

**NOTICE OF PUBLIC HEARING  
ORDINANCE NO. 1886, SERIES 2024**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Louisville, Colorado, to be held on Tuesday, November 19, 2024 at the hour of 6:00 p.m., at Louisville City Hall, 749 Main Street, Louisville, CO 80027 or in an electronic meeting, the City Council will hold a Public Hearing on the final passage and adoption of a proposed **ORDINANCE AMENDING CHAPTER 15 OF THE LOUISVILLE MUNICIPAL CODE TO EXTEND THE DEADLINE TO FILE A BUILDING PERMIT EXPAND THE AVAILABILITY OF THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE AS AN ALTERNATIVE FOR REBUILDING OF STRUCTURES.**

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**ORDINANCE NO. 1886  
SERIES 2024**

**AN ORDINANCE AMENDING CHAPTER 15 OF THE LOUISVILLE MUNICIPAL CODE  
TO EXTEND THE DEADLINE TO FILE A BUILDING PERMIT EXPAND THE  
AVAILABILITY OF THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE AS  
AN ALTERNATIVE FOR REBUILDING OF STRUCTURES**

**WHEREAS**, on December 30, 2021, the Marshall Fire ignited in unincorporated Boulder County and quickly spread to the City of Louisville, resulting in severe damage or total loss of almost six hundred (600) structures within the City of Louisville, most of them residential homes; and

**WHEREAS**, also on December 30, 2021, the Mayor of the City of Louisville, pursuant to Chapter 2.32 of the Louisville Municipal Code and C.R.S. § 24-33.5-709, executed a Declaration of Local Disaster Emergency in and for the City of Louisville, which Declaration was thereafter continued in effect by resolution of the City Council, and the Governor of the State of Colorado also issued a Declaration of Statewide Emergency in response to the Marshall Fire; and

**WHEREAS**, on January 1, 2022, President Joseph R. Biden approved a Major Disaster Declaration for the Event (DR-4634-CO) beginning on December 30, 2021 and continuing thereafter; and

**WHEREAS**, the structures damaged and destroyed by the Marshall Fire comprise significant portions of several residential subdivisions within the City; and

**WHEREAS**, the City regulates building and construction standards in Title 15 of the Louisville Municipal Code (the “Building Code”); and

**WHEREAS**, by Ordinance No. 1816 adopted on October 19, 2021, the City Council adopted, with certain amendments, the 2021 International Energy Conservation Code with Appendix RC Zero Energy Residential Building Provisions (the “2021 IECC”); and

**WHEREAS**, by Ordinance No. 1825 adopted on April 5, 2022, the City Council adopted the 2018 International Energy Conservation Code (the “2018 IECC”) or the 2021 International Energy Conservation Code without Appendix RC (collectively, the “Marshall Fire Alternate Codes”) as an alternative for rebuilding of structures significantly damaged or destroyed by the Marshall Fire; and

**WHEREAS**, use of the Marshall Fire Alternate Codes for Marshall Fire rebuilds was limited to rebuilding of residential structures by persons who on December 31, 2021 owned a property within the City on which the home was damaged or destroyed and on which the permit to rebuild was issued and for which a building permit application was filed with the City by December 31, 2024; and

**WHEREAS**, on October 3, 2022, the City Council adopted Ordinance No. 1842, Series 2022, which expanded use of the Marshall Fire Alternate Codes to any building permit applicant who owned a home damaged or destroyed by the Marshall Fire in any jurisdiction, and who wished to restore or rebuild a home on a lot in Louisville that was damaged or destroyed by the Marshall Fire; and

**WHEREAS**, on December 19, 2023, the City Council adopted Ordinance No. 1868, Series 2023, which expanded the use of the Marshall Fire Alternate Codes to building permit applicants whose home sustained smoke, heat, water, ash, or other damage as a result of the Marshall Fire, and extended the deadline for building permit applications to December 31, 2025; and

**WHEREAS**, the City Council recognizes that not all homeowners wishing to rebuild or make repairs will be able to file for a building permit by December 31, 2025 and desires to extend the deadline for doing so; and

**WHEREAS**, many affected by the Marshall Fire have learned they may be significantly underinsured and will thus face financial hardships rebuilding their fire-damaged homes; and

**WHEREAS**, the 2021 IECC includes energy conservation measures that increase the cost of construction over the 2018 IECC and, although grant funding, rebates and other resources have been identified to defray these costs, building permit applicants remain concerned that the financial burden and potential delay that could result by

complying with the 2021 IECC will affect their ability to rebuild homes damaged or destroyed by the Marshall Fire; and

**WHEREAS,** the City Council finds that rebuilding of homes lost to the Marshall Fire is essential to maintaining the fabric of the community, and that allowing those who face financial hardship to rebuild in accordance with the Marshall Fire Alternate Codes will still result in homes that are significantly more energy efficient than the homes that were destroyed; and

**WHEREAS,** the City Council further finds its adoption of the 2021 IECC was in furtherance of its important policy objectives contained in the City's Sustainability Action Plan, and therefore the 2021 IECC should be implemented to the greatest extent possible; and

**WHEREAS,** the determination that a building permit applicant may rebuild a residence damaged or destroyed by the Marshall Fire using the Marshall Fire Alternate Codes may only be made based upon satisfaction of those criteria set forth in Section 15.18.010 of the Louisville Municipal Code, to ensure the sustainability measures in the 2021 IECC are relaxed only to the extent reasonably necessary to facilitate the rebuilding of fire-damaged homes within the community; and

**WHEREAS,** the City Council finds that restoring a vibrant and robust community requires rebuilding to occur within a reasonable amount of time, and that the relief set forth herein afforded those who lost their homes in the Marshall Fire who are experiencing financial hardship is rationally related to the important government function of fostering and maintaining such a vibrant and robust community; and

**WHEREAS,** the City Council finds those persons who lost their homes in the Marshall Fire have experienced and been impacted by a natural disaster of epic proportions, and thus are differently situated from those within the City who choose to repair or remodel an existing residence, build a new residence, or make repairs or replacements that occur in the normal course of owning a residence; and

**WHEREAS,** by this ordinance, the City Council furthers its established policy of facilitating rebuilding of structures damaged or destroyed by the Marshall Fire as set forth in previous actions of the City Council; and

**WHEREAS,** the City Council recognizes those persons whose homes were damaged or destroyed by the Marshall Fire have suffered great losses and it is the policy of the City to assist and encourage these residents to rebuild within the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:**

**Section 1.** Section 15.18.010.(b)(3) of the Louisville Municipal Code is hereby amended to read as follows (words to be added underlined; words to be deleted ~~stricken~~):

(3) The building permit application was filed on or before  
~~December 31, 2025~~ December 31, 2028 and

**Section 2.** If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

**Section 3.** The repeal or modification of any provision of the Municipal Code of the City of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

**Section 4.** All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

**Section 5.** The City Council herewith finds, determines and declares that this ordinance is genuinely and urgently necessary for the immediate preservation of the public health, safety, and welfare due to the impacts of the Marshall Fire set forth herein.

**INTRODUCED, READ, PASSED ON FIRST READING AND ORDERED PUBLISHED** this 4th day of November 2024.

Christopher M. Leh, Mayor

ATTEST:  
Genny Kline, Interim City Clerk

APPROVED AS TO FORM:  
Kelly PC, City Attorney

**PASSED AND ADOPTED ON SECOND AND FINAL READING**, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2024.

Christopher M. Leh, Mayor

ATTEST:  
Genny Kline, Interim City Clerk