

20 April 2023

Addendum to Cover Memo on Ord 1145

Information on Exceptions to the International Building & Fire Code
For Affordable Housing, Tiny Homes and Accessory Dwelling Units.

Staff reached out to several nearby jurisdictions by phone as well as some online research. We have not found any specific exceptions to any of the I-Codes based on affordable housing. Longmont advised that they look to help reduce the cost of affordable housing with options that reduce or waive some of the development fees, such as their park fund fee or utility investment and service connection fees. This is also what was recently done with the 317 Evans Development Agreement.

An article about Erie and Avon's public discussions on requiring sprinkler systems, <https://www.9news.com/article/news/local/wildfire/marshall-fire/superior-drops-sprinkler-requirement/73-6979700e-bdb3-4e87-be92-20dad3739a5f> includes the following paragraph: "A concern about fire sprinklers affecting affordable housing was raised in Erie. Jeff Webb, Fire Marshal for Mountain View Fire Rescue, which serves the town of Erie, said that when discussion centered on limiting the requirement to larger homes as a remedy, one trustee provided a very effective counterargument. It would be inequitable to provide safety measures to only those that could afford it. The town should act to make sure all residents purchasing new homes had the same safety features. Just because they were packed tighter to make them more affordable didn't mean they had to give up safety, when in fact they were at higher risk because they were packed so tightly together."

We found 2 articles about exceptions made after the Marshall Fire
<https://www.9news.com/article/news/local/wildfire/marshall-fire/louisville-council-approves-new-building-code-options-marshall-fire/73-e15bf44d-182f-4b05-a3a2-0b7c4b10154e>
<https://prospect.org/infrastructure/housing/americas-hidden-fire-kindling-federally-subsidized-housing/>

Here is an article on energy codes and affordable housing,
<https://www.imt.org/news/are-energy-codes-exacerbating-the-housing-affordability-crisis/>

We found "FEMA required all Manufactured Housing Units (MHU's) used for disaster emergency housing to be equipped with residential automatic fire sprinkler systems since 2016. These trailers, 250sf – 300sf, are fully compliant with the U.S. Department of Housing and Urban Development (HUD) codes and include NFPA 13D residential automatic fire sprinkler systems. Research has shown that fire sprinklers, combined with early warning smoke alarms, reduce fire fatalities in a residential home by more than 82%. This is a clear statement that not only do residences with fire sprinklers provide a safe place to live, but FEMA is also committed to providing that minimum code level of safety to those most at risk after disasters.

The fact that we often use this model for affordable or disaster relief emergency housing does not mean it should be unsafe housing. We must continue to help protect the most vulnerable population. The minimum safety standard provided by residential automatic

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fire sprinkler systems should not be omitted. From - [https://nfsa.org/2022/11/01/tiny-fires-in-tiny-homes-fires-in-manufactured-housing-units/#:~:text=Federal%20Emergency%20Management%20Agency%20\(FEMA,fire%20sprinkler%20systems%20since%202016](https://nfsa.org/2022/11/01/tiny-fires-in-tiny-homes-fires-in-manufactured-housing-units/#:~:text=Federal%20Emergency%20Management%20Agency%20(FEMA,fire%20sprinkler%20systems%20since%202016). “

Golden requires “All new detached ADU additions require fire sprinklers within the newly constructed space. The only exception to this rule is the conversion of a basement. “
<https://www.cityofgolden.net/city-services/accessory-dwelling-units/>



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