

## **14.10 FIRE-HARDENED PATIO FENCING POLICY**

### **Purpose**

This policy is adopted to comply with Colorado Statute HB24-1091, which requires Homeowners Associations to allow the use of approved Fire-Hardened Materials (FHMs) for exterior elements, while preserving reasonable architectural and aesthetic standards within the community.

The intent of this policy is to:

- Comply with state law
- Maintain the established Community-Wide Standard
- Preserve visual harmony within the Project Area
- Provide clear application and approval procedures

This policy does not amend the Declaration or Bylaws and shall be interpreted consistently with those governing documents.

### **Community Standard Patio Fence Construction**

The established community standard patio fence construction consists of:

- Vertical red cedar lathes
- Redwood top cap

This remains the default patio fence design.

### **Fire-Hardened Material Option**

In accordance with Colorado law, Owners may request approval to use Fire-Hardened Materials (FHMs) in place of community standard wood materials.

#### **A. Preferred Fire-Hardened Wood Option**

Treated Lumber meeting:

- OSFM Category 2520
- Exterior Fire Retardant Treated Redwood and Western Red Cedar Lumber
- Listed for Wildland-Urban Interface (IWUI) use

Or equivalent certified OSFM Category 2520 products.

#### **B. Other Acceptable Fire-Hardened Materials**

Non-wood materials may be approved provided they:

- Are certified to IWUI (International Wildland-Urban Interface Code)
- Meet IWUI Sections 504–506 requirements
- Provide verifiable documentation of compliance

### **Aesthetic Requirements**

While Fire-Hardened Materials must be permitted under state law, the Association retains authority to regulate aesthetic standards consistent with the Declaration .

Approved Fire-Hardened Materials must:

- Be the closest available match to the community standard colors:
  - Red cedar body tone
  - Redwood cap tone
- Maintain vertical lath configuration (or approved faux vertical design)
- Maintain traditional cap appearance (top cap, or approved equivalent frame configuration)

The ARC may deny an application if:

- The proposed material is not certified as required, or
- The manufacturer does not offer a color or style reasonably consistent with the community standard.

Uniformity of appearance shall be maintained to the greatest extent reasonably possible.

### **Consistency Within Each Patio**

Each enclosed patio fence must:

- Be constructed of the same material type throughout
- Maintain consistent color
- Maintain consistent construction style

Partial mixing of materials within a single enclosed patio fence is not permitted.

### **Repair vs. Replacement**

1. Repair of Existing Standard Wood Fence

Repairs must use like materials (red cedar and redwood cap), unless the Owner elects to replace the entire patio fence with an approved Fire-Hardened Material option.

## 2. Full Replacement

Full patio fence replacement may use:

- Community standard materials; or
- Approved Fire-Hardened Materials in compliance with this policy

### **Application and Approval Procedure**

All patio fence replacements or modifications require submission through the Architectural Review process in accordance with Section 14.9 .

Applications must include:

- Completed Architectural Review Application
- Product specifications
- Manufacturer certification documentation (IWUI Sections 504–506 compliance)
- Color samples or images
- Description of construction method

The ARC shall:

- Verify certification documentation
- Evaluate aesthetic compatibility
- Approve if the proposed improvement is in reasonable harmony with the surrounding Project Area
- Issue written approval or denial

Approval shall not be unreasonably withheld when statutory Fire-Hardened requirements are satisfied.

### **Maintenance Responsibility**

All patio fencing enclosing a private patio remains the responsibility of the Owner for:

- Installation
- Maintenance
- Repair
- Replacement

Nothing in this policy requires the Association to replace or upgrade existing patio fencing to Fire-Hardened Materials.

**Enforcement**

Failure to obtain ARC approval prior to replacement or modification constitutes a violation subject to enforcement under the Covenant Enforcement Policy.

Approved *Linda Clifford*  
CCPHA Board of Directors

Date *3/16/2026*