDING 6,000SQ. FT. (577 M^2).
AN AUTOMATIC SPRINKLER SYSTEM SHALL BE PROVIDED THROUGHOUT A BUILDING UNDERGOING AN ADDITION AND/OR ALTERATION WORK WHOSE NEW AGGREGATE FIRE AREA OF THE BUILDING EXCEEDS 6,000 SQUARE FEET (557.42 M^2).

1103.5.6.2 EXISTING BUILDINGS WITH A FIRE AREA EXCEEDING 6,000 SQ. FT. (577 M^2).

AN AUTOMATIC SPRINKLER SYSTEM SHALL BE PROVIDED THROUGHOUT A BUILDING, UNDERGOING ADDITIONAL WORK THAT INCREASES THE FIRE AREA OF THE EXISTING STRUCTURE.

1103.5.6.3 ALTERATIONS TO EXISTING BUILDINGS WITH A FIRE AREA EXCEEDING 6,000 SQ. FT. (577 M^2).

AN AUTOMATIC SPRINKLER SYSTEM SHALL BE PROVIDED THROUGHOUT A BUILDING WHEN THE AREA UNDERGOING ALTERATIONS EQUALS OR EXCEEDS 50% OF THE AGGREGATE FIRE AREA OF THE BUILDING.

> **EXCEPTION:** ALTERATIONS LIMITED TO THE REMOVAL AND REPLACEMENT OR THE COVERING OF EXISTING MATERIALS, ELEMENTS, EQUIPMENT, OR FIXTURES USING THE SAME MATERIALS, ELEMENTS, EQUIPMENT, OR FIXTURES THAT SERVE THE SAME PURPOSE.

1103.5.6.4 ADDITIONS CONSTRUCTED UNDER THE INTERNATIONAL RESIDENTIAL CODE.

FOR BUILDINGS BUILT UNDER THE INTERNATIONAL RESIDENTIAL CODE AN AUTOMATIC SPRINKLER SYSTEM SHALL BE REQUIRED TO PROTECT ONLY THE ADDITION TO AN EXISITING STRUCTURE WHEN:

1. THE ADDITION INCREASES THE FLOOR AREA OF THE STRUCTURE TO MORE THAN 4500 SQUARE FEET (418.06 SQUARE METERS), OR;
2. THE ADDITION IS ADDED TO AN EXISTING STRUCTURE THAT IS MORE THAN 4500 SQUARE FEET (418.06 SQUARE METERS) PRIOR TO THE ADDITION.

> **EXCEPTION:** A ONE-TIME ADDITION TO AN EXISTING STRUCTURE OF 500 SQUARE FEET OR LESS.

1103.5.6.5 ADDITIONS, ALTERATIONS, REMODELS CONSTRUCTED UNDER THE INTERNATIONAL RESIDENTIAL CODE.

FOR BUILDINGS BUILT UNDER THE INTERNATIONAL RESIDENTIAL CODE, AN AUTOMATIC SPRINKLER SYSTEM SHALL BE REQUIRED TO PROTECT AN ADDITION AND BE INSTALLED THROUGHOUT AN EXISTING STRUCTURE WHEN:

1. THE ADDITION IS GREATER THAN 4500 SQUARE FEET (418.06 SQUARE METERS). OR;
2. AN ALTERATION AND ADDITION TO AN EXISTING STRUCTURE INCREASES THE FLOOR AREA TO MORE THAN 4500 SQUARE FEET (418.06 SQUARE METERS) AND REMODEL WORK IS PROPOSED IN A WORK AREA THAT IS MORE THAN 50% OF THE FLOOR AREA OF THE

EXISTING STRUCTURE AND THAT REMODEL WORK INCLUDES FLOOR PLAN RECONFIGURATION AND/OR INTERIOR FRAMED WALL AND CEILING MATERIAL REPLACEMENT SUCH AS DRYWALL OR THE LIKE. OR;

3. AN EXISTING HOME THAT HAS HAD AN ADDITION THAT INCREASED THE FLOOR AREA TO GREATER THAN 4500 SQUARE FEET (418.06 SQUARE METERS), SINCE THE ADOPTION OF THIS CODE, THAT PROPOSES A NEW REMODELED WORK AREA THAT IS MORE THAN 50% OF THE ORIGINAL STRUCTURE'S FLOOR AREA AND INCLUDES FLOOR PLAN RECONFIGURATION AND/OR INTERIOR FRAMED WALL AND CEILING MATERIAL REPLACEMENT, SUCH AS DRYWALL OR THE LIKE.

EXCEPTION:

1. ATTACHED FLOOR AREA ADDITIONS OR REMODEL WORK AREAS TO EXISTING STRUCTURES THAT PROVIDE AN APPROVED, DEED RESTRICTED, ACCESSORY DWELLING UNIT (ADU) ON THE PROPERTY SHALL NOT REQUIRE AUTOMATIC SPRINKLERS WHEN THE MINIMUM FIRE SEPARATION BETWEEN THE EXISTING STRUCTURE AND THE ADU ARE SEPARATED BY A ONE-HOUR FIRE SEPARATION, AND THE ADU HAS A SEPARATE EXIT.
2. A ONE-TIME ADDITION TO AN EXISTING STRUCTURE OF 500 SQUARE FEET OR LESS.

Section 1103.6.1 is modified as follows:

1103.6.1 Existing multi-story buildings.
Existing buildings with occupied floors located more than ~~50~~40 feet (~~15240~~12,192 mm) above the lowest level of fire department access or more than ~~50~~40 feet (~~15240~~12,192 mm) below the highest level of fire department access shall be equipped with standpipes.

CHAPTER 31

Section 3103.5 is modified as follows:

3103.5 Construction documents.
A detailed site and floor plan for *tents* or *membrane structures* ~~with an occupant load of 50 or more~~ shall be provided with each application for approval. The *tent* or *membrane structure* floor plan shall indicate details of the *means of egress* facilities, seating capacity, arrangement of the seating and location and type of heating and electrical equipment. The *construction documents* shall include an analysis of structural stability. Water-filled vessels used to anchor a *tent* or *membrane structure* shall be in accordance with Section 3103.8.1.

CHAPTER 80:

Chapter 80 is modified as follows:

REFERENCED STANDARDS <u>REFERENCE THE MOST CURRENT ADDITION OF THE STANDARD.</u>

APPENDIX B

Adopted.

APPENDIX C

Adopted.

APPENDIX D

Adopted.

Section D103.6 is modified 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. 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 <u>AND AT INTERVALS AS REQUIRED BY THE *FIRE CODE OFFICIAL*.</u>

APPENDIX E

Adopted.

APPENDIX F

Adopted.

APPENDIX G

Adopted.

APPENDIX H

Adopted.

APPENDIX I

Adopted.

APPENDIX J

Adopted.

Section J101.1 is modified as follows:

J101.1 Scope.
New buildings shall have a building information sign(s) that shall comply with Sections J101.1.1 through J101.7. Existing buildings ~~shall~~MAY be brought into conformance with Sections J101.1 through J101.9 when one of the following occurs:

1. The fire department conducts an annual inspection intended to verify compliance with this section, or any required inspection.
2. A change in use or occupancy has occurred.

APPENDIX K
Adopted.

APPENDIX L
Adopted.

APPENDIX M
Adopted.

APPENDIX N
Adopted.

Section N103.3 is modified as follows:

N103.3 Crowd managers.
Where events involve a gathering of more than ~~1,000~~500 people, trained crowd managers shall be provided in accordance with Section 403.11.3.

APPENDIX O
Adopted.

APPENDIX P

Add a new Appendix P as follows:

FIRE REGULATIONS.
THIS APPENDIX HELPS LAND MANAGEMENT AGENCIES REDUCE FIRE RISK AND PREVENT WILDFIRES IN SUMMIT COUNTY, WHICH HAS ABOVE-AVERAGE EXPOSURE TO THE WILDLAND URBAN INTERFACE (WUI).

SECTION P101
GENERAL

P101.1 SCOPE.

THIS APPENDIX IS INTENDED TO IDENTIFY THE RESTRICTIONS ON RECREATIONAL FIRES, OPEN BURNING, FIRE MANAGEMENT, SMOKING, AND USING CHAINSAWS UNDER CONDITIONS NOT COVERED BY ANY FEDERAL, STATE, OR LOCAL FIRE RESTRICTIONS.

SECTION P201
DEFINITIONS

P201.1 DEFINITIONS.

THE FOLLOWING TERMS ARE DEFINED IN CHAPTER 2:

CONTROLLED BURNING
OPEN BURNING
PERMANENT FIRE RING
PORTABLE OUTDOOR FIREPLACE
RECREATIONAL FIRE

SECTION P301
RECREATIONAL FIRE

P301.1 RECREATIONAL FIRE.

OUTDOOR RECREATIONAL FIRES ON PRIVATE PROPERTY SHALL BE ALLOWED UNDER THE FOLLOWING CONDITIONS:

1. A VALID PERMIT HAS BEEN ISSUED.
2. THE FIRE IS CONTAINED TO:
   - 2.1 PERMANENT OUTDOOR FIREPLACE OR FIRE RING WITH A SCREEN TO REDUCE THE SPREAD OF EMBERS.
   - 2.2 PORTABLE OUTDOOR FIREPLACE THAT IS ASSEMBLED, LOCATED, AND OPERATED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS WITH A SCREEN TO REDUCE THE SPREAD OF EMBERS.
   - 2.3 A COMMERCIALLY DESIGNED CHIMINEA WITH A SCREEN TO REDUCE THE SPREAD OF EMBERS.
3. THE AREA DIRECTLY UNDERNEATH THE FIREPLACE OR CHIMINEA IS BARREN.
4. THE FIREPLACE OR CHIMINEA IS LOCATED AT LEAST 15 FEET (4.572 M) FROM ANY FLAMMABLE MATERIAL AND/OR STRUCTURE.
5. WITHIN THE *APPROVED* FIREPLACE OR FIRE RING, THE FIRE SHALL BE NO LARGER THAN 3 FEET (0.914 M) IN DIAMETER WITH A FLAME HEIGHT OF NO MORE THAN 2 FEET (0.610 M).

6. THE PROPERTY IS NOT PART OF A MULTI-FAMILY DWELLING OR TOWNHOUSE.
7. THE PROPERTY DOES NOT HAVE A SHORT-TERM RENTAL LICENSE.

EXCEPTIONS:
1. FIRES BUILT WITHIN DESIGNATED DISPERSED CAMPING SITES OR PICNIC AREAS CONTAINED WITHIN A PERMANENT METAL FIRE RING AS LONG AS THE FIRE IS NO LARGER THAN 3 FEET (0.914 M) IN DIAMETER WITH A FLAME HEIGHT OF NO MORE THAN 2 FEET (0.610 M).
2. FIRES CONTAINED WITHIN A FIREPLACE, STOVE, WOOD BURNING STOVE, OR PELLET STOVE DESIGNED FOR AND LOCATED WITHIN A FULLY ENCLOSED PERMANENT STRUCTURE.

P301.2 FIRE PREVENTION MEASURES.
INDIVIDUALS OPERATING A FIRE IN COMPLIANCE WITH P301.1 SHALL PROVIDE THE FOLLOWING SAFETY EQUIPMENT TO PREVENT THE SPREAD OF THE FIRE:
1. A RESPONSIBLE ADULT SHALL CONSTANTLY ATTEND THE FIRE.
2. THE FIRE SHALL BE EXTINGUISHED AND COOL TO THE TOUCH BEFORE LEAVING THE SITE UNATTENDED.
3. THERE SHALL BE AVAILABLE FOR IMMEDIATE UTILIZATION ONE OF THE FOLLOWING:
   - 3.1 A PORTABLE FIRE EXTINGUISHER WITH A MINIMUM 4-A RATING.
   - 3.2 A 5-GALLON CONTAINER FILLED WITH WATER.
   - 3.3 A CHARGED GARDEN HOSE AVAILABLE FOR IMMEDIATE UTILIZATION.

SECTION P401
CONTROLLED BURNING

P401.1 OPEN BURNING.
BURNING TO MEET SPECIFIC LAND MANAGEMENT OBJECTIVES, SUCH AS TO REDUCE FLAMMABLE FUELS, RESTORE ECOSYSTEM HEALTH, RECYCLE NUTRIENTS, OR PREPARE AN AREA FOR NEW TREES OR VEGETATION, SHALL BE ALLOWED UNDER THE FOLLOWING CONDITIONS:
1. A VALID PERMIT HAS BEEN ISSUED.
2. A RESPONSIBLE ADULT SHALL CONSTANTLY ATTEND THE FIRE.
3. THE FIRE SHALL BE EXTINGUISHED AND COOL TO THE TOUCH BEFORE LEAVING THE SITE UNATTENDED.
4. THERE SHALL BE AVAILABLE FOR IMMEDIATE UTILIZATION ONE OF THE FOLLOWING:
   - 4.1 A PORTABLE FIRE EXTINGUISHER WITH A MINIMUM 4-A RATING.
   - 4.2 A 5-GALLON CONTAINER FILLED WITH WATER.
   - 4.3 A CHARGED GARDEN HOSE AVAILABLE FOR IMMEDIATE UTILIZATION.

P401.2 RESTRICTIONS.
THE *FIRE CODE OFFICIAL* HAS THE RIGHT TO RESTRICT OPEN BURNING TO CERTAIN TIMES OF THE YEAR OUTSIDE THE SCOPE OF FEDERAL, STATE, OR LOCAL FIRE RESTRICTIONS.

SECTION P501
MANAGED FIRES

P501.1 FIRE MANAGEMENT.
FIRES CAUSED OR ADMINISTERED BY ANY FEDERAL, STATE, OR LOCAL OFFICER OR MEMBER OF AN ORGANIZED RESCUE OR FIREFIGHTING FORCE SHALL BE PERMITTED IF THE FOLLOWING CONDITIONS ARE MET:

1. NOTICE IS GIVEN TO THE FIRE DEPARTMENT OR *FIRE CODE OFFICIAL*.
2. THE FIRE IS PERFORMED AS PART OF AN OFFICIAL DUTY.

SECTION P601
OUTDOOR SMOKING

P601.1 OUTDOOR SMOKING.
OUTDOOR SMOKING SHALL BE PERMITTED UNDER THE FOLLOWING CONDITIONS:

1. THE INDIVIDUAL SMOKING SHALL BE AT LEAST 3 FEET (0.914 M) AWAY FROM NATURAL VEGETATION AND/OR FLAMMABLE MATERIALS.
2. ALL BURNING OBJECTS SHALL BE PROPERLY EXTINGUISHED AND DISPOSED OF IN A SEALED CONTAINER.

SECTION P701
USE OF CHAINSAWS

P701.1 CHAINSAWS.
THE OPERATION OF A CHAINSAW SHALL BE PERMITTED UNDER THE FOLLOWING CONDITIONS:

1. THE OPERATOR HAS A 2A-10B:C RATED DRY CHEMICAL FIRE EXTINGUISHER AVAILABLE FOR IMMEDIATE USE.
2. THE CHAINSAW IS EQUIPPED WITH AN *APPROVED* SPARK ARRESTING DEVICE.

SECTION P801
FIREWORKS AND EXPLOSIVES

P801.1 FIREWORKS.
THE USE AND SALE OF RECREATIONAL FIREWORKS SHALL BE PROHIBITED.

EXCEPTION: FIREWORKS PERMITTED UNDER TOWN OR COUNTY CODES AND/OR ORDINANCES.

P801.2 EXPLOSIVES.
THE USE AND SALE OF RECREATIONAL EXPLOSIVES SHALL BE PROHIBITED.

EXCEPTION: EXPLOSIVES PERMITTED UNDER TOWN OR COUNTY CODES AND/OR ORDINANCES.

SECTION P901
OPEN FLAME DEVICES

P901.1 OPEN FLAME TORCH DEVICES.
THE USE OF ANY OPEN FLAME TORCH DEVICE SHALL BE PERMITTED UNDER THE FOLLOWING CONDITIONS:

1. THE OPERATOR HAS A 2A-10B:C RATED DRY CHEMICAL FIRE EXTINGUISHER AVAILABLE FOR IMMEDIATE USE.
2. THE USE OF THE DEVICE SHALL BE AT LEAST 10 FEET (3.048 M) AWAY FROM NATURAL VEGETATION AND/OR FLAMMABLE MATERIALS.

APPENDIX Q

Add a new Appendix Q as follows:

WILDFIRE MITIGATION – THIS APPENDIX PROVIDES REQUIREMENTS FOR WILDFIRE MITIGATION WHERE NOT OTHERWISE REGULATED BY LOCAL ORDINANCES.

SECTION Q101
GENERAL

Q101.1 SCOPE.
PURSUANT TO SENATE BILL 23-166 AND ANY OTHER APPLICABLE COLORADO LEGISLATION CONCERNING THE COLORADO WILDFIRE RESILIENCY CODE, THIS APPENDIX HEREBY ADOPTS BY REFERENCE THE MOST CURRENT EDITION OF THE COLORADO WILDFIRE RESILIENCY CODE. THE COLORADO WILDFIRE RESILIENCY CODE SHALL APPLY WITHIN SUMMIT COUNTY, THE TOWN OF BLUE RIVER, AND THE TOWN OF BRECKENRIDGE ONLY TO THE EXTENT THAT IT IS ADOPTED BY EACH RESPECTIVE ENTITY, AND SHALL INCLUDE ANY AMENDMENTS ADOPTED BY EACH ENTITY RESPECTIVELY. THE CURRENT EDITION OF THE CODE IS INCLUDED AS ATTACHMENT A.

5. Severability. If any part, section, subsection, sentence, clause, or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

6. Construction. Nothing in this Resolution or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or resolution hereby repealed, nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Resolution.

7. 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.

8. Effective Date. This Resolution shall take effect and be enforced immediately upon its approval by the Board of Directors of the District.

Outlook

SCBA Comments on Upcoming Fire Code Amendments

From Valerie Connelly <info@summitcountybuilders.org>
Date Tue 1/20/2026 11:21 AM
To Kent, Katie <katiek@townoffrisco.com>; John Schumacher <john@cbcscode.com>
Cc Carolanne Powers <carolanne@peak-element.com>

1 attachment (2 MB)
4,500 Threshold Impact Summary.pdf;

Hi Katie & John, please find our comments below and share with the board of appeals. - Val

The Summit County Builders Association has reviewed the proposed 2024 International Fire Code amendments drafted by Summit Fire & EMS and Red, White & Blue Fire District, following receipt of the completed draft on July 15, 2025. SCBA met with fire officials, the Summit County Building Department, and the Town of Silverthorne to discuss the proposals and gather member input. Our review identifies three primary areas of concern:

1. **Sprinkler Threshold Reduction (6,000 → 4,500 sq ft):** The proposal lacks sufficient data or justification and would introduce additional cost, complexity, and limited local benefit.
2. **Colorado Wildfire Resiliency Code (WRC) Implementation:** Local discretion over approved materials and WUI maps must be exercised early to reflect Summit County's existing wildfire leadership, high-altitude conditions, and building character.
3. **Additions, Alterations, and Remodels (Section 1103.5.6):** The proposed language is ambiguous and may trigger retroactive sprinkler requirements, creating significant cost burdens and discouraging reinvestment in existing homes.

SCBA urges all jurisdictions to review these amendments carefully and engage collaboratively to ensure any adopted provisions are data-driven, consistent across jurisdictions, and practical to implement while preserving both community safety and attainable housing in Summit County.
SCBA remains committed to collaborating with all towns, the County, and both fire districts to achieve balanced, transparent, and practical code adoption that protects both public safety and Summit County's long-term housing viability.

Thank you for your continued partnership and your attention to these important matters.

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VALERIE**CONNELLY**

Executive Officer/Summit County Builders Association

info@summitcountybuilders.org | 970-668-6013

Summit County SFR Data Analysis — 4,500 Threshold Impact Summary

Prepared by: Valerie Connelly, Executive Officer
Summit County Builders Association (SCBA)

Data Source: Summit County Assessor’s Office – “SUMMIT OCTOBER 2025 PUBLIC.xlsx,” provided October 28 2025 via CORA request.

Data Source & Methodology

This analysis is based on the file “SUMMIT OCTOBER 2025 PUBLIC.xlsx” provided by the Summit County Assessor’s Office on October 28, 2025 in response to a CORA request. The dataset represents the October 2025 public assessment roll and includes property characteristics, valuation data, and mailing information for real property in Summit County.

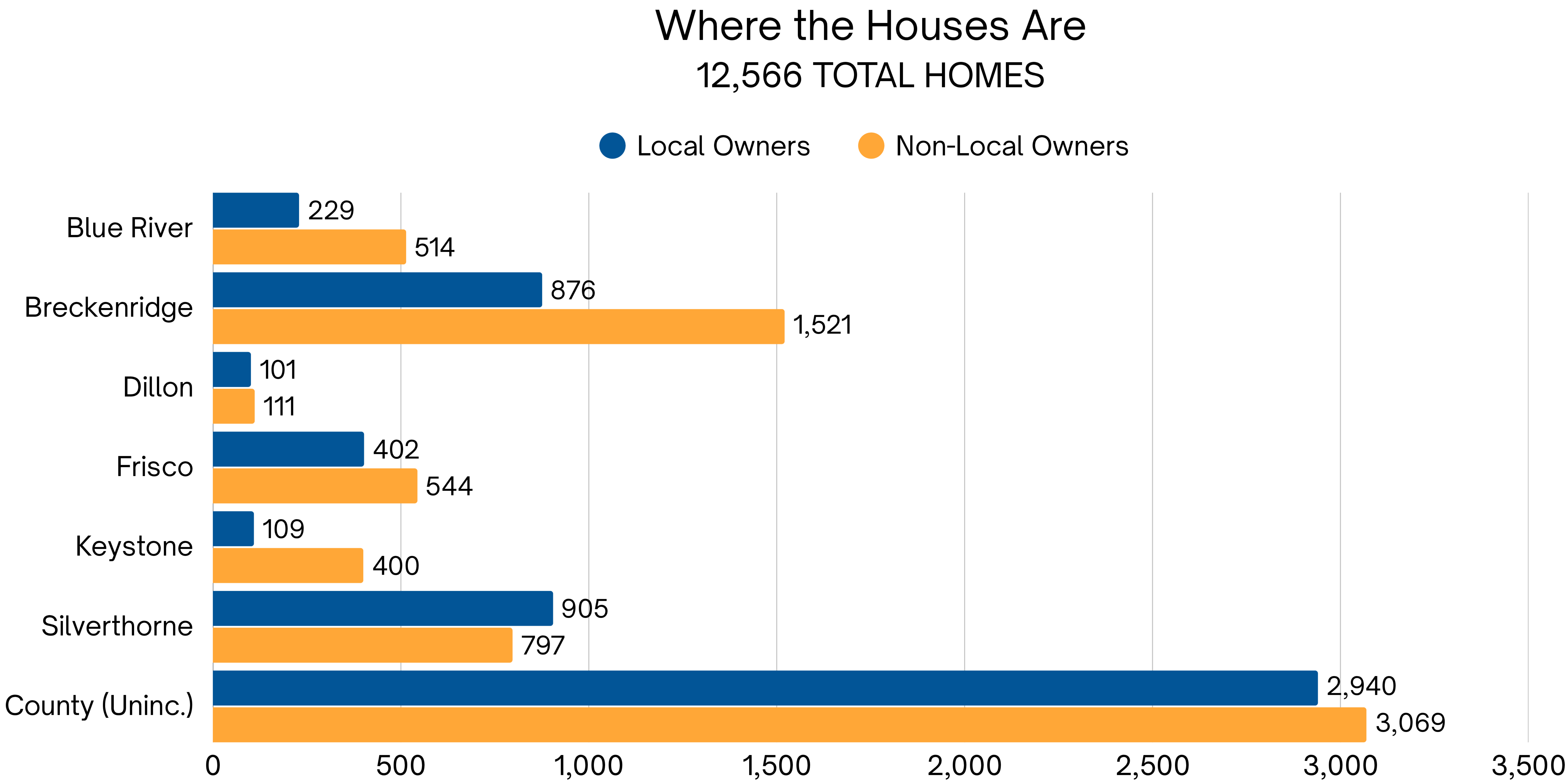
For this review, the dataset was narrowed to focus on **12,566 single-family residential properties** only. All multi-family properties (including duplexes) were removed so that the results reflect a clean, apples-to-apples look at detached single-family homes. In addition, records flagged as effectively “primitive”—properties without heat, water, or sewer—were excluded, as these are more likely to function as land/legacy cabins and are not representative of homes that would realistically be remodeled, expanded, or newly constructed under current code conditions.

To evaluate the impact of different square-footage thresholds, the analysis uses a “Total Sq Ft” field, which includes finished living area, finished and unfinished basement space, and garage square footage. This provides a conservative measure of the total enclosed space that a fire department would potentially have to respond to, rather than just finished living area. Ownership was further categorized as “local” or “non-local” based on the mailing address city and state: owners with mailing addresses in Summit County communities (Breckenridge, Frisco, Silverthorne, Dillon, Keystone, Blue River, Copper Mountain, Heeney – CO) were classified as local, while all others were classified as non-local.

12,566 SUMMIT COUNTY SFR HOMES
BREAKDOWN BY SQUARE FOOT & TOWN

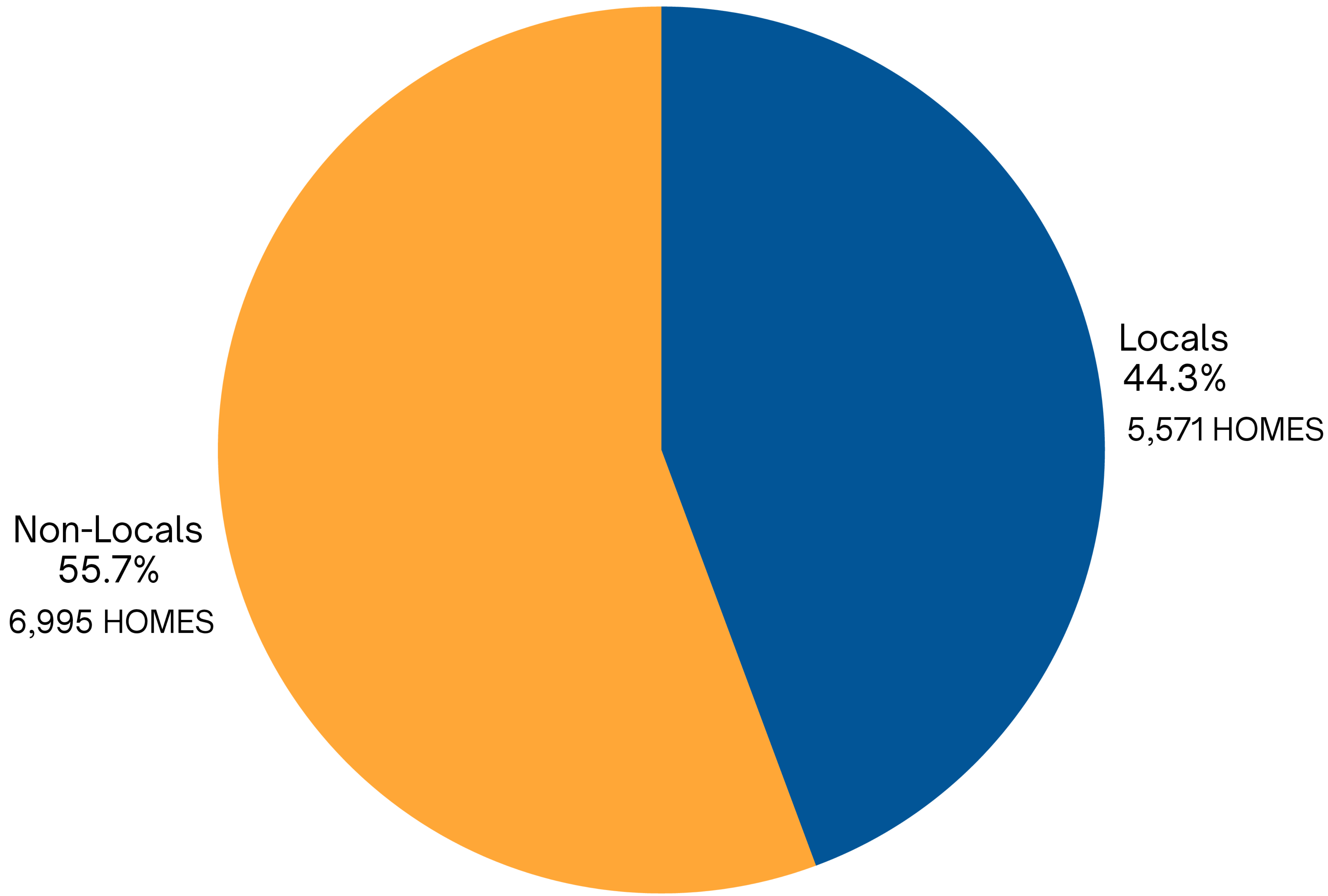
	Breckenridge	SIlverthorne	Frisco	Dillon	Blue River	Keystone	Montezuma	Unincorporated County	Total Homes	Percent of all homes
Sq Footage	2397	1702	946	212	743	509	48	6009	12566	100%
⩽1,500	147	50	83	4	125	24	17	708	1158	9%
1,501–2,500	517	521	344	30	178	50	20	1,468	3128	25%
2,501–3,500	453	471	280	87	198	55	10	1,651	3205	26%
3,501–4,500	415	361	163	52	111	133	1	1,166	2402	19%
4,501–5,500	356	185	64	26	63	136	0	517	1347	11%
5,501–6,500	301	78	10	7	38	78	0	271	783	6%
6,501–7,500	117	19	1	5	17	27	0	114	300	2%
7,501+	91	17	1	1	13	6	0	114	243	2%

SUMMIT OCTOBER 2025 PUBLIC.xlsx provided by Summit County Assessors Office on Oct 28th 2025 via CORA request.



SUMMIT OCTOBER 2025 PUBLIC.xlsx provided by Summit County Assessors Office on Oct 28th 2025 via CORA request.

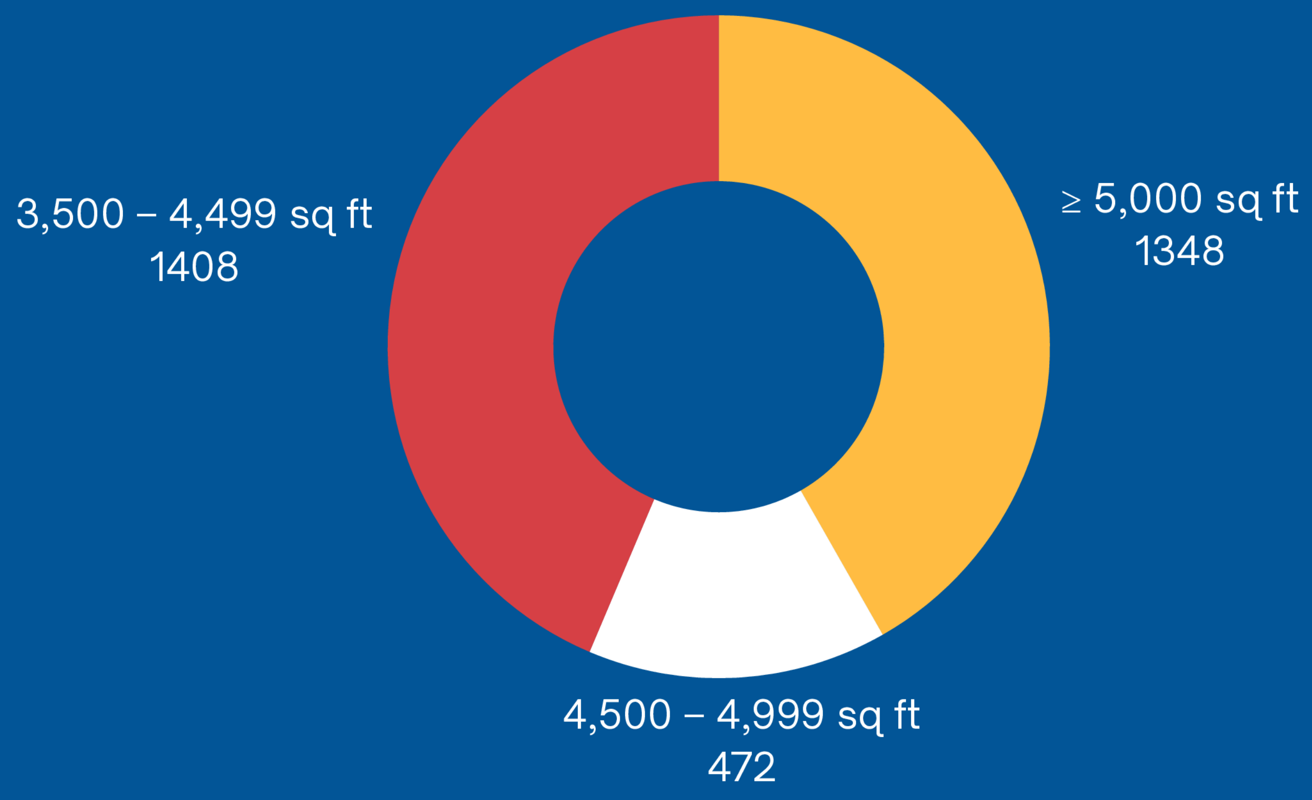
Local vs Non-Local Ownership



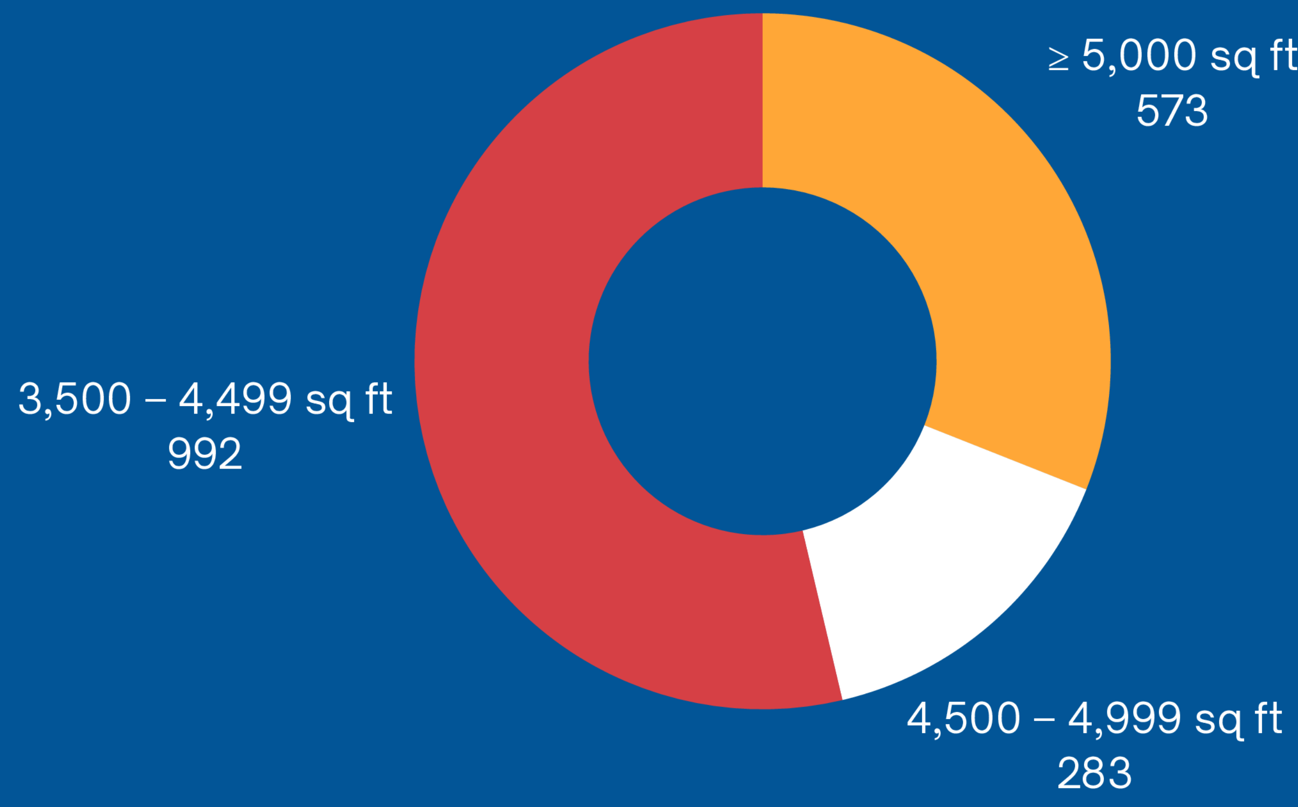
SUMMIT OCTOBER 2025 PUBLIC.xlsx provided by Summit County Assessors Office on Oct 28th 2025 via CORA request.

Town	Local Owners	Non-Local Owners
Blue River	229	514
Breckenridge	876	1,521
Dillon	101	111
Frisco	402	544
Keystone	109	400
Silverthorne	905	797
Montezuma	9	39
County (unincorporated)	2,940	3,069
Total	**5571**	**6995**

LOCALS



NON-LOCALS



SUMMIT OCTOBER 2025 PUBLIC.xlsx provided by Summit County Assessors Office on Oct 28th 2025 via CORA request.

Interpreting the 4,500 Thresholds

Existing "Big Homes" (⩾ 5,000 sq ft)
Already in any high-requirement category.

→ 1,921 homes countywide (15%) 573 local/1,348 non-local

"On-the-Line" Homes (4,500 – 4,999 sq ft)
Impacted immediately if the trigger drops to 4,500 sq ft.

→ 755 additional homes countywide. 283 local/472 non-local

"Remodel-Risk" Homes (3,500 – 4,499 sq ft)
Could cross the 4500 line with modest expansions (garage + ADU + basement finish).

→ ~2,400 homes total (≈ 1 in 5 SFR). 992 local/1,408 non-local

- A 4,500 sq ft trigger captures 21% of all SFR, including 25% of in-town homes.
- Lowering from 5,000 → 4,500 sq ft pulls 755 extra homes into higher-cost compliance (283 local + 472 non-local).
- About 2,400 "upper-mid-size" homes (3,500–4,499) could fall in later via routine remodels.
- The majority of very large homes (⩾ 5,000 sq ft) are non-local-owned, while locals are more concentrated in the mid-size band that future remodels would push over the line or make impossible.

Outlook

SC Builders Assoc.- Input on 2024 Energy, Fire & Wildfire Code Adoption

From Valerie Connelly <info@summitcountybuilders.org>
Date Wed 1/28/2026 3:26 PM
To TOFCouncil <Council@townoffrisco.com>
Cc Kent, Katie <katiek@townoffrisco.com>; John Schumacher <john@cbcscode.com>; Carolanne Powers <carolanne@peak-element.com>

Dear Mayor, Councilmembers and Town Staff,

I wanted to follow up after last night's Frisco Town Council work session and share the Summit County Builders Association's perspective on the upcoming building, energy, and fire code adoptions.

I'm sharing this as context — not as opposition — and with appreciation for the amount of work staff and Council are managing right now. Our intent is to help ground the discussion in what is required, where local discretion exists, and how these decisions intersect with real-world implementation and housing impacts in Frisco. **In that spirit, our perspective is aligned with the role and input of the Board of Appeals, which we view as an important body for applying technical judgment and practical experience to these questions.**

To keep the conversation clear and organized, we've outlined our perspective in three summaries, each focused on a specific code action. Links are included below for more detailed context.

> **2024 Energy Code (IECC) Adoption — Timing & Transition Strategy**
> SCBA supports a clear-eyed discussion of the 2024 Energy Code as a local adoption decision that also functions as a bridge to the State's forthcoming Low-Energy / Low-Carbon Code. That state mandate is expected to be more restrictive, and adopting the IECC now helps manage timing and avoid triggering immediate application of the more stringent requirements. In that context, minimizing local amendments is critical to avoid unnecessary cost layering during this transition period.
> *SCBA Summary & Position: Local IECC Adoption & Low-Carbon Code Context*

> **Local Fire Code Adoption — Discretionary Decisions & Local Impacts**
> Adoption of the 2024 Fire Code is a local policy choice, not a state mandate. SCBA encourages Council to carefully evaluate discretionary provisions — particularly residential sprinkler thresholds & remodeling/additions language— through the lens of documented local risk, real-world implementation, and housing impacts. Fire codes should address life safety without shifting operational or staffing costs onto builders and an already critically burdened housing infrastructure.
> *SCBA Summary & Position: Local Fire Code Adoption & Sprinkler Threshold Summary*

> **State Wildfire Resiliency Code — Required Adoption & Local Implementation Choices**
> The State Wildfire Resiliency Code is mandatory statewide, with adoption required by April 1 and implementation by July 1. While adoption itself is not optional, important local decisions remain regarding WUI mapping and materials interpretation. SCBA supports implementation approaches that are clear, consistent, and grounded in proven standards, while avoiding confusion between wildfire mitigation and interior structure-fire measures.
> *SCBA Summary & Position:State Wildfire Resiliency Code — Requirements & Local Options*

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VALERIE**CONNELLY**

Executive Officer/Summit County Builders Association

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2024 Local Fire Code (IFC) Adoption

Discretionary Policy Decisions, Life Safety, and Local Impacts

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Executive Summary

Adoption of the 2024 Fire Code (IFC) is a local policy decision, not a state mandate. Council retains full discretion over how the IFC is adopted, including residential sprinkler thresholds and how remodels and additions are treated.

SCBA appreciates the work the Fire Department has done to clean up and modernize the draft. However, the language governing remodels, additions, and square-footage triggers remains confusing, particularly where these provisions intersect with residential sprinkler requirements. This ambiguity creates uncertainty for homeowners, builders, and enforcement staff and warrants further clarification and simplification through a revised draft.

These drafting issues are not theoretical — they have significant real-world implications for Frisco's housing stock:

- Frisco has 946 single family homes, **507 of which fall between 2,500 and 5,000 sq. ft.** This represents **54% of all single-family homes in town**
- **43%** of the total 946 homes in Frisco **are owned by local families in Frisco**

Homes that **fall between 2,500 and 5,000 are most likely to exceed a 4,500 sq. ft. threshold through remodels, additions, or replacement construction,** disproportionately impacting local homeowners. The sprinkler threshold should apply uniformly to new construction and existing homes, and **should not be used to define** when a home is "too large" or if a homeowner has enough money to afford a sprinkler system.

While SCBA understands the Fire Department's rationale related to staffing and department ratings, lowering the residential sprinkler threshold to 4,500 sq. ft. would materially expand requirements without a corresponding increase in documented local risk. For this reason, SCBA recommends that Council:

- Request a revised draft that clarifies remodel and addition applicability and simplifies square-footage triggers, and
- Maintain a residential sprinkler threshold of no less than 5,000 sq. ft.

This approach preserves life safety while avoiding unnecessary impacts on Frisco's existing housing stock and local homeowners.

1. What the 2024 Fire Code Is — and Is Not

The 2024 Fire Code (IFC):

- Is **not state-mandated**
- Has **no required adoption deadline**
- May be adopted, delayed, skipped, or amended at the Town's discretion
- Provides a model framework that jurisdictions tailor to local conditions

This gives Council **full authority** over:

- Adoption and amendment of the code
- Inclusion of sections and appendices
- Residential sprinkler thresholds
- Applicability to remodels, additions, replacements, and existing homes

As presented, the current draft is unclear regarding how the IFC remodel and addition provisions are intended to apply, and the residential sprinkler language also requires clarification to reflect a higher square-footage trigger. SCBA recommends that Council request a revised draft that clearly states applicability and incorporates any intended revisions.

It is also worth noting that the State Wildfire Resiliency Code has been included in the Fire Department's draft as **Appendix Q.** While the WRC is mandatory, its inclusion within the local fire code draft **may unintentionally blur the distinction between state-required provisions and discretionary local fire code decisions.**

2. Residential Sprinkler Thresholds Are a Policy Choice

Lowering the residential sprinkler threshold from 5,000 sq. ft. to 4,500 sq. ft. is not a technical necessity — it is a policy decision with broad local implications.

Historically, the 6,000 sq. ft. threshold has aligned with:

- Homes that genuinely require additional fire staffing and operational response
- A reasonable distinction between typical residential construction and larger structures

Lowering that threshold:

- Significantly expands the number of homes captured
- Changes who the code applies to
- Introduces costs without a corresponding increase in demonstrated local risk

This is not a minor adjustment; it materially changes the impact of the code.

3. Staffing and Preparedness Should Not Be Solved Through Housing Policy

SCBA respects the Fire Department and the case that may be presented regarding staffing levels and department rating. Those are legitimate operational considerations.

However, staffing challenges should be addressed through Operational planning, Funding strategies, Regional coordination.

They should **not** be addressed by shifting those costs onto builders and an already **critically burdened housing infrastructure** through expanded residential code requirements.

Using residential construction thresholds to support staffing or rating objectives places an operational burden onto homeowners and builders rather than addressing it through appropriate public policy channels.

4. Interior Sprinklers and Wildfire Risk Are Not the Same

It is critical to distinguish structure fire protection from wildfire mitigation.

Interior fire sprinklers:

- Do not protect homes from wildfire
- Do not address the primary wildfire threats of ember intrusion, radiant heat, and exterior ignition
- Should not be framed as a wildfire resilience measure

Effective wildfire mitigation is achieved through:

- Defensible space
- Ignition-resistant exterior materials
- Site design and maintenance

Conflating interior sprinkler requirements with wildfire preparedness risks misdirecting effort and cost away from the measures that actually matter.

5. Reliability, Damage Risk, and Real-World Performance

Interior sprinkler systems raise additional concerns in mountain communities like Frisco:

- Many homes are seasonal or intermittently occupied
- Power outages and freezing conditions are common
- When sprinkler systems malfunction — due to freezing, mechanical failure, or accidental activation — they can be highly destructive
- Water damage from failures can exceed the damage of a contained structure fire

These risks should be weighed alongside theoretical benefits.

6. Insurance Considerations

While sprinkler systems are sometimes associated with insurance discounts, feedback from the insurance market indicates that:

- Any premium reduction is **typically minimal**
- **Broader wildfire risk factors** in Summit County often outweigh sprinkler-related considerations
- These systems do not meaningfully improve insurance availability or affordability

Insurance impacts should not be overstated when evaluating residential sprinkler thresholds.

7. Local Impact in Frisco

Using total square footage (including garages and unconditioned space):

- Frisco has 946 single family homes, **507 of which fall between 2,500 and 5,000 sq. ft.** This represents **54% of all single-family homes in town**
- **43%** of the total 946 homes in Frisco **are owned by local families in Frisco**

These are the homes most likely to exceed 4,500 sq. ft. through a remodel or replacement, meaning a lower threshold disproportionately affects existing homeowners seeking to improve their property.

In existing homes, sprinkler retrofits are costly and disruptive and often discourage renovations in favor of full teardowns.

8. SCBA Position

SCBA supports life safety and effective fire response. At the same time, we encourage Council to exercise its discretion thoughtfully when adopting the local fire code.

Specifically, SCBA recommends:

- Maintaining a minimum 5,000 sq. ft. residential sprinkler threshold
- Clearly separating staffing, wildfire, and insurance objectives from residential code triggers
- Avoiding expansion of discretionary requirements that shift operational costs onto housing
- Ensuring that any adopted provisions are practical, enforceable, and grounded in local risk data

State Wildfire Resiliency Code (WRC)

Mandatory Adoption with Local Implementation Decisions

Executive Summary

The State Wildfire Resiliency Code (WRC) is **mandatory statewide**, with adoption required by **April 1** and implementation by **July 1**. Home-rule municipalities are **not exempt** from this requirement.

While adoption of the WRC itself is not optional, **important local discretion remains in how the code is implemented**. These implementation decisions will directly affect cost, clarity, and effectiveness — particularly in mountain communities like Frisco.

SCBA supports wildfire mitigation measures that are **clear, enforceable, and grounded in proven approaches**. We encourage Council to focus on the areas where local discretion exists, ensure wildfire requirements are implemented in a clear and transparent manner, and **avoid unnecessary layering or ambiguity that could create unintended impacts on the local housing stock.**

1. What the State Wildfire Resiliency Code Is — and Is Not

The State Wildfire Resiliency Code:

- Is **required statewide**
- Applies regardless of home-rule status
- Must be adopted and implemented within the statutory timeline
- Is **separate** from the International Fire Code (IFC) and **local fire code adoption**

The WRC is designed to address wildfire-specific risks and should be implemented as its own distinct framework.

2. Areas of Local Discretion Under the WRC

Although adoption is mandatory, local governments retain discretion in key implementation areas that will shape how the code functions in practice.

Wildland–Urban Interface (WUI) Mapping

Local governments may:

- Adopt state-provided WUI maps, or Develop and adopt locally tailored WUI maps

Clear, locally appropriate WUI mapping is critical to ensuring the code applies where wildfire risk is most relevant and avoids over- or under-application.

Materials Interpretation and Enforcement

At this time:

- A comprehensive state-issued **materials list has not been provided**
- The WRC references fire-resistant construction without offering a fully defined catalog of acceptable materials

SCBA strongly encourages:

- Avoiding ad hoc or inconsistent material interpretations
- Using the CAL FIRE materials list as a comprehensive, tested, and widely accepted reference until a state list is issued

This approach supports consistency, predictability, and enforceability.

3. Wildfire Risk Requires Targeted Mitigation

Wildfires primarily threaten homes through:

- Ember intrusion
- Radiant heat
- Exterior ignition

Effective wildfire mitigation focuses on:

- Defensible space
- Ignition-resistant exterior materials
- Site design and ongoing maintenance

These strategies directly address the primary mechanisms of wildfire loss and should remain the focus of WRC implementation.

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4. Avoiding Code Conflation and Scope Creep

Because wildfire-related requirements and local fire code updates are being discussed concurrently, there is a risk of blurring purpose and authority.

SCBA encourages Council to:

- Treat the WRC as a standalone wildfire mitigation code
- Avoid embedding wildfire requirements within discretionary local fire code provisions in a way that obscures intent or authority
- Maintain a clear distinction between:
  - **Mandatory state wildfire requirements**, and
  - **Discretionary local fire code decisions**

Clear separation will improve transparency, implementation, and public understanding.

5. Implementation Should Be Practical and Predictable

For wildfire mitigation measures to be effective, they must be:

- Clearly defined
- Technically achievable
- Consistently enforced
- Predictable for homeowners and builders

Ambiguity in materials, mapping, or applicability increases cost without improving outcomes and can undermine compliance.

6. SCBA Position

SCBA supports the goals of the State Wildfire Resiliency Code and **recognizes its mandatory status**. We encourage an implementation approach that:

- Focuses on the primary drivers of wildfire risk
- Uses clear, proven standards for materials and construction
- Applies locally appropriate WUI mapping
- Maintains clear separation between mandatory wildfire requirements and discretionary local fire code actions
- Minimizes unnecessary cost layering and ambiguity

Wildfire resilience is a shared priority in Summit County. The question before the Town is not whether to act — it must — but **how to implement the State Wildfire Resiliency Code in a way that is clear, effective, and locally appropriate.**

SCBA offers this perspective to support informed implementation and to help ensure wildfire mitigation efforts achieve real-world results without unintended consequences.

From: Danelle Cook <DCook@silverthorne.org>
Sent: Tuesday, February 3, 2026 5:07 PM
To: Scott Benson <sbenson@summitfire.org>
Subject: RE: Fire code amendments

Hi Scott,

I hope you had a great vacation. I wanted to share a quick update regarding fire code amendments.

The Council is currently looking for the following revisions prior to adoption:

- A compromise on the square footage threshold that triggers sprinkler requirements for new construction, increasing it from 4,500 sq. ft. to 5,000 sq. ft.
- An amendment to the code language related to sprinkler triggers for additions, alterations, and remodels to allow 5,000 sq. ft. (rather than 4,500 sq. ft.), along with clarification of the language to avoid confusion
- An opportunity to review (and potentially revise) the map that determines how the WUI code is applied across zones in Silverthorne
- Agreement among SCBD, Summit Fire & EMS, and the Town on a list of exterior building materials that meet WUI requirements

Progress on these items will be crucial to building the support needed for adoption of the amendments. Without alignment on these points, it may be difficult for the Council to reach a position where they can support the code changes as currently drafted.

Once these revisions are addressed, we can move forward with scheduling this item for Town Council consideration.

Please let me know your anticipated timeframe for working through these items so I can tentatively plan for a future meeting agenda.

Thank you,

Danelle Cook

Community Development Director

970.262.7363 |Silverthorne.org

TO: Mayor and Town Council
FROM: Logan Snyder, Marina General Manager
RE: Frisco Bay Marina Update
DATE: February 10, 2026

Summary & Background:
The purpose of the low water work session with Council on February 10, 2026, is to provide Council an update on what the Frisco Bay Marina (FBM) operations will look like this summer season. Based on extreme drought conditions, record-low snowpack, and the most recent guidance from Denver Water, staff will provide an update to Council illustrating that the slips and the boat ramp will not be available for use during the 2026 boating season. During the work session, staff will present an overview of Marina operations and a high-level review of the 2026 season. Staff welcomes feedback and questions from Council during this time. Staff also requests feedback regarding the budget and a potentially needed subsidy to operate the Marina this summer season.

Analysis:
As of late January 2026, Summit County and much of Colorado are experiencing record-low snowpack, with levels near the 0–5th percentile, meaning that 95–100% of winters on record have produced more snow. Entering 2026, the region recorded its lowest snowpack since 1981, with statewide snow-water equivalent (SWE) measuring approximately 58–62% of the median.* These conditions place the area in a drought status, compounded by the continued low snowpack and the second consecutive year in which Denver Water will draw additional water due to construction at Gross Reservoir. This diversion accounts for an additional 3% reduction in water levels from Dillon Reservoir. At the time of preparing this memo, the reservoir was 78% full.

Denver Water's latest Operations Model, included as Attachment 1, indicates that if conditions over the next three months continue on a similar trajectory, Dillon Reservoir is unlikely to fill, with a projected fill probability of only 27.1%. Based on current projections, lake elevations at the boat ramp are expected to be approximately (at the end of each month):

- May: 8,993'
- June: 8,994'

- July: 8,991’
- August: 8,983’
- September: 8,974’

For context, the FBM requires an elevation of approximately 9,006’ to operate at the docks, which provides roughly five feet or more of usable water depth. Under the current dry-year model, water levels would not reach sufficient elevations to support dock operations, and portions of the bay bottom could remain exposed throughout the summer season. The model also indicates that the beach area would not have usable water access, and the paddle dock would be positioned at the end of the roadway for the duration of the season.

Over the past several weeks, marina staff have held multiple planning meetings to evaluate operational impacts and safety concerns. Based on the current data and projections, staff have determined that the boat ramp will not open for the 2026 season, and no slips will be available. The marina will continue to operate the mooring field, and rental operations will be adapted to function from the roadway, old dock island, and F-Dock. Other available services/amenities will include:

- Power Rentals
- Paddle Rentals
- Captains Tours
- Silver Queen Tours (Large Tour Boat/High Capacity).
- Moorings – 50 mooring balls
- Trailer Storage – 50 spaces
- Dry Storage – 145 spaces
- Kayak Racks – up to 324 spaces
- Service – boat repair and maintenance.
- Land based fueling
- Island Grill
- Retail Sales of apparel, supplies, snacks, beverages, etc.
- Work boat accessibility to maintain moorings
- Fishing Pole Rental
- Fishing License Sales
- Beach (10-Mile Creek will be the only water access).
- Flex Space and Park Rentals
- Free Lawn Games
- 24-Hour bathroom and shower access for boaters renting a space here.
- Shuttle services to and from moorings
- On water rescue and towing capability

\- **Slips.** The biggest impact on our customers is the slips. Without the needed water to fill the basin, the slips will not be available. We currently have 160 slips, and an associated budgeted revenue of $315,000. This is the immediate loss of revenue and access to the water. In years past during low water conditions, the docks were moved out to what is known as “Dock Island.” This process was labor intensive and resulted in significant wear and tear on the docks. As a result of the “Big Dig” and the planning efforts associated with this project, it was recommended from the professionals that this practice not continue. As such, the docks will remain in place and will be grounded throughout the season, unless water conditions change. These 160 slip customers will have the option to store their boat/trailer on site (in a limited capacity) or they will need to find storage offsite for the summer season.

- **Moorings.** We currently have 50 moorings. The mooring operation will remain unchanged this summer season. Mooring customers who had a mooring with us in 2025 are eligible to renew their lease and have their boat on a mooring this summer season as well. Staff anticipates being able to add approximately 10 moorings to the mooring field this season and will assign these moorings based on a closely managed lottery process. These additional 10 moorings are anticipated to generate an additional $11,000 in revenue.

- **Dry storage.** The Marina has typically had 20 dry storage spots available in the service yard at a cost of $8.09/sq ft. Dry storage is simply defined as a space to store your boat and trailer. Dry storage will still be available and the number of spaces available will increase from 20 to 145. This is a good option for our slip customers who will not be able to be on the water, but who would like to store their boat with us and have access to their boat to launch from different marinas.

- **Trailer storage.** The Marina has 100 trailer spots available for storage at a price of $3.50/sq ft.. The majority of this storage is in the B2 lot. In 2025, 94 of these spots were occupied, with the majority of them being occupied by our slip customers. The number of these trailer storage spots will be reduced this summer season to accommodate the need for additional dry storage. Budgeted revenue for dry storage is $27,000, and budgeted revenue for trailer storage is $65,000, for a total of $92,000 for both storage options. If trailer storage is reduced from 100 spaces to 50 spaces, revenue would also be reduced to $32,500. But, with dry storage being increase from 20 to 145 spots, revenue could also increase to $195,750 (20 spaces at $1,350/space = $27,000; 145 spaces at $1,350/space = $195,750). With these numbers, total storage revenue could hit $228,250. Staff anticipates 80% of these storage spaces will fill, for a revised budgeted revenue number of $182,600.

- **Paddle Rentals.** Paddle rentals will move from their current location near the 10-mile creek entrance to the end of the old roadway. Staff anticipates being able to run the full paddle operation all season and therefore does not anticipate a loss of revenue. However, revenue is adjusted at this time due to a decline in 2025 actuals. The 2026 budgeted revenue is $470,000 for this line item and 2025 actuals were $393,769. Adjusted revenue expectations for this line item for 2026 is $400,000.

- **Power rentals.** Power rentals will be significantly more challenging. These rentals are also on the docks where the slip customers are typically housed. The operation will move out to dock island, and shuttles will be needed to move guests from the end of the old roadway to dock island. Staff are currently working on a change to the way the rentals are booked to make the operation efficient, and to not compromise the guest experience. Budgeted revenue is $720,000 for this line item. Staff anticipate a 16% drop in revenue due to low water conditions, and therefore an adjusted 2026 budgeted revenue number of $604,800.

- **Staffing levels.** Staff are currently running staffing models and scenarios for all the different aspects of the business. Seasonal staffing levels will be reduced as there is no need for dock hands or ANS inspections this summer without the docks and without the boat ramp. At this time, staff are projecting a 17% reduction in seasonal staffing wages. Budgeted seasonal wages for 2026 are $676,153. A 17% reduction results in a revised budget of $561,207. The management team is reaching out this week to seasonal staff from 2025 to gauge the number of potentially returning requests.

All projections are subject to uncertainty and depend on multiple variables, including weather conditions, runoff timing, and Denver Water's operational requirements. These factors and more were considered in the operational planning and recommendations for the 2026 season.

Staff also realize that conditions can change and as a result, the staffing model will be adjusted based on operational changes.

** Statistics taken from NOAA for SWE data, Denver Water Operations Model for water elevations and refill probability, and the Summit Daily News, On the Snow, Snowtel, CBC and Drought.gov for historical snowpack information.*

Financial Impact:

The largest financial impact due to the low-water season will be the loss of slip revenue. This represents an immediate loss of $315,000. Some of these losses will be offset with dry storage availability and the option for slip holders to store their boat at the Marina over the summer.

The next notable loss will be power rental revenue. The process to operate in low water conditions becomes more labor and time intensive, thereby decreasing how often rentals can go out. Based on available time slots and the increased amount of time it will take between rentals we are projecting rental revenue will be down about 16%.

Table 1: Adjusted Budget for Specific Marina Revenues and Expenses - 2026

	2026 Budget	2026 Proposed Change	Difference
Slips	$315,000	$0	($315,000)
Moorings	$55,000	$66,000	$11,000
Dry Storage	$27,000	$156,600	$129,600
Trailer Storage	$65,000	$26,000	($39,000)

Paddle Rentals	$470,000	$400,000	($70,000)
Power Rentals	$720,000	$604,800	($115,200)
Total Revenues	**$1,652,000**	**$1,253,400**	**($398,600)**
Seasonal Staffing	$676,153	$561,207	$114,946
Total Expenses			**$114,946**
Difference			**($283,654)**

The Marina's pooled cash balance as of 12/31/25, is $94,178. Taking the number above of $283,654, and draining the Marina reserve fund of $94,178, results in a needed subsidy of $189,476 to operate this summer season. Doing this also means the Marina does not meet the four-month reserve requirement set by Council.

This revised budget represents a lean staffing model and a review of the larger expenses and revenues. Staff also anticipate additional cost savings and are further refining the budget at this time. If the Council is not supportive of this subsidy number, staff would continue to cut expenses to eliminate or further minimize this subsidy. The largest expense is seasonal salaries. For the simplicity of this exercise, seasonal staffing levels would need to be reduced from the budgeted amount of $676,153 to $371,731, which is nearly one half of the budget. This will result in a drop of service levels and potential complaints.

Environmental Sustainability:
The Marina's ongoing environmental goal is to be an excellent steward of the Dillon Reservoir and the Dillon Reservoir Recreation Area in which we operate. Even during this low water scenario, the Marina will still uphold the values of the Town's environmental sustainability goals. Best practices will continue to include paperless processes, the operation of a large non-motorized/no emission paddle fleet, responsible recycling and waste handling, solar power production on the Landing, Island Grill, and Lund House and a power rental fleet equipped with reliable Yamaha motors with industry leading ultra-low emissions.

Alignment with Strategic Plan:
Even at a reduced capacity, the Town of Frisco will continue to benefit from the economic impact of this vibrant recreational area.

Staff Recommendation:
Staff recommends the continued operation of the Frisco Bay Marina, although at reduced capacity, during this low-water year, and will confirm this with Council during the work session. The Frisco Bay Marina is one of the Town of Frisco's most valuable community and economic assets, providing unique recreational opportunities. The

Marina supports the Town vision in being a welcoming mountain amenity that connects people with nature and supports opportunities for community wellbeing. Staff requests Council's review of the material and an answer to the following question:

- Is Council supportive of a subsidy of $189,476 to operate the Marina for the 2026 summer season? This subsidy could come from the general fund as there are reserves available in the general fund for such instances. A future discussion with Council is also scheduled regarding the long-term viability of the Marina fund as an enterprise fund and whether it should stay as an enterprise fund or move into the general fund. This could be the start of that conversation.

If Council is not supportive of such a subsidy, staff will continue to cut expenses and revise revenues to balance the budget. These cuts will most likely result in fewer seasonal staff members and reduced levels of service.

Anticipated next steps:
- 2/10/26 - Council work session & feedback
- By 2/13/26 – Communication with FBM customers explaining the changes and summer options
- 3/9/2026 – job postings, as needed
- 3/23/2026 – interviewing and hiring, as needed
- 2nd week of Feb, March, April, May review Denver Water levels and projections.
- 5/29/26 – Anticipated Opening Day/Weekend

Reviews and Approvals:

Katie Kent, Community Development Director	Created/Initiated - 2/5/2026
Diane McBride, Assistant Town Manager	Approved - 2/5/2026
Tom Fisher, Town Manager	Final Approval - 2/5/2026

Attachments:
1. Attachment 1 - Denver Water Operations Model (January 2026)

DW Reservoir Operations Model
Dillon Reservoir
01/09/26

Dry Weather After January 01, 2026

Figures are preliminary and subject to change.
Figures are in thousands of acre feet unless otherwise indicated.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Total	
Percent of Days in Priority (against mainstem call)	0	0	50	25	100	50	0	0	0	0	0	0	0	0	0		
Inflow																	
Computed Inflow	**3.9**	**4.6**	**5.5**	**6.5**	**18.3**	**30.8**	**12.4**	**12.6**	**8.1**	**7.0**	**5.0**	**3.9**	**3.9**	**3.5**	**4.2**	130.1	
cfs	**63**	**74**	**89**	**105**	**295**	**497**	**200**	**203**	**131**	**113**	**80**	**62**	**64**	**56**	**68**		
Outflow																	
To Roberts Tunnel	**3.3**	**3.3**	**3.3**	**8.9**	**13.7**	**20.0**	**16.8**	**16.8**	**18.9**	**17.7**	**10.4**	**6.2**	**4.6**	**4.5**	**6.3**	154.8	
cfs	**53**	**58**	**53**	**144**	**244**	**323**	**272**	**301**	**306**	**285**	**186**	**100**	**75**	**81**	**102**		
Total Outflow to Blue	**3.9**	**4.6**	**4.3**	**5.6**	**3.1**	**7.0**	**4.4**	**12.6**	**8.1**	**7.0**	**5.2**	**4.1**	**4.1**	**3.7**	**4.4**	82.0	
cfs	**63**	**74**	**69**	**91**	**50**	**112**	**71**	**203**	**131**	**113**	**83**	**66**	**67**	**59**	**71**		Minimum of 50 cfs
Flow Through Turbines	3.9	4.6	4.3	5.6	3.1	6.4	4.4	6.4	6.4	6.4	5.2	4.1	4.1	3.7	4.4	73.0	
Grand Total Outflow	**7.2**	**7.9**	**7.6**	**14.6**	**16.8**	**27.0**	**21.2**	**29.4**	**27.1**	**24.7**	**15.6**	**10.3**	**8.8**	**8.2**	**10.7**	236.9	
cfs	**116**	**127**	**122**	**235**	**271**	**435**	**342**	**475**	**437**	**398**	**251**	**166**	**141**	**132**	**173**		
Storage																	
Change in Storage	-3.3	-3.3	-2.1	-8.1	1.5	3.9	-8.8	-16.8	-18.9	-17.7	-10.6	-6.4	-4.8	-4.7	-6.5	-106.7	
End of Month Storage	**198.2**	**195.0**	**192.9**	**184.8**	**186.3**	**190.2**	**181.3**	**164.5**	**145.5**	**127.9**	**117.2**	**110.8**	**106.0**	**101.3**	**94.8**		**257.3**
End of Month Elevation	8997.7	8996.5	8995.7	8992.5	8993.1	8994.6	8991.0	8983.0	8974.0	8965.0	8958.0	8955.0	8951.0	8948.0	8944.0		
					-71.0	-67.1											
1983-2013 EOM Storage (90% Ex)	205.5	200.6	195.4	190.5	188.2	238.2	239.6	229.7	231.4	223.0	219.8	212.8	205.5	200.6	195.4		
1983-2013 EOM Storage (50% Ex)	229.8	225.5	222.8	216.6	239.2	255.7	253.9	249.8	246.1	243.6	240.0	233.7	229.8	225.5	222.8		
1983-2013 EOM Storage (10% Ex)	243.5	242.5	243.0	242.8	258.8	259.3	258.0	255.3	253.7	250.9	245.0	243.0	243.5	242.5	243.0		

Refill Probability: **27.1%**

ACTIVITY REPORT - JANUARY, 2026

POLICE

	2026	2025
Property Stolen	$23,025	$5,677
Property Recovered	$0	$143
Animal Control		
Citations	0	0
Warning	0	0
Bar Checks	4	34
Business Checks	60	63
Assists	29	45
Parking Citations	2	2
Parking Warnings	1	19
Traffic Citations	144	35
Traffic Warnings	221	133
Traffic Accidents (Total)	9	19
Public Streets	9	7
Private Property	0	12
Injury	0	2
Open Buildings	1	4
Alarms	5	5
Calls for Service	721	663
Felony Arrests	3	0
Burglary	1	0
Unlawful possession of a controlled substance	1	0
Theft	1	0
Misdemeanor Arrests	16	19
DUI	6	7
Minor in possession	1	5
Theft < $300	1	5
Obstructing a Peace Officer	1	1
Habitual Traffic Offender	1	1
Warrants	6	0

MUNICIPAL COURT

	2026	2025
Total number of citations issued for this court da	89	45
Total number of violators due in court	22	15
Total number of violators in court	11	19
Deferred to trial	0	0
Received Deferred Sentences	0	0
Dismissed	3	1
Guilty Pleas	1	6
Guilty to Amended Charges	3	4
Guilty from Trial	0	0
Continued to following month	0	2
Dismissed Prior to Court	3	1
Handled by Mail		
W/in 20 days for Point Reduction	10	25
Outside of 20 days	18	7
No Shows		
Warrants Issued	0	0
Hold placed on Drivers License	0	5
Filed Unpaid	0	0

RECORD OF PROCEEDINGS – MINUTES

THE TOWN COUNCIL OF THE TOWN OF FRISCO
FRISCO TOWN HALL, 1 MAIN STREET, FRISCO, COLORADO 80443
JANUARY 27, 2026 AT 4:00PM

Call to Order:
Meeting called to order at 4:00PM by Mayor Ihnken and welcomed a motion to enter Executive Session.

Executive Session:
MOTION: MAYOR PRO TEM HELD MOVED TO ENTER AN EXECUTIVE SESSION PURSUANT TO SECTION 24-6-402(4)(b), C.R.S., TO RECEIVE LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS RELATED TO: THE TOWN'S NOISE ORDINANCE, SECONDED, COUNCILMEMBER ALLEN.

VOTE:

ALLEN	YEA
RYAN	YEA
KIBBIE	ABSENT AT TIME OF VOTE PRESENT BEGINNING AT 4:08PM
GOLDSTEIN	YEA
SKRZYPCZAK-ADRIAN	YEA
HELD	YEA
IHNKEN	YEA

MOTION: PASSED AT 4:02PM

4:03PM Town Attorney Thad Renaud verbally marked the date and time, and explained his legal opinion that this Executive Session is covered by Attorney-Client privilege with Town Council being his client. Mr. Renaud instructed the Town Clerk to pause the recording. Recording paused.

The Executive Session ensued.

4:32PM Town Attorney Thad Renaud instructed the Town Clerk to resume the Executive Session recording. Recording resumed.

MOTION: COUNCILMEMBER RYAN MOVED TO EXIT EXECUTIVE SESSION, SECONDED UNANIMOUSLY BY ALL COUNCILMEMBERS.

VOTE:

IHNKEN	YEA

ALLEN	YEA
RYAN	YEA
KIBBIE	YEA
GOLDSTEIN	YEA
SKRZYPCZAK-ADRIAN	YEA
HELD	YEA

MOTION: PASSED AT 4:33PM

Work Session: (public) resumed at 4:45PM

- **Agenda Item #1:** Pioneer Park Design Discussion and Direction to Staff and Consultants
- **Agenda Item #2:** Water Rate Study
- **Agenda Item #3:** 2024 International Building Code Council Code Adoptions

REGULAR MEETING OF
THE TOWN COUNCIL OF THE TOWN OF FRISCO
FRISCO TOWN HALL, 1 MAIN STREET, FRISCO, COLORADO 80443
JANUARY 27, 2026 AT 7:00PM

Call to Order:
Meeting called to order at 7:02PM by Mayor Ihnken.

Roll Call:
Roll called by Town Clerk Stacey Campbell at 7:03PM.
Rick Ihnken – PRESENT (IN-PERSON) – Mayor
Andy Held – Mayor Pro Tem – absent at time of Roll Call , attended Regular Meeting virtually at 7:11PM
Martin Allen – PRESENT (IN-PERSON)
Robyn Goldstein – PRESENT (IN-PERSON)
Dan Kibbie – PRESENT (IN-PERSON)
Zachary Ryan – PRESENT (IN-PERSON)
Elizabeth Skrzypczak-Adrian – PRESENT (IN-PERSON)

Proclamation:
Proclamation 26-01 - Frisco's Finest Award: Cindy & Wayne Spaulding

Councilmember Skrzypczak-Adrian read the Proclamation into the record, the Spauldings were recognized in Council Chambers.

Public Comment:
Public Comment opened by Mayor Ihnken at 7:10PM.

Public Comment is reserved for items that do not have Public Hearings on this meeting's agenda. If you plan to comment on an item already appearing on the agenda, please wait until that item is announced and public comment is requested at that time. State your name and address for the record, be topic-specific, and limit comments to three minutes or less. No Council action is taken on Public Comments at Council meetings. Council takes public comments under advisement, and if a

Council and/or Staff response is deemed necessary or appropriate, the individual making the comment will receive a formal response from the Town at a later date. It is recommended to sign-in at the Welcome Table at each meeting if providing in-person Public Comment, and include contact information for follow-up communication.

Full Name of Commenter	In Person or Online	Address	Topic(s)
Julia Foster	In Person	Former Frisco address not provided, current address not provided	Colorado Short Term Rental Association organization introduction.
Paul Sail	In Person	360 North Seventh Avenue	Pioneer Park Design, complimented the process and thoughtful discussion. Supports 2 tennis courts.
Craig Petersen	In Person	2192 Grandview Avenue (Golden) owns Frisco Wash Tub laundromat on Main Street	Water Rate Study, tap fees, believes EQRs need to be looked at. Also commented support for flock cameras through Frisco Police Department and complimented recent work in recovering stolen property.
Terren Klein	In Person	564 County Road 1040	Pioneer Park Design feedback: consultant options, optimization based on metrics/usage, and budget, pickup basketball half-court usage.
Mike Krueger	In Person	317 North Fifth Avenue	Pioneer Park Design feedback: expressed disappointment of Town Council's direction to staff and consultants during Work Session. Suggested setting rules of multi-use.
Carolyn Lamar	In Person	251 North Sixth Avenue	Pioneer Park Design feedback: expressed disappointment of Town Council's direction to staff and consultants during Work Session. Raised concern about decibel (sound) levels.
Mary Waldman	In Person	261 North Sixth Avenue	Pioneer Park Design feedback: expressed disappointment of Town Council's direction to staff and consultants during Work Session. Raised concern about decibel (sound) levels.
Daphne Righter	In Person	317 North Fifth Avenue	Pioneer Park Design feedback: supports 2 tennis courts.
Craig Petersen	In Person	2192 Grandview Avenue (Golden) owns Frisco Wash Tub laundromat on Main Street	Asked to use remaining 45 seconds of 3-minute time, asked a question about Water Bill and Xpress Billpay.

Chuck Lamar	In Person	251 North Sixth Avenue	Pioneer Park Design feedback: expressed disappointment of Town Council's direction to staff and consultants during Work Session. Raised concern about decibel (sound) levels and Municipal Code.

Seeing no further public comments in person or online, Mayor Ihnken closed Public Comment at 7:31PM and moved into Council Comments.

<u>Council Comments</u>:
Councilmember Kibbie commented that parks are for everybody, and that Council is trying to strike a compromise with their decision on the Pioneer Park Design, and consider may different groups within the community, stating Council is trying to do their best.

Councilmember Goldstein expressed that she appreciates all of the engagement on the Pioneer Park Design topic.

With no further Council Comments, Mayor Ihnken moved into Staff Updates.

<u>Staff Updates</u>:
Town Manager Tom Fisher updated Council on the following:

- Annual Scholarships Program, 2 Councilmembers are needed for:
    - Serving on the Subcommittee with staff, to decide awardees in 2026
    - To be present at the Awards Ceremony on April 1
- Rocky Mountain Nordic has confirmed that the Frisco Nordic Center in partnership with Team Summit, will host the Junior National Qualifiers in February. RMN is thankful to the Town, especially the Nordic Center.

<u>Consent Agenda</u>:
- Minutes from January 13, 2026
- Warrant List
- Purchasing Cards
- Resolution 26-07: A RESOLUTION AUTHORIZING THE PURCHASE OF A PRINOTH HUSKY NORDIC GROOMING SNOWCAT

MOTION: COUNCILMEMBER ALLEN MOVED TO APPROVE THE CONSENT AGENDA, SECONDED BY COUNCILMEMBER KIBBIE.

VOTE:

GOLDSTEIN	YEA
HELD	YEA
SKRZYPCZAK-ADRIAN	YEA
RYAN	YEA
IHNKEN	YEA
ALLEN	YEA
KIBBIE	YEA

MOTION: PASSED AT 7:36PM

<u>New Business</u>:
Agenda Item #1: First Reading Ordinance 26-03: AN ORDINANCE AMENDING CHAPTER 180 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING THE UNIFIED DEVELOPMENT CODE, BY AMENDING SECTION 180-6.16 OUTDOOR LIGHTING, SECTION 180-6.19 SIGNS, SECTION 180-8. NONCONFORMITIES, AND SECTION 180-9.3. GENERAL DEFINITIONS, CONCERNING OUTDOOR LIGHTING

Mayor Ihnken read the item into the record at 7:37PM and opened the public hearing.

Emma Heth, Planner from the Community Development Department, presented the Ordinance.

Mayor Ihnken opened the floor for Public Comment at 7:48PM.

Full Name of Commenter	In Person or Online	Address	Topic(s)
Jed Callan	In Person	93 Sunset Drive	Supports Council's progress so far on Dark Skies compliance.
Hollis Whitson	In Person	Eagles Nest Neighborhood	Supports Council's progress so far on Dark Skies compliance.
Brian Pence	In Person	312 Teller Street	Supports Council's progress so far on Dark Skies compliance.

Mayor Ihnken closed public comment at 7:54PM and moved back to Council Discussion.

Councilmember Skrzypczak-Adrian thanked all commenters for their comments.

MOTION: COUNCILMEMBER SKRZYPCZAK-ADRIAN MOVED TO APPROVE THE ORDINANCE ON FIRST READING, SECONDED, COUNCILMEMBER KIBBIE.

KIBBIE	YEA
GOLDSTEIN	YEA
HELD	YEA
SKRZYPCZAK-ADRIAN	YEA
RYAN	YEA
IHNKEN	YEA
ALLEN	YEA

MOTION: PASSED AT 7:56PM

Agenda Item #2: First Reading Ordinance 26-01: AN ORDINANCE AMENDING CHAPTER 167 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING VEHICLES AND TRAFFIC, BY ADDING A NEW SECTION 167-14, CONCERNING THE VIOLATION OF VEHICLE REGISTRATION REQUIREMENTS, TO ALLOW FOR THE CITATION OF VEHICLE REGISTRATION VIOLATIONS INTO THE MUNICIPAL COURT

Mayor Ihnken read the item into the record at 7:56PM and opened the public hearing.

Town Attorney Thad Renaud presented the item, detailing the need for the adoption of the Ordinance, and offered to answer any questions.

Mayor Ihnken opened the floor for Public Comment at 7:59PM, seeing none, closed Public Comment.

No Council Discussion ensued.

MOTION: COUNCILMEMBER KIBBIE MOVED TO APPROVE THE ORDINANCE ON FIRST READING, SECONDED BY COUNCILMEMBER SKRZYPCZAK-ADRIAN.

ALLEN	YEA
KIBBIE	YEA
GOLDSTEIN	YEA
HELD	YEA
SKRZYPCZAK-ADRIAN	YEA
RYAN	YEA
IHNKEN	YEA

MOTION: PASSED AT 7:59PM

Agenda Item #3: First Reading Ordinance 26-04: AN ORDINANCE AMENDING CHAPTER 1, SECTION 1-14, OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING GENERAL PENALTIES FOR VIOLATIONS OF THE CODE, TO ALIGN THE PROVISIONS THEREOF WITH COLORADO STATUTORY AUTHORIZATIONS AND THE LIMITATIONS OF A RECENT DECISION OF THE COLORADO SUPREME COURT

Mayor Ihnken read the item into the record at 7:59PM and opened the public hearing.

Town Attorney Thad Renaud presented the item, detailing the legal need for code amendments, and offered to answer any questions.

Mayor Ihnken opened the floor for Public Comment at 8:03PM, seeing none, closed Public Comment.

No Council Discussion ensued.

MOTION: COUNCILMEMBER SKRZYPCZAK-ADRIAN MOVED TO APPROVE THE ORDINANCE UPON FIRST READING, SECONDED BY COUNCILMEMBER KIBBIE.

RYAN	YEA
IHNKEN	YEA
ALLEN	YEA
KIBBIE	YEA
GOLDSTEIN	YEA
HELD	YEA
SKRZYPCZAK-ADRIAN	YEA

MOTION: PASSED AT 8:04PM

<u>Old Business</u>:

Agenda Item #4: Second Reading Ordinance 26-02: AN ORDINANCE AMENDING CHAPTER 160 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, COLORADO, CONCERNING TAXATION, BY AMENDING SECTIONS 160-1.1 CONCERNING DEFINITIONS RELATED TO THE TOWN'S SALES TAX AND 160-8.9, CONCERNING TRANSACTIONS AND ITEMS SUBJECT TO TAX

Mayor Ihnken read the item into the record at 8:05PM and opened the public hearing.

Finance Director Leslie Edwards presented the item, detailing the legal need for code amendments, stating there are no changes since First Reading at their last Regular Meeting, and offered to answer any questions.

Mayor Ihnken opened the floor for Public Comment at 8:06PM, seeing none, closed Public Comment.

MOTION: COUNCILMEMBER SKRZYPCZAK-ADRIAN MOVED TO APPROVE THE ORDINANCE UPON SECOND READING, SECONDED BY COUNCILMEMBER GOLDSTEIN.

SKRZYPCZAK-ADRIAN	YEA
RYAN	YEA
IHNKEN	YEA
ALLEN	YEA
KIBBIE	YEA
GOLDSTEIN	YEA
HELD	YEA

MOTION: PASSED AT 8:07PM

<u>Adjourn</u>:

COUNCILMEMBER ALLEN MOVED TO ADJOURN, SECONDED BY COUNCILMEMBER SKRZYPCAK-ADRIAN AND COUNCIL VOTED UNANIMOUSLY IN FAVOR AT 8:09PM.

Respectfully Submitted,

Stacey Campbell
Town Clerk

FRISCO SEAL SUMMIT COUNTY COLORADO

TO:	**Mayor and Town Council**
FROM:	**Linsey Joyce, Recreation Director, Logan Snyder, Marina General Manager**
RE:	**Resolution 26-08: A RESOLUTION AUTHORIZING THE PURCHASE OF A MEECO SULLIVAN PADDLE DOCK FOR THE FRISCO BAY MARINA**
DATE:	**February 10, 2026**

Summary & Background:
The Frisco Bay Marina (FBM) is in need of a new paddle dock to support the paddle operations. The existing dock, over 20 years old, has exceeded its expected replacement lifespan. Its outdated plastic configuration and dimensions (80' x 40') cannot accommodate the expanded paddle fleet, is not ADA compliant, presents multiple trip and safety hazards, and lacks built-in shade to protect employees. Replacing the dock will allow the FBM to operate more safely, efficiently, and guests will have better accessibility to the water. The timing of this purchase is to avoid tariffs and the rapidly increasing price of aluminum.

Analysis:
Maintaining an up-to-date paddle dock is essential for minimizing liability, improving guests and employee safety, ensuring consistently high-quality rental experiences, and preparing the marina for future expansion. A new dock will support superior customer service, provide reliable infrastructure for both guests and staff, and allow Frisco Bay Marina to operate seamlessly as one of the marina's key revenue-generating operations.
The proposed dock will bring the marina to ADA compliance, utilize industry-standard materials that are stronger and more durable, and provide an improved overall experience for all users. Additionally, the inclusion of a built-in sunshade will enhance employee comfort and provide necessary protection from the elements and ultraviolet exposure. The upgraded pile anchor system will allow the dock to be moved more easily and safely, reducing labor intensity and improving overall operational efficiency, especially during a low water season when the dock needs to move to the east to keep the rental operation functional. Maintaining a safer and more reliable dock is critical to aligning marina operations with current safety standards, risk management practices, and customer service expectations.
Beginning in July 2025, marina staff conducted research to evaluate options for

replacing the existing paddle dock. Staff met with Wahoo Docks, a Meeco Sullivan Company. Meeco Sullivan is the same company that installed and replaced the marina's current slip-holder dock system and the new boat ramp dock. This paddle dock is a specialty system, and no comparable vendors were identified. A proposal from Wahoo Docks in the amount of $237,210 was reviewed.

The proposal was evaluated based on established criteria, including compatibility with the current docks and launch ramps, existing rental operations, rack and vessel capacity, future expansion, customer service, ADA compliance, and overall benefit to the marina. After a thorough review, staff determined that the Meeco Sullivan paddle dock is the best fit for the FBM.

The Meeco Sullivan dock will greatly improve the safety and reliability of the existing paddle dock, accommodate the entire rental paddle fleet with its expanded dimensions of 100' x 50', and provide a safer, less labor-intensive method for repositioning the dock through its upgraded pile anchor system. In addition, the dock will serve as a long-term asset, supporting the marina's operational needs, future growth, and ongoing commitment to safety, accessibility, and high-quality customer service. The new dock has a 20-to-25-year lifespan in freshwater making this a sound investment for the marina for many years to come.

By continuing to use the same Meeco Sullivan product instead of another manufacturer, the Marina has greater operational flexibility. The new dock is compatible and interchangeable with current systems in the event staff need to reconfigure, repurpose, or in an emergency, replace any part of the entire system.

Financial Impact:
The paddle dock is budgeted at $300,000 in the 2026 marina capital budget under account number 90-9000-4444, capital improvements. This is a sole source purchase. Under Town code 9-3.F, the Frisco Town Council can, in special circumstances, approve a contract without a public bid process, due to several factors. Staff worked with Wahoo Docks in December 2025 to begin to secure this purchase. Wahoo Docks is a Meeco Sullivan Company and all other docks at the Marina are Meeco Sullivan docks, ensuring consistency, proven quality, and long-term durability. These docks are constructed of high-quality materials and are expected to serve the marina reliably for many years into the future. The purchase of the recommended dock will cost $237,210, representing a budgeted cost savings of $62,790 within the approved budget. Through this process and due to a strong partnership with this vendor, staff are also able to avoid tariffs and the rapidly increasing price of aluminum.

Environmental Sustainability:
The replacement of the paddle dock supports the Town's environmental sustainability goals by reducing the environmental impacts associated with aging infrastructure. The new dock is constructed of durable, industry-standard materials designed for long-term use, minimizing the need for frequent repairs or replacement and reducing material waste over time.

The upgraded pile anchor system allows the dock to adjust to fluctuating water levels without disturbing the lakebed, helping protect aquatic habitat and water quality. Additionally, improved dock stability and layout support more efficient paddle operations, reducing congestion and minimizing shoreline impacts. Together, these improvements promote responsible marina operations while supporting sustainable, low-impact recreation at the FBM.

Alignment with Strategic Plan:
Approval of this purchase aligns with the Town's goals of supporting the local economy and maintaining a vibrant recreational area. The replacement of the current paddle dock will allow the FBM to operate efficiently while ensuring compatibility with the current gangways, launches, and existing dock systems. Furthermore, this will support existing rental operations, increase rental capacity, enhance the visitor experience, and provide an overall recreation benefit to the Town and Marina.

Staff Recommendation:
Staff recommends that Council authorize the purchase of the Paddle Dock from Wahoo Docks, a Meeco Sullivan Company, through Resolution 26-08 in an amount of $237,210. This recommendation is based on the dock's proven quality, compatibility with existing marina infrastructure, improved safety and ADA accessibility, reduced operational labor demands, and long-term benefit to marina operations. Approval of this purchase supports the Town's goals related to safety, accessibility, customer service, and the continued success of the FBM as a key recreational and revenue-generating asset.

Reviews and Approvals:

Stacey Campbell, Town Clerk	Created/Initiated - 2/5/2026
Diane McBride, Assistant Town Manager	Approved - 2/5/2026
Tom Fisher, Town Manager	Final Approval - 2/5/2026

Attachments:
1. Attachment 1 - Wahoo Docks Meeco Sullivan Aluminum Sales Agreement
2. Attachment 2 - Resolution 26-08

PRODUCT SALES AND SERVICE AGREEMENT

1. **Date of Agreement:** **December 4, 2025**

2. **Terms of Agreement:**
This Product Sales and Service Agreement with attached Appendix and Exhibits (the Agreement) constitutes the entire agreement between **Buyer**, identified below, and **Wahoo Docks, LLC**, **Wahoo Division**, as **Seller**, for the sale and delivery of **Products** and the performance of **Services** with respect to the **Project** at the **Premises**.

3. **Buyer Information:**

3.1. Legal Name: Town of Frisco Colorado ______________________

3.2. Address:

PO Box 4100

Frisco CO 80443
(City County State Zip)

3.3. Billing Address (if different from 3.2):

Same
(Street)

____
(City County State Zip)

3.4. Phone: 970-668-4001

3.5. Fax: ______________________

3.6. E-Mail: LoganS@TownofFrisco.com

3.7. Buyer's Federal ID # (SS or EIN): ______________________

3.8. Buyer's State ID #: ______________________

3.9. Buyer's Type of Organization: Municipality

3.10. State in which organized: CO

3.11. Authorized Representative: Logan Snyder

3.12. Buyer's Contract/Purchase Order #:

4. **Premises Owner Information, if other than Buyer**

4.1. Legal Name: Town of Frisco Colorado

4.2. Address: PO Box 4100

Frisco CO 80443
(City County State Zip)

4.3. Owner's Type of Organization: Municipality

4.4. State in which organized: CO

4.5. Authorized Representative: Logan Snyder

4.6. Phone: Same

4.7. Fax: ________________

4.8. E-Mail: Same

5. The Project: Frisco Sport Dock

5.1. The **Project** is as set forth on the **Description of Work**, which is attached hereto as **Exhibit A** and by this reference incorporated herein, and the actual physical location of the Project at the Premises (the **Job Site**) shall be specified in the Description of Work. The Project is or will be located at the **Premises**, which is located at the following address (if no address listed, then the Premises is the address set forth in Section 4.2 hereof):

5.2. Address: 277 Marina Rd
(Street)

Frisco CO 80443
(City County State Zip)

Within City Limits? ☒YES ☐NO

5.3 The materials, components, product(s) and equipment set forth on the Description of Work are the **Products**. The services related to the installation and/or assembly of the Products and which the Seller agrees to provide to the Buyer hereunder are the **Services**.

5.4 Services may include **Delivery** to the Job Site, off-loading, Project supervisory activities, and **Installation**, in each case if elected by the Buyer and set forth in the Description of Work.

6. Project Fee; Terms of Payment:

6.1. The Buyer shall pay Seller a Project fee in an amount equal to $ $ 237,210 for the sale and Delivery of Products and the performance of Services hereunder (the **Project Fee**). The Project Fee shall include all applicable federal, state and local sales or use taxes, unless Buyer is entitled to an exemption from any such taxes and an appropriate tax exemption certificate accompanies this Agreement, or is otherwise provided to Seller in a form, and at such time, as is reasonably acceptable to Seller.

6.2. After the Initial Payment, Seller will send Buyer monthly invoices for the Project Fee based on the percentage of work completed by Seller as of the date of such invoice. The Initial Payment (if any) will be applied pro rata across the Project. Seller will provide Buyer with monthly invoices, which will be due on the next occurring Payment Event outlined below:

Payment Event:	% of Project Fee Payable	Payment Terms
Contract Execution Deposit Payment	50% $118,605	With submittal of signed contract
Final Payment Upon Delivery, invoicing based on truckload amounts	50% $118,605	Due upon receipt of invoice
The above pricing has been discounted 3% assuming payment via check or ACH. Should the customer wish to pay via credit card the discount will be removed.		

6.2.1. Buyer must submit the Initial Payment with an executed copy of this Agreement. On each later Payment Event, Buyer shall provide payment for any invoices issued up to that Payment Event. If the Project or this Agreement is terminated or is unable to be completed for any reason, all outstanding invoices shall become automatically due and payable to Seller, in addition to any other remedies Seller may have under this Agreement, at law or in equity.

6.2.2. Any other costs or expenses, which are the responsibility of the Buyer under this Agreement (such as costs associated with Change Orders, or the like) will be invoiced to the Buyer and shall be due and payable upon receipt, unless otherwise specified in this Agreement or in the applicable Change Order. Payments are not subject to retention, and payments not received by the Seller on or before the due date thereof shall bear interest at a rate of one and one half percent (1.5%) per month.

6.3. In the event Buyer requires this Agreement to be subject to a performance or other bond, Buyer shall be responsible for all costs and expenses associated with Seller obtaining and maintaining such bond and shall promptly reimburse Seller for any such costs and expenses incurred. In the event this Agreement does not contemplate a bond when executed, the parties will agree to a Change Order to add any bonding requirements.

7. Warranties; Disclaimers

7.1. Installation Services (which Services, if applicable, shall be specified in the Description of Work) shall be warranted in the manner set forth in **Exhibit B** to this Agreement.

7.2. Products carry separate manufacturer warranties that are being passed through to Buyer. Copies of separate manufacturer warranties for applicable Products will be provided to the Buyer in conjunction with the execution of this Agreement, to the extent when available, and will be confirmed upon delivery of a final invoice to the Buyer. In some instances warranties are available electronically, in which case, Seller will provide Buyer with information as to the location of such warranties. Although Seller shall not be obligated to satisfy warranty obligations for Products which are subject to separate manufacturer warranties, all claims under such warranties must be submitted to the Seller, and, if so submitted, Seller shall assist Buyer with the assertion and satisfactory resolution of any warranty claims with the manufacturer of such Products.

7.3. SELLER HAS BEEN NOTIFIED THAT CERTAIN CHEMICALS USED IN WOOD TREATMENT PROCESSES ARE KNOWN TO CAUSE CANCER. IF THE PRODUCTS INCLUDE TREATED WOOD PRODUCTS, SELLER EXPRESSLY DISCLAIMS ANY OBLIGATION OR LIABILITY THEREFOR.

8. Notices

All legal notices and other formal communications under this Agreement shall be in writing and sufficiently given if (i) personally delivered to the addressee; (ii) delivered by nationally recognized overnight courier service evidencing written receipt of delivery; (iii) mailed by U.S. Certified mail, return receipt requested, postage paid; (iv) by facsimile or via email transmission with subsequent confirmation by delivery in any manner previously mentioned, addressed to the Buyer(to the attention of the Authorized Representative) at the address set forth in Section 3, above, and addressed to the Seller at the following address and to the attention of the following Authorized Representative:

Signed documents	**Any payments**
Wahoo Docks, LLC – Georgia Office	**Wahoo Docks, LLC**
203 Chesterra Drive Dahlonega, Georgia 30533	203 Chesterra Dr Dahlonega GA 30533
ATTN: Brad Miller, Authorized Representative	ATTN: Leslie Wyatt
Fax: (770) 532-2983	
Email: intsales@meecosullivan.com	Email: Leslie@wahoodocks.com

This Agreement is entered into as of the date set forth in Section 1, above.

Seller: Wahoo Docks, LLC	**Buyer**: Town of Frisco, Colorado
Signature: ______________________	Signature: ______________________
Name: Brad Miller__________________	Name: Logan Synder______________________
Title: Division Manager______________	Title: Marina General Manager______________________
Date: ______________________	Date: ______________________

CUSTOMER/BUYER NAME
Exhibit A

Customer Responsibilities:

__x Return of signed contract (All pages initialed)
__x Deposit Payment
__x Tax exempt form if applicable
____ Furnish electrical & plumbing layout and relevant loading information, if applicable
____ Identification of special loading layout and weights (i.e. fuel cells, buildings/huts, etc.), if applicable
__x Approval of dock layout drawings(s)
___ Furnish existing bulkhead and property line
___ Furnish pile size and location survey
___ Furnish gangway(s) size, weight and location

Failure to provide the above documents in a timely manner may impact delivery schedule.

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System Type: CAT5 Commercial aluminum dock system with 7”-10” (+/-1”) Dead Load Free Board.

Docks

(1) 50' x 100' Main Walkway Predecked
(1) 14' x 40' Canoe Storage Predecked
(295) LF of Black Bumper face with Bump Package
(6) Black Corner Bumpers
(8) Pole Sleeves, poles and winches provided
(1) 4’ x 6’ Wear Plate for existing gangway
(14) 8" Aluminum Mooring Cleats (4 to be folding)

Docks Computation and Submittal Drawings: CO PE Stamped Structural, Stability, Floatation Computations and Submittal Drawings (excludes anchorage layout/calculations) Included in total ($3,300)

Material Subtotal:	**$213,786**
Freight:	**$23,424**
Sales Tax:	**Exempt**
Total:	**$237,210**

Note: Dock sections wider than 10’ will be divided into transportable sections. Dock sections will be bolted together on-site by others.

Note: PWC bracket mounts to be supplied by others

Price Includes:

- Freight to site, purchaser responsible for offloading
- High impact resistant polyethylene floats with foam core attached to dock frames.
- Marine Grade 6061-T6 Aluminum
- Patented Reinforced Corner Extrusion
- Vantage Series Moisture Shield composite decking, 5/4” x 6”
- 316 Stainless steel hardware
- 30PSF
- Docks are factory predecked, floats and cleats installed
- 1 Year warranty

Shipping Note: To maintain the least amount of truck loads to site and to abide by DOT load height, length, and width regulations a marginal number of cleats, pile guides, vinyl and/or floats may be shipped loose to be attached onsite by others. Due to the current volatility of freight prices, we reserve the right to revise freight costs at the time of shipment.

EXHIBIT B

Limited Warranties

a. Limited Warranty for Services

If the Seller is performing Installation Services (which Services, if applicable, shall be specified in the Description of Work), Seller warrants that such installation Services will be of good quality, free from defects in workmanship, and in conformance with the Description of Work (the Limited Warranty). Any claim made under this Limited Warranty shall be made by Buyer, promptly, but in no event later than 15 days after discovery of such defect or non-conformance and in no event shall any claim under this Limited Warranty be brought more than **two (2) years from the date of Completion, or more than one (1) year from the date of Completion in the instance of bonded Projects**. Any claim made must be delivered in writing, must describe in reasonable detail the basis for such claim and must provide contact information for Buyer at the time of such claim. In the event of a claim under this Limited Warranty, Seller will re-perform the applicable installation Services during normal business hours at no additional cost to the Buyer; provided that the Seller is notified of any such defective installation within fifteen (15) days after such defect is discovered. Backcharges for corrective work performed by Buyer will not be honored without Seller's prior written consent; Seller's warranty obligations for Installation Services are as specifically set forth in this Exhibit.

b. Warranty for Products

All Products are subject to separate manufacturer warranties, copies of which have been or will be provided to Buyer as described in Section 7 of the Agreement. All claims under such warranties must be submitted to the Seller, and, if so submitted, Seller shall assist Buyer with the assertion and satisfactory resolution of any warranty claims with the manufacturer of such Products. IN FURTHERANCE OF THE DISCLAIMER BELOW, SELLER MAKES NO WARRANTY OF ANY KIND WHATSOEVER, EXPRESS OR IMPLIED, WITH RESPECT TO THE PRODUCTS.

EXCEPT AS SPECIFICALLY SET FORTH HEREIN OR IN THE PRODUCT SALES AND SERVICE AGREEMENT BETWEEN THE SELLER AND THE BUYER, SELLER DOES NOT MAKE ANY OTHER WARRANTY OF ANY KIND WHATSOEVER, EXPRESS OR IMPLIED; AND ALL IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR WARRANTIES ARISING FROM COURSE OF DEALING OR TRADE USAGE ARE HEREBY DISCLAIMED AND EXCLUDED FROM THIS AGREEMENT. IN NO EVENT SHALL SELLER BE LIABLE FOR ANY LOSS OF USE, COST, FEES OR ANY LIABILITY FOR SPECIAL, INCIDENTAL, INDIRECT, OR CONSEQUENTIAL DAMAGES OR DELAYS.

SOME STATES DO NOT ALLOW THE EXCLUSION OR LIMITATION OF INCIDENTAL OR CONSEQUENTIAL DAMAGES, SO THE ABOVE LIMITATION OR EXCLUSION MAY NOT APPLY TO BUYER.

Appendix A – Additional Terms and Conditions

1. Project Responsibilities:

1.1. Whether or not the Seller provides Project supervisory or Installation Services hereunder (which Services, if applicable, shall be specified in the Description of Work), Buyer shall be solely responsible for the following with respect to the Project at the Premises:

1.1.1. All applicable governmental approvals and permits (and payment of all associated fees therefor) necessary for execution and completion of the Project at the Premises. Such permits shall include, but not be limited to federal, state or local building permits, permission for the use of public areas in connection with the Project, and the like.

1.1.2. If Seller is performing Installation Services (which Services, if applicable, shall be specified in the Description of Work), Buyer shall provide Seller (at Buyer's expense) with such Project information as the Seller may determine to be reasonably necessary, including, without limitation, a site survey to detail the Project Job Site, a bathymetric study, soil reports, water reports, subsurface reports, zoning and/or other legal limitation information or confirmations. All such information shall be provided at or before the commencement of Installation Services, or at such other time as the Seller and Buyer shall reasonably agree.

1.1.3. If Seller is performing Installation Services (which Services, if applicable, shall be specified in the Description of Work), the Buyer is solely responsible for making all utilities available to the Seller that Seller deems necessary for performing Installation Services. The Seller is not responsible for installing or disconnecting such utilities, or performing any other work regarding utilities.

1.1.4. Buyer shall designate and provide a staging/launch area(s) that is adequate in size and reasonably acceptable to Seller for: (1) unloading and storage of Products; and (2) ready access to the Job Site for Installation of the Products. The staging/launch area shall be identified and designated prior to Shipment, and must, at a minimum, be sufficient to support an eighteen-wheel semi-truck/trailer, an all-terrain forklift, a crane and/or a winch truck. Seller will not be responsible for normal wear and tear on the staging launch area ("normal wear and tear" being defined as wear and tear consistent with and reasonably consistent with the scope and magnitude of the Project, the delivery and movement and Products, and the performance of the Services, associated therewith). An acceptable staging/launch area(s) must be secured prior to Delivery.

1.2. If Seller is performing Installation Services (which Services, if applicable, shall be specified in the Description of Work) Seller shall be responsible for the following with respect to the Project at the Premises:

1.2.1. Maintain for the duration of the Project the following insurance coverage: (1) Worker's Compensation in accordance with applicable worker's compensation statutes; (2) Commercial General Liability insurance with limits not less than $1,000,000.00 per occurrence; and (3) an Installation Floater with limits not less than $1,000,000.00. Such insurance coverage will begin on Shipment and shall remain in force until Completion.

1.2.2. Supervise and coordinate all activities at, upon and in connection with the Project and the Premises, including: (a) equipment storage at, and/or staging to the Project; and (b) keeping the Project staging/launch area and Job Site free from accumulation of packing material or rubbish caused by the performance of installation Services and for the removal and lawful off-site disposal of all debris and excess materials.

1.2.3. Subject to and in reliance upon Buyer's compliance with the provisions of Section 1.1 of this Appendix A, Seller shall be obligated to perform the Installation Services in accordance with applicable federal, state, or local laws, rules, regulations, and codes.

1.3. If Seller is arranging the Shipment and Delivery of the Products (which Services, if applicable, shall be specified in the Description of Work) Seller shall be responsible for arranging the Shipment and Delivery of the Products to the staging/launch area at the Premises.

2. Change Orders; Delays

2.1. The Seller or Buyer may, by Change Order, make changes to the Project within the general scope of this Agreement. Any Change Order must be submitted to the other party for its approval. Once the Change Order is approved by both parties, the Project Fee and the projected date for Completion shall be equitably adjusted. Any charges or credits that result from a Change Order's equitable adjustment shall be subject to the terms of Payment set forth in Section 6 of this Agreement.

2.2. Any modification by the Buyer after Shipment that alters the Project from what is specified in this Agreement without approval of the Seller may, in the reasonable determination of the Seller, result in additional costs that will be borne by the Buyer and will be evidenced by Change Order.

2.3. If the Seller is performing Installation Services (which Services, if applicable, shall be specified in the Description of Work), and if concealed conditions are encountered during installation that: (a) are below the surface of the ground and/or body of water; (b) vary from the conditions described by the Description of Work and its specifications; (c) vary from Premises information furnished by the Buyer pursuant to Section 1.1 of this Appendix A; or (d) vary from any other information furnished by the Buyer, then, within a reasonable time after the first observance of the conditions, the Project Fee and the anticipated date of Completion shall be equitably adjusted by Change Order.

2.4. If Seller is arranging the Shipment and Delivery of the Products (which Services, if applicable, shall be specified in the Description of Work), Seller will expend reasonable commercial efforts to Deliver the Products, and if the Seller is performing Installation Services (which Services, if applicable, shall be specified in the Description of Work) to complete the Project, all as specified in the Description of Work. In the event (i) the Buyer cannot accept Delivery by the agreed upon Delivery date (as specified in the Description of Work) or (ii) the Seller has not received the Shipment Payment prior to the date on which Shipment was supposed to take place (as specified in the Description of Work), the Seller will remain entitled to receive the Shipment Payment and will be entitled to charge the Buyer a storage fee calculated based on the square footage of Products stored times the rate of $0.30 per square foot per month. Invoicing for storage payments will be prorated for less than complete monthly periods, when applicable, and will be invoiced on the last day of each month and subject to the same payment terms as set forth in Section 6.2 of the Agreement. Unless otherwise agreed to by Buyer and Seller, Seller shall not be obligated to store the Products for more than 6 months, after which Seller may sell, repurpose or otherwise dispose of the Products and shall otherwise remain entitled to all remedies at law or equity against Buyer under this Agreement. However, Seller will not be considered to be in breach of this Agreement if circumstances beyond its control, including but not limited to an act of God or concealed conditions at the Premises, prohibit Seller from performing Services in the manner and time period specified in the Description of Work.

3. Retention of Title and Security Agreement:

3.1. Seller retains title in all Products Seller provides to Buyer pursuant to this Agreement and the Description of Work and all other plans, drawings and written items produced as a part of the Services (all such items are Collateral) until the Indebtedness (as defined below) is paid in full. Buyer hereby grants Seller a purchase money security interest in the Collateral, together with a security interest in all additions, substitutions, replacements, proceeds and products thereof, wherever located, which security interest shall exist until the Indebtedness is paid in full.

3.2. Indebtedness means the following:

3.2.1. The amounts due from Buyer to Seller under the Agreement, together with interest, fees and other charges provided for in the Agreement;

3.2.2. All sums which Seller may, at its option, expend or advance for the maintenance, preservation and protection of the Collateral, including without limitation, payment of taxes, levies, assessments, insurance premiums and discharge of liens, together with interest thereon, or in any other property given as security for payment of the Indebtedness; and

3.2.3. All expenses, including reasonable attorneys' fees, which Seller incurs in connection with collection of any or all Indebtedness secured hereby or in enforcement or protection of its rights hereunder, or any other instrument given as security for the Agreement, or in changes in form of such Indebtedness which may be made from time to time by agreement between Buyer and Seller, together with interest thereon.

4. Governing Law; Dispute Resolution; Damages

4.1. The Agreement shall be governed by and construed under the law of the State of New York, without regard to conflict of law provisions.

4.2. In the event of a dispute rising under this Agreement or any Services performed or not performed hereunder, the parties agree to attempt to resolve such dispute(s) as follows: first, by a meeting of applicable representatives of Buyer and Seller, such meeting to be held within three (3) days after the written demand for any such meeting by either Buyer or Seller, and such meeting shall be held at a time and location selected by the party receiving such notice; if the dispute is not resolved at such meeting, then by mediation at and under the rules of the American Arbitration Association (AAA) in Atlanta, GA (the Location); and if the dispute is not resolved at such mediation, then by arbitration before one (1) arbitrator on the AAA arbitration panel at the Location selected by Seller. Any such arbitration shall be commenced and conducted so as to be concluded, and an award rendered, within 60 days of the date of the demand for arbitration. Each party shall be responsible for its own costs and attorneys' fees incurred in the arbitration, but the arbitrator may award forum costs to one party or the other. The award may be confirmed in any court having jurisdiction over the parties.

4.3. EXCEPT AS OTHERWISE EXPRESSLY PROVIDED IN THIS AGREEMENT OR AS MAY BE PROHIBITED BY LAW, BUYER AND SELLER AGREE TO WAIVE ALL CLAIMS FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES THAT MAY ARISE OUT OF OR RELATE TO THIS AGREEMENT, INCLUDING BUT NOT LIMITED TO ANY LOSS OF BUSINESS, PRINCIPAL OFFICE OVERHEAD AND EXPENSES, LOSS OF PROFITS NOT RELATED TO THIS AGREEMENT, OR LOSS OF REPUTATION. THIS PROVISION SHALL ALSO APPLY TO THE TERMINATION OF THE AGREEMENT AND SHALL SURVIVE TERMINATION.

4.4 IN NO EVENT SHALL SELLER'S AGGREGATE LIABILITY TO BUYER, WHETHER ARISING OUT OF OR RELATED TO BREACH OF CONTRACT, TORT (INCLUDING NEGLIGENCE) OR OTHERWISE, EXCEED THE TOTAL OF THE AMOUNTS PAID TO SELLER PURSUANT TO THIS AGREEMENT.

5. Miscellaneous

5.1. By their respective execution of this Agreement, each of Buyer and Seller represent and warrant to the other that (a) they are each duly organized and validly existing under the laws of their state of organization, that this Agreement has been duly and validly authorized and approved by all appropriate entity action, and that they have full power and authority to enter into this Agreement and to perform their obligations hereunder; (b) that this Agreement does not violate the terms of conditions of any contract, statute, or law applicable to them; and (c) that this Agreement, as executed, is a valid and binding agreement unto them, and is enforceable in accordance with its terms.

5.2. This Agreement embodies the entire agreement and understanding between the parties hereto relating to the subject matter hereof and supersedes any prior agreements and understandings relating to the subject matter hereof. Buyer has not relied upon any promise, warranty or representation, either oral or written, of Seller, other than as stated in this Agreement. Seller has not relied upon any promise, warranty or representation, either oral or written, of Buyer, other than as stated in this Agreement. No course of prior dealings between the Buyer and the Seller shall apply. Prior to execution by the Buyer, this Agreement constitutes an offer to sell Products and to perform Services pursuant to the specific terms and conditions of this Agreement. Seller specifically rejects any different or additional terms that may have been previously discussed or proposed by the parties, are now or hereafter proposed by Buyer, or are contained in Buyer's purchase order, order confirmation or any other documents submitted by Buyer. Buyer agrees that by instructing Seller to proceed with the acquisition of Products or provision of Services as contemplated in this Agreement, it accepts Seller's offer pursuant to the terms of the this Agreement, and agrees that this Agreement constitute the entire agreement of the Parties, and acknowledges that any additional or different terms, conditions, agreements, or understandings that have been discussed by the parties or contained in Buyer's purchase order, order confirmation, preliminary budget, or any other documents submitted by Buyer to Seller, or by Seller to Buyer, are not part of the parties' agreement.

5.3. This Agreement may be executed in two or more counterparts, each of which is an original, and it will not be necessary in making proof of this Agreement or the terms of this Agreement to produce or account for more than one of such counterparts, provided that the counterpart produced bears the signature of the party sought to be bound. Delivery of the executed signature pages by electronic or facsimile transaction constitutes effective and binding execution and delivery of this Agreement.

5.4. This Agreement may be amended, modified or superseded, and any of the terms, covenants, representations, warranties or conditions hereof may be waived, but only by a written instrument executed by each party hereto. No waiver of any nature, in any one or more instances, shall be deemed to be or construed as a further or continued waiver of any condition or any breach of any other term, covenant, representation or warranty in this Agreement.

5.5. The parties do not intend the benefits of this Agreement to inure to any third party, and nothing contained herein shall be construed as creating any right, claim or cause of action in favor of any such third party against either of the parties hereto. The terms and conditions of this Agreement, particularly the pricing and payment terms, are confidential and proprietary information of Seller. By its receipt and review of this Agreement, Buyer acknowledges and agrees that it shall be held in confidence and shall not be disclosed to any third party without the prior written consent of Seller, and shall only use such information for the purpose of the Project and for not further purposes.

5.6. If any provision of this Agreement is held to be illegal, invalid or unenforceable under present or future laws effective during the effective period of this Agreement, such provision shall be fully severable; this Agreement shall be construed and enforced as if such illegal, invalid or unenforceable provision had never comprised a part of this Agreement; and the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by the illegal, invalid or unenforceable provision or by its severance from this Agreement.

5.7. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns; provided, however, that Buyer shall not be able to assign this Agreement without the prior written consent of Seller.

5.8. The section headings contained in this Agreement are inserted for convenience of reference only and shall not affect the meaning or interpretation of this Agreement.

5.9. Should Seller be delayed in the performance of its obligations hereunder as a result of a force majeure, such as fire, strike, accident, unanticipated intervention of governmental authorities or application of law, rule or regulation, unusual weather, inability to procure necessary goods or services which have been timely ordered, or other matters beyond the reasonable control of Seller, Seller shall not be liable for damages to Buyer for the delays so caused. In the event that Seller experiences an event of force majeure, it shall take commercially reasonable steps to mitigate the effects of such event upon the timely performance of its obligations under this Agreement. For excusable delays in the performance of its obligations hereunder as described above, Seller and Buyer shall execute an amendment to this Agreement reflecting an equitable adjustment to the terms and conditions set forth herein.

6. Definitions:

The following definitions shall apply to capitalized terms not otherwise defined in this Agreement:

6.1. **Authorized Representative** shall mean the person delegated by the Parties to enter into and administer this Agreement. The Authorized Representative of the Buyer is identified in Section 3 of this Agreement, and the Authorized Representative of the Seller is identified in Section 8 of this Agreement.

6.2. **Change Order** shall mean a written document that details the scope and cost of the desired changes which is entered into in accordance with this Agreement and approved by signature of both Buyer and Seller.

6.3. **Completion** shall mean shall mean the later of (i) the Delivery of the Products to the Premises; or (ii) if Seller is performing Installation Services (which Services, if applicable, shall be specified in the Description of Work), then (A) the date that the Buyer and Seller execute a certificate of Completion (Certificate of Completion) whereby they each certify that, subject to items on the Punch List, the Installation of the Project is sufficiently complete in accordance with the Description of Work so that the Buyer can occupy, take possession or utilize the Project for the purpose for which it is intended, or (B) if a Certificate of Completion is not prepared, the date that a final invoice is transmitted from Seller to Buyer.

6.4. **Delivery or Delivered** shall mean the physical delivery of the Products identified in the Description of Work. If Delivery is included in Description of Work, the Seller shall arrange to have the Products shipped to the staging/launch area at the Premises, FOB. If Delivery is not included in the Description of Work, then the Buyer shall accept the Products at Seller's facility (or, as applicable, the loading dock of the applicable manufacturer's facility), FOB. Title and risk of loss to the Products shall pass to Buyer upon Delivery.

6.5. **Fabrication** shall mean the manufacture of Products at the Seller's direction by a manufacturer selected by Seller. Fabrication shall begin after (i) Seller is in receipt of this Agreement, executed by Buyer; (ii) Seller is in receipt of Buyer's Deposit Payment, if required, (iii) Seller has confirmed Buyer's credit approval; and (iv) Seller is in receipt of drawings 'approved' and signed by Buyer.

6.6. **Installation** shall mean assembly of Products at the Job Site in accordance with the Description of Work, subject to revisions and Change Orders in accordance with this Agreement.

6.7. **Punch List** shall mean a list of items that need to be accomplished to fully implement the Description of Work which is included as a part of the Certificate of Completion.

6.8. **Shipment**, if included in the Description of Work, shall mean initiating the transportation of the Products by the Seller to the staging/launch area at the Premises.

6.9. All other capitalized terms, not otherwise defined in Section 6 of this Appendix A shall have the definitions given them elsewhere in this Agreement, or, if not defined herein, shall have the meaning set forth in the Uniform Commercial Code as adopted in the State of Delaware.

TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO

RESOLUTION 26-08

A RESOLUTION AUTHORIZING THE PURCHASE OF A PADDLE DOCK FROM WAHOO DOCKS, A MEECO SULLIVAN COMPANY, FOR THE FRISCO BAY MARINA

WHEREAS, Town Code 9-3.F states that the Frisco Town Council can, in special circumstances, approve a contract without a public bid process, due to several factors; and

WHEREAS, Town staff, in consultation with the Town Manager, recognizes the unique experience with the Town of Frisco; and

WHEREAS, the Town has previously purchased docks from Meeco Sullivan for the Frisco Bay Marina; and

WHEREAS, the Town Council has previously approved the 2026 Capital Equipment Replacement Schedule and the 2026 Marina Capital Fund; and

WHEREAS, there are sufficient sums of money budgeted in the Marina for this contract; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO, COLORADO THAT:

The Mayor and Town Clerk are hereby authorized to execute any and all documents necessary to execute the purchase of one (1) Meeco Sullivan Paddle Dock, as set forth therein, at a cost of two hundred thirty-seven thousand two hundred ten dollars and zero cents ($237,210.00).

INTRODUCED, READ, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO, COLORADO THIS 10TH DAY OF FEBRUARY, 2026.

TOWN OF FRISCO:

____

Frederick J. Ihnken, Mayor

ATTEST:

____

Stacey Campbell, Town Clerk

TO:	**Mayor and Town Council**
FROM:	**Linsey Joyce, Recreation Director, Logan Snyder, Marina General Manager**
RE:	**Resolution 26-09: A RESOLUTION AUTHORIZING THE PURCHASE OF PONTOON BOATS FOR THE FRISCO BAY MARINA**
DATE:	**February 10, 2026**

Summary & Background:
Staff is requesting the purchase of five (5) new Sylvan pontoon boats with five (5) Yamaha motors through Crowley Marine for the rental fleet. Some of the marina's oldest boats are now 6–8 years old and have exceeded their expected rental lifespan. To maintain safe and efficient marina operations, it is necessary to replace five to six pontoon boats each year. Keeping newer boats in the rotation provides numerous benefits, including enhanced safety, improved reliability, and superior guest experience.

Analysis:
The rental fleet of the Frisco Bay Marina (FBM) consists of 21 pontoon boats. A total of 20 of these pontoons are equipped with Yamaha motors, with only one remaining Evinrude motor.

Actuals from 2025 are as follows:
- 21 boats in the rental fleet
  - 10 large pontoons (13-person max capacity)
  - 9 small pontoons (10-person max capacity)
  - 2 extra small/fishing pontoons (5-person max capacity)

- Total motor sport rental revenue for 2025 = $652,895, equating to $31,090/boat/season.

The purchase of five (5) new Sylvan pontoon boats and Yamaha motors will replace five (5) boats originally purchased in 2020. The 2026 purchase request consists of:
- Five (5) Yamaha motors
- Four (4) small pontoons
- One (1) large pontoon

A new 2026 Sylvan small pontoon boat is $27,300, and a new 2026 Yamaha motor is

$10,400, for a total cost of $37,700. Each new pontoon and motor nearly pays for itself in one season.

The five (5) pontoon boats and motors from 2020 will be sold and budgeted revenue for the sale of used boats in 2026 is $62,500, or $12,500 per boat.

The rental fleet operates under heavy seasonal demand and high daily usage, resulting in accelerated wear compared to privately owned vessels. Industry standards and operational experience indicate that rental pontoons generally require replacement on a 3–5year lifecycle, depending on usage, engine hours, and maintenance demands.

Several factors drive the FBM's replacement strategy:
- Safety: Older vessels present higher risk due to limited stability, aging hulls, and outdated safety features.
- Operational Efficiency: Standardizing the fleet around pontoon boats reduces maintenance complexity, minimizes downtime, and improves turnaround times between rentals. Note: the two fishing boats were replaced with extra small/fishing pontoons in 2025 to standardize the fleet.
- Customer Experience: Pontoon boats provide greater comfort, accessibility, and consistency, resulting in improved customer satisfaction and repeat business.
- Engine Standardization: Transitioning from Evinrude to Yamaha engines in 2022 has improved reliability, simplified parts inventory and reduced long-term maintenance costs. All marina staff and technicians are Yamaha-trained and certified, ensuring consistent maintenance and quicker turnaround. When Evinrude motors were in use, the fleet experienced recurring service issues, resulting in boats frequently being out of service for extended periods. Yamaha-powered boats offer increased reliability and improved fuel efficiency. After roughly 1,000 hours or three to four years, boats typically require significant maintenance, including timing belts and water pump impellers—making timely replacements critical to align with safety standards and operational efficiency.

Financial Impact:
The pontoon boats and motors are budgeted at $210,000 in the 2026 Marina capital budget under account number 90-9000-4460, capital equipment. The cost for these boats with motors through Crowley Marine is $196,795.

Under Town code 9-3.F, the Frisco Town Council can, in special circumstances, approve a contract without a public bid process, due to several factors. The Sylvan boats and Yamaha motors through Crowley Marine not only represent the best price, but are also consistent with the vessels currently in operation, allowing for continuity in rental offerings, operational procedures, and customer experience. Staff reached out to Crowley Marine in November 2025 requesting pricing. Staff also researched other companies and pricing and learned that competitive pricing was over $70,000 more for the same pontoons and motors.

Staff has been ordering from Crowley Marine for several years and have built a strong relationship with them, consistently receiving very competitive pricing on Sylvan boats and Yamaha motors. All boat purchases must be made through a local dealership, and not directly from the manufacturer.

Staff recommends purchasing these boats with motors at this time as the pricing is the lowest staff has seen and, due to a strong partnership with this vendor, the Town is also able to avoid tariffs and the rapidly increasing price of aluminum.

Environmental Sustainability:
The Yamaha motors have an ultra-low CARB 3-Star emissions rating which is the gold standard of outboard engine emissions. Lower operational costs can be expected as the boat will be powered by Yamaha outboard motors. These motors can be serviced and maintained in-house, since the Marina is a Yamaha Authorized Service Dealer.

Alignment with Strategic Plan:
Approval of this purchase aligns with the Town's goals of supporting the local economy and maintaining a vibrant recreational area. The addition of these pontoon boats and motors will allow the Frisco Bay Marina to operate efficiently while ensuring compatibility with the current fleet, supporting existing rental operations, maintaining capacity, enhancing customer service, and providing overall benefit to the marina.

Staff Recommendation:
Staff recommends that Council authorize the purchase of the pontoon boats and motors from Crowley Marine through Resolution 26-09 in an amount of $196,795.

Reviews and Approvals:

Stacey Campbell, Town Clerk	Created/Initiated - 2/5/2026
Diane McBride, Assistant Town Manager	Approved - 2/5/2026
Tom Fisher, Town Manager	Final Approval - 2/5/2026

Attachments:
1. Attachment 1 - Buyer's Order Pontoon Boats
2. Attachment 2 - Resolution 26-09

Crowley Marine

2450 W 63rd Ct.
Denver CO 80221
303-355-5555

Buyer's Order

Frisco Bay Marina

267 Marina Rd
Frisco, CO 80443

H 970-668-4434 officeW C Email friscobaymarina@townoffrisco.com

Date	11/5/25
Deal No.	51108
Salesperson	Daren King
Lienholder	None

I hereby agree to purchase the following unit(s) from you under the terms and conditions specified. Delivery is to be made as soon as possible. It is agreed, however, that neither dealer nor the manufacturer will be liable for failure to make delivery. Price, options and availability are subject to change. Deposits on special orders are not refundable.

Unit Information

New/U	Year	Make	Model	Serial No.	Stock No.	Price (Incl factory options)
New	2026	Sylvan	8520 LZ Mirage	SYL13191A626	26013-B	$27,300.00
New	2026	Yamaha	VF90LB	6HKL1020506	26013-M	$10,400.00

Options:

Victory Red panel color	$0.00	M
Grey canvas color	$0.00	M
Grey furniture color	$0.00	M
Sea Weave (Full) - Grey	$0.00	M
Wet Sounds MC 2	$0.00	M
Gate Seat	$0.00	M
Extreme Tilt Steering	$0.00	M
Hang Engine & Rig Controls	$0.00	M
DELETE Sylvan Playpen Cover	$0.00	M

Dealer Unit Price	$37,700.00
Factory Options	$0.00
Added Accessories	$0.00
Freight	$0.00
Dealer Prep	$0.00

Cash Price	$37,700.00
Trade Allowance	$0.00
Payoff	$0.00
Net Trade	$0.00
Net Sale (Cash Price - Net Trade)	$37,700.00
Sales Tax	$0.00
Title/License/Registration Fees	$0.00
Document or Administration Fees	$0.00
Credit Life Insurance	$0.00
Accident & Disability	$0.00
Total Other Charges	$0.00
Sub Total (Net Sale + Other Charges)	$37,700.00
Previous Down Payment	$37,700.00
Addt'l Down Payment Due	$0.00
Amount to Pay/Finance	$0.00

Notes:
Delivery to Frisco Bay Marina included
Coordinate delivery with Shanin
Capacity tag 10 Persons

Trade Information

Monthly Payment of $0.00 For 0 Months at 0.00% Interest

NOTICE TO BUYER: (1) Do not sign this agreement before you read it or if it contains any blank spaces to be filled in. (2) You are entitled to a completely filled in copy of this agreement. (3) If you default in the performance of your obligations under this agreement, the vehicle may be repossessed and you may be subject to suit and liability for the unpaid indebtedness evidenced by this agreement.

TRADE-IN NOTICE: Customer represents that all trade in units described above are free of all liens and encumbrances except as noted.
*With Approved Credit. Interest rates and monthly payment are approximate and may vary from those determined by the lender.

Customer Signature ___________________________ Dealer Signature __________________________________

Thank You for Your Business!

Crowley Marine
2450 W 63rd Ct.
Denver CO 80221
303-355-5555

Buyer's Order

Frisco Bay Marina

267 Marina Rd
Frisco, CO 80443
H 970-668-4434 officeW C Email friscobaymarina@townoffrisco.com

Date	11/5/25
Deal No.	51106
Salesperson	Daren King
Lienholder	None

I hereby agree to purchase the following unit(s) from you under the terms and conditions specified. Delivery is to be made as soon as possible. It is agreed, however, that neither dealer nor the manufacturer will be liable for failure to make delivery. Price, options and availability are subject to change. Deposits on special orders are not refundable.

Unit Information

New/U	Year	Make	Model	Serial No.	Stock No.	Price (Incl factory options)
New	2026	Sylvan	8520 LZ Mirage	SYL13186A626	26011-B	$27,300.00
New	2026	Yamaha	VF90LB	6HKL1020747	26011-M	$10,400.00

Options:

Victory Red panel color	$0.00	M
Champagne canvas color	$0.00	M
Tan furniture color	$0.00	M
Sea Weave (Full) - Brown	$0.00	M
Wet Sounds MC 2	$0.00	M
Gate Seat	$0.00	M
Extreme Tilt Steering	$0.00	M
Hang Engine & Rig Controls	$0.00	M
DELETE Sylvan Playpen Cover	$0.00	M

Dealer Unit Price	$37,700.00
Factory Options	$0.00
Added Accessories	$0.00
Freight	$0.00
Dealer Prep	$0.00
Cash Price	$37,700.00
Trade Allowance	$0.00
Payoff	$0.00
Net Trade	$0.00
Net Sale (Cash Price - Net Trade)	$37,700.00
Sales Tax	$0.00
Title/License/Registration Fees	$0.00
Document or Administration Fees	$0.00
Credit Life Insurance	$0.00
Accident & Disability	$0.00
Total Other Charges	$0.00
Sub Total (Net Sale + Other Charges)	$37,700.00
Previous Down Payment	$37,700.00
Addt'l Down Payment Due	$0.00
Amount to Pay/Finance	$0.00

Notes:
Delivery to Frisco Bay Marina included
Coordinate delivery with Shanin
Capacity tag 10 Persons

Trade Information

Monthly Payment of $0.00 For 0 Months at 0.00% Interest

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Customer Signature ___________________________ Dealer Signature _________________________________

Thank You for Your Business!

Crowley Marine

2450 W 63rd Ct.
Denver CO 80221
303-355-5555

Buyer's Order

Frisco Bay Marina

267 Marina Rd
Frisco, CO 80443
H 970-668-4434 office W C Email friscobaymarina@townoffrisco.com

Date	11/5/25
Deal No.	51107
Salesperson	Daren King
Lienholder	None

I hereby agree to purchase the following unit(s) from you under the terms and conditions specified. Delivery is to be made as soon as possible. It is agreed, however, that neither dealer nor the manufacturer will be liable for failure to make delivery. Price, options and availability are subject to change. Deposits on special orders are not refundable.

Unit Information

New/U	Year	Make	Model	Serial No.	Stock No.	Price (Incl factory options)
New	2026	Sylvan	8520 LZ Mirage	SYL13187A626	26012-B	$27,300.00
New	2026	Yamaha	VF90LB	6HKL1020041	26012-M	$10,400.00

Options:

Electric Blue panel color	$0.00	M
Black canvas color	$0.00	M
Grey furniture color	$0.00	M
Sea Weave (Full) - Grey	$0.00	M
Wet Sounds MC 2	$0.00	M
Gate Seat	$0.00	M
Extreme Tilt Steering	$0.00	M
Hang Engine & Rig Controls	$0.00	M
DELETE Sylvan Playpen Cover	$0.00	M

Dealer Unit Price	$37,700.00
Factory Options	$0.00
Added Accessories	$0.00
Freight	$0.00
Dealer Prep	$0.00
Cash Price	$37,700.00
Trade Allowance	$0.00
Payoff	$0.00
Net Trade	$0.00
Net Sale (Cash Price - Net Trade)	$37,700.00
Sales Tax	$0.00
Title/License/Registration Fees	$0.00
Document or Administration Fees	$0.00
Credit Life Insurance	$0.00
Accident & Disability	$0.00
Total Other Charges	$0.00
Sub Total (Net Sale + Other Charges)	$37,700.00
Previous Down Payment	$37,700.00
Addt'l Down Payment Due	$0.00
Amount to Pay/Finance	$0.00

Notes:
Delivery to Frisco Bay Marina Included
Coordinate delivery with Shanin
Capacity tag 10 Persons

Trade Information

Monthly Payment of $0.00 For 0 Months at 0.00% Interest

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Customer Signature ___________________________ Dealer Signature _________________________________

Thank You for Your Business!

Crowley Marine

2450 W 63rd Ct.
Denver CO 80221
303-355-5555

Buyer's Order

Frisco Bay Marina

267 Marina Rd
Frisco, CO 80443
H 970-668-4434 officeW C Email friscobaymarina@townoffrisco.com

Date 11/5/25
Deal No. 51105
Salesperson Daren King
Lienholder None

I hereby agree to purchase the following unit(s) from you under the terms and conditions specified. Delivery is to be made as soon as possible. It is agreed, however, that neither dealer nor the manufacturer will be liable for failure to make delivery. Price, options and availability are subject to change. Deposits on special orders are not refundable.

Unit Information

New/U	Year	Make	Model	Serial No.	Stock No.	Price (Incl factory options)
New	2026	Sylvan	8520 LZ Mirage	SYL13185A626	26010-B	$27,300.00
New	2026	Yamaha	VF90LB	6HKL1020752	26010-M	$10,400.00

Options:

Carbon panel color	$0.00	M
Blue canvas color	$0.00	M
Grey furniture color	$0.00	M
Sea Weave (Full) - Grey	$0.00	M
Wet Sounds MC 2	$0.00	M
Gate Seat	$0.00	M
Extreme Tilt Steering	$0.00	M
Hang Engine & Rig Controls	$0.00	M
DELETE Sylvan Playpen Cover	$0.00	M

Dealer Unit Price	$37,700.00
Factory Options	$0.00
Added Accessories	$0.00
Freight	$0.00
Dealer Prep	$0.00
Cash Price	$37,700.00
Trade Allowance	$0.00
Payoff	$0.00
Net Trade	$0.00
Net Sale (Cash Price - Net Trade)	$37,700.00
Sales Tax	$0.00
Title/License/Registration Fees	$0.00
Document or Administration Fees	$0.00
Credit Life Insurance	$0.00
Accident & Disability	$0.00
Total Other Charges	$0.00
Sub Total (Net Sale + Other Charges)	$37,700.00
Previous Down Payment	$37,700.00
Addt'l Down Payment Due	$0.00
Amount to Pay/Finance	$0.00

Notes:
Delivery to Frisco Bay Marina included
Coordinate delivery with Shanin
Capacity tag 10 Persons

Trade Information

Monthly Payment of $0.00 For 0 Months at 0.00% Interest

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*With Approved Credit. Interest rates and monthly payment are approximate and may vary from those determined by the lender.

Customer Signature ___________________________ Dealer Signature _________________________________

Thank You for Your Business!

Crowley Marine

2450 W 63rd Ct.
Denver CO 80221
303-355-5555

Buyer's Order

Frisco Bay Marina

267 Marina Rd
Frisco, CO 80443

H 970-668-4434 office W C Email friscobaymarina@townoffrisco.com

Date	11/5/25
Deal No.	51109
Salesperson	Daren King
Lienholder	None

I hereby agree to purchase the following unit(s) from you under the terms and conditions specified. Delivery is to be made as soon as possible. It is agreed, however, that neither dealer nor the manufacturer will be liable for failure to make delivery. Price, options and availability are subject to change. Deposits on special orders are not refundable.

Unit Information

New/U	Year	Make	Model	Serial No.	Stock No.	Price (Incl factory options)
New	2026	Sylvan	8524 LZ Mirage	SYL13190A626	26014-B	$35,595.00
New	2026	Yamaha	VF90LB	6HKL1020503	26014-M	$10,400.00

Options:

Burgundy panel color	$0.00	M
Black canvas color	$0.00	M
Tan furniture color	$0.00	M
Sea Weave (Full) - Brown	$0.00	M
Wet Sounds MC 2	$0.00	M
Gate Seat	$0.00	M
Extreme Tilt Steering	$0.00	M
Hang Engine & Rig Controls	$0.00	M
DELETE Sylvan Playpen Cover	$0.00	M

Dealer Unit Price	$45,995.00
Factory Options	$0.00
Added Accessories	$0.00
Freight	$0.00
Dealer Prep	$0.00

Cash Price	$45,995.00
Trade Allowance	$0.00
Payoff	$0.00
Net Trade	$0.00
Net Sale (Cash Price - Net Trade)	$45,995.00
Sales Tax	$0.00
Title/License/Registration Fees	$0.00
Document or Administration Fees	$0.00
Credit Life Insurance	$0.00
Accident & Disability	$0.00
Total Other Charges	$0.00
Sub Total (Net Sale + Other Charges)	$45,995.00
Previous Down Payment	$45,995.00
Addt'l Down Payment Due	$0.00
Amount to Pay/Finance	$0.00

Notes:
Delivery to Frisco Bay Marina included
Coordinate delivery with Shanin
Capacity tag 13 Persons

Trade Information

Monthly Payment of $0.00 For 0 Months at 0.00% Interest

NOTICE TO BUYER: (1) Do not sign this agreement before you read it or if it contains any blank spaces to be filled in. (2) You are entitled to a completely filled in copy of this agreement. (3) If you default in the performance of your obligations under this agreement, the vehicle may be repossessed and you may be subject to suit and liability for the unpaid indebtedness evidenced by this agreement.

TRADE-IN NOTICE: Customer represents that all trade in units described above are free of all liens and encumbrances except as noted.
*With Approved Credit. Interest rates and monthly payment are approximate and may vary from those determined by the lender.

Customer Signature ______________________________ Dealer Signature ____________________________________

Thank You for Your Business!

TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO

RESOLUTION 26-09

A RESOLUTION AUTHORIZING THE PURCHASE OF FIVE (5) PONTOON BOATS AND FIVE (5) MOTORS THROUGH CROWLEY MARINE FOR THE FRISCO BAY MARINA

WHEREAS, Town Code 9-3.F states that the Frisco Town Council can, in special circumstances, approve a contract without a public bid process, due to several factors; and

WHEREAS, Town staff, in consultation with the Town Manager, recognizes the unique experience with the Town of Frisco; and

WHEREAS, the Town has previously purchased pontoon boats and motors from Crowley Marine; and

WHEREAS, the Town Council has previously approved the 2026 Capital Equipment Replacement Schedule including the 2026 Marina Capital Fund; and

WHEREAS, there are sufficient sums of money budgeted in the Marina Fund for this contract; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO, COLORADO THAT:

The Mayor and Town Clerk are hereby authorized to execute any and all documents necessary to execute the purchase of five (5) Sylvan pontoons with Yamaha motors from Crowley Marine, as set forth therein, at a cost of one hundred and ninety-six thousand seven hundred ninety-five dollars and zero cents ($196,795.00).

INTRODUCED, READ, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO, COLORADO THIS 10TH DAY OF FEBRUARY 2026.

TOWN OF FRISCO:

____

Frederick J. Ihnken, Mayor

ATTEST:

____

Stacey Campbell, Town Clerk

TO: Mayor and Town Council
FROM: Katie Kent, Community Development Director
RE: 2024 International Code Council Code Amendments Public Hearing
DATE: February 10, 2026

Summary & Background:

Summary:

The purpose of the new business item before the Town Council is to allow the public the opportunity to provide feedback on the series of updated building codes proposed to be adopted in April 2026.

On January 27th, the Town Council held a work session and gave initial feedback to Staff to proceed moving forward with minimal amendments to increase the requirements for construction in Frisco, due to the desire to balance cost with progress and sustainable building efforts.

A vote is not requested, or required, at the February 10th meeting. Staff requests Town Council listen to any public comments received, ask CBCS any questions they may have, and provide general feedback and guidance on moving ahead with proposed code adoptions.

John Schumacher with Comprehensive Building Code Services ("CBCS") will be at the meeting to answer any questions that the Council has on this topic. Staff anticipates Council may have questions after reviewing public input provided in this packet, along with any comments received at the meeting.

Background

The Town of Frisco typically adopts a new series of building codes once every six years. We are currently using the 2018 versions of the International Code Council (ICC) codes, along with a few national, state, and local codes. Listed below are the codes that are proposed for adoption.

(A) The 2024 International Building Code
(B) The 2024 International Residential Code
(C) The 2024 international Plumbing Code
(D) The 2024 International Mechanical Code
(E) The 2024 International Fuel Gas Code
(F) The 2024 International Existing Building Code

(G) The 2024 International Fire Code
(H) The ICC/ANSI A117.1-2017 Accessible and Usable Buildings and Facilities Code
(I) The 2024 International Swimming Pool and Spa Code
(J) The 2023 National Electric Code
(K) The 1997 Uniform Code for the Abatement of Dangerous Buildings
(L) The 2025 Colorado Wildfire Resiliency Code
(M) The 2025 Colorado Electric Ready and Solar Ready Code

On January 14, 2026, the Board of Appeals ("BOA") held a public meeting to review the 2024 International Code Council code adoptions. At that meeting, feedback provided by the BOA recommended that the Town adopt the 2024 Codes as written with minimal amendments added, with recognition that some amendment would be required. Discussion amongst the BOA members included:

- Agreement that the codes adopted need to be easy to understand and achieve compliance.
- Understanding that there is science behind the codes; specifically the International Fire Code and the International Energy Conservation Code. The science and formulas used make sense and are clear guidance and direction and do not need further restrictions.
- Recognition that there needs to be a balance between keeping costs lower versus high efficiency and a return of property owner's investment.
- During discussion regarding how important it is that each jurisdiction have the same adopted codes, the BoA members did not find that a priority, recognizing that if a project was designed to meet stricter Breckenridge amendments, it would then meet the Frisco requirements. An important point made during the discussion was that without having one building division in the County, the contractors already deal with different processing methods, inspection methods and communication methods, and they would prefer that they didn't have to review numerous amendments and could just review the standard codes.
- The BoA members clarified that if future amendments were wanted, they could be discussed and adopted any time in the future if the need/want arose.

On January 27th, the Town Council held a work session and gave initial feedback to Staff to proceed moving forward with minimal amendments to increase the requirements for construction in Frisco, due to the desire to balance cost with progress and sustainable building efforts.

Analysis:
The meeting on February 10th is an opportunity for the public to provide their feedback and recommendations regarding adoption of upcoming codes.

Staff anticipate receiving written and verbal feedback from community members on this topic. As of February 4, 2026, correspondence has been received, and included in the packet, by the Summit County Builder's Association (SCBA) and Deeper Green Consulting.

What does prescriptive path, performance based, and Energy Rating Index (ERI) mean?

As written, the 2024 IECC offers three compliance pathways for residential buildings, allowing a builder to choose the path that best fits their project's design and budget:

- *Prescriptive path* is a direct, itemized compliance method requiring builders to meet specific, minimum, pre-defined performance values for building envelope components (insulation, windows) and mechanical systems. It acts as a rigid, checklist-based route that offers less flexibility than performance-based options but provides a straightforward, formulaic compliance path. This path requires a minimum of 10 credits from a list of "Additional Efficiency Requirements"
- *Simulated Performance-based path* is a path uses computer modeling to show the home's total energy cost is equal to or less than a standard reference home.
- *Energy Rating Index (ERI) Path* is a path that requires a building to achieve a specific numerical score (through hiring and using a certified energy rater) that meets or beats the code's maximum ERI value. This is a standardized, numerical scoring system used to measure and compare the energy efficiency of residential buildings, with lower scores representing better energy performance. Each one-point change on the index corresponds to a 1% change in energy efficiency compared to the reference home. Certified raters determine this score by analyzing a home's building envelope (insulation and windows), HVAC systems, water heating, and lighting, often using it to demonstrate energy code compliance or to highlight a home's energy performance for buyers.

What is Appendix RC of the IECC?

- Appendix RC, titled "Zero Net Energy Residential Building Provisions," provides an optional, non-mandatory framework designed to guide new residential construction toward producing as much energy as it consumes on an annual basis. When adopted by local jurisdictions, this appendix replaces standard performance path requirements with stringent energy efficiency standards, specifically setting a maximum Energy Rating Index (ERI) of 42 before the application of renewable energy, and an ERI of 0 when onsite or offsite renewable energy—such as community solar or power purchase agreements—is included. Furthermore, the 2024 updates to Appendix RC enhance the push for decarbonization by incorporating all-electric construction requirements, strengthening the pathway for developers and municipalities aiming to achieve net-zero, high-performance homes.

What is Appendix RG of the IECC?

- Appendix RG is a voluntary "Stretch Code" appendix designed for jurisdictions aiming to achieve higher energy efficiency and Zero Net Energy goals that exceed the base 2024 IECC requirements. When adopted, this appendix introduces more stringent requirements for residential buildings—roughly 10% more efficient than the base code—by increasing the prescriptive path's additional energy efficiency credits from 10 to 20, reducing ERI targets by 10 points, and increasing performance-based energy cost savings. It is not mandatory unless specifically adopted by a local ordinance and serves as a "glidepath" toward zero-energy, often replacing specific sections of the base code to force higher efficiency in insulation, equipment, or renewable energy.

What is a substantial improvement as referenced in Section R503.1.5 of the IECC?

- A "substantial improvement" is defined as any repair, reconstruction, rehabilitation, alteration, addition, or other improvement where the cost equals or exceeds 50 percent of the market value of the structure before the work begins. This calculation is based on the market value of the structure itself, excluding land value and other external elements. Substantial improvements often require compliance with additional energy efficiency measures and may be treated as Level 3 Alterations.

If a homeowner remodels a kitchen and bathroom, will it be defined as a substantial improvement in connection to requiring an energy audit and performing associated energy upgrades?

- If the Town required substantial improvements to follow an ERI-based compliance path, and the total cost of the kitchen/bathroom remodel exceeds 50% of the market rate value of the structure, the owner would be required to have an energy audit performed on the entire structure. As a result of the energy audit, the homeowner could be required to make energy improvements to the existing structure that are not part of the kitchen/bathroom remodel scope of work.

Financial Impact:

Some of the proposed code amendments may result in additional construction costs for builders and homeowners in some areas but those costs can potentially be reduced in other areas. Moving to the 2024 International Building Code (IBC) generally results in a marginal increase in initial construction costs but offers significant long-term financial benefits through enhanced safety, resilience, and potential insurance savings. The specific financial impact varies based on building type and amendments adopted.

Environmental Sustainability:

Alignment with Strategic Plan:
The Town's Building Division is strongly associated with the strategic objective to provide Progress-Driven Quality Core Services including deliberately interacting with the community and communicating Town business. Additionally, goals for 2024 and beyond under Thriving Economy are specifically directed towards the Building Division's efficiency and level of customer service. Specifically stated as "2024 and Beyond Project Goals" include:

- Continue to expand, deepen, and improve community outreach efforts.
- Continue to enhance and enforce the use of the online development review and building inspection program to provide better transparency and efficiency.
- Sound development and building regulation program that emphasizes equity, efficiency, and customer service.

Staff Recommendation:
Staff intends to bring the code amendments to Council for a first reading on March 24th. Staff is continuously seeking feedback from the Town Council including if the Council continues to support moving forward with minimal amendments or if they would prefer additional amendments to be proposed with adoption to increase the requirements for construction within the Town of Frisco.

Reviews and Approvals:

Katie Kent, Community Development Director	Created/Initiated - 2/5/2026
Diane McBride, Assistant Town Manager	Approved - 2/6/2026
Tom Fisher, Town Manager	Final Approval - 2/6/2026

Attachments:
1. Staff Memo
2. Attachment 1 - SCBA Correspondence
3. Attachment 2 - Deeper Green Correspondence

Outlook

SC Builders Assoc.- Input on 2024 Energy, Fire & Wildfire Code Adoption

From Valerie Connelly <info@summitcountybuilders.org>
Date Wed 1/28/2026 3:26 PM
To TOFCouncil <Council@townoffrisco.com>
Cc Kent, Katie <katiek@townoffrisco.com>; John Schumacher <john@cbcscode.com>; Carolanne Powers <carolanne@peak-element.com>

This Message Is From an External Sender
This message came from outside your organization.
Please review the email and report as suspicious if you have any doubts of the integrity of the message.

Report Suspicious

Dear Mayor, Councilmembers and Town Staff,

I wanted to follow up after last night's Frisco Town Council work session and share the Summit County Builders Association's perspective on the upcoming building, energy, and fire code adoptions.

I'm sharing this as context — not as opposition — and with appreciation for the amount of work staff and Council are managing right now. Our intent is to help ground the discussion in what is required, where local discretion exists, and how these decisions intersect with real-world implementation and housing impacts in Frisco. **In that spirit, our perspective is aligned with the role and input of the Board of Appeals, which we view as an important body for applying technical judgment and practical experience to these questions.**

To keep the conversation clear and organized, we've outlined our perspective in three summaries, each focused on a specific code action. Links are included below for more detailed context.

> **2024 Energy Code (IECC) Adoption — Timing & Transition Strategy**
> SCBA supports a clear-eyed discussion of the 2024 Energy Code as a local adoption decision that also functions as a bridge to the State's forthcoming Low-Energy / Low-Carbon Code. That state mandate is expected to be more restrictive, and adopting the IECC now helps manage timing and avoid triggering immediate application of the more stringent requirements. In that context, minimizing local amendments is critical to avoid unnecessary cost layering during this transition period.
> *SCBA Summary & Position: Local IECC Adoption & Low-Carbon Code Context*

> **Local Fire Code Adoption — Discretionary Decisions & Local Impacts**
> Adoption of the 2024 Fire Code is a local policy choice, not a state mandate. SCBA encourages Council to carefully evaluate discretionary provisions — particularly residential sprinkler thresholds & remodeling/additions language— through the lens of documented local risk, real-world implementation, and housing impacts. Fire codes should address life safety without shifting operational or staffing costs onto builders and an already critically burdened housing infrastructure.
> *SCBA Summary & Position: Local Fire Code Adoption & Sprinkler Threshold Summary*

> **State Wildfire Resiliency Code — Required Adoption & Local Implementation Choices**
> The State Wildfire Resiliency Code is mandatory statewide, with adoption required by April 1 and implementation by July 1. While adoption itself is not optional, important local decisions remain regarding WUI mapping and materials interpretation. SCBA supports implementation approaches that are clear, consistent, and grounded in proven standards, while avoiding confusion between wildfire mitigation and interior structure-fire measures.
> *SCBA Summary & Position:State Wildfire Resiliency Code — Requirements & Local Options*

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VALERIE**CONNELLY**

Executive Officer/Summit County Builders Association

info@summitcountybuilders.org | 970-668-6013

2024 Energy Code (IECC) Adoption

Relationship to the Forthcoming State Low-Energy / Low-Carbon Code

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Executive Summary

The Summit County Builders Association (SCBA) views adoption of the 2024 Energy Code (IECC) as a **local policy decision** that can also serve as a timing and transition strategy ahead of Colorado's forthcoming Low-Energy / Low-Carbon building code.

The 2024 IECC focuses on energy efficiency and building performance. By contrast, the State's forthcoming Low-Energy / Low-Carbon code expands beyond efficiency to address emissions, fuel choices, electrification, and carbon impacts, and is **expected to be more prescriptive and more restrictive** than the IECC baseline.

In this context, adopting the 2024 IECC can help jurisdictions remain compliant while avoiding immediate application of the more stringent state mandate, which is anticipated to carry broader cost and design implications.

For this approach to be effective and responsible, SCBA strongly encourages adopting the 2024 IECC as presented, with minimal local amendments. Adding prescriptive paths, square-footage triggers, or other local layering **risks compounding costs** at a time when additional state mandates are already imminent.

In short:

- The 2024 IECC is **not state-mandated**
- It is less restrictive than the forthcoming low-energy / low-carbon code
- Adoption now can **function as a bridge**, not an escalation
- Minimizing amendments is critical to avoid unnecessary cost stacking

1. What the 2024 Energy Code Is — and Is Not

The 2024 Energy Code (IECC) under consideration is a locally adopted code, not a state mandate. Jurisdictions retain discretion over whether to adopt it and how extensively to amend it.

Key characteristics of the 2024 IECC:

- It **cleans up and clarifies** the 2021 version and is more restrictive than the 2018 code.
- Summit County jurisdictions never adopted the 2021 code in full and have remained on IECC 2018
- As written, the 2024 version is **generally straightforward**
- It builds incrementally on existing practice rather than introducing a wholesale shift

- The 2024 IECC should not be viewed as a dramatic escalation in energy requirements on its own.

2. The Forthcoming State Low-Energy / Low-Carbon Code

Separately, Colorado is moving toward adoption of a statewide Low-Energy / Low-Carbon building code, which will be mandatory once triggered.

While final implementation details are still evolving, this state code is widely understood to be:

- **More restrictive** than the 2024 IECC
- Broader in scope
- More impactful to construction cost, design flexibility, and feasibility

Once that state mandate applies, local discretion will be significantly reduced.

3. Why Timing Matters

Adopting the 2024 IECC now can:

- Maintain near-term compliance
- Provide regulatory certainty
- Delay immediate application of the more restrictive state low-carbon mandate
- Allow jurisdictions time to plan, educate, and adapt before larger changes take effect

This is a legitimate and practical policy rationale — not an attempt to avoid progress, but a way to manage transition responsibly.

However, this strategy only works if the local code does not introduce additional burdens beyond what is necessary.

4. The Risk of Local Amendments

Where cost and complexity increase most significantly is not in the base 2024 IECC, but in local amendments, including:

- Prescriptive compliance paths
- Square-footage-based triggers
- Additional requirements layered on top of the base code

When combined with the looming low-carbon state mandate, these amendments risk:

- Stacking costs
- Reducing design flexibility

- Creating confusion and enforcement challenges
  Accelerating affordability pressures

In effect, aggressive local amendments now could cause jurisdictions to absorb two rounds of regulatory escalation in rapid succession.

5. SCBA Position

SCBA supports a measured, transparent approach to the 2024 Energy Code that recognizes both current realities and forthcoming state mandates.

Specifically, SCBA recommends:

- Treating the 2024 IECC as a transition code
- **Adopting it as presented**, with minimal local amendments
- **Avoiding prescriptive paths or triggers** that unnecessarily increase cost
- **Preserving flexibility** ahead of the state's low-carbon code implementation

Consistent with staff's comments, the **base code already goes far enough on its own.**

RE: Frisco Building Codes update

From Matt Wright (DGC) <matt@deepergreenconsulting.com>
Date Mon 2/2/2026 11:29 PM
To Kent, Katie <katiek@townoffrisco.com>

Hi Katie,

I was unable to hear the audio on the Frisco Portal to hear John speaking, however, I've spoken with Dan and Eli and have a rough idea of what was discussed at the Board of Appeals meeting pertaining to the IECC.

Here are my comments to share with the board…

As you all know, my name is Matt Wright. I'm a building scientist with 31 years in the construction industry and 17 years working directly in residential energy modeling, HERS ratings, and code implementation across Colorado mountain communities. I've also lived in Summit County for 20 years. I appreciate the Town's work on adopting the 2024 code set and wanted to offer some technical context for consideration as this process moves forward.

A quick clarification on ERI and the HERS Index

The Energy Rating Index (ERI) pathway (R406) in the IECC is based on the RESNET HERS Index, a nationally standardized, third-party verified performance metric.

- A HERS score of 100 represents a reference home (commonly tied to the 2006 IECC baseline)
- A HERS score of 0 represents a net-zero energy home
- Each one-point change in HERS/ERI represents roughly a 1% change in energy use relative to the reference design

That makes ERI/HERS an intuitive, outcome-based yardstick that's easy to communicate and compare across communities.

Where Frisco has been

By requiring compliance with DOE Zero Energy Ready Homes (ZERH) for residential construction—including low-rise multifamily—Frisco has effectively been operating at a higher performance level than the base energy code.

In practice, homes in this market have been landing in the high-40s to ~50 HERS range, with ZERH Version 2 outcomes often in the mid-40s. Relative to the IECC 2024 ERI cap of 52, that's roughly 5–10% more efficient based on how the index scales.

ZERH also got a few policy-relevant things right:

- It becomes more challenging for larger homes
- It tends to be more achievable for all-electric designs

Those same principles are showing up in Colorado's forthcoming Model Low Energy and Carbon Code (LECC). The Colorado Energy Office has published the LECC, and it becomes the statewide minimum when jurisdictions update codes after July 1, 2026.

What changes under IECC 2024 as written

The 2024 IECC allows multiple compliance paths, including:

- The ERI pathway (R406), with a maximum ERI/HERS score of 52
- Prescriptive pathways that do not require the same outcome-based third-party verification

In Frisco's context, adopting the code as written risks going backward from the performance level Frisco has normalized under ZERH.

More concerning, based on my modeling work in and around Summit County, I've demonstrated "compliant" prescriptive-path homes that would land around a HERS score of ~70, which is roughly 20–25% less efficient than a mid-40s to ~50 ZERH-level home.

This isn't a critique of local code officials. Energy code enforcement is time-intensive, and building departments are stretched thin. A RESNET-certified HERS Rater typically performs multiple inspections and testing steps that most jurisdictions aren't staffed to replicate consistently.

What peer mountain communities are doing

Below are examples of how peer jurisdictions are using ERI/HERS targets to scale stringency with home size and (in some cases) electrification and solar.

- Carbondale: HERS requirements roughly 50–60 depending on size and electrification options; solar requirements adjust compliance targets down to 20-40
- Gunnison County: homes over 5,000 sq ft must achieve HERS 48
- Crested Butte: ZERH Version 2, HERS 45-50 and all-electric
- Telluride / Mountain Village: HERS requirements roughly 50–60 depending on size; moving toward the LECC framework
- Pitkin County: HERS 50 before PV; for small/mid-size homes the target drops to 15 with solar and HERS 0 for larger homes

The consistent theme is that peer mountain communities are using ERI/HERS as a performance tool, but not defaulting to the base IECC when it would lower the bar.

A simple way to keep flexibility without adding complexity

I want to emphasize that I'm also for simplicity. The cleanest way to preserve performance and simplify enforcement is to standardize on an "ERI-only" approach. That adds flexibility for builders (they can trade measures within a modeled performance target) without increasing complexity (cost) in the field.

Two relevant code mechanisms to consider:

- The Town can require ERI-based compliance as the primary approach

- The 2024 IECC includes Appendices that jurisdictions can adopt by ordinance, including Appendix RC (Zero Net Energy Residential) and Appendix RG (2024 IECC Stretch Code).
    - Appendix RC provides a reference point of ERI 42 before renewables and ERI 0 with renewables (I'm not recommending Frisco go that far today, but it's useful context).
    - Appendix RG is specifically designed as a stretch option and is intended to reduce energy use beyond the base code with an ERI target of 47.

Practical options for Frisco

If the goal is to avoid going backward while keeping the code simple, Frisco has several straightforward options:

1. Require ERI compliance (avoid prescriptive backsliding)
2. Keep the 2024 IECC ERI pathway but tighten the cap modestly (for example, ERI 50 instead of 52)
3. Adopt Appendix RG (stretch) as Frisco's baseline, which provides a ready-made mechanism to keep Frisco aligned with where it has been

If any ERI amendments are made, I would also suggest removing on-site power production (OPP) as a compliance credit within the ERI calculation as a simplification measure, keeping the focus on durable envelope and systems performance.

Why I'm not recommending reverting to ZERH as the municipal code

While ZERH has served Frisco for the last 5 years, it introduced administrative complexity and mandatory compliance requirements that may not be ideal as the Town's adopted code framework. An ERI-based approach (properly calibrated) can deliver better outcomes with clearer local control and simpler permitting workflows. For builders who want the ZERH label, they can take the extra steps to certify. As an incentive to go that pathway, there are already Xcel Energy rebate pathways—particularly for all-electric homes.

Another reason that ZERH is no longer relevant as code requirement has to do with the State's Model Electric and Solar Ready Code. This new state code goes beyond the ZERH requirements for PV, EV and Heat Pump Ready electrical upgrades.

LECC specifics (ERI)

The LECC is heading in a direction that aligns with what's already working here: harder on large homes, and incentives for electrification. As I have it summarized for Climate Zone 7:

- Under 5,000 sq ft: ERI 50
- Over 5,000 sq ft: ERI 47
- All-electric incentive: allow +5 points to the ERI target

I recognize this code is still new, and I'm happy to share the source material I'm using so staff can verify it.

Existing Buildings and Substantial Improvements

Frisco currently requires a home energy audit for certain existing-building permits, and I appreciate the Town's intent to better understand energy performance in remodels and additions. From my experience, however, audits without required outcomes tend to become a paperwork exercise rather than a performance tool. I am not in favor of energy assessments solely for documentation purposes. Other jurisdictions have instead required measurable outcomes—such as test-in/test-out blower door improvements or performance thresholds—to better align with the intent of Chapter 5 of the IECC, which is to ensure that projects do not increase energy use.

I believe the largest opportunity for Frisco lies in redefining what constitutes a **"substantial improvement"** under Section **R503.1.5**. As the Town approaches build-out and redevelopment becomes the dominant project type, full gut remodels and major additions are increasingly similar to new construction from an energy standpoint. Defining an extensive remodel—or a project that replaces most of the thermal envelope and mechanical systems—as a substantial improvement could require those projects to follow an ERI-based compliance path, rather than remaining under prescriptive Chapter 5 requirements. This would provide a clear, outcome-based standard and better align energy performance with Frisco's long-standing goals.

I would be happy to discuss additional program concepts for existing homes if there is interest in exploring this further.

My intent is not to slow adoption, but to ensure Frisco continues the leadership it has already demonstrated—without unintentionally lowering the bar. I would welcome the opportunity to discuss these options further with staff, the Building Official, and the Board of Appeals.

Thank you for your time and consideration.

Sincerely,

Matt Wright
Chief Building Scientist
Deeper Green Consulting
PO Box 2865 Frisco, CO 80443
Mobile 970-387-8977
Office 970-471-4298 Ext. 3

DEEPERGREEN CONSULTING

IN ORDER TO BETTER SERVE YOU, PLEASE FOLLOW THESE COMMUNICATION GUIDELINES

Inspection Requests:
Use THIS FORM to request inspections. We kindly ask for at least **one weeks notice** so we can best support your project timeline.

New Project Requests:

Use THIS FORM for a new project request. We will get proposals to you within 48 hours, or communicate with you if any additional information is needed.

Urgent Requests:
If your request is urgent (less than one week's notice), please **call us directly at 970-236-1618.**

Technical Questions or Document Submissions:
Please email the team at **info@deepergreenconsulting.com**. Were committed to responding within **48 hours.**

From: Matt Wright (DGC)
Sent: Monday, February 2, 2026 8:16 AM
To: 'Kent, Katie' <katiek@townoffrisco.com>
Subject: RE: Frisco Building Codes update

TO: Mayor and Town Council

FROM: Leslie Edwards, Finance Director, Josh Southworth, Public Works Director, Ryan Thompson, Water Superintendent

RE: First Reading Ordinance 26-05: AN ORDINANCE ESTABLISHING, PURSUANT TO SECTION 171-11 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, THE PLANT INVESTMENT FEES, CAPITAL EQR SCHEDULES, DELIVERY CHARGES, FLAT RATES, AND USAGE FEES TO BE CHARGED IN CONNECTION WITH THE TOWN'S WATER SYSTEM

DATE: February 10, 2026

Summary & Background:

Ordinance 26-05 establishes updated water utility rates, tiered usage charges, and Plant Investment Fees (Tap Fees) pursuant to Section 171-11 of the Town Code. The ordinance implements the recommendations from the Town's 2025 Water Rate and Connection Fee Study and is intended to ensure the continued financial sustainability, reliability, and long-term viability of the Town of Frisco's water utility system.

In May 2025, the Town initiated a comprehensive Water Rate and Connection Fee Study in partnership with Raftelis Financial Consultants, Inc. to evaluate whether existing revenues were sufficient to meet the current and future costs of operating, maintaining, and reinvesting in critical water infrastructure.

At the December 9, 2025 Council work session, Staff and Raftelis presented a Peer Utility Comparison benchmarking Frisco's rates against comparable mountain communities and reviewed two potential rate structure alternatives designed to achieve the planned 8.5% annual increases from 2026 through 2029. At that meeting, Town Council directed Staff to advance a scenario that aligns rate components with underlying system cost drivers, strengthens conservation incentives, and maintains fairness across customer types.

The Council-directed scenario maintains the base service charge at the current level, applies the same tiered structure to both residential and commercial/mixed-use accounts, reduces the top end of Tier 3 usage from 50,000 gallons to 35,000 gallons, and increases the Tier 3-to-Tier 4 pricing ratio to more clearly differentiate moderate and high-volume consumption. Irrigation accounts are billed at a uniform rate.

At the January 27, 2026 Council work session, Council reviewed proposed updates to Plant Investment Fees (Tap Fees), discussed the recommended public outreach plan, and accepted Staff recommendations to proceed to the next step of adopting a formal ordinance to amend the Town Code and implement the updated rates and fees. Ordinance 26-05 represents that next step in finalizing the Town's comprehensive water rate package.

Analysis:
Ordinance 26-05 establishes updated rates and charges effective April 1, 2026, including the following major components:

A. Quarterly Base Water Service Charge
The ordinance establishes a quarterly minimum delivery charge of $57.43 per capital EQR.
This fixed base rate supports system readiness and service availability regardless of consumption.

B. Updated Tiered Usage Charges (Conservation Pricing)
Customers are assessed tiered volumetric usage charges designed to encourage conservation and ensure high-use customers pay their proportional share of demand costs. Tier 4 is adjusted to begin at 35,001 gallons per quarter, strengthening conservation pricing and aligning with Council direction.

Tier	Quarterly Usage per EQR	Rate per 1,000 Gallons
Tier 1	1–8,000 gallons	$1.73
Tier 2	8,001–16,000 gallons	$3.46
Tier 3	16,001–35,000 gallons	$6.06
Tier 4	>35,001 gallons	$9.08

C. Irrigation Rate
Irrigation-only accounts will be billed at a uniform rate of $5.29 per 1,000 gallons.

D. Annual Rate Escalator
The ordinance provides that the base rate and tiered charges will increase annually by 8.5% through 2029, effective January 1 of each year

E. Updated Plant Investment Fees (Tap Fees)
Beginning April 1, 2026, the Plant Investment Fee is updated so that 1 capital EQR = $10,475.

Beginning January 1, 2027, tap fees will adjust annually through 2029 based on an inflationary escalator tied to construction inputs:

- Annual adjustment equal to the twelve-month percentage change in the Producer Price Index (PPI) Inputs to Construction Industries (Series ID WPUIP2300001)

This ensures Plant Investment Fees remain aligned with increasing costs of infrastructure and water rights acquisition over time.

Affordable Housing Subsidies: Ordinance 26-05 clarifies that deed-restricted affordable housing units will continue to pay one-third of the standard Plant Investment Fee, with the Town subsidizing the remaining two-thirds. The ordinance expands the allowable funding sources for this subsidy, permitting support from any legally available governmental fund (such as the Housing Fund or Capital Fund), rather than limiting the subsidy to the General Fund.

Financial Impact:
The updated rates and charges are intended to generate sufficient revenue to:

- Maintain appropriate operating reserves
- Fund planned capital improvements on a pay-as-you-go basis
- Avoid significant future rate spikes
- Support long-term infrastructure replacement needs

Without these adjustments, projected revenues would not keep pace with increasing operational costs, regulatory requirements, and reinvestment needs.

Environmental Sustainability:
Ordinance 26-05 strengthens conservation-based pricing by lowering the Tier 4 threshold to begin at 35,001 gallons per quarter, ensuring that higher-volume users pay a proportionate share of system costs while supporting reduced discretionary use. The ordinance also updates tap fees to reflect inflationary infrastructure and water resource costs, ensuring future growth contributes appropriately to the preservation of limited water resources. Together, these measures advance the Town’s commitment to responsible resource stewardship, drought preparedness, and sustainable water service delivery.

Alignment with Strategic Plan:
Ordinance 26-05 advances several key pillars of the Town of Frisco’s Strategic Plan by ensuring the long-term sustainability and resiliency of an essential public utility. The ordinance supports Good Governance through data-driven financial planning and responsible rate-setting, aligns with Infrastructure objectives by funding ongoing system maintenance and reinvestment, reinforces Environment and Sustainability through conservation pricing, and contributes to Quality of Life through safe and reliable water

service for residents and businesses..

Staff Recommendation:
Staff recommends approval of Ordinance 26-05 to amend the Town Code and implement the updated water rates and Plant Investment Fees as presented through the Town's Water Rate Study process.

Reviews and Approvals:

Leslie Edwards, Finance Director	Created/Initiated - 2/3/2026
Josh Southworth, Public Works Director	Approved - 2/4/2026
Diane McBride, Assistant Town Manager	New -
Tom Fisher, Town Manager	

Attachments:
1. Ordinance 26-05

TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
ORDINANCE 26-05

AN ORDINANCE ESTABLISHING, PURSUANT TO SECTION 171-11 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, THE PLANT INVESTMENT FEES, CAPITAL EQR SCHEDULES, DELIVERY CHARGES, FLAT RATES, AND USAGE FEES TO BE CHARGED IN CONNECTION WITH THE TOWN'S WATER SYSTEM

WHEREAS, the Town of Frisco, Colorado ("Town") is a home rule municipality, duly organized and existing under Article XX of the Colorado Constitution; and

WHEREAS, this ordinance is adopted pursuant to the Town's home rule authority in order to protect the public health, safety and welfare by ensuring the continued economic viability of the Town's water system, and the availability of water during times of drought; and

WHEREAS, Section 171-11(A) of the Code of Ordinances of the Town of Frisco authorizes the Town Council, by ordinance from time to time, to adopt plant investment fees, capital EQR schedules, delivery charges, flat rates and usage fees in connection with its water utility system; and

WHEREAS, the Town Council has directed the preparation of a water rates study to review and analyze the cost of day-to-day operations and ongoing maintenance and improvement of the Town's water utility system against the revenues generated by or in connection with that system, and to provide information concerning the nature of maintenance, capital improvement and capital replacement needs of the water utility system that are anticipated in the future; and

WHEREAS, the Town Council finds, based upon the information provided in the water rates study, that the existing water rates, fees and charges of the Town's water utility system are insufficient to provide the revenue needed for the projected expenses of day-to-day operations, ongoing maintenance and improvement of the Town's water utility system, and that the rates and rate tiers currently in place do not adequately promote the conservation of water; and

WHEREAS, based upon all of the foregoing, the Town Council finds that the Town's current plant investment fees and water delivery charges are not sufficient to pay the long term costs of the production and delivery and water by the Town's water utility system; and

WHEREAS, the Town Council anticipates that the plant investment fees and water delivery charge schedule adopted herein will provide revenues that are sufficient to meet the long term costs of the production and delivery of water by the Town's water utility system.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO THAT:

Section 1. The plant investment fees, capital EQR schedule, delivery charges, flat rates and fees to be collected by the Town in connection with the Town's water system shall be as follows:

§ 171-11. Rates and charges.

Plant Investment Fees. Plant investment fees, Capital EQR schedules, delivery charges, flat rates, the per-acre-foot valuation used to calculate required Cash in Lieu of Water Right Dedication, and fees shall be determined and adopted by Council Ordinance from time to time. New Construction: Except for new construction pursuant to a development application that was submitted to the Town and was complete on or before ~~December 31, 2018~~ April 1, 2026 (for which the previously applicable rate of ~~$4,301.00~~ $7,320.50 per one (1) capital EQR shall apply), beginning on ~~January 1, 2020~~ April 1, 2026, for purposes of plant investment fees, one (1) capital EQR equals ~~$5,000 . In each subsequent year to and including the year 2024, the plant investment fee will increase by ten percent over the prior year's fee as of October 1 of each year.~~ ten thousand four hundred seventy five dollars ($10,475.00). In each subsequent year through and including 2029, the Plant Investment Fee shall be adjusted annually, effective January 1. The adjustment shall be based on the twelve-month percentage change in the Producer Price Index (PPI) Commodity Data for Inputs to Construction Industries: Goods, Not Seasonally Adjusted (Series ID WPUIP2300001), as published by the U.S. Bureau of Labor Statistics, or any successor index. This escalator is intended to ensure the fee remains aligned with inflationary increases in system and water rights costs.

A. Plant Investment Fee Calculation. Plant investment fees shall be calculated, on a capital EQR ("EQR") basis, as follows:

1. Single-family residences, single-family homes and mobile homes established for permanent residences: one and zero-hundredths (1.00).

   (a) An "affordable housing" unit as defined in Chapter 180 of the Code of Ordinances of the Town of Frisco (the "Code"), as amended, and which is deed restricted for at least 20 years to assure the unit is available as a long term rental shall have the Plant Investment Fee assessed at one-third of the otherwise applicable rate, and the Town shall pay the remaining two-thirds of the otherwise applicable rate from ~~the Town's general fund~~ one or more of the Town’s governmental funds, excluding enterprise funds, into the Town's water fund.

2. Duplexes (two-family units), multifamily residential units, apartments, condominiums, townhouses and similar facilities in the same complex, one and zero-hundredths (1.00) per unit, plus the following if applicable:

   (a) Clubhouse: one and five-tenths (1.5).

   (b) Laundry facility: five-tenths (0.5) per washing machine.

3. Transient residential units: hotels, motels, dormitories, bed-breakfast (as defined in Community Development Policy Number CD-12) and similar facilities:

   (a) Manager's unit: one and zero-hundredths (1.00).

   (b) Units without kitchen facilities and with one (1) or two (2) bed spaces: twenty-five hundredths (0.25).

   (c) Units with kitchen facilities and one (1) or two (2) bed spaces: seventy-five hundredths (0.75)

   (d) Each additional bed space for Subsection B.3 (b) and (c) above: one-tenth (0.1).

(e) Travel trailer/camper park per space available: one and zero hundredths (1.00).

(f) Dormitories, per each bed space: one-tenth (0.1).

(g) For laundry facilities add five-tenths (0.5).

4. Restaurants, bars and lounges:

(a) Business with a seating capacity of fewer than twenty-five (25): one and twenty-five hundredths (1.25).

(b) Second twenty-five (25) seating capacity, or part thereof: eight tenths (0.8).

(c) Each additional twenty-five (25) seating capacity, or part thereof: six-tenths (0.6).

5. Service station:

(a) Without wash rack: one and fifty-hundredths (1.50).

(b) Each wash rack: one and zero hundredths (1.00).

6. Car wash, each rack: one and zero-tenths (1.0).

7. Commercial or public buildings, such as stores, offices and similar uses, having no process water:

(a) Minimum for each building or customer for up to one thousand (1.000) square feet of building area: one and zero-hundredths (1.00).

(b) Each additional one thousand (1,000) square feet of building area, or part thereof: sixty-hundredths (0.60).

(c) Each pair of public rest rooms: forty-hundredths (0.40).

8. Industrial warehouses with no public rest rooms and no process water requirements:

(a) Having less than two thousand (2,000) square feet of gross floor area: one and zero-hundredths (1.00).

(c) Each additional two thousand (2.000) square feet: eighty hundredths (0.80).

9. Churches and nonprofit organization halls (no residence or regular eating facilities): one and zero-hundredths (1.00).

10. Schools, public or private:

(a) Basic rate, per pupil capacity of fifty (50): two and zero-tenths (2.0).

(b) Each additional forty (40) students or fraction thereof: one and zero-tenths (1.0).

11. Swimming pools, hot tubs:

(a) Each twenty-five thousand (25,000) gallons, or fraction there-of, of swimming pool capacity: one and zero-hundredths (1.00).

(b) Hot tubs, other than for single-family use, per one hundred (100) gallons: eleven dollars ($11).

12. Laundromat: one and five-tenths (1.5).

(a) Each washing machine: five-tenths (0.5).

13. The rate for commercial or individual users of unusual nature or using process water will be set individually by the Town Council.

14. For establishments of any kind falling into more than one (1) category, each separate category will be computed individually and all categories totaled for that establishment's total charge.

15. Businesses of a seasonal nature which are open less than one hundred twenty (120) days per year shall be required to pay tap fees, as provided for above, unless otherwise determined by the Town Council.

B. Minimum Delivery Charges and Usage Charges. Beginning ~~October 1, 2019~~ April 1, 2026, a quarterly rate of fifty-seven dollars and forty-three cents ($57.43) per capital EQR (the "Base Rate" or "minimum delivery charge") will apply to all metered billings. Beginning ~~October 1, 2019~~ April 1, 2026, the rates per thousand (1,000) gallons of water usage per quarter, per usage tier, per capital EQR, are as set forth in the Gallons/Rate table below. The usage charges shall be in addition to the Base Rate.

In each subsequent year, to and including the year ~~2024~~ 2029, the Base Rate, and each of the tiered rates set forth below shall increase by eight and a half (8.5%) percent over the prior year's rates, respectively, as of ~~October~~ January 1 of each year.

Gallons	Rate
No usage included in base rate	~~$45.00~~ $57.43 ("Base Rate")/EQR
1 to 8,000 gallons/EQR	~~$1.12~~ $1.73 per 1,000
8,001 to 16,000 gallons/EQR	~~$2.24~~ $3.46 per 1,000
16,001 to ~~50,000~~ 35,000 gallons/EQR	~~$4.00~~ $6.06 per 1,000
~~50,001~~ 35,001 and greater gallons/EQR	~~$5.00~~ $9.08 per 1,000

Irrigation water shall be billed at five dollars and twenty-nine cents ($5.29) per thousand gallons per quarter, per irrigation-only account.

Temporary construction water shall be billed at one dollar and fifty cents ($1.50) per thousand gallons used, plus a hydrant connection fee of twenty five dollars ($25).

C. Malfunctioning Meters. There shall be a flat rate for malfunctioning meters in the amount of two (2) times the Base Rate.

D. Late Payment Charges, Late Notice Fees, Water Shut-Off and Reinstatement Fees. All water accounts are subject to a finance charge for late payment at an annual percentage rate of eighteen percent (18%) (monthly rate of one and one-half percent (1.5%)) of the total past due balance. For any account with a past due balance, a late payment notice shall be sent to the customer and a fee of five dollars ($5.00) shall be charged to the account for the sending of the notice. For any account with a past due balance in excess of thirty (30) days, a shut-off notice shall be sent to the customer by certified mail, return receipt requested and a fee of ten dollars ($10.00) shall be charged to the account for the sending of the notice. For any customer that does not respond to the shut-off notice within the five (5) days set forth in the notice, a peace officer shall post a shut-off notice on the property and the Water Department shall locate the curb stop and shut off water service to the property. A fee of fifty dollars ($50.00) shall be charged to the account for the shut-off and posting of the notice. For any customer whose water service has been shut off, a reinstatement fee of one hundred dollars ($100.00) shall be charged for the reinstatement of water service.

E. Nontransferable. Water taps, once issued, shall remain with the property to which they are issued and shall not be transferable. In the event a building for which a plant investment fee has been purchased is removed or razed, quarterly user fees in the amount of one-half EQR shall be assessed against the property to maintain the presence of the plant investment fee. In the event that the user fees become delinquent for more than six quarters (18 months) the plant investment fee is forfeited, and resumption of water service to the premises shall require a new plant investment fee.

F. User fees. Payment of water user fees shall begin 12 months after the issuance of building permit from the building department or upon the issuance of a certificate of occupancy, whichever occurs first.

G. Responsibility for water payments.

1. All water fees shall be charged against the owner of the property served and shall be a lien upon the respective lots or parcels of land where said water is used from the time when due and shall be a perpetual charge against said lots or parcels until paid.
2. In the event that a notice of non-payment is sent, an administration fee shall be added to the required payment. In the event that the water to any premises is shut off for nonpayment, the Water Superintendent shall not reinstitute service until all sums remaining due for water service and other fees are paid either by the owner, occupant, new owner or other person who may pay the same.
3. Water fees shall be due and payable each quarter. In the event that the same is not paid, the Water Billing Clerk shall notify the delinquent user by certified mail, with return receipt, that the payment has not been received. If payment has not been received 72 hours after acknowledgment of notification, the Water Superintendent shall cease the delivery of water to the premises by turning off the water at the curb stop.
4. All payments for water service and other fees prescribed hereunder shall be made to the Town Treasurer to be deposited by the Treasurer to the Water Fund.
5. Until paid in full, all service charges, including but not limited to rates, fees, tolls, minimum charges, disconnection fees, reconnection fees and reasonable penalties for delinquencies,

including interest on delinquencies from any due date at a rate determined by Council, reasonable attorney fees and other costs of collection, for the use of services furnished by or for the direct or indirect connection with town water facilities shall constitute a perpetual lien on and against the property served, and any such lien may be foreclosed in the same manner as provided by the laws of the State of Colorado for the foreclosure of mechanics' liens.

6. Nothing in the above shall be construed to limit the town's legal remedies to collect fees.

H. Paper Water billing Fee. Commencing with the periodic billing statement issued by the Town in January 2023, there shall be added to each paper billing statement mailed by the Town, and there shall be assessed and paid by the owner of the property that is the subject of the billing statement, a paper water bill fee. The paper water bill fee shall be due and payable to the Town at the same time and in the same manner as other water charges are due and payable under this chapter. There shall be no paper water bill fee charged if the owner elects to have the billing statement delivered by the Town's electronic billing means. The Finance Director shall establish the paper water billing fee, and amend the fee from time to time, in an amount reasonably necessary to recoup the Town's cost in processing and sending paper bills, and to encourage the electronic receipt of such bills from the Town. In order to incentivize the receipt of periodic billing statements by electronic means, the Finance Director may waive up to $40.00 in accumulated paper water bill fees for any single property.

<u>Section 2</u>. Effective Date. This ordinance shall become effective in accordance with the home-rule Charter of the Town of Frisco, Colorado. Effective April 1, 2026, any prior ordinance or resolution setting forth rates and charges in connection with the Town's water system are hereby repealed and are of no further force or effect.

INTRODUCED, PASSED ON FIRST READING AND PUBLICATION AND POSTING ORDERED THIS 10th DAY OF FEBRUARY, 2026.

ADOPTED ON SECOND AND FINAL READING AND PUBLICATION BY TITLE ORDERED THIS ____ DAY OF ___________, 2026.

TOWN OF FRISCO, COLORADO:

____
Frederick J. Ihnken, Mayor

ATTEST:

____
Stacey Campbell, Town Clerk

TOWN OF FRISCO
COLORADO

TO:	**Mayor and Town Council**
FROM:	**Leslie Edwards, Finance Director**
RE:	**First Reading Ordinance 26-06: AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2025 BUDGET**
DATE:	**February 10, 2026**

Summary & Background:
The Town Council approves a budget each year. From time to time, it is necessary to make changes to the budget as circumstances necessitate. Per the Town's Charter, these changes must be adopted by Council ordinance. Below is a list of those changes and attached is the official ordinance submitted for approval.

Analysis:
2025 Supplemental Appropriations
These supplemental appropriations were discussed with Council during the 2025 calendar year. The related ordinance will amend the 2025 budget by the amounts listed below.

General Fund Expenditures – $538,369

1. Unspent Reusable Bag Fees (dedicated to waste reduction) – $538,369

Capital Improvement Fund Revenue – $2,136,000

1. Energy Improvements Grants – $1,467,000
2. Energy Improvement Financing – $669,000

Capital Improvement Fund Expenditures – $2,181,000

1. Energy Improvements - $2,136,000
2. Tubing Hill LED Lights (Energy Improvement) - $45,000

Housing Fund Revenue - $923,041

1. More Housing Now 101 W Main Grant - $923,041

Insurance Reserve Fund Revenue - $1,310,000

1. Health Insurance Premiums (Employee / Employer) - $310,000
2. Stop Loss Insurance Reimbursements - $1,000,000

Insurance Reserve Fund Expenses - $1,310,000

1. Health Insurance Claims - $1,310,000

Arts & Culture Fund Revenue - $100,000

1. Transfer In - $100,000

Arts & Culture Expenditures - $100,000

1. Programming - $50,000

Rollover to 2026 Budget – Related Reductions
The adjustments listed below reduce 2025 budget appropriations for projects that were approved but not completed during the year. These projects will continue in 2026, and the associated budget authority is being carried forward accordingly. Adoption of the ordinance reduces the 2025 budget by the amounts shown below to avoid duplicating appropriations across budget years.

General Fund Expenditures – ($1,678,576)

1. Unspent Reusable Bag Fees (dedicated to waste reduction) – ($541,397)
2. Unspent Municipal Emergency Response Team (MERT) contributions – ($25,198)
3. Drainage Master Plan – ($57,376)
4. Incomplete Road Resurfacing – ($374,022)
5. Incomplete Curb Replacement – ($221,044)
6. Bridge Improvements – ($443,695)
7. Facilities Repair & Maintenance (Historic Park) – ($15,844)

Capital Improvement Fund Revenue –

($1,621,689)

1. Energy Improvements Grants – ($1,046,609)
2. Energy Improvement Financing – ($575,080)

Capital Improvement Fund Expenditures – ($2,753,697)

1. Vehicles / Equipment – ($479,982)
2. Summit Blvd Lighting – ($520)
3. Tubing Hill Lighting – ($45,000)
4. Energy Improvements – ($1,666,689)
5. Walkability Improvements – ($75,000)
6. Park Improvements (Pioneer Park Design) – ($76,215)
7. Fiber Infrastructure – ($321,220)
8. Technology Equipment (servers) – ($89,071)

Water Fund Expenses – ($2,556,272)

1. Capital Improvements (water tank rehab, Well 8 Study, Water Treatment upgrades) – ($2,219,166)
2. System Repairs not completed in 2025 (Main Repairs) – ($337,106)

Housing Fund Revenue – ($4,419,465)

1. 602 Galena & 101 W Main Grants – ($4,419,465)

Housing Fund Expenditures – ($779,658)

1. 602 Galena Infrastructure Construction – ($779,658)

Financial Impact:
The proposed budget amendments include both increases and reductions to the 2025 Budget to accurately reflect project timing and funding availability. Certain supplemental appropriations add authority to the 2025 budget for revenues and expenditures discussed with Council during the year, while other amendments reduce 2025 appropriations for projects that were not completed and are being rolled forward to the 2026 budget.

Reductions to the 2025 budget effectively offset the corresponding increases to the 2026 budget, ensuring that unfinished projects maintain budget authority without duplicating appropriations across fiscal years. Upon adoption, these amounts are transferred from the 2025 budget to the 2026 budget and do not represent new spending commitments.

Overall, these revenues and expenditures were anticipated and reflected in the 2026 Adopted Budget Book. Sufficient revenues and available fund balances exist within each respective fund to support the appropriations, and the proposed amendments do not negatively impact projected ending fund balances beyond what was previously presented to Council. The additional appropriations requested total net impact to the 2025 budget is a reduction of $2,066,721: $1,572,113 decrease to revenue and a $3,638,834 decrease to expenditures.

Environmental Sustainability:
Several of the supplemental appropriations rolled forward from the 2025 budget support the Town's environmental sustainability and resiliency goals. This includes the completion of the Energy Improvements under the Town's energy services contract with McKinstry, which modernize municipal facilities, reduce energy consumption, and lower long-term operating costs.

Unspent reusable bag fee revenues are also being re-appropriated for their intended purpose of funding waste reduction and prevention initiatives, consistent with Town policy and state statute. In addition, the Drainage Master Plan supports environmental stewardship and climate resiliency by identifying stormwater infrastructure improvements that protect water quality and reduce flood risk.

Alignment with Strategic Plan:
The supplemental appropriations outlined in this memo align with multiple goals in the Town's Strategic Plan updated in August 2024. These revisions primarily reflect the continuation and completion of projects previously authorized by Council.

Energy efficiency projects, waste reduction initiatives, and infrastructure investments—including the Drainage Master Plan and water system capital projects—support Strategic Plan priorities related to sustainability, infrastructure, and fiscal responsibility. Overall, the proposed appropriations advance Council-adopted objectives while maintaining the Town's strong financial position.

Staff Recommendation:
Based on the need to recognize supplemental appropriations discussed with Council during the 2025 calendar year and to adjust appropriations for projects not completed and rolled forward to the 2026 budget, Staff recommends that Town Council adopt the ordinance amending the 2025 budget by the amounts described in this memo. These amendments align with previously approved funding assumptions, maintain fiscal integrity across both budget years, and ensure continued progress on Council-directed projects.

Reviews and Approvals:

Leslie Edwards, Finance Director	Created/Initiated - 2/5/2026
Diane McBride, Assistant Town Manager	Approved - 2/6/2026
Tom Fisher, Town Manager	Final Approval - 2/6/2026

Attachments:
1. Attachment 1 - Ordinance 26-06

TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
ORDINANCE 26-06

AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2025 TOWN BUDGET

WHEREAS, the Town Council of the Town of Frisco has adopted the annual budget in accordance with the Local Government Budget Law; and

WHEREAS, the Town Council of the Town of Frisco desires to amend the Town's 2025 budget to reduce revenue appropriations by $1,572,113 and to reduce expenditure appropriations by $3,638,834; and

WHEREAS, such reductions to the 2025 budget do not authorize additional spending and maintain compliance with statutory requirements that appropriations not exceed available revenues and fund balances.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO, COLORADO that the 2025 budget is amended, and supplemental appropriations for the amended 2025 Town budget are made as follows:

General Fund Expenditures – ($1,140,207)
1. General Operating Expenditure – ($1,140,207)

Capital Improvement Fund Revenue - $514,311
1. Grant Revenue - $420,391
2. Other Financing Sources - $93,920

Capital Improvement Fund Expenditures - ($572,697)
1. Capital Outlay – ($572,697)

Water Fund Expenses – ($2,556,272)
1. Capital Outlay – ($2,219,166)
2. Operating Expenses – ($337,106)

Housing Fund Revenue – ($3,496,424)
1. Grant Revenue – ($3,496,424)

Housing Fund Expenditures – ($779,658)
1. Housing Programs – ($779,658)

Insurance Reserve Fund Revenue - $1,310,000
1. Grant Revenue - $1,310,000

Insurance Reserve Fund Expenses - $1,310,000
1. Operating Expenses - $1,310,000

Arts & Culture Fund Revenue - $100,000
1. Transfer In - $100,000

Arts & Culture Fund Expenditures - $100,000
1. Operating Expenses - $50,000
2. Capital - $50,000

INTRODUCED, PASSED ON FIRST READING AND PUBLICATION AND POSTING ORDERED THE 10th DAY OF FEBRUARY, 2026.

ADOPTED ON SECOND AND FINAL READING AND PUBLICATION BY TITLE ORDERED THIS ______ DAY OF ___________, 2026.

TOWN OF FRISCO:

____
Frederick J Ihnken, Mayor

ATTEST:

____
Stacey Campbell, Town Clerk

TO:	**Mayor and Town Council**
FROM:	**Leslie Edwards, Finance Director**
RE:	**First Reading Ordinance 26-07: AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2026 TOWN BUDGET**
DATE:	**February 10, 2026**

Summary & Background:
The Town Council approves a budget each year. From time to time, it is necessary to make changes to the budget as circumstances necessitate. Per the Town's Charter, these changes must be adopted by Council ordinance. Below is a list of those changes and attached is the official ordinance submitted for approval.

Analysis:
2026 Supplemental Appropriations
Rolled Over from 2025 Budget
In this instance, the supplemental appropriations listed below relate to projects budgeted but not completed in the 2025 budget. The related ordinance will amend the 2026 budget by the amounts listed below.

General Fund Expenditures - $1,678,576

1. Unspent Reusable Bag Fees (dedicated to waste reduction) - $541,397
2. Unspent Municipal Emergency Response Team (MERT) contributions - $25,198
3. Drainage Master Plan - $57,376
4. Incomplete Road Resurfacing - $374,022
5. Incomplete Curb Replacement - $221,044
6. Bridge Improvements - $443,695
7. Facilities Repair & Maintenance (Historic Park) - $15,844

Capital Improvement Fund Revenue -

$1,621,689

1. Energy Improvements Grants - $1,046,609
2. Energy Improvement Financing - $575,080

Capital Improvement Fund Expenditures - $2,753,697

1. Vehicles / Equipment - $479,982
2. Summit Blvd Lighting - $520
3. Tubing Hill Lighting - $45,000
4. Energy Improvements - $1,666,689
5. Walkability Improvements - $75,000
6. Park Improvements (Pioneer Park Design) - $76,215
7. Fiber Infrastructure - $321,220
8. Technology Equipment (servers) - $89,071

Water Fund Expenses - $2,556,272

1. Capital Improvements (water tank rehab, Well 8 Study, Water Treatment upgrades) - $2,219,166
2. System Repairs not completed in 2025 (Main Repairs) - $337,106

Housing Fund Revenue - $4,419,465

1. 602 Galena & 101 W Main Grants - $4,419,465

Housing Fund Expenditures - $779,658

1. 602 Galena Infrastructure Construction - $779,658

Financial Impact:
Overall, funds are available within each fund's ending balance in order to absorb the additional appropriations. The amounts described in this memo were generally included in 2025 projected amounts. Re-allocating the expenses from the 2025 budget to the 2026 budget does not decrease the total projected ending fund balance for 2026 below the amounts published in the 2026 Adopted Budget Book. The additional appropriations requested total net impact to the 2026 budget is $1727,049: $6,041,154 increase to revenue and a $7,768,203 increase to expenditures.

Environmental Sustainability:
Several of the supplemental appropriations rolled forward from the 2025 budget support the Town's environmental sustainability and resiliency goals. This includes the completion of the Energy Improvements under the Town's energy services contract with McKinstry, which modernize municipal facilities, reduce energy consumption, and lower long-term operating costs.

Unspent reusable bag fee revenues are also being re-appropriated for their intended purpose of funding waste reduction and prevention initiatives, consistent with Town policy and state statute. In addition, the Drainage Master Plan supports environmental stewardship and climate resiliency by identifying stormwater infrastructure improvements that protect water quality and reduce flood risk.

Alignment with Strategic Plan:
The supplemental appropriations outlined in this memo align with multiple goals in the Town's Strategic Plan updated in August 2024. These revisions primarily reflect the continuation and completion of projects previously authorized by Council.

Energy efficiency projects, waste reduction initiatives, and infrastructure investments—including the Drainage Master Plan and water system capital projects—support Strategic Plan priorities related to sustainability, infrastructure, and fiscal responsibility. Overall, the proposed appropriations advance Council-adopted objectives while maintaining the Town's strong financial position.

Staff Recommendation:
Based upon the current needs of the Town and expectations to complete projects directed by Council in the 2025 budget as well as objectives stated in the Strategic Plan, Staff is requesting to amend the 2026 budget by the amounts described in this memo.

Reviews and Approvals:

Leslie Edwards, Finance Director	Created/Initiated - 2/5/2026
Diane McBride, Assistant Town Manager	Approved - 2/5/2026
Tom Fisher, Town Manager	Final Approval - 2/5/2026

Attachments:

1. Attachment 1 - Ordinance 26-07

TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
ORDINANCE 26-07

AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2026 TOWN BUDGET

WHEREAS, the Town Council of the Town of Frisco has adopted the annual budget in accordance with the Local Government Budget Law; and

WHEREAS, the Town Council of the Town of Frisco desires to amend the Town's 2026 budget by making supplemental appropriations in the amount of $6,041,154 in revenue and $7,768,203 in expenditures; and

WHEREAS, the Finance Department on behalf of the Town Manager, has certified that there are available for appropriation, revenues in excess of those estimated in the Town's 2026 budget or revenues not previously appropriated in an amount sufficient for the proposed supplemental appropriations; and

WHEREAS, the Town Council has made provision therein for revenue and reserves in an amount equal to or greater than the total proposed expenditures as set forth in said budget; and

WHEREAS, it is not only required by law but also necessary to appropriate the revenues provided in the budget for the purposes described below so as not to impair the operation of the Town of Frisco;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO, COLORADO that the 2026 budget is amended, and supplemental appropriations for the amended 2026 Town budget are made as follows:

General Fund Expenditures - $1,678,576

1. General Operating Expenditure - $1,678,576

Capital Improvement Fund Revenue - $1,621,689

1. Grant Revenue - $1,046,609
2. Other Financing Sources - $575,080

Capital Improvement Fund Expenditures - $2,753,697

1. Capital Outlay - $2,753,697

Water Fund Expenses - $2,556,272

1. Capital Outlay - $2,219,166
2. Operating Expenses - $337,106

Housing Fund Revenue - $4,419,465

1. Grant Revenue - $4,419,465

Housing Fund Expenditures - $779,658

1. Housing Programs - $779,658

INTRODUCED, PASSED ON FIRST READING AND PUBLICATION AND POSTING ORDERED THE 10th DAY OF FEBRUARY, 2026.

ADOPTED ON SECOND AND FINAL READING AND PUBLICATION BY TITLE ORDERED THIS ______ DAY OF ___________, 2026.

TOWN OF FRISCO:

____
Frederick J Ihnken, Mayor

ATTEST:

____
Stacey Campbell, Town Clerk

TO:	**Mayor and Town Council**
FROM:	**Emma Heth, Planner II**
RE:	**Second Reading Ordinance 26-03: AN ORDINANCE AMENDING CHAPTER 180 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING THE UNIFIED DEVELOPMENT CODE, BY AMENDING SECTION 180-6.16 OUTDOOR LIGHTING, SECTION 180-6.19 SIGNS, SECTION 180-8. NONCONFORMITIES, AND SECTION 180-9.3. GENERAL DEFINITIONS, CONCERNING OUTDOOR LIGHTING**
DATE:	**February 10, 2026**

Summary & Background:
Town Council reviewed and approved the proposed amendments at first reading of Ordinance 26-03 at their January 27, 2026 Town Council meeting.

Before the Town Council on February 10, 2026, is the second reading of an ordinance for proposed modifications to Chapter 180 of the Code of Ordinances of the Town of Frisco, Colorado regarding outdoor lighting. Specifically, changes are in response to Town Council direction to pursue certification as an International Dark Sky Community and community feedback that requests more responsible lighting practices.

This modification to the text of the UDC is a legislative decision by the Town Council, pursuant to sub-section §180-2.4.3.D, and is before the Town Council on February 10, 2026, as Ordinance 26-03. All changes presented below are in the proposed Ordinance, and the Ordinance has been reviewed by the Town Attorney. Town Council reviewed an earlier version of the proposed modifications and provided feedback during a work session at their August 26, 2025 meeting.
The Planning Commission reviewed the proposed modifications at their regularly scheduled December 4, 2025 meeting and recommended approval to the Town Council with two considerations:

1. Remove “lumens per net acre” and simplify to “lumens per acre.”
2. The Council consider language prohibiting frosted glass below the light fixture shade.

Staff has incorporated consideration #1 into the ordinance. Council discussed consideration #2 at first reading and approved the ordinance as written, without additional language prohibiting glass below the light fixture shade.

The Unified Development Code (UDC) was adopted through Ordinance 17-04 in June of 2017. The purpose of the UDC was to update, consolidate, and reformat the former subdivision and zoning regulations. It was acknowledged at that time that additional corrections and policy amendments to these regulations would be forthcoming in the future. Full cut-off light fixtures have been required by Town Code for all new development since 2008.

Local dark sky advocates reached out to Town staff in 2023 to encourage the Town to consider pursuing an International Dark Sky Community certification through DarkSky International. On March 26, 2024, Town Council directed staff to pursue the certification during a work session.

One of the requirements for certification as an International Dark Sky Community is to adopt a comprehensive lighting policy that meets the minimum standards for lighting installations established by DarkSky International. See the minimum standards outlined in Attachment 2: DarkSky International Comprehensive Lighting Policy Checklist.

Planning Commission held a work session to provide feedback on these code updates on June 19, 2025. Town Council reviewed the same proposed code language at a work session on August 26, 2025. Below is a chart showing the feedback received during work sessions and the changes that Staff has proposed in response:

Topic	**Planning Commission**	**Town Council**	**Changes to Draft Code Text Amendment**
Minimum regulations for certification?	Minimum	Minimum	Light trespass removed. Other small requirements removed to meet minimum.
Regulate interior lighting or frosted glass “diffusers”?	No	No	Not added.
Curfew?	11pm-6am	10pm-7am	10pm-7am. Also aligns with noise ordinance.
Seasonal lights dates	Oct 15-Mar 1	Oct 15-Mar 1	Oct 15-Mar 1
Lights at 4th and Main	Keep	Keep, but add shields to show Town commitment to effort	Lights allowed over pedestrian areas, at height appropriate for vehicles when over public right-of-way.
Overall comments	Do the minimum	Total illumination is	Simplified some

	required; concerned about nighttime enforcement; education is important	more important than nitpicking details; look into funding for timers; needs to be enforceable	language, removed some of the technical language/requirements

During their December 4, 2025 meeting, the Planning Commission recommended approval of the proposed code changes, with two considerations for the Council:

1. Remove "lumens per net acre" and simplify to "lumens per acre."
2. The Council consider language prohibiting frosted glass below the light fixture shade.

Analysis:
To assist in understanding the complexity of lighting terms that have not been used within the Town of Frisco previously, Staff has provided definitions of proposed terms in Attachment 3 to support comprehension.

The proposed changes to §180-6.16. Outdoor lighting and §180-6.19. Signs keep some portions of the existing code while proposing the following significant changes:

- A maximum correlated color temperature (CCT) of 3000 Kelvin.
- Defined curfew hours for public lighting, seasonal lighting, festoon lighting, outdoor recreation lighting, and illuminated signage. All properties are to comply with curfew hours within one (1) year of adopting the ordinance.
- Limits on total illumination allowed on a property (measured in lumens).
- Clear requirements for motion-sensor security lighting.
- Limits on luminance levels for signage illumination.
- Compliance for all fixtures within ten (10) years of adopting the ordinance.

Other proposed code text amendments include:

- Pole lights limited to 12-20 feet in height depending on residential use, parking areas adjacent to residential use, or non-residential use.
- Exemptions for historic fixtures that are consistent with the historic character of a structure in the Historic Overlay District.
- Adaptive controls (motion sensors, dimmers, timers, etc.) for all publicly owned lighting, including streetlights, public facilities, park lighting, and outdoor recreation/athletic field lighting.
- Exemptions for seasonal lighting (allowed for part of the year) and festoon lighting (allowed year-round for specific uses), with a curfew and other limits.
- Changes to the submittal process and requirements to comply with the proposed requirements.

Proposed changes to Section 180-8. Nonconformities are to outline the 10-year compliance timeline as required by DarkSky International. Proposed changes to Section 180-9.3. General definitions are to add relevant terms as used in the outdoor lighting and signage code language.

Planning Commission requested that Staff propose language for the Council to consider prohibiting fixtures with glass extending below a shielded light bulb, which can give the appearance of emitting light outward. Below are some examples of these types of fixtures:



Examples of semi-opaque fixtures

At first reading, Council considered the language below and whether to include it in the Ordinance:
Add to General definitions:
- Semi-opaque light fixture: An outdoor light fixture with walls that are partially comprised of a nonopaque material such as frosted or colored glass, or a material such as mica which allows for some light to be emitted through the walls of the fixture, referred to as "glow," but such that the light source is not visible through the walls and is fully shielded within an opaque portion of the fixture. Within semi-opaque fixtures, the bulb is recessed so that no portion of the bulb would be visible if the nonopaque material was removed.

Add to 180-6.16.3.A. Design Criteria

- All exterior light fixtures shall be fully shielded fixtures. Any structural part of the fixture providing this shielding must be permanently affixed as shown in Figure 6-K below. Semi-opaque light fixtures are not allowed; there shall not be nonopaque material emitting glow from the fixture.

Staff reached out to DarkSky International, who confirmed that these fixtures are considered “fully shielded” and are allowed, as long as the light source (bulb) is fully shielded with an opaque material. DarkSky International notes that the amount of light scattered by glass extending below a fully-shielded bulb would likely be no different than the light reflected off of the wall behind a fixture or the snow or surface below a fixture.

Staff also reached out to the Town of Breckenridge for more information on how they handle this type of fixture. Their response is below:

That type of fixture would actually be allowed and would be considered a fully opaque fixture. We slightly modified our definition of an opaque light fixture to take fixtures like that into account (see the highlighted section below) because the bulb itself is recessed into the metal portion of the fixture, and we considered the amount of light that would potentially be transferred upwards through the glass to be negligible. There are a lot of Dark Sky compliant fixtures out there that have decorative glass below the bulb, and I think we’ve seen them more on the expensive houses in town because they can look a little prettier.

OPAQUE LIGHT FIXTURE: An outdoor light fixture with walls that house the light source that are comprised of a solid material, unable to be permeated by light. Glass is not considered opaque; however, glass on a fixture is acceptable if the glass is flat, horizontal, and does not allow any light to be emitted above the horizontal plane or if the glass portion of the fixture is located below the lowest point of the bulb, is not mirrored, and does not allow any light to be emitted above the horizontal plane.

One additional/interesting interpretation we’ve made with this wording is that fixtures like the one in the attached photo would be noncompliant, not only because the bulb in these is typically longer than the metal shade, but also because there is not an opaque material separating the bulb from the glass so the glass is starting above the lowest point of the bulb.

Fixture considered noncompliant in Breckenridge per fixture definitions

Council discussed “semi-opaque light fixtures” at first reading and approved the ordinance as written, without additional language prohibiting glass below the light fixture shade.

Below is a comparison of the existing code in §180-6.16. Outdoor lighting and §180-6.19. Signs, code text changes proposed at this time, and requirements for certification as an International Dark Sky Community.

Feature	**DarkSky International Minimum Requirement**	**Town of Frisco Existing Code**	**Town of Frisco Proposed Code**	**Goes Beyond DarkSky Minimum?**
Time for Compliance	10 years for all private lighting to comply	N/A	10 years for all private lighting to comply	Matches
Fixture Shielding	Restriction on unshielded lighting required	Fully shielded required for all fixtures	Fully shielded required for all fixtures; historic fixtures, festoon, seasonal, and field lights exempt	Exceeds
Color	≤ 3000K	None	≤ 3000K, limited	Matches

Temperature (CCT)			exemptions for safety	
Curfew Hours	Required for signs, public lighting, and outdoor field lighting	None	Implemented for sign, recreation, seasonal, festoon, and public lighting; 1 year to comply	Matches
Total Lumen Allowance	Required	None	Site limits per acre (residential) and per task (nonresidential)	Matches
Motion Sensors / Controls	Adaptive controls required for public lighting	Encouraged but not required	Required for motion-activated security lighting and public facilities	Matches
Lighting Exemptions	Minimal; must be justified and not broadly applied	Flags, holiday lights, architectural lighting, streetlights	Emergency, flag, historic, seasonal, street, festoon, and recreation lighting	Matches
Historic Fixtures	Allowed with restrictions	No exemptions	Exempt from requirements, with limits on brightness (≤1000 lumens), CCT ≤3000K	Matches
Seasonal Lighting	Allowed for limited time and under controls	Exempt	Limited dates (Oct 15–Mar 1); curfew enforced	Matches
Festoon Lighting	Allowed with limitations	Not addressed	Limits on allowed tasks, color, and height; curfew enforced	Matches
Public Street Lighting	Must be shielded, dimmed/off during curfew	Exempt except for maximum height (30-40 ft)	Shielded, height capped (30–40 ft), dimmed or off by 10pm. Subject to approval based on public safety and public health hazards.	Matches
Outdoor Sports Fields	Exempt from other requirements, with strict controls and curfews	In parks, “sharp cut off” fixtures are required when there is an established need for uplight (such as a baseball park).	Adjustable illuminance, cutoff fixtures, timers, curfew enforced; exempt from other requirements but must follow lighting engineering standard for the sport	Matches
Prohibited Lighting Types	Flashing, neon, lasers, upward	Blinking, flashing, exposed strip lighting, neon, laser,	Unshielded lights, blinking, strip lighting, neon, lasers, and searchlights	Matches

	beams	beacons or searchlights not for rescue operations.		
Sign Lighting	Limit on light levels, curfew required	Fully shielded, down-directed. Dimming required for electronic/digital signs. Recommended controls and curfews.	Limit on light levels, curfew enforced. Illumination type allowed by zoning.	Matches

Planning Commission Recommendation:
Town Code, 180-2.4.3. requires that the Planning Commission recommend approval or disapproval, either in whole or in part, of a change to the text of this Chapter. At the December 4, 2025 Planning Commission meeting, Commissioners reviewed the item with draft minutes from the meeting reflecting:

- Commissioners and Staff discussed the proposed modifications, noting that the changes since work sessions simplifies the application requirements and enforcement.
- Commissioners asked Staff to come up with suggested language to bring to Council for how to prohibit fixtures with glass located below a shielded bulb that emits light out.
- Commissioners asked why 10 years are allowed for public compliance. Staff noted this is the minimum requirement for Dark Sky certification.
- Commissioners asked how the “non-illuminated” portion of a property would be determined under the “lumens per net acre” definition, and recommended simplifying to just “lumens per acre.”

PUBLIC COMMENTS:
- Charles Watkins - 980 Lakepoint Drive, unit 606, explained that Towers at Lakepoint condos is a unique development, with seven levels of corridors that have exterior doors. Owners have expressed concerns that in order to reduce the lumens on light fixtures, it is too dark to be able to see to enter doorways. Watkins requested the Commission allow flexibility to the upper-level light fixtures while still meeting the intent of dark sky, while reducing the impact of upper light fixtures on the street below. Watkins noted that the exterior stairways will still be bright for safety and an upward facing shields may be beneficial. Watkins requested his comments get in the record and Staff work on language modifications to solve these concerns.
- Jeanine Corvetto – 98 Creekside Dr, noted she agreed with Commissioner Forsyth’s comments regarding the frosted glass. Corvetto noted that she understands the grace period for ten years to comply, but asked what could be done to try to take actions quicker, especially when complaints are filed on lights.
- Brian Pence – 312 Teller Street, noted that he appreciated Corvetto’s comments. Pence asked if the streetlights could be put on a motion detector so that they would not run 24 hours a day and also noted he would like to see lighting toned down on Main Street.

COMMISSIONER DISCUSSION:
- Commissioners discussed the use of glass below a shielded light source, noting it does seem to contradict the intent of a fully shielded fixture, but also expressing a desire to do the minimum requirements.
- Commissioners discussed the 10-year compliance timeline and decided that while they would prefer a quicker timeline, they would not recommend reducing the timeline. Commissioners noted that Staff could encourage replacement of fixtures and require it as projects are completed in the Town.

MOTION:
WITH RESPECT TO PLANNING FILE NO. UDC-25-0002, I COMMISSIONER WITHROW MOVE THAT THE RECOMMENDED FINDINGS SET FORTH IN THE DECEMBER 4, 2025, STAFF REPORT BE MADE AND THAT THE PLANNING COMMISSION RECOMMENDS APPROVAL TO TOWN COUNCIL OF CODE TEXT AMENDMENTS TO CHAPTER 180 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, COLORADO, CONCERNING THE UNIFIED DEVELOPMENT CODE, BY AMENDING SECTION 180-6.16. OUTDOOR LIGHTING, SECTION 180-6.19. SIGNS, SECTION 180-8. NONCONFORMITIES, AND SECTION 180-9.3. DEFINITIONS CONCERNING OUTDOOR LIGHTING WITH THE FOLLOWING CONSIDERATION TO WHAT WAS PRESENTED ON DECEMBER 4, 2025:

1. REMOVE “LUMENS PER NET ACRE” AND SIMPLIFY TO “LUMENS PER ACRE.”
2. THE COUNCIL CONSIDER LANGUAGE PROHIBITING FROSTED GLASS BELOW THE LIGHT FIXTURE SHADE.

MOTION SECONDED BY PLANNING COMMISSIONER FORSYTH
VOTE: CONNOLLY – YEA, FORSYTH - YEA, STABILE - YEA, TANE – YEA, DE – YEA, WITHROW - YEA
NOES: NONE
MOTION: PASSED

Financial Impact:
Town Staff is currently finishing an inventory of all Town-owned lighting to understand the extent of upgrades that will be required to lighting at Town facilities and streetlights over the next 5 years. Community Development has met with Public Works about planning for future upgrades and will continue to do so as the lighting inventory is completed. Public Works has indicated that many upgrades could be completed as part of regular building upgrades.

If the Town becomes a certified International Dark Sky Community and approves new lighting language in the Town Code, the Town would also need to commit resources to communicating with residents and business owners about the new requirements in order to ensure compliance within 10 years.

Environmental Sustainability:
N/A

Alignment with Strategic Plan:
The 2024-2028 Strategic Plan includes the strategic objective “Provide progress-driven Quality Core Services,” including the pillar:

• Environmental Stewardship and Climate Change: This pillar emphasizes the commitment to protecting the environment and taking proactive steps to mitigate the effects of climate change.

Dark sky-friendly outdoor lighting supports Frisco’s Quality Core Services by improving Frisco’s environmental stewardship and enhancing our public infrastructure to improve safety and quality of life for residents and wildlife.

Staff Recommendation:
Staff recommends that the Town Council approve Ordinance 26-03 on Second Reading.

Reviews and Approvals:

Katie Kent, Community Development Director	Created/Initiated - 1/29/2026
Diane McBride, Assistant Town Manager	Approved - 2/2/2026
Tom Fisher, Town Manager	Final Approval - 2/2/2026

Attachments:
1. Attachment 1 - Ordinance 26-03 Dark Sky Lighting
2. Attachment 2 - DarkSky International Comprehensive Lighting Policy Checklist
3. Attachment 3 - Common Light Measurement Terms
4. Attachment 4 - Planning Commission Minutes (December 4 2025)

TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
ORDINANCE 26-03

AN ORDINANCE AMENDING CHAPTER 180 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING THE UNIFIED DEVELOPMENT CODE, BY AMENDING SECTION 180-6.16 OUTDOOR LIGHTING, SECTION 180-6.19 SIGNS, SECTION 180-8. NONCONFORMITIES, AND SECTION 180-9.3. GENERAL DEFINITIONS, CONCERNING OUTDOOR LIGHTING.

WHEREAS, the Town of Frisco, Colorado ("Town") is a home rule municipality, duly organized and existing under Article XX of the Colorado Constitution; and

WHEREAS, the zoning and land use powers conferred upon the Town by the State of Colorado as a Home Rule Municipality empower the Town to manage land use to ensure the public health, safety, and welfare; and

WHEREAS, the Town of Frisco currently regulates exterior lighting within the Town limits in accordance with Chapter 180 "Unified Development Code" of the Frisco Town Code, adopted pursuant to its Home Rule Constitutional authority and the Local Government Land Use Control Enabling Act of 1974, as amended, §29-20-101, et seq. C.R.S; and

WHEREAS, the Town Council desires to amend the Unified Development Code in order to implement more responsible lighting practices and become certified as an International Dark Sky Community; and

WHEREAS, these updates to the Town's Unified Development Code will address the community's desire to increase energy efficiency, preserve the Town's small mountain character, improve wildlife habitat, and support human health; and

WHEREAS, the Town of Frisco Planning Commission has reviewed the proposed amendments on December 4, 2025, and has made a recommendation to approve the amendments with modifications to the Town Council; and

WHEREAS, the Town Council held Public Hearings on January 27, 2026, and February 10, 2026, to receive public comment, evidence and testimony relative to the proposed amendments to the Frisco Town Code.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO THAT:

<u>Section 1</u>. Section 180-6.16 of the Frisco Town Code, concerning Outdoor Lighting, is hereby repealed in its entirety and readopted to read as follows:

§ 180-6.16. Outdoor lighting.

180-6.16.1. *Purpose.* The purpose of this section is to establish regulations to allow for outdoor illumination levels which are appropriate for the visual task, safety, and security while minimizing the undesirable side effects of excessive illumination such as glare, sky glow, and light pollution. Good lighting design can find a workable balance between safety, aesthetics, human health, and ecological and environmental impacts. Over time, it is the intent that this section will allow for reasonably uniform illumination levels in our community. It is also the purpose of this section to establish requirements for the design of outdoor lighting fixtures that will enhance the small mountain town atmosphere of Frisco. The following principles are used as a guide for responsible lighting design in the Town of Frisco:

A. *Useful.* All lighting at night should have an intended purpose.

B. *Targeted.* Light should be directed only where it is needed.

C. *Low Light Levels.* Light should be no brighter than necessary for the task.

D. *Controlled.* Lighting should only be used when it is useful.

E. *Warm-Colored Light Spectrum*. Lighting should be warm-colored, limiting the amount of blue light.

180-6.16.2. *Applicability.* The lighting requirements of this section shall be applicable to all exterior lighting within the Town of Frisco. Outdoor lighting fixtures installed for new structures, the expansion or remodeling of existing structures that requires a building permit, as well as new or replaced outdoor lighting fixtures shall meet the requirements of this section unless otherwise stated to be exempt.

A. *Curfew*. All curfew regulations set forth in this Section 180-6.16 shall be effective only on and after March 1, 2027.

B. *Temporary Nonconforming Status.* On and after March 1, 2026, and until March 1, 2036, all outdoor lighting that does not conform to this Section 180-6.16 shall be considered as legal nonconforming outdoor lighting. A legal nonconforming outdoor light fixture shall not be replaced without being brought into compliance with the provisions of this section. A nonconforming structure that is nonconforming in terms of its outdoor light fixtures may be expanded, changed, or altered provided that all outdoor light fixtures on the structure are brought into compliance with the provisions of this Section 180-6.16.

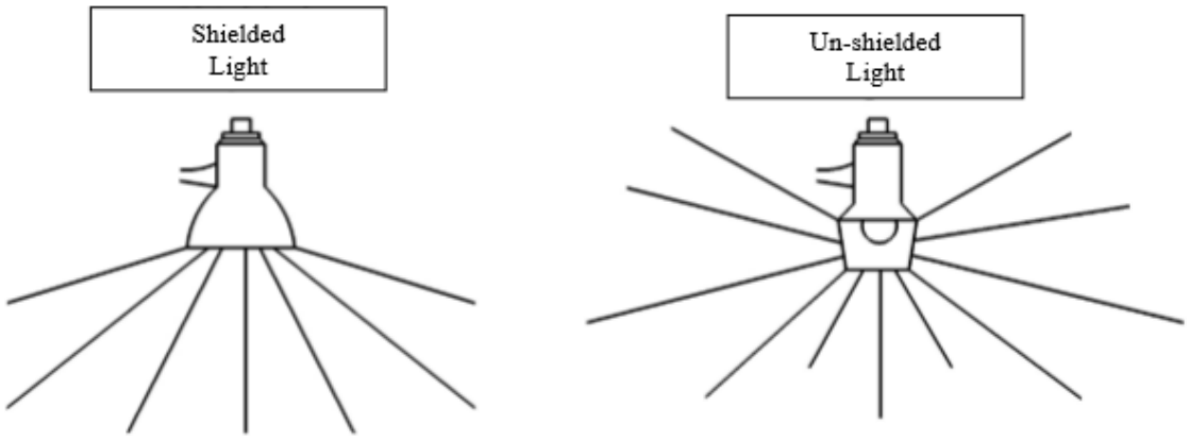
C. *Requirement for Conformity of All Outdoor Lighting Fixtures.* Except as otherwise provided within this Section 180-6.16, on and after March 1, 2036, it shall be unlawful to install, use or maintain any outdoor lighting fixture that does not conform to the requirements of Section 180-6.16.

180-6.16.3. *General Requirements.*

A. *Design Criteria.*

1. All exterior light fixtures shall be fully shielded fixtures. Any structural part of the fixture providing this shielding must be permanently affixed as shown in Figure 6-K below.

Figure 6-K: Fully shielded fixtures



2. Outdoor light fixtures shall not have a correlated color temperature (CCT) of greater than 3000 Kelvins.

B. *Light Output.* The upper lumen limits listed below should not be the design goal. The design goal should be to use the minimum light levels that meet the requirements of the task.

1. The total allowable site lumens for a residential property are limited to:
    a. Residential uses (1 unit only): 6,500 lumens per acre.
    b. Residential uses (2 units or greater): 20,000 lumens per acre.
2. The total allowable site lumens for nonresidential and mixed-use properties are based on the square footage of the facade and other elements of the developed structure, landscape buffer, and hardscape. A site shall calculate a maximum site lumen allowance by choosing a maximum of four (4) of the following lighting types and adding their limits:
    a. Building Entrance: 1,000 lumens per door. Fixtures shall be located within 20 feet of the door.
    b. Building Facades: 10 lumens per square foot of building façade that is illuminated. Fixtures shall be aimed at the façade and capable of illuminating it without obstruction.
    c. Nighttime Service Loading: 4,000 lumens per service loading door. Fixtures shall be located within 20 feet of the door.
    d. Outdoor At-grade Parking Lot: 500 lumens per parking space. See 180-6.16.4.B. *Pole Lights.*
    e. Gas Station Canopy: 5,000 lumens per fuel pump. Each side of a two-sided pump qualifies for an allowance. See 180-6.16.4.A *Canopy Lighting Standards*.

f. Outdoor Dining, Decks, and Patios: 8 lumens per square foot of illuminated area for outdoor dining, decks, and patios. Fixtures shall be within 6 horizontal feet of the hardscape area of outdoor dining.

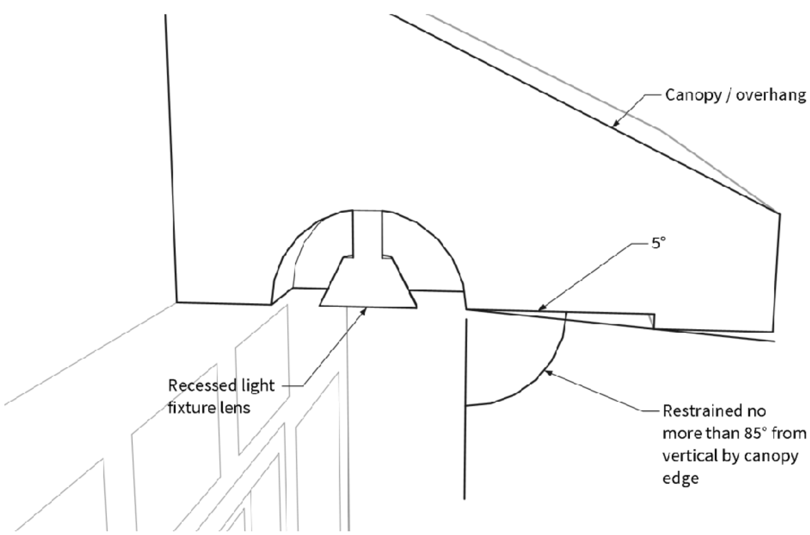
g. Walkways and Pedestrian Areas: 1 lumen per square foot of walkways and areas used primarily for pedestrian circulation. Bollard lights are encouraged.

180-6.16.4. *Lighting Standards for Specific Types*

A. *Canopy Lighting Standards.*

1. Light fixtures mounted on canopies shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy and/or shielded by the fixture or the edge of the canopy so that light is restrained to no more than 85 degrees from vertical, as shown in Figure 6-L below.

Figure 6-L: Canopy Lighting



2. Lights shall not be mounted on the top or sides (fascias) of the canopy or apron, and the sides (fascias) of the canopy or apron shall not be illuminated.
3. Canopies shall be constructed of opaque materials that do not emit light.

B. *Pole Lights.*

1. Pole mounted lighting for multi-family or mixed-use common areas or any parking lot on a property that includes or is adjacent to a residential use are allowed up to twelve (12) feet from finished grade.
2. Pole mounted lighting for nonresidential parking lots is allowed up to twenty (20) feet tall from finished grade, provided it is not directly adjacent to residential property.
3. Outdoor light fixture and light pole designs must be aesthetically compatible with the site and structures on which they are mounted. Shoebox-style light fixtures are not permitted.

4. Consideration of the overall appearance of the light fixture and pole, the placement of the light, surrounding landscaping for screening, and design features to eliminate off-sight light spillage will be used when determining whether the proposed lighting accomplishes the purpose and intent of this Section.

C. *Security Lighting.* Motion sensor security lights shall be permitted if they are fully shielded and downcast per the requirements of this section. Motion sensor lighting shall not contribute to the maximum lumen limits outlined in Section 180-6.16.3.B. All motion sensor lights or proposed security surveillance systems shall meet the following criteria.

   1. Shielded floodlights controlled by a motion sensor shall be limited to motion within the owner's property lines and turned off no more than five (5) minutes after such motion was detected.

   2. Security lighting shall be properly installed/commissioned so it shall not be oversensitive to surroundings and be triggered repeatedly in an unreasonable or disruptive manner by naturally occurring causes (such as wind in foliage).

D. *Public Lighting.* New lighting, owned and operated by a public entity or private utility company, shall be allowed in situations where a public health hazard exists which can only be mitigated by artificial light at night.

   1. All publicly owned lighting must be fully extinguished by 10:00 p.m., or within one (1) hour of the end of occupancy of the structure or area to be lit, whichever is later, unless needed for public safety as determined by the Town Manager or the Town Manager's designee.

   2. All public lighting shall make use of adaptive controls to limit the duration, intensity, and/or extent of outdoor lighting.

   3. *Parks.* Light fixtures in municipal open space, parks and pocket parks, including associated amenities such as signage, restroom entrances, curbs, or stairs, shall follow the General Requirements of this section, unless exempted under Section 180-180-6.16.5.H.

   4. *Streetlights.* Streetlights are exempt from the requirements of Section 180-6.16.3., 180-6.16.4.B, and 180-6.16.4.C. New street lighting, owned and operated by a public entity or private utility company, shall be allowed in situations where a public health hazard exists which can only be mitigated by artificial light at night.

      a. Streetlights shall be fully shielded fixtures approved by the Community Development Director.

      b. Freestanding light fixtures installed along Highway 9 shall be mounted no more than 40 feet high.

      c. Freestanding light fixtures installed within public roadway rights-of-way other than along Highway 9 shall be mounted no more than 30 feet high.

      d. Streetlights shall be dimmed or extinguished by 10:00 p.m.

      e. All street lighting shall make use of adaptive controls to limit the duration, intensity, and/or extent of outdoor lighting.

180-6.16.5. *Exemptions.* The following lighting is exempt from the regulations of this section:

A. Lighting required by federal, state, county, municipal, or other territorial laws or regulations that conflict with this section.

B. Emergency exterior exit lighting, as required by Chapter 65, Town of Frisco Building Construction and Housing Standards, is exempt when installed as lighting to be used only in emergencies.

C. *Flags.* Lighting of national, state, or local municipal flags that is shielded from the sides to a narrow beam of no more than 15 degrees. Nighttime illumination of other flags is not allowed.

D. *Signage.* See Section 180-6.19. Signs.

E. *Historic Fixtures.* Fixtures that are consistent with the time period and historic character of a historic structure in the Historic Overlay District are exempt from shielding requirements upon request and approval from the Community Development Department that the fixture meets all requirements of this subsection E. All lighting related to historic properties shall be otherwise consistent with all other performance standards laid out in this section.

   1. Historic properties shall not be permitted to exceed the total site lumen amount for the property as outlined in Section 180-6.16.3.B.

   2. Historic fixtures that are documented as part of the historic nature of the structure but do not meet the general lighting criteria of this section shall be limited to 1,000 lumens per fixture and a correlated color temperature (CCT) of 3,000K.

F. *Seasonal Lighting.* Seasonal string lighting of a temporary nature is allowed between October 15 and March 1. Multicolored lighting is permitted.

   1. When seasonal lighting is white, it shall not exceed a CCT of 3000K.

   2. Seasonal lighting is subject to the following curfew hours. During these times, all seasonal lighting shall be extinguished.

      a. Residential Uses, including residential units in a mixed-use building: 10:00 p.m. to 7:00 a.m.

      b. Nonresidential and Mixed Uses: Curfew hours of 10:00 p.m. to 7:00 a.m. shall apply to all businesses unless normal operating hours end or begin within the hours of curfew. If so, the curfew applies from one (1) hour after closing until one (1) hour before opening.

G. *Festoon Lighting.* Also known as bistro or ping-pong lighting, this is string lighting intended for permanent installation and year-round use. This is not seasonal lighting and is not intended to allow the use of other types of seasonal lighting year-round.

   1. Festoon lighting is allowed over patios, decks, pedestrian plazas, outdoor dining, and other pedestrian walkways where permanent, decorative lighting would be beneficial.

   2. Festoon lighting shall be counted toward the maximum site lumens for a property.

3. Festoon lighting shall be white color and shall not exceed a CCT of 3000K.

4. Festoon lighting shall not be higher than twelve (12) feet, except when used over a public right-of-way. If over a public right-of-way, the lighting shall be hung at the minimum height appropriate for vehicle passage and safety. Height of the festoon lighting shall be the measured vertical distance from finished grade or from the most adjacent walking surface below the fixture up to the centerline of the fixture.

5. Festoon lighting shall not be wrapped around trees or used to define architectural features of buildings.

6. Festoon lighting is subject to curfew requirements. During these times, all festoon lighting shall be extinguished.

   a. Residential Uses, including residential units in a mixed-use building: Curfew hours shall be 10:00 p.m. to 7:00 a.m.

   b. Nonresidential and Mixed Uses: Curfew hours of 10:00 p.m. to 7:00 a.m. shall apply to all businesses unless normal operating hours end or begin within the hours of curfew. If so, the curfew applies from one (1) hour after closing until one (1) hour before opening.

H. *Outdoor Recreation and Athletic Fields.* The following shall apply to outdoor recreational or athletic field lighting, as outlined in the ANSI/IES RP-6 rules for lighting sports and recreational areas:

1. Where it is established that there is a need for some up light, "sharp cut off" fixtures, ones in which there is very good beam control of the light output, shall be used.

2. Field lighting shall be provided exclusively for illumination of the surface of play and viewing stands. Illuminance levels must be adjustable based on the task (e.g., active play vs. maintenance). Offsite impacts of the lighting shall be limited wherever possible.

3. Lights must be extinguished by 10:00 p.m. or one hour after the end of play or activity, whichever is later. Timers must be installed to prevent lights from being left on by accident.

4. Outdoor recreation and athletic field lighting are exempt from the maximum total site lumen requirements and CCT requirements. These projects shall utilize the minimum lumen and CCT levels allowed to meet requirements for play and safety per ANSI/IES RP-6 rules for amateur and recreational levels of play.

180-6.16.6. *Prohibited.* The following lighting is prohibited:

A. Non-shielded and partially shielded fixtures, except as allowed under Section 180-6.16.5. Exemptions.

B. Blinking and flashing lights.

C. Exposed strip lighting used to illuminate building facades or outline buildings.

D. Neon tubing and simulated neon tubing except as otherwise permitted under Section 180-6.19, Signs.

E. Laser lights.

F. Any light that may be confused with or construed as a traffic control device except as authorized by the Federal Government, the State of Colorado, or the Town of Frisco.

G. Beacons and search lights, except as used for rescue operations by the fire district or other rescue organizations.

180-6.16.7. *Submittal Process.* All replacement or installation of outdoor lighting requires a site plan application, with the exception of seasonal lighting, flags, emergency exit lighting, and lighting required by federal, state, county, municipal, or other territorial laws.

A. *Large Projects.* Applications for large projects (as defined in Chapter 180, Article IX) shall submit for approval by Planning Commission a preliminary lighting plan which includes the following:

1. Site plan with location of all light fixtures.
2. Area of illumination.
3. For each lamp: Lamp type, lumens, and correlated color temperature (CCT).
4. Total light output on the property, in lumens.
5. Mounting height of all fixtures.
6. Whether adaptive controls are used.
7. Cut sheet showing the shielding, design, and finishes of all fixtures.
8. Drawings of all relevant building elevations showing the location and aiming points of the fixtures.

B. *Other Projects.* Applications for projects that do not meet the definition of a "large project," but which include the replacement or installation of outdoor lighting fixtures, shall submit the following:

1. Identification of each fixture type, quantity, lumen output, correlated color temperature (CCT), and the total site lumens. Submittal of supporting data sheets of the exact fixtures, with model numbers, is encouraged.
2. A site plan and elevations showing the locations, mounting heights, and aiming directions of the fixtures shall be included to the extent necessary to show compliance with requirements.

Figure 6-M: *[Reserved.]*

<u>Section 2</u>. Section 180-6.19.7.L. of the Frisco Town Code, concerning Illumination of Signs, is hereby amended to read in its entirety as follows:

L. *Illumination.* The illumination of signs is intended to minimize the undesirable side effects of excessive illumination such as glare, sky glow, and light pollution. The following standards shall apply to sign illumination:

~~**1. *Light Source.* All exterior sign lighting shall be fully shielded and down-directed. All upward-directed sign lighting is prohibited. The intensity of sign lighting shall not exceed that necessary to illuminate and make legible a sign from the adjacent travel way. It is recommended that exterior sign lighting be extinguished during non-operating hours. Wherever practicable, it is encouraged that lighting installations include timers, dimmers, and/or sensors to reduce overall energy consumption and unnecessary lighting. Energy efficient light sources are encouraged.**~~

1. *Curfew.* Sign illumination shall be extinguished completely one (1) hour after sunset or one-half (1/2) hour after the end of normal business hours, whichever is later, and remain off until at least one (1) hour before sunrise.

2. *Luminance Levels.* Between sunrise and sunset, the highest light level of any illuminated sign shall not exceed a luminance of 100 nits (100 candelas per square meter, cd/m2).

~~2.~~**3.** *Component Painting.* All light fixtures, conduit, and shielding must be concealed and shall be painted to match either the building or the supporting structure that serves as the background of the sign.

~~3.~~**4.** *Externally Illuminated Signs.* Externally lit signs shall be illuminated only with steady, stationary, **downward-facing,** shielded light sources directed solely onto the sign without causing glare. **All upward-directed sign lighting is prohibited.** ~~**Light bulbs or lighting tubes used for illuminating a sign shall be simple in form and should not clutter the building or structure. Light bulbs or lighting tubes should be shielded so as to not be physically visible from adjacent properties and public rights-of-way.**~~ **Lighting shall be housed in fixtures, simple in form, and should not clutter the building or structure. Gooseneck or other building mounted fixtures are encouraged.**

~~4.~~**5.** *Internally Illuminated Signs.* Internally illuminated signs with light colored backgrounds, including, but not limited to, white, off-white, light gray, cream and yellow are discouraged.

~~**5. *Digital or Electronic Signs.* Digital or electronic signage must include automatic dimming in direct correlation with ambient light conditions and its brightness cannot exceed 0.3 footcandles above ambient light. The brightness shall be measured with an illuminance meter set to measure footcandles accurate to at least two decimals. All brightness measurements shall be taken perpendicular to the face of the sign at a distance measured by the following formula:**~~

~~**Measurement Distance = √Area of Sign Sq. Ft. × 100**~~

~~**6. *Fixtures.* Lighting fixtures shall be simple in form and should not clutter the building. The fixtures must be directed only at the sign. Lighting for front lit signs shall be housed in fixtures and installed in a manner that will serve to substantially shield exposed bulbs and lighting tubes from public view. Gooseneck or other building mounted fixtures are encouraged.**~~

Section 3. Section 180-6.19.14. of the Frisco Town Code, concerning Nonconforming Signs, is hereby amended to read in its entirety as follows:

180-6.19.14. *Nonconforming Signs.* Signs legally erected prior to the effective date of the ordinance codified in this section shall be deemed to be legal nonconforming signs and shall be governed by the provisions of Chapter 180, Article VIII, Nonconformities.

Requirement for Conformity of Illuminated Signs. **Any part of the foregoing provision notwithstanding, on and after March 1, 2036, it shall be unlawful to install, use or maintain any illuminated sign that does not conform to the requirements of Subsection 180-6.19.7.L above.**

Section 4. Section 180-6.19.15. of the Frisco Town Code, concerning Sign Definitions, is hereby amended to include the following modifications:

The following terms and figures shall be added or removed:

~~***Footcandle.*** **A unit of illuminance equivalent to one lumen per square foot.**~~

Nit. **Nit is the standard unit of measure of luminance used for signage. Nits can be found in a product's manufacturer specifications or measured with a luminance meter.**

Section 5. Section 180-8.10. of the Frisco Town Code, concerning Nonconforming Signs, is amended to read in its entirety as follows:

§ 180-8.10. Nonconforming Signs.

180-8.10.1. Signs legally erected prior to the effective date of the ordinance codified in Section 180-6.19 shall be deemed to be legal nonconforming signs. A nonconforming sign shall not be changed, extended, or altered in terms of its size, location, shape, height, colors, and materials without being brought into compliance with the provisions of this Chapter. Changes of copy are allowed, provided that there is no change to the business name.

180-8.10.2. *Requirement for Conformity of Illuminated Signs.* Any part of the foregoing provision notwithstanding, on and after March 1, 2036, it shall be unlawful to install, use or maintain any illuminated sign that does not conform to the requirements of Subsection 180-6.19.7.L.

Section 6. Section 180-8.11.3. of the Frisco Town Code, concerning Nonconforming Outdoor Lighting, is amended to read in its entirety as follows:

180-8.11.3. *Nonconforming Outdoor Lighting.* **On and after March 1, 2026, and until March 1, 2036, all outdoor lighting that does not conform to Section 180-6.16 shall be considered as legal nonconforming outdoor lighting.** A legal nonconforming outdoor light fixture shall not be ~~**changed or altered**~~ **replaced** without being brought into compliance with the provisions of Section 180-6.16, Outdoor Lighting. A nonconforming structure that is nonconforming in terms of its outdoor light fixtures may be expanded, changed, or altered provided that all outdoor light fixtures on the structure, new and old, are brought into compliance with the provisions of Section 180-6.16.

> ***Requirement for Conformity of All Outdoor Lighting Fixtures.*** **Except as otherwise provided within Section 180-6.16, on and after March 1, 2036, it shall be unlawful to install, use or maintain any outdoor lighting fixture that does not conform to the requirements of Section 180-6.16.**

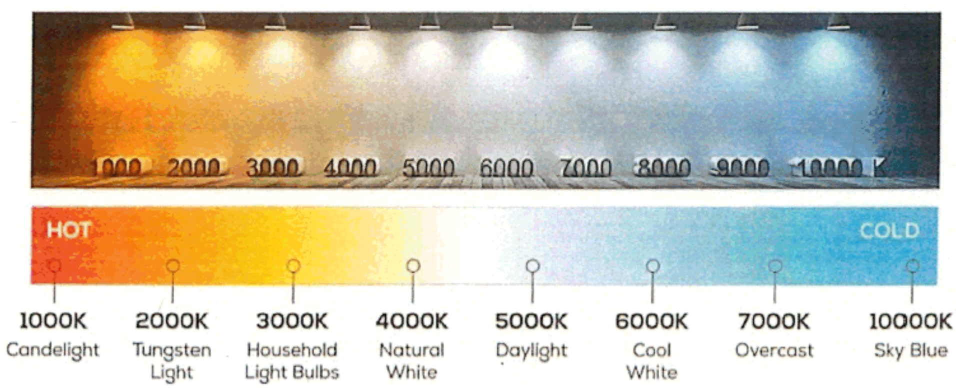
Section 7. Section 180-8.9.3. of the Frisco Town Code, concerning General Definitions, is amended to include the following modifications:

The following terms and figures shall be added and modified:

Adaptive Controls. **Devices such as timers, motion-sensors, and light-sensitive switches used to actively regulate the emission of light from light fixtures.**

Correlated Color Temperature (CCT). **A specification for the color appearance of the light emitted by a lamp, measured in Kelvins.**

Figure 9-B: Correlated Color Temperature (CCT)



Curfew. **A period of time at night during which lighting must be significantly dimmed in output or extinguished in accordance with an expected decrease in human presence.**

Figure 9-~~**B**~~**C**: Eave

Façade. **The square footage of a structure's vertical and horizontal dimensions as viewed in the elevation view. Also referred to as the "vertical surface area".**

Festoon Lighting, also referred to as market lighting, bistro lighting, or ping-pong lighting. **String lighting intended for permanent installation and year-round use. Festoon lighting is not Seasonal Lighting; see Seasonal Lighting for non-permanent lighting installations.**

Fi~~**ug**~~**gu**re 9-~~C~~**D**: Floor Area Ratio (FAR)

~~***Footcandle.*** **A unit of illuminance equivalent to one lumen per square foot.**~~

~~***Full Cut-Off Light Fixture.*** **A light fixture with a light distribution pattern that results in no light being projected at or above a 90-degree horizontal plane located at the bottom of the fixture.**~~

Fully Shielded Fixture. **A fixture for which the light source shall not be visible above a 90-degree horizontal plane passing through the lowest light-emitting part of the fixture. No light shall be projected at or above the horizontal plane. Any structural part of the fixture providing this shielding must be permanently affixed. The fixture must have a solid barrier (cap) at the top of the fixture in which the lamp (bulb) is located. Frosted glass in a fixture does not constitute shielding.**

Figure 9-E: Examples of fully shielded fixtures

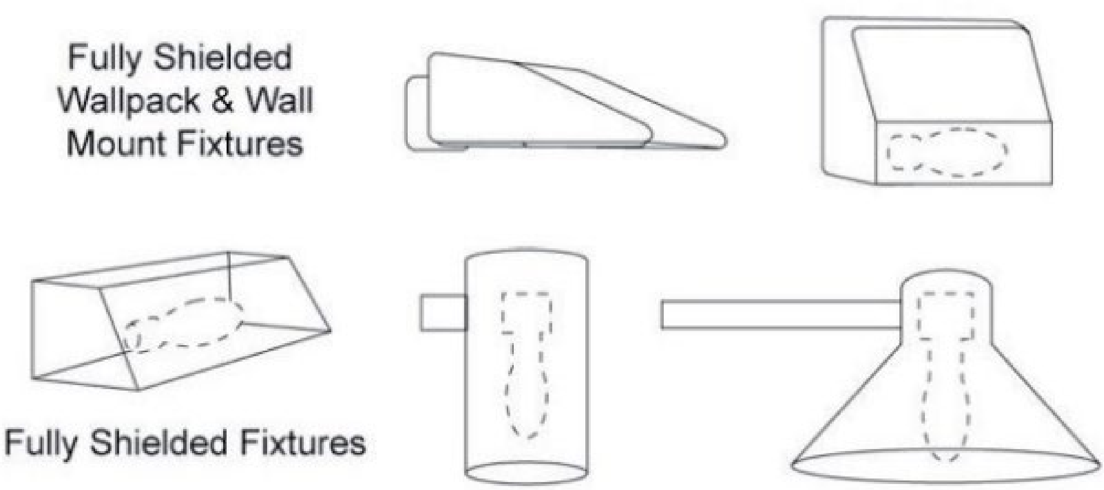
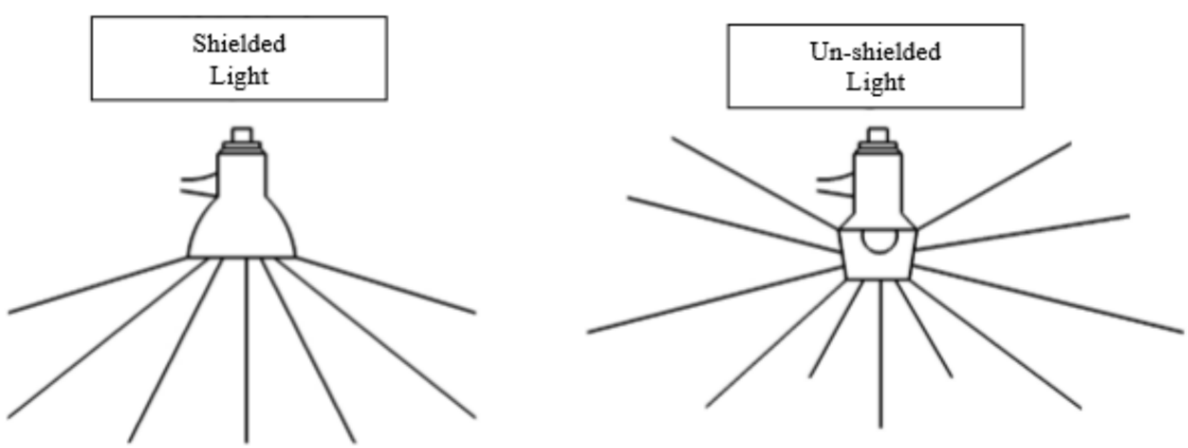


Figure 9-F: Diagram of fixture shielding



Holiday Lighting. **See 'Seasonal Lighting'.**

Illuminance. **The density of light falling onto a surface; commonly measured in the horizontal and vertical planes. Measured in lux or footcandles (fc).**

Lumen. ~~**A unit of light measurement. The light emitted within a unit solid angle by a point source with a uniform luminous intensity of one candela.**~~ **The measure of visible light (luminous flux) emitted from a light source.**

***Lumens per Acre.* The total outdoor light output divided by the number of acres, or part of an acre, of the property.**

***Partially Shielded Fixture.* A fixture with opaque top and translucent or perforated sides, designed to emit most light downwards. Fixtures that utilize frosted glass for shielding would be considered partially shielded.**

Figure 9-~~**D**~~**G**: Roof Types

***Seasonal Lighting*. String lighting meant for temporary use and displayed on buildings or landscaping.**

***Security Lighting*. Lighting intended to provide bright illumination for security surveillance. This lighting shall not be used continuously as a general deterrent during hours of darkness.**

Fi~~**ugg**~~**gu**re 9-~~**E**~~**H**: Yard Types

Section 8. If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 9. **Existing ordinances or parts of ordinances covering the same matters as embraced in this Ordinance are hereby repealed and any and all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed provided, however, that the repeal of any ordinance or parts of ordinances of the Town of Frisco shall not revive any other section of any ordinance or ordinances hereto before repealed or superseded and further provided that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance**

Section 10. This Ordinance shall take effect pursuant to the Charter for the Town of Frisco.

INTRODUCED, PASSED ON FIRST READING AND PUBLICATION AND POSTING ORDERED THE 27TH DAY OF JANUARY 2026.

INTRODUCED, PASSED ON SECOND READING AND PUBLICATION AND POSTING ORDERED THIS ________ DAY OF ______ 2026.

TOWN OF FRISCO, COLORADO:

____
Frederick J. Ihnken, Mayor

ATTEST:

____
Stacey Campbell, Town Clerk

DarkSky INTERNATIONAL

Community (IDSC) - Applicant Self-Checklist (Sept. 2023)

[Link to 2018 IDSC Guidelines (updated Sept. 2023)]

Site Name:	**Frisco, Colorado**
Date:	**November 21, 2025**

C	Lighting Management Policy	Complies Y/N	Which Section	Comment on this Item in Application	GXR*
1	Your Community has a comprehensive Lighting Management Policy like the IDA-IES Model Lighting Ordinance (MLO).	Yes	N/A	Town Code Section 180-6.16. Outdoor lighting and updates to Section 180-6.19. Signs	P4-N1
2	Full shielding is required of all lighting fixtures emitting more than 1,000 lumens.	Yes	180-6.16.3. A.a.	Required for all fixtures.	P4-N1A
3	Emission of short-wavelength light is limited through one of the following restrictions:	NA	NA		P4-N1B
a	Light source correlated color temperature (CCT) must not exceed 3000 K; **OR**	Yes	180-6.16.3. A.b.	Maximum CCT of 3000K.	P4-N1Bi
b	Allowed lighting must not emit more than 25% of its total spectral power at wavelengths shorter than 550 nanometers; **OR**	NA	NA		P4-N1Bii
c	Scotopic-to-photopic (S/P) ratio of allowed lighting must not exceed 1.3.	NA	NA		P4-N1Biii
4	There is a restriction on the total amount of unshielded lighting, such as a limit on lumens per net acre or a total site lumen allowance in unshielded fixtures.	Yes	180-6.16.3. A.a.	No unshielded lighting allowed.	P4-N1C

** GXR: Cross-Reference to Page and Number of Item in IDSC Guidelines*

DarkSky INTERNATIONAL

C	Lighting Management Policy	Complies Y/N	Which Section	Comment on this Item in Application	GXR*
5	There must be a policy to address over-lighting. This may be accomplished by limiting the average illuminance for any outdoor application, over the entire task area, to no more than 10% over the light levels recommended by, for example, the Illuminating Engineering Society (North America), the Society of Light and Lighting (United Kingdom), or other similar organization.	Yes	180-6.16.3.B.	Maximum lumens per net acre.	P4-N1D
6	Regulations on NEW installations of publicly owned outdoor lighting MUST:	Yes			P4-N1E
a	Clearly indicate where, when, and under what circumstances such lighting is warranted and permitted; **AND**	Yes	180-6.16.4.D.	Allowed in situations where a public health hazard exists which can only be mitigated by artificial light at night.	P5-N1Ei
b	Require all future such lighting to have adaptive controls and/or curfews.	Yes	180-6.16.4.D.b.		P5-N1Eii
7	Restrictions on the installation and operation of illuminated signs, including ALL of the following:	Yes			P5-N1F
a	During the first hour after sunset and during the last hour immediately preceding sunrise, sign luminance shall not exceed 100 nits (candelas per square meter); **AND**	Yes	180-6.19.7.L.2.	Luminance levels shall not exceed 100 nits between sunset and sunrise.	P5-N1Fi
b	Signs may only be illuminated while the associated activity is taking place; for businesses, sign illumination must be extinguished completely during the hours the business is closed; **AND**	Yes	180-6.19.7.L.1.	Extinguished 1 hour after sunset or ½ hour after end of business hours.	P5-N1Fii

** GXR: Cross-Reference to Page and Number of Item in IDSC Guidelines*

DarkSky INTERNATIONAL

C	Lighting Management Policy	Complies Y/N	Which Section	Comment on this Item in Application	GXR*
c	The luminous or illuminated surface area of an individual sign must not exceed 18.6 square meters (200 sq. feet).	Yes	N/A	The absolute largest sign allowed in the code is 165 sq ft.	P6-N1Fiii
8	Outdoor recreational and sports field lighting may be exempted from strict shielding and emission requirements, provided **ALL** the following are met:	Yes	P7		P6-N1G
a	ANSI/IES RP-6 guidelines (current version) are followed (*note:* another standard may be followed if appropriate, but this must be stated specifically in the LMP); **AND**	Yes	180-6.16.5.I.4.	Must utilize minimum lumen levels allowed to meet requirements for play and safety per ANSI/IES RP-6 rules.	P6-N1Gi
b	Lighting is for the surface of play and the viewing stands only; **AND**	Yes	180-6.16.5.I.2.		P6-N1Gii
c	Illuminance levels must be adjustable based on task; **AND**	Yes	180-6.16.5.I.2.		P6-N1Giii
d	Offsite impacts of the lighting are limited; **AND**	Yes	180-6.16.5.I.2.		P6-N1Giv
e	A strict curfew is in place – 10 p.m. or one hour after play ends; **AND**	Yes	180-6.16.5.I.3.	Must be extinguished by one hour after the end of play or activity.	P6-N1Gv
f	Timers are installed to prevent lights from being left on overnight.	Yes	180-6.16.5.I.3.		P6-N1Gvi
9	There is a maximum 10-year amortization period for ALL non-complying public AND private lighting to comply.	Yes	180-6.16.2.C.		P6-N1H

** GXR: Cross-Reference to Page and Number of Item in IDSC Guidelines*

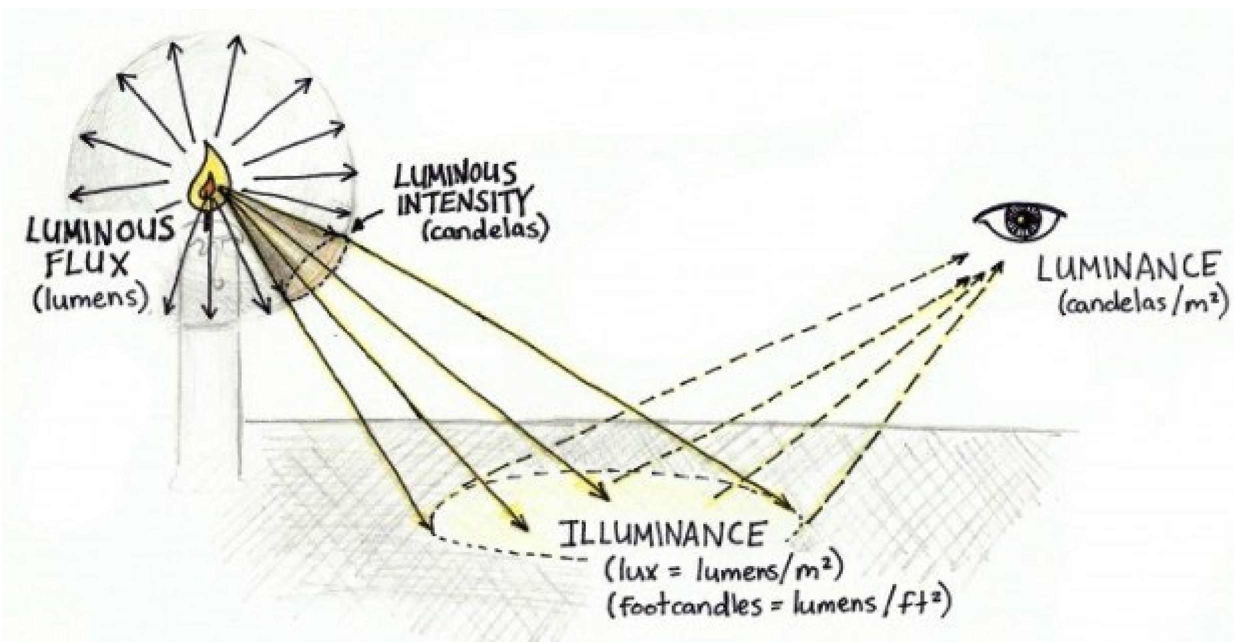
Common Light Measurement Terms

In lighting, terms like lumens or nits measure light output and intensity. Color temperature indicates the perceived warmth or coolness of a light source. Accent, ambient, and task lighting refer to different ways of using light for emphasis, general illumination, and specific tasks.

Here's a more detailed breakdown of key lighting terms:

<u>Light Measurement & Output:</u>

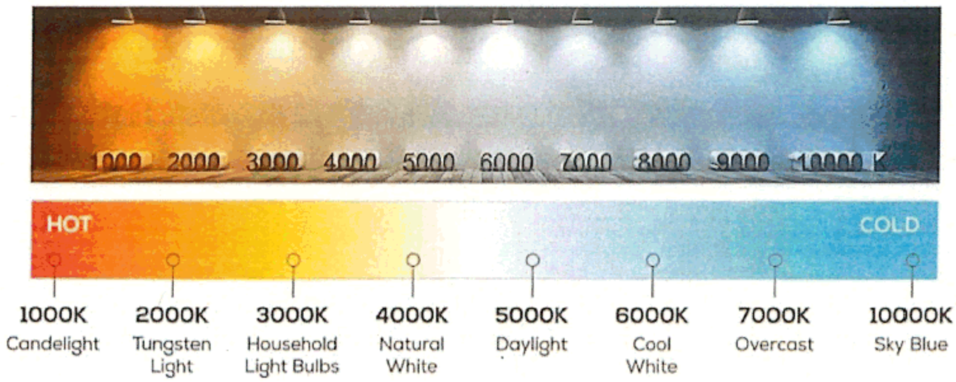
- **Lumens:** Measures the total amount of visible light emitted by a light source.
- **Nit:** A unit of measurement for luminance, specifically the brightness of a display or light-emitting surface. One nit is equal to one candela per square meter. Nits are commonly used to describe the brightness of displays like digital signage.
- **Candelas (or Candlepower):** Measures the luminous intensity of a light source in a specific direction.



Credit: Sigma Safety Corp. https://sigmasafety.ca/news/lumens-lux-and-candela/

<u>Light Characteristics:</u>

- **Color Temperature:** The perceived warmth or coolness of a light, measured in Kelvins.
- **Correlated Color Temperature (CCT):** The color temperature of a light source, expressed in Kelvins.



Other Important Terms:

- **Adaptive Controls:** Devices such as timers, dimmers, motion-sensors, and light-sensitive switches used to actively regulate the emission of light from light fixtures.
- **Fixture:** A complete lighting unit, including the light source and its housing.
- **Lamp:** A generic term for a light source, often used in the lighting industry to refer to the light bulb itself.
- **Bulb:** The glass or plastic part of a lamp that contains the light-producing element.
- **Festoon Lighting:** String lighting intended for permanent installation and year-round use.
- **Seasonal Lighting:** String lighting meant for temporary use and displayed on buildings or landscaping.

RECORD OF PROCEEDINGS

Meeting of the Planning Commission for the Town of Frisco
Town Hall, 1 East Main Street
Thursday, December 4, 2025, at 5:00 P.M.

Call to Order: Lina Lesmes, Chair, opened the meeting at 5:01 p.m.

Roll Call: Present: April Connolly, Lina Lesmes, Kelsey Withrow, Jessica Forsyth, Ira Tane, Andy Stabile, Candice De
Absent: All in attendance

Lina Lesmes left the meeting at 6:00 p.m.
Andy Stabile assumed the role of Acting Chair.

Minutes: Approval of the November 20, 2025, Planning Commission meeting minutes
The minutes were approved with one modification that the number of EV spaces are stated in the minutes.

Public Comment (non-agenda items): None

Agenda Items:

1. **Planning File No. UDC-25-0002:** A public hearing to consider proposed amendments to Chapter 180 of the Code of Ordinances of the Town of Frisco, Colorado, by amending Section 180-6.16. Outdoor Lighting, Section 180-6.19. Signs, Section 180-8. Nonconformities, and Section 180-9.3. Definitions concerning outdoor lighting.

Emma Heth, Planner II, presented the staff report, noting that changes are in response to Town Council's direction to pursue certification as an International Dark Sky Community and community feedback requesting more responsible lighting practices.

Heth outlined the proposed modifications of maximum correlated color temperature (Kelvins), limits on total illumination allowed per property, curfew hours for some lighting types, limits on signage illumination, motion sensor security lighting, compliance timelines, and exemptions for seasonal and festoon lighting. Heth described the modifications made since the last work session before the Planning Commission. Heth requested the Planning Commission provide a recommendation to the Town Council on the proposed code changes for which a first reading will be brought before Town Council on January 27, 2026.

COMMISSIONER DISCUSSION WITH STAFF:

- Commissioners asked if the removal of the light trespass section would make enforcement easier for the Town. Heth replied that it would ease the enforcement being required in the dark since most other regulations can be reviewed in daytime.
- Commissioners asked for clarification if the certification with Dark Sky could happen before the ten year timeline. Heth replied that yes, the Town can receive certification and then submit annual monitoring and updates.
- Commissioners asked about the curfew times discussed at Town Council. Heth noted that they did discuss and the times proposed are in alignment with the noise ordinance.
- Commissioners asked about the removal of the photometric report and clarification that the proposed changes would reduce the submittal requirements. Heth replied that was correct, a site plan, fixture specifications, and calculations showing the total illumination will be required to show compliance with lighting regulations, but a photometric plan would no longer be necessary.
- Commissioners asked how to determine the “non-illuminated” portion of a property as described in the “lumens per net acre” definition. Staff replied they could remove the “net acre” code language and just calculate “lumens per acre.”
- Commissioners asked about what would be done with fixtures with frosted glass located below the light bulb that emits light out. Heth stated Council directed not to restrict these fixture types.
- Commissioners asked if the code changes need to be adopted prior to application to Dark Sky. Heth replied yes, a town can apply any time after the code language has been adopted.
- Commissioners asked why ten years for the public to replace light fixture. Heth replied it was proposed to follow the general standard.
- Commissioners asked about the exemptions for historic, seasonal, festoon, and recreational lighting. Heth clarified that they are exempt from certain parts of the general design guidelines but still have their own requirements.
- Commissioners asked why the X of festoon lights over the intersection of 4th Avenue and Main Street would not be allowed. Heth responded that those festoon lights are not over pedestrian walkways.
- Commissioners noted that they may not be supportive of removing photometric plans.
- Commissioners asked how light fixtures could be administratively modified without going back to Planning Commission. Staff replied they would ensure that is clarified in the upcoming code changes to streamline application processes.
- Commissioners asked about the lighting regarding signage and how internally lit signs would be handled. Heth replied that they would have to be under a certain illuminance within ten years and shut off with curfew times.

Public Comment opened at 5:34 p.m.

- Charles Watkins - 980 Lakepoint Drive, unit 606, explained that their structure has seven levels of corridors that have exterior doors. Watkins noted that unit owners have expressed concerns that in order to reduce the lumens on light fixtures, it is too dark to be able to see to enter doorways. Watkins requested the Commission allow flexibility to the upper level light fixtures while still meeting the intent of dark sky while reducing the impact of upper light fixtures on the street below. Watkins noted that the exterior stairways will still be bright for safety and an upward facing shields may be beneficial. Watkins requested his comments get in the record and Staff work on language modifications to solve these concerns.

- Jeanine Corvetto – 98 Creekside Dr, reminded the Commission why they are doing this which includes supporting bird migration and other benefits of dark skies. Corvetto noted she agreed with Commissioner Forsyth's comments regarding the frosted glass. Corvetto noted that she understands the grace period for ten years to comply, but asked what could be done to try to take actions quicker, especially when complaints are filed on lights.

- Brian Pence – 312 Teller Street, noted that he appreciated Corvetto's comments. Pence asked if the streetlights could be put on a motion detector so that they would not run 24 hours a day and also noted he would like to see lighting toned down on Main Street.

Public Comments closed at 5:47 p.m.

COMMISSIONERS DISCUSSION:

- Commissioners discussed frosted glass below a shielded light source. Commissioners had mixed opinions regarding the frosted glass, noting that it does seem to contradict the intent of a fully shielded fixture but also noting a desire to do the minimum requirements for Dark Sky certification. Additional comments on the topic included how to come up with adequate language if the Town was to prohibit the designs with frosted and/or glass below the shield and if all light fixtures that were advertised as being Dark Sky-certified really are.

Lina Lesmes left the meeting at 6:00 p.m.
Andy Stabile took over as Acting Chair.

- Commissioners requested the Town open dialogue with the hospital to encourage them to reduce the light pollution from their property.
- Commissioners discussed the ten years for the public to replace their fixtures and decided they would prefer it was done sooner, but they would not propose a reduced timeline noting that the more Staff could encourage and/or require replacement of light fixtures sooner rather than later would be appreciated.
- Commissioners requested Staff consider how to educate property owners and require compliance if complaints are filed on light fixtures between adjacent properties.
- Commissioners noted that it may be worth considering a vacancy requirement and if a unit was vacant for a certain amount of time, lights would be required to be extinguished.
- Commissioners discussed the lights over the intersection at 4th Avenue and Main Street and had differing opinions regarding if the intersection of lights should be able to remain, not just over the crosswalks.
- Commissioners noted that they think more comments will be received when enforcement begins.
- Commissioners and Staff agreed that Staff would meet with the Towers HOA to discuss their suggestions regarding their specific light fixtures discussed during the public comment.

MOTION:

With respect to Planning File No. UDC-25-0002, I Commissioner Withrow move that the recommended findings set forth in the December 4, 2025, Staff Report be made and that the Planning Commission RECOMMENDS APPROVAL to Town Council of code text amendments to Chapter 180 of the Code of Ordinances of the Town of Frisco, Colorado, concerning the Unified Development Code, by amending Section 180-6.16. Outdoor Lighting, Section 180-6.19. Signs, Section 180-8. Nonconformities, and Section 180-9.3. Definitions concerning outdoor lighting with the following consideration to what was presented on December 4, 2025:

1. Remove "lumens per net acre" and simplify to "lumens per acre."
2. The Council consider language prohibiting frosted glass below the light fixture shade.

MOTION SECONDED BY PLANNING COMMISSIONER FORSYTH
VOTE: CONNOLLY – YEA, FORSYTH - YEA, STABILE - YEA, TANE – YEA, DE – YEA, WITHROW - YEA
NOES: NONE
MOTION: PASSED

Staff and Commissioner Updates:

- Kent noted that the next two Planning Commission meetings will be canceled Thursday, December 18, 2025, and January 1, 2026, due to the holiday.
- Commissioners recognized the new light fixtures on Highway 9 and they appreciate the aesthetics and solar panels.
- Heth noted that public engagement will occur the week of December 15th for Pioneer Park and encouraged the Commission to show up and provide input.

Adjournment:
There being no further business, Commissioner Forsyth made a motion to adjourn, seconded by Commissioner Tane and was unanimous. The meeting adjourned at 6:30 P.M.

Respectfully submitted,

Kimberly Jackson
Community Development Department

TOWN OF FRISCO
COLORADO

TO: Mayor and Town Council
FROM: Thad Renaud, Town Attorney
RE: Second Reading Ordinance 26-01: AN ORDINANCE AMENDING CHAPTER 167 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING VEHICLES AND TRAFFIC, BY ADDING A NEW SECTION 167-14, CONCERNING THE VIOLATION OF VEHICLE REGISTRATION REQUIREMENTS, TO ALLOW FOR THE CITATION OF VEHICLE REGISTRATION VIOLATIONS INTO THE MUNICIPAL COURT
DATE: February 10, 2026

Summary & Background:
In the 2025 legislative session, the Colorado legislature approved House Bill 25-1112 which amended C.R.S. § 42-4-110 to remove an existing prohibition on enforcement, in a municipal court, of vehicle registration requirements under state law. The attached Ordinance would amend the Town's Traffic Code to add the violation of the state's vehicle registration requirements as a traffic offense (or traffic infraction).

Analysis:
Prior to this change in state law, the Town's law enforcement officers were only able to cite vehicle registration violations to the county court citing the state statute. If the attached Ordinance is adopted, the requirement for motor vehicle registration will be added to the Town's Traffic Code and a citation for the traffic offense (or infraction) may be issued into the Town's Municipal Court. Because these offenses (or infractions) have specific penalty limits that are set forth in state law, those penalty limits have been referenced in connection with the new offenses and infractions in order that the Town's penalties not exceed the state's penalties for the identical offense (as required by a recent decision of the Colorado Supreme Court).

Financial Impact:
The ability to cite vehicle registration violations into the Town's Municipal Court might have a minor financial impact by slightly increasing the fine amounts that are collected by the Court. Any such increases are expected to be negligible.

Environmental Sustainability:

Alignment with Strategic Plan:

Staff Recommendation:
On that basis, it is my recommendation that after already approving by all Councilmembers present at first reading, that Council approve on second reading Ordinance 26-01, an ordinance adding a new section 167-14 of the Town's Traffic Code concerning vehicle registration violations.

Reviews and Approvals:

Stacey Campbell, Town Clerk	Created/Initiated - 2/2/2026
Diane McBride, Assistant Town Manager	Approved - 2/2/2026
Tom Fisher, Town Manager	Final Approval - 2/2/2026

Attachments:
1. Attachment 1 - Ordinance 26-01 Motor Vehicle Registration Violations

TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
ORDINANCE 26- 01

AN ORDINANCE AMENDING CHAPTER 167 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING VEHICLES AND TRAFFIC, BY ADDING A NEW SECTION 167-14, CONCERNING THE VIOLATION OF VEHICLE REGISTRATION REQUIREMENTS, TO ALLOW FOR THE CITATION OF VEHICLE REGISTRATION VIOLATIONS INTO THE MUNICIPAL COURT.

WHEREAS, Section 42-4-110(1)(b), C.R.S., authorizes Colorado municipalities to adopt by reference a model traffic code embodying the rules of the road and vehicle requirements set forth in Article 4 of Title 42, C.R.S., and such additional local regulations as are provided for in Section 42-4-111, C.R.S.; and

WHEREAS, the Town of Frisco has adopted (and amended) the Model Traffic Code for Colorado, 2020 edition, as the Traffic Code for the Town; and

WHEREAS, Colorado House Bill 25-1112, by its amendment of C.R.S. Section 42-4-110, has authorized Colorado municipalities to enforce state motor vehicle registration violations in their municipal courts; and

WHEREAS, the Town Council finds, determines, and declares that the enforcement of state vehicle registration laws in the Town's Municipal Court will facilitate the enforcement of such laws generally, and will improve the safety and welfare of the citizens of the Town.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO, COLORADO:

Section 1. That Section 167-14 of the Code of Ordinances of the Town of Frisco, currently reserved for future use, is hereby amended to read as follows:

§ 167–14. Violation of Registration Provisions of Colorado Statutes.

(1) It is unlawful to commit any of the following acts:

(a) To operate or permit the operation, upon a public right-of-way, of a motor vehicle or trailer that is not registered pursuant to the requirements of Title 42, Article 3 of the Colorado Revised Statutes, as amended, and does not display the number plates or validation stickers issued for the vehicle or trailer for the current year, except for motor vehicles and trailers owned by a licensed dealer or licensed manufacturer while being held for sale or resale or while operated on the public right-of-way with dealer plates or depot tags authorized pursuant to Colorado Revised Statutes § 42-3-116, as amended;

(b) To display or permit to be displayed, to have in possession, or to offer for sale a certificate of title, validation tab or sticker, or registration number plate knowing the same to be fictitious or to have been stolen, cancelled, revoked, suspended, or altered; or

(c) To lend or knowingly permit the use by one not entitled thereto a certificate of title, registration card, or registration number plate issued to the lending or permitting person.

(2) A person who violates paragraph (a) or (c) of subsection (1) of this section commits a class B traffic infraction, as defined by Colorado statutes, and shall be penalized in an amount no greater than the penalty amount allowed by Colorado statutes for such infractions. A person who violates paragraph (b) of subsection (1) of this section commits a class 2 misdemeanor traffic offense, as defined by Colorado statutes, and shall be penalized in an amount no greater than the penalty amount allowed by Colorado statutes for such offenses.

Section 2. Savings Clause. If any part, section, subsection, sentence, clause or phrase of this Ordinance or is for any reason held to be unconstitutional or invalid, the remainder of this Ordinance shall continue in full force and effect, it being the legislative intent that this Ordinance even if such unconstitutional or invalid matter had not been included herein.

Section 3. Effective Date. This ordinance shall take effect pursuant to the Home Rule Charter of the Town of Frisco, Colorado.

INTRODUCED, PASSED ON FIRST READING AND PUBLICATION AND POSTING ORDERED THE 27th DAY OF JANUARY, 2026.

ADOPTED ON SECOND AND FINAL READING AND PUBLICATION BY TITLE ORDERED THIS 10TH DAY OF FEBRUARY, 2026.

TOWN OF FRISCO, COLORADO:

____
Frederick J. Ihnken, Mayor

ATTEST:

____
Stacey Campbell, Town Clerk

TOWN OF FRISCO
COLORADO

TO:	**Mayor and Town Council**
FROM:	
RE:	**Second Reading Ordinance 26-04: AN ORDINANCE AMENDING CHAPTER 1, SECTION 1-14, OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING GENERAL PENALTIES FOR VIOLATIONS OF THE CODE, TO ALIGN THE PROVISIONS THEREOF WITH COLORADO STAUTORY AUTHORIZATIONS AND THE LIMITATIONS OF A RECENT DECISION OF THE COLORADO SUPREME COURT**
DATE:	**February 10, 2026**

Summary & Background:

The Town maintains a municipal court, with current penalty authority upon conviction at a maximum of $1,000, one year in jail, or both. This authority is located in section 1-14 of the Town Code and applies to all violations under the code. In December 2025, the Colorado Supreme Court issued a decision holding that when a municipal offense criminalizes the “identical conduct" as a state offense, the municipal penalty provisions, if different than the state maximums, are preempted. As a result of this decision, it is important for the Town to adjust its code-based penalty provision to acknowledge the scope of the Supreme Court’s decision. The attached ordinance does so. In addition, the state statutes that concern the maximum municipal court penalty have, for some time, been amended to allow for municipal court fines of up to $2,650 and for imprisonment of up to 364 days, or both. The attached ordinance also amends the Town’s maximum penalty to match that allowed under state statute.

Analysis:

As a practical matter, the Municipal Court Judge seldom imposes fines or imprisonment anywhere close to the maximum allowed by prior law, but the mere existence of the potential for the municipal court to do so was sufficient for the Supreme Court to hold the ordinances at issue in that case to be preempted. Accordingly, this change will allow the Municipal Court to continue to hear and render decisions and impose sentences for ordinance violations that are identical to state code provisions.

Financial Impact:

None anticipated.

Environmental Sustainability:

Alignment with Strategic Plan:

Staff Recommendation:
On that basis, it is my recommendation that after already approving by all Councilmembers present at first reading, that Council approve on second reading Ordinance 26-04, an ordinance amending section 1-14 of the Town Code concerning general penalties for violations of the Code.

Reviews and Approvals:

Stacey Campbell, Town Clerk	Created/Initiated - 2/2/2026
Diane McBride, Assistant Town Manager	Approved - 2/2/2026
Tom Fisher, Town Manager	Final Approval - 2/2/2026

Attachments:
1. Attachment 1 - Ordinance 26-04 General Violation Penalties

TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
ORDINANCE 26 - 04

AN ORDINANCE AMENDING CHAPTER 1, SECTION 1-14, OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING GENERAL PENALTIES FOR VIOLATIONS OF THE CODE, TO ALIGN THE PROVISIONS THEREOF WITH COLORADO STAUTORY AUTHORIZATIONS AND THE LIMITATIONS OF A RECENT DECISION OF THE COLORADO SUPREME COURT

WHEREAS, the Town of Frisco, Colorado ("Town") is a home rule municipality, duly organized and existing under Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority and C.R.S. § 31-23-101, the City, acting through its City Council (the "Council"), is authorized to adopt ordinances for the protection of the public health, safety or welfare; and

WHEREAS, in the exercise of this authority the Council has previously adopted section 1-14 of the Code of Ordinances of the Town of Frisco (the "Frisco Town Code" or "Code"), providing for the general penalty authority of the Municipal Court for violations of any provision of the Code; and

WHEREAS, on December 22, 2025, the Colorado Supreme Court issued its decision in *People v Camp*, holding that municipal penalties may not be in excess of statutory sentencing caps for certain offenses when the offender violates a municipal ordinance that corresponds to a state offense prohibiting identical conduct; and

WHEREAS, without waiving its authority to determine a matter of local concern in the first instance, the Council wishes to amend the Code's general penalty section to recognize the limited exception created by the *Camp* decision and to set the maximum municipal court penalties at the amounts authorized by C.R.S. § 13-10-113.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO THAT:

Section 1. Section 1-14 of the Frisco Town Code, concerning the general penalty for violations of the Code, is hereby amended to read in its entirety as follows:

§ 1-14. - General penalty for violations.

A. Unless a specific lesser penalty is specifically provided for the violation of any portion of this Code, any person, firm or corporation who shall violate any provision of this Code, or any provision of any code or other regulation adopted by reference by this Code, by doing any act prohibited or declared to be unlawful thereby, or who shall engage in or exercise any business or occupation or do anything for which a license or permit is required without having a valid license or permit therefore as required, or who shall fail to do any act required by any such provision, or who shall fail to do any act when such provision declares such failure to be unlawful or to be an offense or misdemeanor shall be guilty of a violation of this Code and shall be punishable as follows:

1. Except as otherwise provided below ~~above-stated~~ every person convicted of a violation of any provision of this Code, the Town Charter, any ordinance of the Town of Frisco or any provision of any code or regulation adopted by reference by this Code, shall, in addition to any administrative or court costs which may be imposed, be punished by a fine not exceeding two thousand six hundred and fifty dollars ($~~1,000.00~~ 2,650.00), or by imprisonment for a period not exceeding ~~one year~~ three hundred sixty-four (364) days, or by both such fine and imprisonment.

2. Except as hereinafter provided, every person convicted of a violation of any provision of the Model Traffic Code for Colorado, as adopted and set forth in Chapter 167 of this Code, shall, in addition to any administrative or court costs which may be imposed, be punished by a fine not exceeding $1,000.00; except any person convicted of violating Section 1101, Speed limits, when such person exceeded the lawful speed limit by 20 miles per hour or greater, Section 1105, Speed contest, Section 1401(1), Reckless driving, Section 1409, Compulsory insurance, Section 1413, Eluding or attempting to elude a police officer, all being violations of the Model Traffic Code for Colorado as adopted by the Town, shall be punished by a fine not exceeding $1,000.00, or by imprisonment not exceeding three hundred sixty-four (364) days ~~one year~~, or by both fine and imprisonment.

3. Any part of the foregoing provisions notwithstanding, no person convicted for an offense under this Code shall be penalized with a fine or imprisonment that exceeds the limits set forth in C.R.S. Section 18-1.3-501(a.5) and 503(1.5) when such offense is identical to a state offense. The limitation of penalty authority in such cases shall be as follows:

    i. Misdemeanor class I: up to $1,000 fine, 364 days imprisonment, or both;
    ii. Misdemeanor class II: up to $750 fine,120 days imprisonment, or both;
    iii. The maximum consecutive sentence on all charges brought in a single case is 24 month;
    iv. Petty offenses (including theft of value under $300): up to $300 fine, 10 days imprisonment, or both; and
    v. Civil infraction: up to $100 fine.

B. In addition to the penalties stated above, the Town may obtain enforcement of its ordinances by seeking injunction or other appropriate relief in a court of proper jurisdiction.

C. Each day or portion thereof, during which any violation is committed, continued or permitted shall constitute a separate offense and shall be punishable as a separate offense.

Section 2. Severability, Conflicting Ordinances Repealed. If any section, subsection or clause of this Ordinance shall be found to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Effective Date. This ordinance shall become effective in accordance with the home-rule Charter of the Town of Frisco, Colorado.

INTRODUCED, PASSED ON FIRST READING AND PUBLICATION AND POSTING ORDERED THE 27th DAY OF JANUARY, 2026.

ADOPTED ON SECOND AND FINAL READING AND PUBLICATION BY TITLE ORDERED THIS 10TH DAY OF FEBRUARY, 2026.

TOWN OF FRISCO, COLORADO:

____
Frederick J. Ihnken, Mayor

ATTEST:

____
Stacey Campbell, Town Clerk