



City Council Communication

AGENDA DATE: October 20, 2025 **LEGISTAR ITEM #:** Ord 2732

SUBMITTED BY: Mike Sutherland **DEPARTMENT:** Community Development

☒ Ordinance	☐ Resolution	☐ Presentation
☐ Admin Business	☐ Public Hearing	☐ Other

REQUEST

On July 14, 2025, Council held a study session to discuss costs associated with automatic fire sprinkler (fire sprinkler) systems in one-and-two-unit homes and townhomes. At the study session, several council members expressed a desire to make fire sprinkler systems optional. Staff drafted a proposed ordinance and now requests consideration of the ordinance.

BACKGROUND

Residential fire sprinkler requirements have been a topic of nation-wide discussion since at least 1973, when the National Commission on Fire Prevention and Control recommended fire sprinkler requirements for single unit homes. Locally, Boulder County was one of the first jurisdictions to adopt fire sprinkler requirements for one-unit homes in 1995. In 2009, the International Code Council first adopted fire sprinkler requirements for one-and two-unit homes and townhomes. Since then, 19 jurisdictions along the Front Range have adopted some form of residential fire sprinkler requirements, including Commerce City.

- In May of 2023, Council approved Ordinance 2480, adopting the 2021 International Residential Code (IRC), with revisions. The approval included requirements for home builders to install fire sprinkler systems in all new single-unit homes and townhomes with an exception for single-unit homes that are eight feet or more from the nearest side property line.
- Implementation of the ordinance (the effective date was six months later in November of 2023) proved to be very difficult for home

CITY COUNCIL COMMUNICATION CONTINUED

builders; there were no exceptions made for subdivisions with existing infrastructure in place or for previously approved models.

- In February of 2025, Council hosted a developer roundtable to discuss challenges the development community has with building in Commerce City.
- In April of 2025, Council directed staff to organize a study session to discuss fire sprinkler systems and their impacts on development.
- In July of 2025, Council held a study session and heard from staff, the South Adams County Fire Department, and the Homebuilder's Association about fire sprinkler systems. Several Council members requested an ordinance to discontinue the current requirements and make fire sprinkler systems optional, requiring home builders to offer the option to buyers at the buyer's expense.

Advantages to Adoption:

- Making fire sprinkler systems optional may save developers money on many homes.
- Council will be responsive to the requests made by the development community.

Disadvantages to Adoption:

- Water infrastructure systems will still need to be built to accommodate fire sprinkler systems as an option and South Adams County Water and Sanitary District may discontinue tap fee waivers, reducing any perceived cost savings to the homebuilders.
- There are no guarantees that home buyers will see home prices decrease as a result of adoption, home insurance costs may increase for future home buyers who opt out.
- The implementation difficulties of the originally approved ordinance have mostly been overcome, a new approach may add uncertainties to the development review and permitting process.
- The South Adams Fire Department opposes the proposed amendment (see attached letter).

JUSTIFICATION

CITY COUNCIL COMMUNICATION CONTINUED

☐ Council Goal	☐ Strategic Plan	☐ Work Plan	☒ Legal
Citation	As a home rule municipality, Commerce City has the authority to adopt and modify the IRC, in particular, Sections 313.1 and 313.2 of the IRC which require automatic fire sprinkler systems for townhouses and one- and two-unit dwellings, respectively.		

BOARDS & COMMISSIONS ASSIGNED

Board or Commission	N/A
Recommendation	N/A
Date of Recommendation	N/A

PUBLIC OUTREACH

Outreach occurred to the home builders and the Homebuilders Association.

AVAILABLE ACTIONS

- Available Action #1. Adopt Ordinance No. 2732 to make fire sprinkler systems optional at the buyer's cost for new construction of townhouses and one-and-two-unit dwellings.
- Available Action #2. Deny Ordinance No. 2732 to continue Commerce City's requirements requiring fire sprinkler systems for new construction of townhouses and one- and two-unit dwellings with an exception for one- and two-unit dwellings built eight feet or more from any property line.
- Available Action #3. Table or continue discussion on Ordinance No. 2732 with direction to staff on alternatives or additional outreach.