

## Ordinance 2026-01

### **AN ORDINANCE ADOPTING THE 2006 UTAH WILDLAND URBAN INTERFACE CODE, AS ADOPTED BY THE STATE OF UTAH AND PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, ALONG WITH APPENDICES A AND B, AS AMENDED HEREIN, AND ADOPTING THE STATE WILDFIRE HAZARD RISK MAP**

WHEREAS, pursuant to UCA §15A-2-103(2) the state legislature encouraged all jurisdictions adopt the 2006 Utah Wildland Urban Interface Code, consistent with Title 65A Chapter 8 Management of Forest Lands and Fire Control, which governs best practices for home hardening, fire-safe landscaping, and home and curtilage maintenance to prevent wildland fire storms from penetrating the urban/wildland interface;

WHEREAS, in 2025, through HB 48, the state legislature adopted a fire risk hazards map that declares most of the Town within the wildland urban interface attached hereto as Exhibit A;

WHEREAS, the state has mandated that the Town adopt the fire risk hazards map to provide notice to property owners that a new wildland fire mitigation fee will be assessed annually on improved property owners in certain areas, as well as notice to insurance companies regarding their obligations to insure homes;

WHEREAS, the state has declared that a jurisdiction that does not adopt these provisions will be held financially responsible for the cost of fighting wildland fires within their jurisdiction;

WHEREAS, bearing the cost of fighting a wildland fire within the Town would bankrupt the Town; and

WHEREAS, it is in the best interest of the citizens of the Town to comply with state law;

NOW, THEREFORE, the Town Council adopts the following:

#### **Section 1: 2006 Utah Wildland-Urban Interface.**

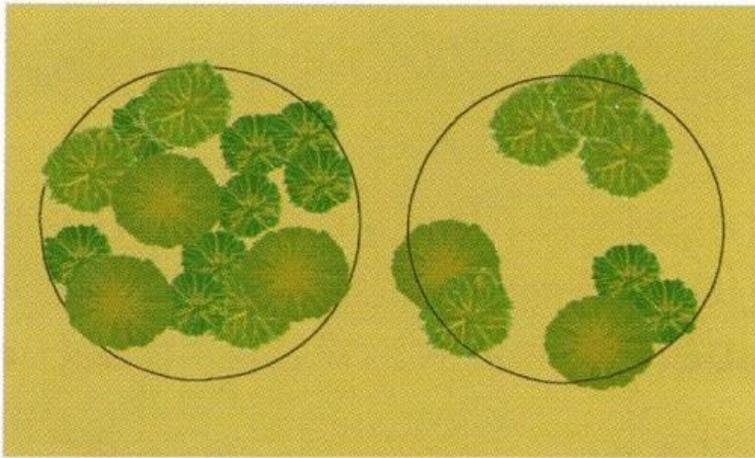
The 2006 Utah Wildland-Urban Interface Code, as adopted by the State of Utah and published by the International Code Council is hereby adopted along with its Appendix A and Appendix B with the following amendments:

1. Section 101.1 is added and shall read as follows:  
101.1.1 Applies to remodels over \$50,000, and all New Construction and Additions.
2. Section 101.2.1 is added and shall read as follows:  
101.2.1 Purpose. The purpose of this Chapter is to supplement the state's current building and fire codes to assist in providing requirements to reduce the risk of losing a structure in a wildfire due to exposure to firebrands, ground or surface fires, crown fires and other associated hazards.
3. Section 101.4 Exceptions shall be added and should read as follows:  
Exceptions.
  1. For existing subdivisions with restrictions outside the Limits of Disturbance and existing vegetation areas, the Town Administrator along with the Wasatch County Fire Marshall shall have the authority to define and grant vegetation management with these areas.
4. Section 101.4.1 Applicability. This Chapter shall apply to all new and existing structures within the Town boundaries. Exceptions to this Chapter may be granted by the Wasatch County Fire Marshall on a case-by-case basis.
5. Section 103.1 shall be modified and shall read as follows:  
103.1 Practical Difficulties. Where there are practical difficulties involved in carrying out the

provision of this Chapter, the Fire Marshal is authorized to grant modifications for individual cases upon application in writing by the owner or an owner's authorized agent. The Fire Marshall shall first find that a unique circumstance makes enforcement of this Chapter technically infeasible, the vegetation or home-hardening modification is in conformance with the intent and purpose of this ordinance, and the modification does not reduce fire protection requirements to any degree of structural integrity. The details of any action granting modifications shall be recorded on the property.

6. Section 202, the following definitions are added:

**CLUMPING OR CLUSTERING.** The process of creating islands or grouping of trees or brush within open space. Clumping or clustering can reduce fire spread and improve vegetation health.



## Clumping

**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.

**FUEL MODIFICATION.** A method of modifying fuel load by reducing the amount of non-fire resistive vegetation or alternating the type of vegetation to reduce the fuel load. To be considered a fuel modification for purposes of this Chapter, continuous maintenance of the clearance is required.

**HOME HARDENING.** Addresses the most vulnerable components of a Dwelling Unit with techniques and materials that increase the resistance to heat, flames and embers that accompany most wildfires.

**HOME IGNITION ZONE (HIZ).** Includes the structure and the space immediately surrounding the structure. The zone includes the Immediate Zone: zero (0) to five (5) feet around the house; Intermediate Zone five (5) to thirty (30) feet; and the Extended Zone: thirty (30) to one hundred (100) feet.

**LADDER FUELS.** Alive or dead vegetation that allows a fire to climb up from the landscape floor

into the tree canopy. These include tall grasses, shrubs and tree branches.

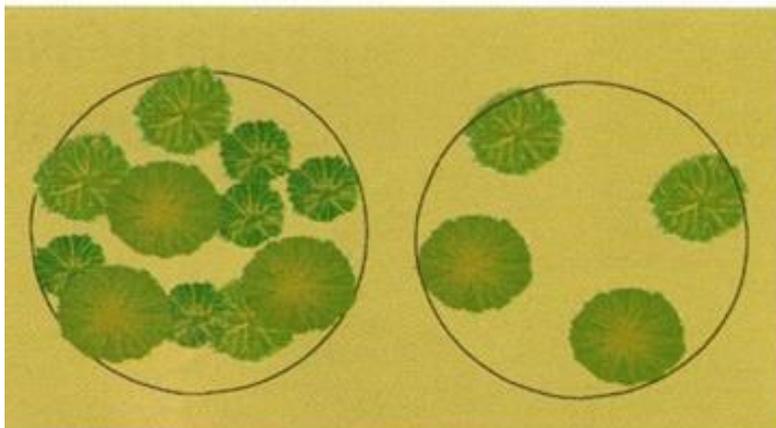
**LIMITS OF DISTURBANCE (LOD).** A boundary within which construction, material storage, grading, landscaping and related activities shall occur. Note: Within Limits of Disturbance that include the Immediate and Intermediate Zones, whichever is greater, Wildland Fuel Mitigation may be implemented. Permits may be required for Landscaping and Grading in accordance with existing land use regulations. Maintenance of vegetation may be allowed within the Intermediate Zone up to 30 horizontal feet measured perpendicular to the structure. Maintenance is defined as removing limbs from trees and shrubs up to 6 feet in height, but not destruction of the tree or bush. Maintenance includes trimming grass to a height not more than 4 inches. Within the Extended Zone Wildland Fuel Mitigation shall be in accordance with Section 603.5.2.3.

**LOT LINES.** A line of record bounding a lot that divides one lot from another lot or from public right-of-way or Private Street or any other public space. Any ignition zone will end at an existing lot line.

**MAINTENANCE.** Removing limbs from trees and shrubs up to 6 feet in height, but not destruction of the tree or bush. Maintenance includes trimming grass to a height not more than 4 inches.

**RESERVE OPEN SPACE.** Maintenance, as described above, shall be allowed in this area.

**THINNING.** The process of removing selected trees and leaving others. This separation reduces the probability of fire spreading laterally from one tree to another.



**Thinning**

7. Sections 505 and 506 of the 2006 Utah Wildland-Urban Interface Code are deleted;
8. Section 603.4 is added and should read as follows:

603.4 Home Hardening.

603.4.1 Purpose. The purpose of home hardening is to prevent a fire from ember storms during a wildland fire or other fire emergency.

603.4.2 Applicability. Items one (1) through four (4), in Section C, are required for all structures. Items five (5) through nine (9) of the same section, are required for new buildings and remodels.

#### 603.4.3 Requirements

1. Roofs shall be kept free of pine needles, leaf litter, and all other debris.
2. Rain Gutters shall be kept clear and clean of all debris.
3. Areas under decks or roof overhangs shall not be used for storage of any combustible materials.
4. Areas under decks shall be kept clean of all dead or dry vegetation, and debris.
5. Vents shall be covered by metal screens with no larger than 1/8 inch mesh.
6. Eaves shall be boxed and/or made from non-combustible materials.
7. Fence components within the Immediate Ignition Zone must be made of non-combustible materials and/or the structure must be non-combustible at the connection point.
8. Windows shall be made of double or triple pane or tempered glass.
9. Roofs shall be covered with a Class A roof covering.
10. Wood shingle or wood shake roofing materials are prohibited.

#### 9. Section 603.5, is added and shall read as follows:

##### 603.5 Home Ignition Zone.

603.5.1 Purpose. All structures must meet the following wildfire preparation requirements in regard to vegetation:

603.5.2 Ignition Zones. Areas around the structure shall be classified as Immediate (0-5 feet from the structure), Intermediate (5 to 30 feet from the structure), and Extended (30 to 100\* feet from the structure).

603.5.2.1 Immediate Ignition Zone. The immediate Ignition Zone shall extend from zero (0) to five (5) feet from the structure, any overhang, or deck attached to the structure and shall meet the following requirements:

1. All dead and dying vegetation must be removed from within five (5) feet of the structure.
2. All vegetation must comply with the 2006 Utah Wildland Urban Interface Code Appendix B.
3. All trees must be trimmed to be no closer than 10 feet from an active wood burning chimney. Distance from natural gas direct vent shall follow manufacturer recommendations.

603.5.2.2 Intermediate Ignition Zone. The Intermediate Ignition Zone shall extend from the edge of the Immediate Ignition Zone to a distance not to exceed 30 feet, which may include an area outside the established LOD and shall meet the following requirements:

1. All vegetation in this zone must comply with the 2006 Utah Wildland Urban Interface Code Appendix B.
2. All dead and dying vegetation shall be removed.
3. Grasses must be kept to a maximum of 4 inches in height above ground.
4. Vegetation under trees shall be removed to preclude the laddering effect of a ground fire from spreading into the tree crown.
5. Trees taller than 10 feet and less than 15 feet must have all branches removed from within four (4) feet of the ground as measured from the highest point of the ground below the canopy of the tree.
6. Trees greater than 15 feet must have all branches removed from within six (6) feet of the ground as measured from the highest point of the ground below the canopy of the tree.
7. Trees and shrubs must be clustered with the canopies of the clusters being no closer than 18 feet to the next closest cluster.
8. No single tree cluster shall exceed five (5) trees or cover more than 15% of the Intermediate Ignition Zone, whichever is lesser.

Exception: Structures meeting all of the requirements labeled in sub-section C items 1 through 4 and at least 3 of the items labeled 5 through 9 listed in Section 603.4.3 are not required to meet items 5 through 8 above. Notwithstanding any exception, all landscaping in the Intermediate Ignition Zone must be such that a ground fire is not likely to spread into the tree canopy.

603.5.2.3 Extended Ignition Zone. The Extended Ignition Zone shall extend from the edge of the Intermediate Ignition Zone to a distance not to exceed 100 feet, which may include an area outside of the established LOD, and shall meet the following requirements:

1. All dead and dying vegetation shall be removed.
2. Small conifers growing between trees may be removed in the context of clumping, clustering, and thinning, in accordance with Section 603.4
3. Trees greater than 15 feet must have all branches removed from within six (6) feet of the ground as measured from the highest point of the ground below the canopy of the tree.
4. Trees and shrubs must be clustered with the canopies of the clusters being no closer than 12 feet to the next closest cluster.
5. No single tree cluster shall exceed 5 trees or cover more than 25% of the Intermediate Ignition Zone, whichever is lesser.
6. Exception Structures meeting all of the items listed in Section 603.4 are not required to meet items 3 through 5 above. Notwithstanding any exception, all landscaping in the Extended Ignition Zone must be such that a ground fire is not likely to spread into the tree canopy.

603.5.2.4 Slopes. All required distances may be increased up to 100% based on the slope and topography of the property. Determination of required distances shall be made by the Fire Marshall.

**10.** Section 604 is modified and shall read as follows: Maintenance/acceptance of existing plans.

604.1 Provisions. Intent is to modify the fuel load in areas adjacent to structures to reduce the threat of wildfires.

604.2 Fuel Modification. Fuel modification distances shall not be less than 30 feet or to the lot line whichever is less. These measurements shall be measured from the horizontal plane from the perimeter or projection of the structure. The allowed distance may be increased by the Fire Marshall because of the site-specific analysis based upon local conditions.604.3 Responsible Party. Persons owning, leasing, controlling, operating or maintaining buildings or structures requiring vegetation management are responsible for maintaining, modifying or removing non-fire resistive vegetation on the property.604.4 Maintenance. Non-fire resistive vegetation or growth shall be kept clear of building or structures, may include Clumping, Clustering, pruning, and thinning, in accordance with Section 603.4.

1. Tree crowns extending to within 10 feet of any structure shall be pruned to maintain a minimum horizontal clearance of 10 feet. Tree crowns within the ignition zone shall be pruned to remove limbs located less than 6 feet above the ground surface adjacent to the trees.
2. Chimney Clearance Portions of tree crowns that extend to within 10 feet of the outlet of a chimney shall be pruned to maintain a minimum horizontal clearance of 10 feet.
3. Dead wood and litter shall be regularly removed from trees.

**Section 2:** The fire hazard risk map attached hereto as Exhibit A is hereby adopted.

Adopted as of the 1st day of January 2026

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Bonnie Wilson  
Mayor Pro Tem

Attest

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Cathy Bingham, Town Clerk

Exhibit A  
State Fire Risk Assessment Map  
(Independence)