

Preparing for Wildfire

Update on HB 48 and the 2006 WUI Building Code

1 November, 2025



RESPECT | LEADERSHIP
HONOR | COMMUNITY
COMMITMENT | EMPOWERMENT

Fire restrictions



- There are no Fire Restrictions
- Burn Permits are allowed and will only be given based on Air Quality being in acceptable parameters
- To obtain a Burn Permit go to:

<https://air.utah.gov/OpenBurning/form/index.php>

State of Utah
DEPARTMENT OF NATURAL RESOURCES
JOEL FERRY
Executive Director
Division of Forestry, Fire, and State Lands
JAMIE BARNES
State Forester-Director

ORDER # UTCLO2505

Fire Restriction Order (Stage 2)

Due to current and forecasted weather conditions coupled with the extremely dry vegetation conditions in Utah, the State Forester has determined that measures must be taken to prevent the ignition of forest and rangeland fires. Therefore, pursuant to Utah State Law, Section 65A-8-212, the following acts are prohibited in the areas described below until rescinded by the Utah State Forester:

1. Building, maintaining, or using charcoal grills, charcoal stoves, or liquid-fueled portable camp stoves in areas with no flammable vegetation.
2. Smoking, or using a cigarette, pipe, or other open flame, in a vehicle, trailer, or building, or on a construction site, or in an area with no flammable vegetation.
3. Disposing of, or using, fireworks, ammunition, or other pyrotechnics.
4. Cutting, grinding, or using power tools in areas with dry vegetation.
5. Operating a motorcycle, chainsaw, or other small internal combustion engine without an approved working spark arrestor.

Area Description: State lands—AND— all unincorporated lands within the county of [redacted].

This order does not apply to private lands within incorporated cities, towns, or villages.

The following persons are exempted from the above prohibitions:

1. Persons with a written permit issued by the Division of Forestry, Fire, and State Lands.
2. Any on-duty firefighter.

Any of the above acts is a violation of state law and is punishable by up to 6 months in jail and a fine of up to \$1,000. These restrictions will be enforced by county law enforcement.

Effective Date: 12:01 a.m., 1st day of August 2025

Brett Ostler
Brett Ostler (Jul 21, 2025 13:05:11 MDT)
Brett Ostler, State Fire Management Officer

Jamie Barnes
Jamie Barnes (Jul 21, 2025 13:18:22 MDT)
Jamie Barnes, State Forester

1594 West North Temple, Suite 3520, PO Box 145703, Salt Lake City, UT 84114-5703
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UTAH
DNR
DIVISION OF FORESTRY, FIRE & STATE LANDS

Requesting a Home Ignition Zone Assessment



- Contact Your Fire Department to Signup for a Home Ignition Zone(HIZ) Assessment
- DVFR has conducted 70 HIZ Assessments Year to Date
- Register for Reverse 911 at the County Website: www.911register.com



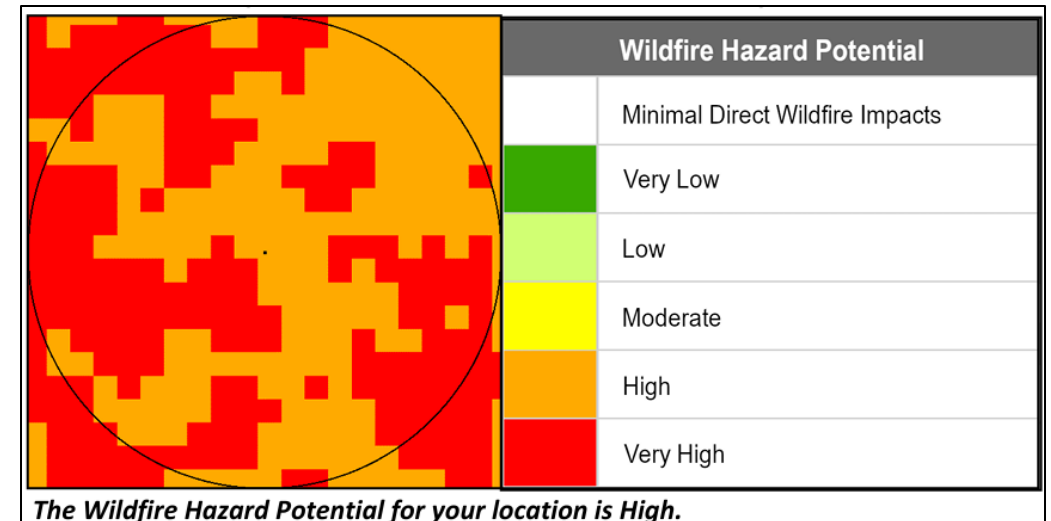
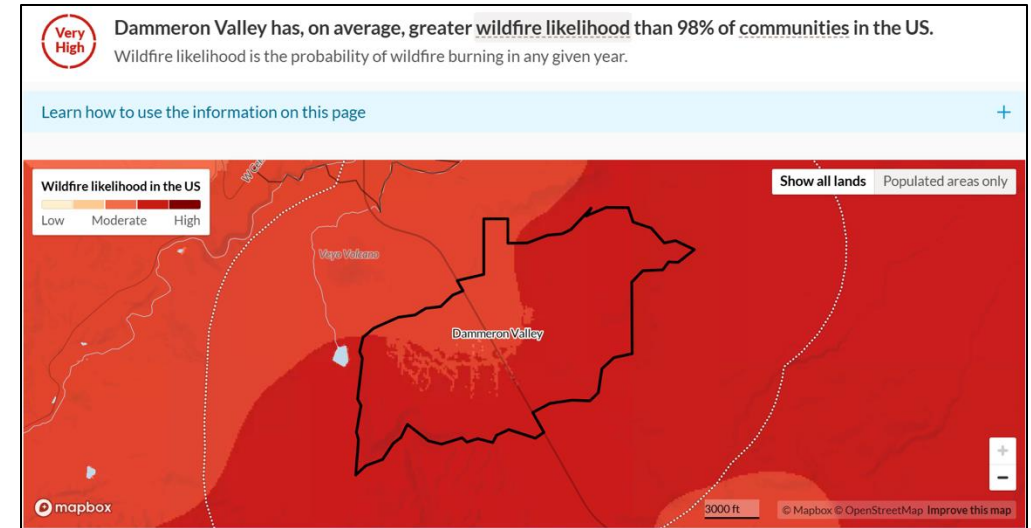
House Bill 48 & 2006 WUI Code

“The Proposed Draft Implementation Rules”

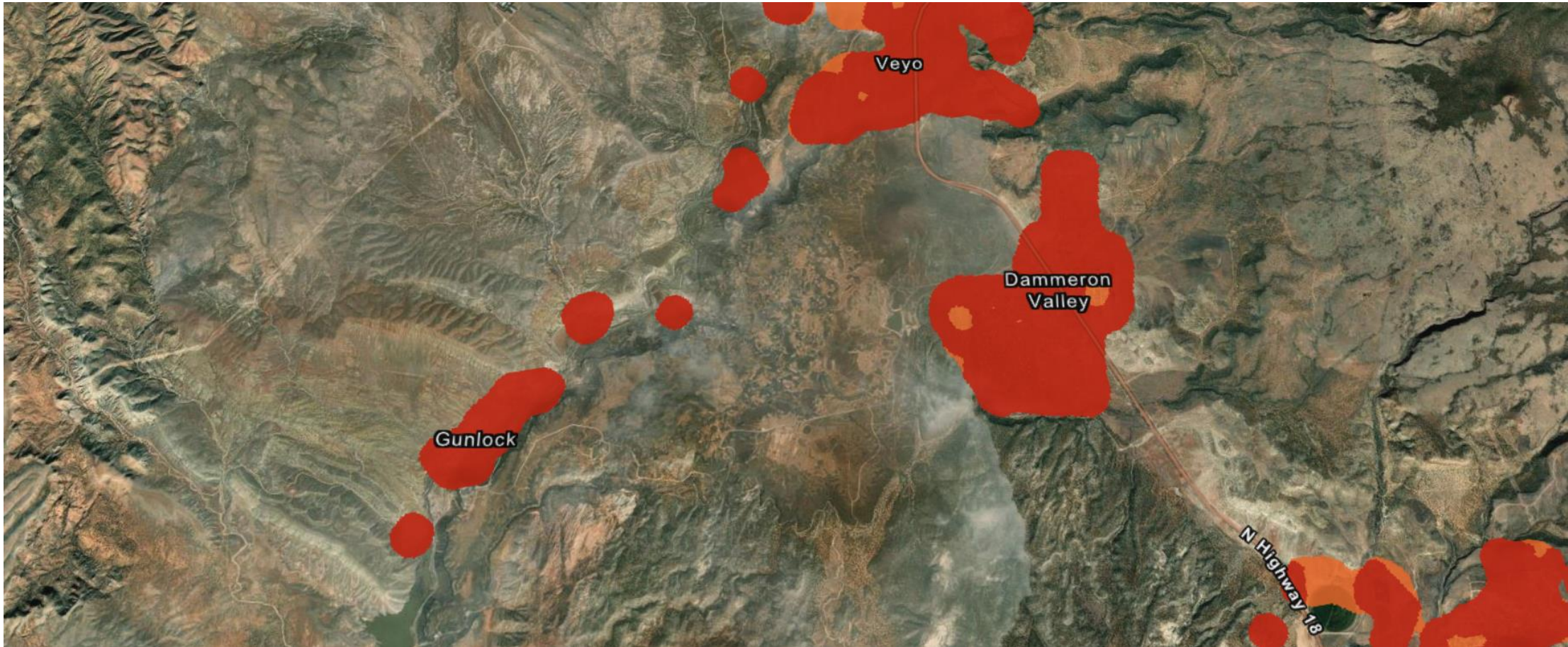
Photo: Forsyth Fire 2025

Fire danger

- TOP: USDA/U.S. Forest Service “Wildfire Risk to Communities” assessment tool rating
- BOTTOM: Utah Wildfire Risk Assessment Portal (UWRAP) wildfire hazard potential rating
- DV “Community at Risk” rating is a “10” (out of 12) based on highest scoring in Fire Occurrence and Fuels Hazards
- FEMA National Risk Index (NRI) is a rating relative to a community risk to wildfire when compared to the rest of the country or county. DV’s NRI rating is Extreme when compared to rest of Washington County areas



HB 48 High-Risk areas



UT House Bill 48 (HB 48)



- Increase awareness, increase mitigation projects that enhance property safety to reduce wildfire risks and costs, as well as potentially lower insurance costs and increase insurance retainability.
- Homeowners in designated High-Risk WUI areas, such as Dammeron Valley, subject to property assessments and fees.
- The Bill directs DNR/FFSL to establish a WUI process of assessing a fee for properties that are in a designated High Risk area
- Three triage classifications from a Firewise assessment of each designated property; fee will be based on homeowner's compliance with the required fuel removal represented by the information contained in this document. Fees will be rated as High-High (the highest fee), High-Moderate, and High-Low (the lowest fee). But a fee will be assessed for everyone in the High-Risk WUI community!
- For new construction, 2006 WUI Code-Utah will be enforced, and it is possible that a Certificate of Occupancy may be withheld by the County
- For existing homes with remodels that exceed a specified value, 2006 WUI Code applies
- HB0048 requires insurers to use the UWRAP High Risk WUI boundary map. They can use other data but must use the same High Risk WUI boundary. The High Risk WUI boundary will be established by the County
- Triage classification from individual lot assessments will be shared with property insurers as well as scores and details with homeowners.
- Property insurers must provide transparency when raising rates or dropping coverage
- FFSL will maintain a database accessible to the property owners and casualty insurers with classification and evaluation information from the Firewise HIZ assessment.

Goes Hot January 2026 and We Are Working
To Understand How This Will Roll Out

2006 WUI Code



- Adopted by WASHCO years ago but not clear how enforcement for “wildland fire” elements have been or will be enforced
- Provides a metric for the wildfire hazard risk of a structure based on construction materials, ingress/egress, topography, fuel present, and fuel mitigation
- The code assigns enforcement to a “local code official,” not a state official; we do not know who this is today
- Fire officials usually review the WUI Code, and local building officials/planning & zoning assure new construction is compliant with WUI Code. The portions of the code that are fire and fuel related can fall to the local fire department for assessment
- Chapter 3 in the WUI Code requires the local legislative body to declare the Wildland Urban Interface areas in their jurisdiction
- Local County code officials shall create official WUI boundary mapping collaboratively with FFSL and make it viewable by the public
- WUI boundary map is where the WUI Code is applicable and enforceable.

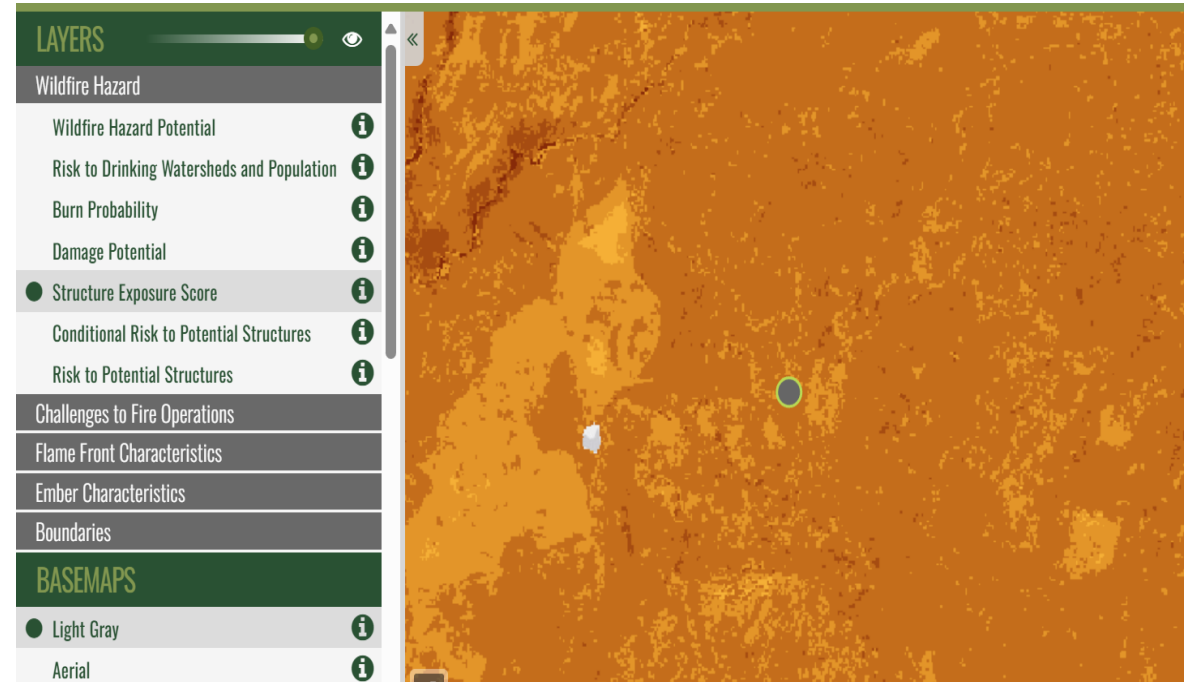
FIRE HAZARD SEVERITY FORM

This appendix is to be used to determine the fire hazard severity.

A. Subdivision Design	Points	C. Topography	
1. Ingress/Egress		Located on flat, base of hill, or setback at crest of hill	1__
Two or more primary roads	1__	On slope with 0-20% grade	5__
One road	10__	On slope with 21-40% grade	10__
One-lane road in, one-lane road out	15__	On slope with 41-60% grade or greater	15__
2. Width of Primary Road		At crest of hill with unmitigated vegetation below	20__
20 feet or more	1__		
Less than 20 feet	5__		
3. Accessibility		D. Roofing Material	
Road grade 5% or less	1__	Class A Fire Rated	1__
Road grade 5-10%	5__	Class B Fire Rated	5__
Road grade greater than 10%	10__	Class C Fire Rated	10__
4. Secondary Road Terminations		Nonrated	20__
Loop roads, cul-de-sacs with an outside turning radius of 45 feet or greater	1__		
Cul-de-sac turnaround	5__	E. Fire Protection—Water Source	
Dead-end roads 200 feet or less in length	8__	2 1/2" P.M hydrant within 1,000 feet	1__
Dead-end roads greater than 200 feet in length	10__	Hydrant farther than 1,000 feet or draft site	5__
5. Street Signs		Water source 20 min. or less, round trip	10__
Present but unapproved	3__	Water source farther than 20 min., and 45 min. or less, round trip	15__
Not present	5__	Water source farther than 45 min., round trip	20__
B. Vegetation (IUWIC Definitions)		F. Siding and Decking	
1. Fuel Types		Noncombustible siding/deck	1__
Surface		Combustible siding/no deck	5__
Lawn/noncombustible	1__	Noncombustible siding/combustible deck	10__
Grass/short brush	5__	Combustible siding and deck	15__
Scattered dead/down woody material	10__		
Abundant dead/down woody material	15__	G. Utilities (gas and/or electric)	
Overstory		All underground utilities	1__
Deciduous trees (except tall brush)	3__	One underground, one aboveground	3__
Mixed deciduous trees and tall brush	10__	All aboveground	5__
Clumped/scattered conifers and/or tall brush	15__		
Contiguous conifer and/or tall brush	20__	Total for Subdivision	
2. Defensible Space		Moderate Hazard	50-75
70% or more of lots completed	1__	High Hazard	76-100
30% to 70% of lots completed	10__	Extreme Hazard	101+
Less than 30% of lots completed	20__		

Proposed implementation rules - Highlights

- We received the draft *Administrative Rule Changes to Implement HB48 (2025)*
- You will NOT pay a fee for an assessment of your property
- You will STILL be assessed an annual fee based on that assessment—we have no idea how much it is
 - High – High (Classification III)
 - High – Moderate (Classification II)
 - High – Low (Classification I)
- The assessed annual fee **WILL** be based on structure square footage
- Vacant lots are not included in the assessed Fee (or Tax)
- Property Owners request an assessment
- Initial implementation will be a set fee across the state not based on any Classification



Proposed implementation rules (8 sections)



- R652-126-XXX. Requirement for Wildland Urban Interface Property and Casualty Insurers to Use the High-Risk Wildland Urban Interface Boundary Map.
- R652-126-XXX. Criteria Used to Determine Triage Scale Classification.
- R652-126-XXX. Process for Certification of Wildland Urban Interface Coordinators.
- R652-126-XXX. Process Used for a Property Owner to Move Into a Different Triage Scale Classification of Risk.
- R652-126-XXX. Process by Which Lot Assessment Results and Triage Scale Classification Results Assigned to Property Are Communicated Between the Division, Counties, Insurers, and Property Owners.
- R652-126-XXX. How the High-Risk Wildland Urban Interface Fee Amount is Set
- R652-126-XXX Appeal of Lot Assessment Results and Triage Scale Classification.
- R652-126-XXX Items included in WUI Addendum

Requirement for WUI Property & Casualty Insurers to use the High-Risk WUI Boundary map



- (1) The High-Risk Wildland Urban Interface boundary map identifies the High-Risk Wildland Urban Interface.
- (2) Only property within this High-Risk Wildland Urban Interface boundary are subject to these rules.
- (3) WUI Property and Casualty Insurers shall only use the High Risk WUI boundary map provided by the division to determine whether the property is High Risk Wildland Urban Interface Property.
- (4) The division shall make the boundary map available to WUI Property and Casualty Insurers as state technology allows, including but not limited to an application programming interface or similar data transfer protocol.
- (5) Any data collected by the division that is not otherwise public shall be considered a private record.
- (6) WUI Property and Casualty Insurers may use additional fire hazard data, beyond the High Risk WUI boundary map, when setting a rate for, or the underwriting of, High Risk WUI Property.

Criteria for triage scale classification

- (i) Structures that do not meet the defensible space requirements nor the ignition resistant construction requirements in Chapters 5 and 6 of the current Utah WUI Code are rated as Classification III.
- (ii) Structures that meet the defensible space requirements in Chapter 6 but not the ignition resistant construction requirements in Chapter 5 of the current Utah WUI Code are rated as Classification II.
- (iii) Structures that meet both the requirements of defensible space and ignition resistant construction in Chapters 5 and 6 of the current Utah WUI Code are rated as Classification I.



Process for certifying WUI Coordinators

- 1) WUI Coordinators performing lot assessments must be certified by the division.
- 2) The division shall maintain a database of individuals who are currently certified to perform lot assessments.
- 3) To attain WUI Coordinator certification individuals must demonstrate completion of all education and safety requirements and standards set by the division.
- 4) The division shall perform quality control checks and may terminate the certification of individuals at any time if the division identifies lot assessments performed contrary to division rules, policy, or guidance.



Process for property owner to move into a different risk classification

- (1) All property within the high risk WUI boundary that has not been assessed by the 1st of January 2028 shall be assigned Classification III on the triage scale until a lot assessment is completed.
- (2) To obtain a triage scale classification, the property owner must first obtain a lot assessment from a certified WUI Coordinator.
- (3) If the lot assessment identifies defensible space or ignition resistant construction improvements, the improvements must be implemented prior to requesting a change in triage scale classification.
- (4) Upon completion of the defensible space or ignition resistant construction requirements identified in an assessment, the property owner may request from the division the triage scale classification be updated for the property. Any request shall be accompanied by proof of work completed in a manner specified by the division.
- (5) After making the request and providing the proof of work contemplated in subsection (4), a WUI Coordinator must verify that improvements specified in the lot assessment have been completed to warrant a change in triage scale classification.
- (6) To verify that property improvements specified in the lot assessment have been completed, the WUI Coordinator shall:
 - (a) If the proof of work completed is sufficient, update the triage scale classification accordingly; or
 - (b) If the proof of work completed is deficient, request additional information from the property owner for proof of work completed; or
 - (c) Perform an additional lot assessment to verify completed improvements.
- (7) For a property owner to maintain the property's current triage scale classification, the property owner shall:
 - (a) Annually, verify that the property is still in compliance with the previous lot assessment, and
 - (b) Every five years submit evidence of compliance as identified by the Wildland Urban Interface Coordinator.

How the High-Risk WUI fee is set



- 1) The county will annually assess a fee against the property owner of taxable structures in the High Risk WUI.
- 2) Prior to the 1st of January 2028, the fee amounts assessed to property owners within the High Risk WUI shall be based on the square footage of the taxable structures.
- 3) After the 1st of January 2028, the fee amounts shall be set by the division according to the determined triage scale classification of the property and square footage of the taxable structures.
 - a) Classification III -- highest fee level
 - b) Classification II -- medium fee level
 - c) Classification I -- lowest fee level
- 4) The county officer shall collect the fees annually based on the current triage scale classification.
- 5) The division may update fee amounts annually to align with current costs associated with implementation of the High Risk WUI property assessments and fee collection as per Section 65A-8-402.
- 6) The county may retain a portion of the fees in a manner specified by agreement with the division.
- 7) The county shall transmit the remainder of the fees to the division in a manner specified by agreement with the division.
- 8) The county may only use retained fees for costs associated with implementation of the High Risk WUI fee implementation as specified in agreement with the division.
- 9) If the division chooses to delegate lot assessments to the county, the county may retain a portion of fees for lot assessment implementation as specified in agreement with the division.
- 10) The county may include retained fees in their annual reporting of Participation Commitment fulfillment where allowed in the Cooperative Wildfire System policy, as specified in agreement with the division.

Process for communicating classification results to Division, County, Insurers, and Property Owners



- 1) The division shall develop and maintain a database of lot assessment results and triage scale classification results.
- 2) The database created in section (1) is a private record.
- 3) When a lot assessment results in a change of triage scale classification, that information shall be accessible by the county in the database.
- 4) Certified Wildland Urban Interface Coordinators must utilize the software tool specified by the division to perform lot assessments.
- 5) The database of lot assessment results and triage scale classification results will be made available to all counties with high risk WUI properties. The division shall limit access to the database of lot assessment results to county personnel as specified in agreement with the county.
- 6) The lot assessment results may be made available to property owners.
- 7) The database of triage scale classification results shall be made available to property and casualty insurers within specified limitations.
 - a) Property and casualty insurers shall be limited to view only the triage scale classification of properties.
 - b) Insurance personnel must request limited access to the database from the division.

Appeal of lot assessment results and triage scale classification of property



- 1. A property owner may appeal to the division the result of a lot assessment or triage scale classification following the procedure outlined in subsection (2).
- 2. Any appeal shall:
 - a. be submitted to the division within 45 days of receipt of the result of the lot assessment; and
 - b. be in writing and contain the following:
 - i. The alleged discrepancy between the Classification and the compliance with the current Utah WUI Code.
 - ii. The effect of that discrepancy on the Classification.
 - iii. Evidence to support the property owner's assertion that the lot assessment or triage scale classification is inaccurate.
 - c. Follow the procedures outlined in Utah Administrative Code R652-8-300.
- 3. The division director or the director's designee shall be the presiding officer of any appeal hearing.

R652-8-300. Procedures for Informal Adjudicative Proceedings.

1. Procedures for all categories of informal adjudicative proceedings shall comply with applicable provisions of Section 63G-4-203.
2. Procedures governing requests for agency action shall be as follows:
 - (a) requests for agency action shall include the information prescribed in Section 63G-4-201(3);
 - (b) (b) the division shall review requests for agency action for completeness and sufficiency of information. Parties submitting requests with insufficient information shall be allowed 30 days to cure the deficiencies, but may make a written request for additional time based on good cause shown;
 - (c) (c) inadequate requests not remedied within the prescribed time shall be considered on the merits of the information provided;
 - (d) (d) the division may prescribe one or more printed forms as provided by Section 63G-4-201(3) which may include standard leases, permits, easements, patents, certificates of sale, and the applications for such, or any other agreement, contract, conveyance or instrument.
3. Notice of agency action shall be provided to parties as provided in Section 63G-4-201(2).

Utah Code 63G-4-201 Commencement of adjudicative proceedings

Items included in WUI Addendum

- 1. The division and county shall enter into a cooperative agreement. The cooperative agreement shall include terms that:
 - a. Ensure adoption and enforcement of the Utah WUI code
 - b. Ensure timely notice of the fee assessed pursuant to this Rule;
 - c. Determine how fees are retained by county;
 - d. Determine how fees are transmitted to the Wildfire Suppression Fund;
 - e. Identify which county officials will have access to the high risk WUI database;
 - f. Determine who will perform lot assessments, between the county and the division; and
 - g. Determine if and how county costs associated with implementation of the High-Risk Wildland Urban Interface property assessments and fee collection may be included in the Participation Commitment in the Cooperative Wildfire System



Make your voice heard



Photo: Forsyth Fire 2025



HB 48 Public Meeting
Tuesday, November 18, 2025
Presentation: 7:00-7:30PM
Q&A Session: 7:30-8:30PM

Where: Festival Hall, 96 North Main Street, Cedar City

Who: Hosted by the Utah Division of Forestry, Fire and State Lands with partners and stakeholders

What: Join us for a public meeting to discuss House Bill 48 (HB48) focusing on Wildland Urban Interface (WUI) mapping, high-risk area designations, and wildfire mitigation planning

Learn how HB48 may impact landowners and communities. This is an opportunity to ask questions, provide feedback, and understand how this new law will improve wildfire preparedness across Utah.