

38-33.3-106.5. Prohibitions Contrary to public policy – patriotic and political expression – emergency vehicles – fire prevention – definitions.

- (1) Notwithstanding any provision in the declaration, bylaws, or rules and regulations of the Association to the contrary, an association shall not prohibit any of the following:
 - (e) The removal by a unit owner of trees, shrubs, or other vegetation to create defensible space around a dwelling for fire mitigation purposes, so long as such removal complies with a written defensible space plan created for the property by the Colorado state forest service, an individual or company certified by a local governmental entity to create such a plan, or the fire chief, fire marshal, or fire protection district within whose jurisdiction the unit is located, and is no more extensive than necessary to comply with such plan. The plan shall be registered with the association before the commencement of work. The association may require changes to the plan if the association obtains the consent of the person, official, or agency that originally created the plan. The work shall comply with applicable association standards regarding slash removal, stump height, revegetation, and contractor regulations.