

**AGENDA for a Regular Meeting
of the Board of Trustees of the Town of Fairplay, Colorado
Monday, November 21, 2022, at 6:00 p.m. at the Fairplay Town Hall Board Room
901 Main Street, Fairplay, Colorado**

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL**
- IV. **APPROVAL OF AGENDA**
- V. **CONSENT AGENDA** (*The Consent Agenda is intended to allow the Board to spend its time on more complex items. These items are generally perceived as non-controversial and can be approved by a single motion. The public or the Board Members may ask that an item be removed from the Consent Agenda for individual consideration.*)
 - A. **APPROVAL OF MINUTES** for Regular Meeting held October 17, 2022.
 - B. **APPROVAL OF MINUTES** for Regular Meeting held November 7, 2022.
 - C. **APPROVAL OF MINUTES** for Special Meeting held November 10, 2022.
 - D. **APPROVAL OF EXPENDITURES** – Approval of bills for various Town funds in the amount of **\$48,426.80**.
- VI. **CITIZEN COMMENTS**
- VII. **PUBLIC HEARINGS**
 - A. **CONTINUED FROM NOVEMBER 7, 2022** – Should the Board Approve the Adoption of Ordinance No. 11, Series of 2022, entitled, “**AN ORDINANCE ADOPTING THE INTERNATIONAL BUILDING CODE, 2018 EDITION, INCLUDING APPENDIX CHAPTERS G; INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION INCLUDING APPENDIX CHAPTER J; INTERNATIONAL EXISTING BUILDING CODE, 2018 EDITION; INTERNATIONAL FIRE CODE, 2018 EDITION; NATIONAL ELECTRICAL CODE AS ADOPTED BY THE STATE OF COLORADO ELECTRICAL BOARD; INTERNATIONAL MECHANICAL CODE, 2018 EDITION; INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION; INTERNATIONAL PLUMBING CODE, 2018 EDITION; INTERNATIONAL FUEL GAS CODE, 2018 EDITION; INTERNATIONAL PROPERTY MAINTENANCE CODE 2018 EDITION, ALL REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF ALL BUILDINGS OR STRUCTURES, AND BUILDING SERVICE EQUIPMENT; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE OF JANUARY 1, 2023.**”?
 - B. **CONTINUED FROM NOVEMBER 7, 2022 – SECOND READING** – 2022FY Amended Budget and 2023FY Proposed Budget for all Funds of the Town of Fairplay, Colorado.
- VIII. **NEW BUSINESS**
 - A. Should the Board Approve the adoption of Resolution No. 41, Series of 2022, entitled, “**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, DESIGNATING THOSE PERSONS AUTHORIZED TO SIGN ON TOWN BANK ACCOUNTS.**”?
 - B. Interviews with Trustee applicants and selection of new Trustee to fill the vacant Board seat.
- IX. **STAFF AND BOARD OF TRUSTEE REPORTS**
- X. **ADJOURNMENT.**

Upcoming Meetings/Important Dates

Thanksgiving Holiday – TOWN OFFICES CLOSED	November 24-25, 2022
Christmas Holiday Bazaar & A Real Colorado Christmas Celebration*	December 3, 2022
Fairplay Holiday Lighting Contest Judging	December 15, 2022
Fairplay Board of Trustees Regular Meeting	December 5, 2022 6:00 PM
Christmas Holiday – TOWN OFFICES CLOSED	December 23 & 26, 2022

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
OCTOBER 17, 2022**

5:00 PM – WORK SESSION REGARDING ADOPTION OF 2018 BUILDING AND FIRE CODES FOR THE TOWN OF FAIRPLAY. Members of the Board of Trustees met with Town Building Official Kyle Parag, Mike Theisen, CBO for Charles Abbott and Associates, LLC, and Town Administrator Janell Sciacca and reviewed a draft of Ordinance No. 11, Series of 2022. The Board asked questions and they and the Town Staff discussed items of mutual concern and interest in order to make appropriate changes to the ordinance before the Public Hearing scheduled for November 7, 2022, at 6:00 p.m.

CALL TO ORDER – REGULAR MEETING

A Regular Meeting of the Board of Trustees for the Town of Fairplay was called to order by Mayor Frank Just on Monday, October 17, 2022, at 6:06 p.m. in the Board Room located in the Fairplay Town Hall at 901 Main Street, having previously been posted in accordance with Colorado Open Records law.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Mayor Just proceeded with the pledge of allegiance, followed by the roll call, which was answered by Mayor Frank Just, Mayor Pro Tem Dodge, and Trustees Josh Voorhis and Pete Lynn.

Staff in attendance were Town Administrator / Town Clerk Janell Sciacca, Town Treasurer Kim Wittbrodt, Public Works Director Donovan Graham, Town Attorney Nina Williams (via Zoom) and Building Official Kyle Parag.

APPROVAL OF AGENDA

Motion #1 by Mayor Pro Tem Dodge, seconded by Trustee Voorhis, that the agenda be adopted as written. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

CONSENT AGENDA

A. APPROVAL OF EXPENDITURES – Approval of bills for various Town funds in the amount of **\$70,104.88**.

Motion #2 by Mayor Pro Tem Dodge, seconded by Trustee Lynn, that the consent agenda be approved as written. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

CITIZEN COMMENTS – None.

NEW BUSINESS

A. Should the Board Approve the adoption of Resolution No. 37, Series of 2022, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE COLORADO DEPARTMENT OF TRANSPORTATION FOR PROJECT MTF M420-002 (25187) FAIRPLAY RIVER PARK TRAIL.”?

Town Administrator Sciacca presented an overview of the Staff Report advising the resolution was being presented to formally approve and accept the \$1,000,000 Colorado Department of Transportation (CDOT) Multimodal Transportation and Mitigation Options Fund (MMOF) Grant. She reminded that the Town was required to provide a 25%, or \$250,000, match but Staff was working on multiple options to reduce or

completely offset that cost. Mayor Just suggested the resolution be amended to clarify the agreement was for \$1,000,000 with \$750,000 funding and a \$250,000 match. He also reminded that a County Commissioner had commented there could be some funding available through the Land and Water Trust Fund (LWTF) Board. Sciacca advised that she did have a call into the County Manager to inquire as to whether or not the Town should apply in 2022 or hold off to 2023 but she had not heard back yet. Mayor Pro Tem Dodge reported that he attended a meeting at the County and the LWTF was not accepting any more grant applications for 2022 and their last meeting of 2022 would be a work session. Following additional discussion regarding potential match funding, Sciacca advised the agreement was reviewed by Town Attorney Williams and she did not have any concerns, comments or corrections. Sciacca recognized and complimented the Town officials for all the legwork they had done stating it was making her job easier and putting the Town way ahead of other applicants who were starting from scratch.

Motion #3 by Trustee Voorhis, seconded by Mayor Pro Tem Dodge, to approve Resolution No. 38, Series of 2022, with the amendment that was stated. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

B. Should the Board Approve the adoption of Resolution No. 38, Series of 2022, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO FORMALIZING THE TOWN’S DECISION TO OPT-OUT OF THE PAID FAMILY AND MEDICAL LEAVE INSURANCE (“FAMLI”) PROGRAM.”?

Town Attorney Williams presented an overview of the Staff Report stating that most of the municipalities she represented declined participation/opted out. She advised that was her recommendation but clarified the Town could always opt back in. Discussions were held regarding the rationale for opting out and Wittbrodt reported that the benefits already provided by the Town were better or equal to the FAMLI plan. Following additional discussion, Town Attorney Williams clarified that while the Town is opting out, employees can opt back in and pay for the benefit, but only up to 12 weeks at their salary. An employee cannot make money above and beyond on the program. If the Town were to opt back in it would be required to participate in the plan for at least 3 years and the Town is required to opt out every 8 years. The Board generally agreed that opting out was the way to go but felt the Town should do everything in its power to provide the best benefits possible for employees.

Motion #4 by Mayor Pro Tem Dodge, seconded by Trustee Voorhis, to approve Resolution No. 38, Series of 2022, with the stated amendment. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

C. Should the Board Approve the adoption of Resolution No. 39, Series of 2022, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO ADOPTING A SNOW REMOVAL POLICY.”?

Town Administrator Sciacca presented an overview of the Staff Report adding this was a goal that was brought to her attention upon arriving in Town and the resolution was being presented to formalize the policy. Upon adoption, Staff will move to get the word out to the citizens letting them know if they want to park a vehicle in the middle of the street during a snowstorm it is most likely not going to get plowed and their vehicle would probably be towed, especially if it was creating a hazardous situation. She added the policy makes it easier for Officers to cite or remove vehicles if necessary. However, it was meant to be more of an informational tool, so the citizens know what the Public Works crews do and why. It was noted that County Court needed to be changed to City Court at the bottom of page 2. On page 3 it was suggested that “publicly traveled areas” needed to be removed from the first line of the first paragraph.

Motion #5 by Trustee Voorhis, seconded by Trustee Lynn, to approve Resolution No. 39, Series of 2022, with the amendments stated. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

D. Submission of FY2022 Amended Budget and FY2023 Proposed Budget to the Board of Trustees for all funds of the Town of Fairplay, CO.

Mayor Just directed Trustees to the binders at their seats and suggested each of them become familiar with the proposed 2023 and amended 2022 budgets prepared by Staff with input from the Board. Town Administrator Sciacca advised the Chief's memo was missing because he has been on vacation. She reminded that Staff was available to answer any questions anytime between tonight's meeting and the December 5 adoption. Treasurer Wittbrodt requested the Board set the first public hearing for November 7, 2022, at 6 p.m. and the required notice would appear in the October 20 Flume edition. Mayor Just announced the first public hearing on the budget would be held on November 7 and he reminded that per state law, the Town only had to have one hearing, but the Board had elected throughout the years to hold 3 public hearings. This year those would be November 7 and 21 and December 5. The Board individually checked their calendars and each, except Trustee Voorhis, was confident they would be able to make a meeting on November 21. Mayor Just requested a motion to approve the public hearing schedule for the 2022FY Amended Budget and 2023FY proposed budget.

Motion #6 by Mayor Pro Tem Dodge, seconded by Trustee Lynn, to approve the budget public hearing schedule as stated. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

Mayor Just then announced that Reports would be given prior to the Work Session.

STAFF AND BOARD OF TRUSTEE REPORTS

Town Treasurer Wittbrodt reported the Dedication Ceremony for Cohen Park would be taking place Saturday, October 22, and she encouraged everyone who could attend to make it out that day. She noted Colorado Health Foundation who gave the Town the grant could not make it, but she told them the Town would take a lot of pictures and send them their way. Wittbrodt advised the Town arranged for Pizza and healthy juice drinks.

Public Works Director Graham reported the water leak at 5th and Clark was finally repaired.

Mayor Pro Tem Dodge reported that he attended the Transportation Planning Region (TPR) meeting earlier in the day where it was reported that the US 285 and Hwy 9 project was going back out to bid in November after some revisions and obtaining additional funding. He also reported that he and Commissioner Elsner stressed the stress put on Highway 9 and the issues that were created for the community by the closure of 285 for the bridge replacement and everyone was looking forward to the reopening in a few weeks.

Town Administrator Sciacca reported the CDOT Workforce Housing meeting was rescheduled to Wednesday, October 26.

Trustee Voorhis questioned the need for a retaining wall around the new Basketball Court at Cohen Park. Mayor Just advised that the dirt had been sat back and with the veracity of the soil one shouldn't be needed, but enough room was left in the event one became necessary. Mayor Just noted that there would be an additional expense for rebar instead of mesh wire which both he and the contractor felt was more appropriate for structural strength. Trustee Voorhis reported that he caught 2 young men putting cones on top of the outhouse and after they took some photos, he asked them to take them down.

Public Works Director Graham provided an update on the leak repair and 5th and Clark. He advised that American Leak Detection was still trying to track down another leak in the Beaver Meadow subdivision, but it appeared there was no shut-off valve to isolate the line which would result in that entire side of Town being shut down for hours on multiple days, so Staff would be looking to install a valve somewhere behind the Jail.

WORK SESSION REGARDING TOWN OF FAIRPLAY 2023 BUDGET WITH PROJECT CONTRACTOR PRESENTATION AND DISCUSSION REGARDING THE WATER INFILTRATION GALLERY PROJECT.

Town Administrator Sciacca directed the Board members to handouts placed at their seats which were related to changes being recommended by contract engineer Ken Hardesty relative to the Water Infiltration Gallery project. Hardesty advised that due to supply chain issues and the leaks being seen it some of the Town lines he was recommending the Town move forward to purchase the materials to install a cartridge filter on Well #4 to bring it online as soon as possible which would provide an additional 35 gpm water supply to help cover unseen impacts. This would be a temporary system approved by CDPHE for use while the Town worked through the final design, hiring a contractor and construction for the permanent system. He noted that 8–12-month delays were being seen in the procurement of ductile iron pipe and valves now and it was on 2-4 months when the Town's project began. The delays were due in part to the war in Ukraine which is where some of materials are located. Hardesty reviewed the 3 options and restated his recommendation for option 1 which was to prepurchase the cartridge housing, filters, air valves, PVC pipe, fittings, and valves to bring Well 4 online now. He did note the risks with option 1 where the Town would be assuming that it would be reimbursed for the expenses through the State SRF loan and delays in final installation could create a warranty issue with any contractor selected to install the permanent system. He advised that he had spoken to CDPHE on the Town's behalf, and they indicated they could do a separate and expedited review for the temporary system. Hardesty added that CDPHE was still trying to determine whether or not prepurchased materials could be reimbursed, but due to the current economic factors, they believe they would be eligible. The estimated cost the Town would be out if the expenses were not eligible would be around \$42,000. Hardesty then noted the other thing that wasn't clear was how much additional engineering would be required on his part. Mayor Just felt the Town's narrative in moving forward was that this was necessary to provide redundancy in the event of a catastrophic failure. Since the source has not been in use it would be considered a redundant source which would offset some of the decreased capacity being seen in Well 1. Just clarified that Hardesty felt option 1 was the most desirable. Hardesty replied yes and another part of the reasoning was that if a contractor was on board by May 2023, by the time materials were procured, the Town would be lucky if the system was brought online by December 2023. Mayor Just inquired when the Town might hear about the DOLA funding request. Sciacca replied that she believed they were meeting soon to review the applications, but she had no indication when they would actually be awarded or available for use. Hardesty then reviewed his proposal for Phase III of the Beaver Creek Water Treatment Plant. He noted the Phase II agreement items should be completed by November but there were approximately \$29,012 of additional unseen costs for engineering and design of the temporary system and completion of additional CDPHE requirements for things the Town did not already have in place such as a Monitor Plan and Cross-Connection Control Plan, but also an Environmental Assessment. Sciacca noted the \$29,012 did not include Phase III expenses and those would be brought back to the Board in 2023. Hardesty added that Phase III would be the final design, the specs, drawings and bidding which would take the project to about 95% completion and there would be a separate agreement for Phase IV for construction oversight which would include administering a contract, helping bid it out, construction oversight, training on operation and final reporting to CDPHE. Sciacca pointed out that the SRF loan process was very detailed and there were multiple steps that had to be completed and requirements that needed to be met before the Town could even apply for SRF funding and Hardesty's help was paramount in getting to that point. Mayor Just

stated his preference for option 1 and explained his reasoning. He also cautioned that he would not at all entertain the notion The Town should jump into this without Hardesty and his oversight and him being on board because there were too many variables to go wrong. He also advised that he felt the Board would be guilty of ignorance if they chose option 3 because they had all been educated enough to know what the Town's issues are and they needed to keep the ball rolling. Just emphatically stated that the fact Hardesty offered the opportunity to help bid the project out provided him comfort about oversight and the finality of that project. Mayor Pro Tem Dodge agreed adding option 1 gets the Town further down the road quicker to achieve its final goal and accomplish what has been talked about for quite a while. He thanked Hardesty for giving the Board option 1 to even consider. Trustee Voorhis agreed stating the Town did not want option 3. Mayor Just confirmed the Board was providing direction to Staff to pursue option 1. Sciacca replied that Staff would build the added amount for 2022 into the amended budget that the Board would see on November 7. Hardesty then advised he had a contractor whom he had worked with for years that wanted to tour the plant. He advised that the Town was not able to sole-source the project, but letting the contractor see the proposed project could benefit the Town through better cost estimates and design-constructability issues. Sciacca stated her appreciation for all of Hardesty and Hahn's work on behalf of the Town noting the Town would be nowhere near as far along as it was without them. She added that some information had been sent to the Water Attorney to review regarding the future potential of a new water plant and added storage and the Board should be prepared to hear a lot more about infrastructure over the next year. She also noted ORC costs could be going up in 2023 as the current operators had requested an increase for their services and she felt that was a policy discussion the Board would need to have soon – does the Town continue to contract those services or try to hire an FTE. Current staff was pursuing certifications, but it would be some time before any of them were at the level required to operate either plant without supervision. Hardesty and Hahn thanked the Board for the opportunity to work with the Town and serve the Fairplay community.

EXECUTIVE SESSION: Pursuant to C.R.S. Section 24-6-402(4)(e) for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations, and/or instructing negotiators and/or for the purpose of personnel matters under C.R.S. Section 24-6-402(4)(f), regarding Intergovernmental Agreement(s) with Park County.

At 7:40 p.m. Mayor Just announced the Board would be going into Executive Session pursuant to C.R.S. Section 24-6-402(4)(e) for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations, and/or instructing negotiators and/or for the purpose of personnel matters under C.R.S. Section 24-6-402(4)(f), regarding Intergovernmental Agreement(s) with Park County and that C.R.S. 24-6-402(e) and (f) authorizes an Executive Session for such matters. Just requested a motion to move into Executive Session.

Motion #7 by Mayor Pro Tem Dodge and seconded by Trustee Lynn, to move into Executive Session. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

Just announced that he, Mayor Pro Tem Dodge, Trustees Voorhis and Lynn, Town Administrator Sciacca and Town Attorney Nina Williams (by Zoom) would be involved in the Executive Session.

ADJOURNMENT

Following the Executive Session, Mayor Just announced the time was 8:55 p.m., that the Executive Session had been concluded and he, Mayor Pro Tem Dodge, Trustees Voorhis and Lynn, and Town Administrator Sciacca were the only participants in the Executive Session. Just also announced for the record, if any person who participated in the Executive Session believed that any substantial discussion of any matters

not included in the motion to go into the Executive Session occurred during the Executive Session, or that any improper action occurred during the Executive Session in violation of the Open Meetings Law, that they state their concerns for the record. Seeing none, Mayor Just declared that the Regular Meeting adjourned at 8:56 p.m.

BOARD OF TRUSTEES, FAIRPLAY, COLORADO**ATTEST:**

Frank Just, Mayor

Janell Sciacca, Town Clerk

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
NOVEMBER 7, 2022**

CALL TO ORDER – REGULAR MEETING

A Regular Meeting of the Board of Trustees for the Town of Fairplay was called to order by Mayor Frank Just on Monday, November 7, 2022, at 6:01 p.m. in the Board Room located in the Fairplay Town Hall at 901 Main Street, having previously been posted in accordance with Colorado Open Records law.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Mayor Just proceeded with the pledge of allegiance, followed by the roll call, which was answered by Mayor Frank Just, Mayor Pro Tem Dodge, and Trustee Pete Lynn. Trustee Voorhis was absent due to a work commitment.

Staff in attendance were Town Administrator / Town Clerk Janell Sciacca, Town Treasurer Kim Wittbrodt, Public Works Director Donovan Graham, Building Official Kyle Parag and Chief of Police Bo Schlunsen.

APPROVAL OF AGENDA

Town Administrator Sciacca requested the removal of New Business Item B noting she had worked with the County Development Services Director and GIS lead to resolve the matter without need for the Board's action. She also noted that Kat Slaughter emailed Staff notifying them she was ill and would not be able to attend and that item would be postponed again.

Motion #1 by Mayor Pro Tem Dodge, seconded by Trustee Lynn, that the agenda be adopted as amended. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

CONSENT AGENDA

- A. APPROVAL OF MINUTES** for Regular Meeting held September 20, 2022.
- B. APPROVAL OF MINUTES** for Regular Meeting held October 3, 2022.
- C. APPROVAL OF EXPENDITURES** – Approval of bills for various Town funds in the amount of **\$230,283.15.**

Town Administrator Sciacca noted that she made several non-substantive spelling and word tense corrections to the minutes.

Motion #2 by Mayor Pro Tem Dodge, seconded by Trustee Lynn, that the consent agenda be approved with the changes as noted by the Town Administrator. A roll call vote was taken: Dodge – aye, Just – aye, Lynn – aye. Motion carried unanimously.

CITIZEN COMMENTS – None.

PROCLAMATIONS, PRESENTATIONS AND UPDATES

- A.** Presentation of VERT Sites Burro Days 2022 Material Composition & Diversions Report by Kat Slaughter. *Postponed due to illness of Slaughter.*

PUBLIC HEARINGS

- A.** Should the Board Approve the Adoption of Ordinance No. 11, Series of 2022, entitled, “**AN ORDINANCE ADOPTING THE INTERNATIONAL BUILDING CODE, 2018 EDITION, INCLUDING APPENDIX CHAPTERS G; INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION INCLUDING APPENDIX CHAPTER J; INTERNATIONAL EXISTING BUILDING CODE, 2018 EDITION; INTERNATIONAL FIRE CODE,**

2018 EDITION; NATIONAL ELECTRICAL CODE AS ADOPTED BY THE STATE OF COLORADO ELECTRICAL BOARD; INTERNATIONAL MECHANICAL CODE, 2018 EDITION; INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION; INTERNATIONAL PLUMBING CODE, 2018 EDITION; INTERNATIONAL FUEL GAS CODE, 2018 EDITION: INTERNATIONAL PROPERTY MAINTENANCE CODE 2018 EDITION, ALL REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF ALL BUILDINGS OR STRUCTURES, AND BUILDING SERVICE EQUIPMENT; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE OF JANUARY 1, 2023.”?

Mayor Just introduced the topic by reading the title of the ordinance and announced the opening of the Public Hearing at 6:08 p.m. Town Administrator Sciacca reported that the required public notices were placed in the Flume newspaper on October 14 and 21 as per state statute and they were also posted online at the Town’s website and in the approved public posting places throughout Town announcing the opportunity for anyone to view the codes that were being proposed for adoption. Building Official Kyle Parag advised the Board the document before them was almost identical to what had been discussed in the past but included the changes discussed during the Work Session on October 17 as well as some suggested by the Mayor and some grammatical corrections. Parag proceeded to lead discussions to address the items listed in the Staff Report and the following amendments were generally agreed upon:

1. URL to Fairplay website in the reference availability section – Town Building Department page will include a link to the ICC online code and Municode will include the direct link in the online version.
2. Building Code Board of appeals-IBC-IRC-IPMC – Language will be inserted that closely mirrors the Town’s current code language for the Board of Adjustment.
3. 3303.9 additional demolition requirements – Remove the proposed addition of 3303.9 Additional requirements since the requirement for obtaining an asbestos-free certification is to be obtained from CDPHE and provided to the Town.
4. Fencing permitting requirements – Permits are not required for fences not over 7’ high and located more than 1 foot from a property line.
5. Large scale weather event roof permits deferred or canceled - During a large-scale event such as a hail, windstorm event or tornado, requirements for roofing permits may be deferred until as such time as a provided by the Building Official.
6. Contractor License Requirements
 - a. Park County is on the 2012 Series – The County will be moving to the 2018 by January 1 which eliminates any conflict.
 - b. Homeowner contractors – A person building a home on his property does not have to have contractor’s license, but any and all his subcontractors would have to have such license.

It was also additionally agreed that all persons, general contracting firms, subcontracting firms and other entities engaged in construction work in the Town would have to have a Park County license.

Parag agreed to provide documents showing the changes so the Board could easily see the amendments agreed to. Mayor Just thanked Parag and the Board for their diligence in working through the document stating the current Board wants to see these codes enforced, but also wants enforceable codes. He then encouraged each Trustee to review and scrutinize the next document so any issues that might come up could be addressed for final adoption. There was no public comment for or against and Mayor Just asked for a motion to continue the adoption of Ordinance No. 11, Series of 2022, to November 21, 2022.

Motion #3 by Mayor Pro Tem Dodge, seconded by Trustee Lynn, to continue consideration of adoption of Ordinance No. 11, Series of 2022, to November 21, 2022. A roll call vote was taken: Dodge – aye, Just – aye, Lynn – aye. Motion carried unanimously.

B. 2021FY Amended Budget and 2023FY Proposed Budget for all Funds of the Town of Fairplay, Colorado. Mayor Just introduced the topic and announced the opening of the Public Hearing at 6:55 p.m. Town Treasurer Wittbrodt advised that she and Administrator Sciacca went over the numbers earlier in the day and Sciacca was prepared to speak on some of the more significant changes, but she felt Staff was getting closer to finalizing all the numbers with the exception of a few items. She reported that the ending fund balance for 2022 was projected to be around \$3,085,218 and the ending for 2023 at \$2,871,904. She reported there were no real significant changes or surprises in revenue and sales tax continued to be up but there was no idea on how much of an impact the CDOT Highway project might have. She highlighted some of the more important items in all funds for the Board including addition of a transit program, a \$750,000 MMOF grant for the River Park, additional sponsorships for events, increased interest revenue with monies invested with ColoTrust, a new Buildings & Grounds position and one more Officer, a new copier for Events/Public Works, updating of the UDC, scanning and posting of additional ordinances online with Municode, a vehicle for Administration, a boom lift for Public Works, building an emergency supply stock for the Town, funding for National Night and Senior Banners, recycling services for Burro Days, facility maintenance and repairs, and more Cohen Park improvements. The Board recommended getting pricing on a generator for 501 Main for emergency purposes since it houses the Food Bank and would most likely house the emergency supplies and be a gathering place during a big event. There was discussion regarding the baseball fields and Burro Park. Sciacca advised the Board would have to have a policy discussion on the fields and the Board suggested the Town obtain a drainage plan or estimate and Sciacca replied she would talk to the Town's engineering firm, SGM. She then addressed the Utility Fund reporting there were no proposed water or sewer service fee increases, but Staff would be recommending SIF, or Tap Fee, increases as well as the implementation of fees-in-lieu/impact fees or water rights dedications to hopefully improve the fund's health in order to maintain, improve and repair the aging infrastructure. She reported Staff was putting in money to buy a Caselle Backflow Module, have annual leak detection services and also complete the Infiltration Gallery project and bringing online of Well #4. She noted contractual fees were increased for the engineering firm helping the Town with the gallery project. She then advised the Board would need to discuss its Operator-related costs stating the current ORCs were requesting an increase to a total of \$11,000/month. Following discussion, the Board gave general direction to Staff to see what the Town's options were for these services citing the two recent CDPHE sanitary survey violations prompting the requirement for the Town to give public notice regarding the drinking water. Mayor Just then requested that future agendas note that the Town was on its First, Second or Third reading of the budget on future agendas and reminded that while the Town was only legally required to conduct 1 reading, the Board had consistently elected to hold no less and 3 in order to let the public review it, ask questions, and understand it. He reminded that the Town posted the Budget online and kept a copy at the Front Desk of Town Hall for public access. Mayor Pro Tem Dodge echoed Just's comment and felt the Town's process was very transparent. Just opened the floor to public comment and there were none in favor or opposition. Just announced the following two public hearings would be held on November 21 and December 5 and requested a motion to continue.

Motion #4 by Mayor Pro Tem Dodge, seconded by Trustee Lynn, to continue the Public Hearing on the 2022 Amended Budget and the 2023 Proposed Budget to November 21, 2022. A roll call vote was taken: Dodge – aye, Just – aye, Lynn – aye. Motion carried unanimously.

NEW BUSINESS

- A. Should the Board Approve the adoption of Resolution No. 40, Series of 2022, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING FINANCIAL INSTITUTION CHANGES AND DESIGNATING THOSE PERSONS AUTHORIZED TO SIGN ON THE NEW DEMAND DEPOSIT, MONEY MARKET AND SAVINGS ACCOUNTS WITH TBK BANK.”?**

Treasurer Wittbrodt provided an overview of the Staff Report noting this was initiated by a request from TBK Bank. She explained the current processes and proposed change and advised that Town’s money is and would remain covered with FDIC. Wittbrodt added that by making the change it helps the bank out, the Town out and increases the Town’s relationship with the Bank. Town Administrator Sciacca advised the Town Attorney had reviewed the agreements and did not have any issue with them as long as the Board was ok with it.

Motion #5 by Trustee Lynn, seconded by Mayor Pro Tem Dodge, to approve Resolution No. 40, Series of 2022, as presented. A roll call vote was taken: Dodge – aye, Just – aye, Lynn – aye. Motion carried unanimously.

- B. Should the Board Approve the adoption of Resolution No. 41, Series of 2022, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, DESIGNATING A STREET NAME FOR THE SUMMIT HABITAT FOR HUMANITY PROJECT FOR EIGHT NEW SINGLE-FAMILY HOMES.”?** *Removed from consideration per vote to adopt agenda as amended.*

STAFF AND BOARD OF TRUSTEE REPORTS

Town Administrator Sciacca reminded that Park County was hosting the next PPACG Board of Directors’ Meeting in Fairplay on Wednesday, November 9 at 9AM and it would be good to have an elected representative of the Town there, but she would attend if no one else was able to. She also reported that the US 285/Hwy CDOT project was out to bid with revised plans and added money and was set to be awarded on December 1 pending bids; She and Mayor Pro Tem Dodge and County and School officials met with CDOT representatives on October 26 where everyone was advised CDOT obtained full funding to move forward to build a Workforce Housing project its site on Hathaway. During that same meeting, storage of the Summit Stage buses was discussed at the CDOT maintenance shop on Castello and County Manager Eisenman asked if CDOT could help install a shelter of some type at the shuttle stop on Main at the old County Courthouse and she reminded them of the previous discussion to potentially help the school out with bus barn improvements for storage of buses but also space for vocational ed classes; Sciacca also reminded everyone that November 8 was Election Day and she encouraged all in attendance to vote.

Public Works Director Graham reported that American Leak Detection pinpointed the leak in Beaver Meadows behind the County Jail in the marshlands; Just expressed appreciation for the Water Loss evaluation information the Board was being provided stating he had been asking for such information for the Board for many years and felt this would now allow Staff to identify issues before they become big problems. He felt the Town was nearing a more tolerable leak level and Sciacca confirmed this would be a routine report to the Board every month.

Building Official Parag reported the Habitat project submitted for permits for 2 homes, he had quite a few calls from people looking to build homes on vacant lots, and Stone River was making progress on their model home and would be granted permission to put in a temporary propane tank to heat the unit for the winter.

Mayor Pro Tem Dodge reported he had attended multiple meetings; he echoed Just's comments on the report advising it paints a big picture on the status of the Town's water and asked if water would need to be shut off to make the repair. Graham reported a valve would be installed to isolate the area and no one would lose water.

Trustee Lynn reported his work season was starting to slow down and he hoped to get to more Town-related meetings and study on Town-related business.

Mayor Just reported on the dedication ceremony held for Cohen Park on October 22 stating there was a remarkably big turnout and a good time had by all; The basketball court was now done and the contractor did an exceptionally good job making it a showpiece with the grooming and pattern work and he wanted to make sure a protective treatment was applied in 2023; and the Town received 17 thank you cards from the Edith Teter 1st grade class that visited Town Hall in September and asked that they be displayed in Town Hall and shared via post to the Town's social media accounts.

ADJOURNMENT

There being no further business before the Board, Mayor Just declared that the Regular Meeting adjourned at 8:13 p.m.

BOARD OF TRUSTEES, FAIRPLAY, COLORADO

ATTEST:

Frank Just, Mayor

Janell Sciacca, Town Clerk

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
NOVEMBER 10, 2022**

CALL TO ORDER – REGULAR MEETING

A Regular Meeting of the Board of Trustees for the Town of Fairplay was called to order by Mayor Frank Just on Monday, November 10, 2022, at 6:04 p.m. in the Board Room located in the Fairplay Town Hall at 901 Main Street, having previously been posted in accordance with Colorado Open Records law.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Mayor Just proceeded with the pledge of allegiance, followed by the roll call, which was answered by Mayor Frank Just, and Trustees Josh Voorhis and Pete Lynn.

Staff in attendance was Town Administrator / Town Clerk Janell Sciacca.

APPROVAL OF AGENDA

Motion #1 by Trustee Voorhis, seconded by Trustee Lynn, that the agenda be adopted as written. A roll call vote was taken: Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

Mayor Pro Tem Dodge joined the meeting via Zoom.

EXECUTIVE SESSION: Pursuant to C.R.S. Section 24-6-402(4)(e) for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations, and/or instructing negotiators and/or for the purpose of personnel matters under C.R.S. Section 24-6-402(4)(f), regarding Intergovernmental Agreement(s) with Park County.

Mayor Just announced the Board would be going into Executive Session pursuant to C.R.S. Section 24-6-402(4)(e) for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations, and/or instructing negotiators and/or for the purpose of personnel matters under C.R.S. Section 24-6-402(4)(f), regarding Intergovernmental Agreement(s) with Park County and that C.R.S. 24-6-402(e) and (f) authorizes an Executive Session for such matters. Just requested a motion to move into Executive Session.

Motion #2 by Trustee Voorhis and seconded by Trustee Lynn, to move into Executive Session. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

Just announced that he, Mayor Pro Tem Dodge, Trustees Voorhis and Lynn, and Town Administrator Sciacca would be involved in the Executive Session.

ADJOURNMENT

Following the Executive Session, Mayor Just announced the time was 7:22 p.m., that the Executive Session had been concluded and he, Mayor Pro Tem Dodge, Trustees Voorhis and Lynn, and Town Administrator Sciacca were the only participants in the Executive Session. Just also announced for the record, if any person who participated in the Executive Session believed that any substantial discussion of any matters not included in the motion to go into the Executive Session occurred during the Executive Session, or that any improper action occurred during the Executive Session in violation of the Open Meetings Law, that they state their concerns for the record. Seeing none, Mayor Just declared that the Regular Meeting adjourned at 7:23 p.m.

BOARD OF TRUSTEES, FAIRPLAY, COLORADO

ATTEST:

Frank Just, Mayor

Janell Sciacca, Town Clerk

UNOFFICIAL



MEMORANDUM

TO: Mayor and Board of Trustees
FROM: Kim Wittbrodt, Treasurer
RE: Paid Bills/Financial Statements
DATE: November 3, 2022

Agenda Item: Bills

Attached is the list of the invoices paid between November 4, 2022, and November 15, 2022.

Total Expenditures: \$48,426.80

Upon motion to approve the consent agenda, the expenditures will be approved.

Please contact me with any questions.

Attached are the financial statements for all funds through 10/31/2022.

Report Criteria:

Detail report type printed

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
11/07/2022	18650	Business Solutions Group,	envelopes	1	10/31/2022	108.14	105030
Total 292:						108.14	
11/07/2022	18660	The Flume	legal ads	1	10/31/2022	99.31	106125
Total 868:						99.31	
11/07/2022	18654	Ferrellgas	850 hathaway	1	10/24/2022	998.58	105186
Total 916:						998.58	
11/07/2022	18657	Mountain View Waste	roll off	1	11/01/2022	909.84	105134
Total 1414:						909.84	
11/15/2022	18674	Postal Pros Southwest, Inc	water billing	1	11/01/2022	309.64	517218
Total 1699:						309.64	
11/07/2022	18661	Town of Fairplay	850 hathaway	1	10/31/2022	101.70	105186
11/07/2022	18661		501 main	1	10/31/2022	303.20	105195
Total 2134:						404.90	
11/15/2022	18679	Xcel Energy	901 main	1	10/19/2022	281.51	105023
11/15/2022	18679		fairplay sign #1	1	10/19/2022	13.58	105640
11/15/2022	18679		1800 beaver creek road	1	10/19/2022	1,086.71	517495
11/15/2022	18679		850 hathaway	1	10/19/2022	253.05	105186
11/15/2022	18679		501 main street	1	10/19/2022	307.17	105195
11/15/2022	18679		monument sign	1	10/19/2022	32.18	105640
11/07/2022	18663		street lights	1	11/01/2022	912.09	105640
Total 2296:						2,886.29	
11/07/2022	18655	KONICA MINOLTA BUSIN	C364E Copier	1	10/29/2022	433.22	105032
Total 2448:						433.22	
11/08/2022	18665	CARD SERVICES	car wash	1	11/01/2022	9.00	105625
11/08/2022	18665		car wash	2	11/01/2022	4.25	105420
11/08/2022	18665		Supplies	3	11/01/2022	31.26	105445
11/08/2022	18665		Supplies	4	11/01/2022	103.43	105420
11/08/2022	18665		Postage	5	11/01/2022	480.00	105035
11/08/2022	18665		Supplies	6	11/01/2022	88.83	105340
11/08/2022	18665		Supplies	7	11/01/2022	276.90	105030
11/08/2022	18665		Postage	8	11/01/2022	120.00	517218
11/08/2022	18665		Supplies	9	11/01/2022	2.17	105130
11/08/2022	18665		Supplies	10	11/01/2022	124.56	105883
11/08/2022	18665		Supplies	11	11/01/2022	16.88	105027
11/08/2022	18665		Supplies	12	11/01/2022	167.52	105445
11/08/2022	18665		Supplies	13	11/01/2022	47.34	105883
11/08/2022	18665		web hosting	14	11/01/2022	65.96	105162
11/08/2022	18665		Supplies	15	11/01/2022	81.33	105060

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
11/08/2022	18665		web hosting	16	11/01/2022	39.98	105130
11/08/2022	18665		tap for block house	17	11/01/2022	1,325.00	517495
11/08/2022	18665		Food for meeting	18	11/01/2022	80.10	517480
11/08/2022	18665		Supplies	19	11/01/2022	674.95	105625
11/08/2022	18665		Food for meeting	20	11/01/2022	90.81	105630
11/08/2022	18665		Supplies	21	11/01/2022	52.15	105670
11/08/2022	18665		Supplies	22	11/01/2022	28.92	105630
Total 2503:						3,911.34	
11/15/2022	18678	Wittbrodt, Kim	cell phone reimb	1	11/15/2022	50.00	105065
Total 2655:						50.00	
11/07/2022	18652	Colorado Natural Gas, Inc.	sewer treatment plant	1	11/02/2022	1,712.90	517680
11/07/2022	18652		natural gas	1	11/02/2022	109.80	105023
11/07/2022	18652		san office	1	11/02/2022	192.07	517234
11/07/2022	18652		natural gas-shop	1	11/02/2022	338.31	105650
Total 2728:						2,353.08	
11/15/2022	18667	Bullock, Julie	cell phone reimburse	1	11/15/2022	25.00	105645
11/15/2022	18667		cell phone reimburse	2	11/15/2022	25.00	517226
Total 2812:						50.00	
11/15/2022	18668	Colorado Analytical Lab	water testing	1	11/10/2022	1,480.00	517430
11/07/2022	18651		water testing	1	11/03/2022	24.00	517475
Total 2864:						1,504.00	
11/08/2022	18664	American Leak Detection	leak detection	1	11/07/2022	4,500.00	517445
Total 2920:						4,500.00	
11/07/2022	18653	Fairplay Auto Supply	supplies	1	10/31/2022	22.99	517445
11/07/2022	18653		supplies	2	10/31/2022	51.28	105670
11/07/2022	18653		supplies	3	10/31/2022	123.59	105630
11/07/2022	18653		supplies	4	10/31/2022	49.47	105670
Total 2948:						247.33	
11/07/2022	18656	Montrose Water Factory, L	bottled water	1	10/04/2022	38.00	105120
Total 3211:						38.00	
11/07/2022	18658	SGM	town gis	1	10/25/2022	1,057.50	105655
Total 3272:						1,057.50	
11/07/2022	18662	Vertical Property Services	replace sewer main line	1	11/04/2022	19,100.00	517610
Total 3303:						19,100.00	
11/15/2022	18669	Ernst, Sarah	cell phone reimburse	1	11/15/2022	50.00	105065

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
Total 3313:						50.00	
11/15/2022	18673	Park County Government	monthly internet	1	11/01/2022	105.00	517226
11/15/2022	18673		monthly internet	2	11/01/2022	52.50	105455
11/15/2022	18673		monthly internet	3	11/01/2022	52.50	105065
Total 3381:						210.00	
11/07/2022	18659	Tandem Design Lab	burro days website	1	11/04/2022	375.00	105162
Total 3384:						375.00	
11/15/2022	18666	Bannister, Chris	cell phone reimburse	1	11/15/2022	25.00	517226
11/15/2022	18666		cell phone reimburse	2	11/15/2022	25.00	105645
Total 3464:						50.00	
11/15/2022	18677	Wagner, Alex	cell phone reimburse	1	11/15/2022	25.00	105645
11/15/2022	18677		cell phone reimburse	2	11/15/2022	25.00	517226
Total 3506:						50.00	
11/15/2022	18670	Graham, Donovan	cell phone reimburse	1	11/15/2022	25.00	105645
11/15/2022	18670		cell phone reimburse	2	11/15/2022	25.00	517226
Total 3519:						50.00	
11/15/2022	18676	Sciacca, Janell	cell phone reimburse	1	11/15/2022	50.00	105065
Total 3583:						50.00	
11/15/2022	18672	Kleinschmidt, Sean	cell phone reimburse	1	11/15/2022	25.00	517226
11/15/2022	18672		cell phone reimburse	2	11/15/2022	25.00	105645
Total 3590:						50.00	
11/15/2022	18675	Rocks & Walls Excavation	repair water leak	1	11/11/2022	5,680.00	517445
Total 3614:						5,680.00	
11/15/2022	18671	Hardesty Engineering and	gallery project	1	11/10/2022	2,900.63	517430
Total 3618:						2,900.63	
Grand Totals:						48,426.80	

Report Criteria:

Detail report type printed

TOWN OF FAIRPLAY
REVENUES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>TAXES</u>					
10-40-05 AD VALOREM TAX	727.50	231,869.64	234,399.00	2,529.36	98.9
10-40-10 SPEC. OWNERSHIP TAX	1,958.19	22,052.14	25,000.00	2,947.86	88.2
10-40-30 INTEREST ON PROPERTY TAX	30.07	578.92	500.00	(78.92)	115.8
10-40-40 DELINQUENT TAXES	.00	293.21	.00	(293.21)	.0
10-40-55 50% SHAREBACK OF R&B LEVY	87.90	7,822.62	7,000.00	(822.62)	111.8
10-40-60 MOTOR VEHICLE REGISTRATION	405.50	3,246.21	4,000.00	753.79	81.2
10-40-70 SALES TAX	152,273.62	1,271,461.45	1,507,693.00	236,231.55	84.3
10-40-75 SALES TAX - STREETS	50,757.87	425,363.71	502,565.00	77,201.29	84.6
10-40-80 HIGHWAY USER'S TAX	6,505.11	28,232.91	36,000.00	7,767.09	78.4
10-40-85 SEVERANCE TAX	.00	11,678.81	500.00	(11,178.81)	2335.8
10-40-86 MINERAL LEASE REVENUE	.00	580.73	500.00	(80.73)	116.2
10-40-90 CIGARETTE TAX	430.78	2,650.42	3,000.00	349.58	88.4
10-40-96 LODGING TAX	6,782.00	42,722.00	60,000.00	17,278.00	71.2
TOTAL TAXES	219,958.54	2,048,552.77	2,381,157.00	332,604.23	86.0
<u>LICENSES</u>					
10-41-10 LIQUOR LICENSES	175.00	5,503.75	3,000.00	(2,503.75)	183.5
10-41-30 DOG LICENSES	.00	98.00	150.00	52.00	65.3
10-41-32 LIVESTOCK PERMIT	.00	75.00	25.00	(50.00)	300.0
10-41-34 COMMERCIAL FISHING PERMIT	.00	450.00	450.00	.00	100.0
10-41-40 BUILDING PERMITS	400.00	8,691.79	5,000.00	(3,691.79)	173.8
10-41-41 SURCHARGE: STREETS	77.25	706.76	369.00	(337.76)	191.5
10-41-42 SURCHARGE: PARKS & REC	77.25	706.76	369.00	(337.76)	191.5
10-41-50 FRANCHISE TAX	6,378.14	53,653.76	58,000.00	4,346.24	92.5
10-41-60 GOLD PANNING PERMITS/DONATION	210.00	7,960.00	10,000.00	2,040.00	79.6
10-41-70 BUSINESS LICENSES	150.00	7,600.00	7,500.00	(100.00)	101.3
10-41-74 SHORT TERM RENTAL PERMITS	300.00	4,500.00	.00	(4,500.00)	.0
10-41-80 SIGN PERMITS	.00	350.00	300.00	(50.00)	116.7
10-41-90 EXCAVATION PERMIT	.00	538.50	100.00	(438.50)	538.5
10-41-92 MECHANICAL PERMIT	200.00	250.00	.00	(250.00)	.0
10-41-94 STREET CUT PERMIT	(50.00)	1,000.00	.00	(1,000.00)	.0
10-41-96 FENCE PERMIT	45.00	290.00	320.00	30.00	90.6
10-41-97 SPECIAL EVENTS PERMIT	.00	1,320.00	1,000.00	(320.00)	132.0
10-41-98 RESIDE/REROOF PERMIT	400.00	3,400.00	2,000.00	(1,400.00)	170.0
TOTAL LICENSES	8,362.64	97,094.32	88,583.00	(8,511.32)	109.6
<u>FEE INCOME</u>					
10-42-75 PLANNING & DEVELOPMENT FEES	.00	2,175.00	20,000.00	17,825.00	10.9
10-42-90 COPIES & FAXES	.00	230.60	200.00	(30.60)	115.3
TOTAL FEE INCOME	.00	2,405.60	20,200.00	17,794.40	11.9

TOWN OF FAIRPLAY
REVENUES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>LAW ENFORCEMENT</u>					
10-45-05 TRAFFIC FINES	1,570.00	6,290.00	12,000.00	5,710.00	52.4
10-45-10 SURCHARGE: POLICE TRAINING	300.00	1,312.00	1,500.00	188.00	87.5
10-45-15 COURT COSTS	124.00	248.00	620.00	372.00	40.0
10-45-20 DEFAULT FEES	.00	15.00	150.00	135.00	10.0
10-45-30 OTHER FINES	50.00	100.00	500.00	400.00	20.0
10-45-80 VIN INSPECTIONS	260.00	3,169.00	400.00	(2,769.00)	792.3
10-45-90 MISCELLANEOUS	.00	11,266.77	1,000.00	(10,266.77)	1126.7
10-45-95 GRANT/REIMBURSEMENT	.00	30,960.00	.00	(30,960.00)	.0
TOTAL LAW ENFORCEMENT	2,304.00	53,360.77	16,170.00	(37,190.77)	330.0
<u>INTEREST INCOME</u>					
10-46-05 INTEREST ON COLOTRUST	5,943.03	19,164.97	150.00	(19,014.97)	12776.
10-46-30 INTEREST ON CHECKING	20.59	338.07	400.00	61.93	84.5
TOTAL INTEREST INCOME	5,963.62	19,503.04	550.00	(18,953.04)	3546.0
<u>MISCELLANEOUS INCOME</u>					
10-47-00 MISCELLANEOUS INCOME	200.00	14,940.43	103,906.00	88,965.57	14.4
10-47-10 CEMETERY	.00	107.50	300.00	192.50	35.8
10-47-38 TOWN CLEAN UP DONATIONS	.00	135.05	.00	(135.05)	.0
10-47-39 FOURTH OF JULY	.00	5,697.36	10,000.00	4,302.64	57.0
10-47-49 STREET LIGHTING	926.88	9,075.90	10,800.00	1,724.10	84.0
10-47-50 SUMMER CONCERT SERIES	.00	16,635.92	22,500.00	5,864.08	73.9
10-47-52 REAL COLORADO CHRISTMAS	.00	.00	500.00	500.00	.0
10-47-56 BURRO DAYS	(1,300.00)	55,780.58	50,000.00	(5,780.58)	111.6
10-47-59 BURRO DAYS RETAIL SALES	170.57	2,229.57	9,000.00	6,770.43	24.8
10-47-62 501 MAIN - RENT & UTILITY	243.01	910.42	1,500.00	589.58	60.7
10-47-65 MARDI GRAS	.00	6,200.00	10,000.00	3,800.00	62.0
10-47-75 COMMERCIAL FISHING FEES	.00	1,989.75	.00	(1,989.75)	.0
10-47-81 GRANT-COHEN PARK	.00	92,739.00	.00	(92,739.00)	.0
10-47-82 CAMPING PERMITS/FACILITY USE	30.00	500.00	600.00	100.00	83.3
10-47-83 GRANT - FEDERAL	.00	197,812.26	.00	(197,812.26)	.0
10-47-90 MISCELLANEOUS REVENUE-EVENTS	44.00	.00	3,000.00	3,000.00	.0
10-47-91 TOWN HALL - 901 MAIN	.00	12,397.00	12,397.00	.00	100.0
TOTAL MISCELLANEOUS INCOME	314.46	417,150.74	234,503.00	(182,647.74)	177.9
TOTAL FUND REVENUE	236,903.26	2,638,067.24	2,741,163.00	103,095.76	96.2

TOWN OF FAIRPLAY
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ADMINISTRATION</u>					
10-50-02 401(A) EMPLOYER MATCH	494.30	3,236.75	4,271.00	1,034.25	75.8
10-50-05 SALARIES -ADMIN./CLERK/TREASUR	13,975.91	103,400.30	132,021.00	28,620.70	78.3
10-50-11 SS/MEDICARE EXPENSE	1,126.75	8,380.34	10,237.00	1,856.66	81.9
10-50-12 UNEMPLOYMENT EXPENSE	29.40	215.67	268.00	52.33	80.5
10-50-13 EMPLOYEE HEALTH INSURANCE	2,891.77	28,926.84	34,125.00	5,198.16	84.8
10-50-14 WORKER'S COMPENSATION	.00	667.00	693.00	26.00	96.3
10-50-15 EDUCATION	.00	1,604.00	6,000.00	4,396.00	26.7
10-50-16 ADMIN VEHICLE	692.34	4,961.77	6,000.00	1,038.23	82.7
10-50-23 TOWN HALL EXPENSE - UTILITIES	649.70	5,396.13	6,000.00	603.87	89.9
10-50-25 TOWN HALL EXP - REPAIR & MAINT	95.00	3,326.53	15,000.00	11,673.47	22.2
10-50-27 TOWN HALL EXPENSE - SUPPLIES	12.15	811.98	1,500.00	688.02	54.1
10-50-30 OFFICE SUPPLIES	78.63	2,289.71	4,000.00	1,710.29	57.2
10-50-32 EQUIPMENT RENTAL	382.17	3,424.50	5,000.00	1,575.50	68.5
10-50-35 POSTAGE EXPENSE	64.60	643.42	750.00	106.58	85.8
10-50-40 BANK/CREDIT CARD FEES	454.75	3,119.45	480.00	(2,639.45)	649.9
10-50-50 ELECTION EXPENSE	.00	.00	2,000.00	2,000.00	.0
10-50-55 BOARD OF TRUSTEE SALARY	60.00	1,065.00	1,800.00	735.00	59.2
10-50-57 TOWN ATTY LEGAL SERVICES	550.70	12,307.50	20,000.00	7,692.50	61.5
10-50-58 BUILDING OFFICAL CONTRACT	1,886.72	5,873.14	.00	(5,873.14)	.0
10-50-60 COMPUTER/SOFTWARE/SUPPORT	3,961.07	48,417.95	7,000.00	(41,417.95)	691.7
10-50-65 TELEPHONE/INTERNET	766.37	9,185.48	14,000.00	4,814.52	65.6
10-50-70 MISCELLANEOUS EXPENSE	(9.79)	5,795.45	6,000.00	204.55	96.6
10-50-75 CODIFICATION	.00	1,922.00	3,000.00	1,078.00	64.1
10-50-76 ESTIP AGREEMENT	.00	3,079.62	4,000.00	920.38	77.0
TOTAL ADMINISTRATION	28,162.54	258,050.53	284,145.00	26,094.47	90.8

TOWN OF FAIRPLAY
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>COMMUNITY DEVELOPMENT</u>					
10-51-05 PROFESSIONAL FEES	390.00	10,490.33	40,000.00	29,509.67	26.2
10-51-07 PROFESSIONAL FEES-BILL BACK	(6,826.59)	6,454.41	.00	(6,454.41)	.0
10-51-10 EDUCATION/BENEVOLENCE (BOT)	186.15	3,134.97	7,500.00	4,365.03	41.8
10-51-20 VISITOR CENTER	335.38	3,082.99	3,000.00	(82.99)	102.8
10-51-30 ADVERTISING AND MARKETING	347.99	14,362.79	15,000.00	637.21	95.8
10-51-34 TOWN BEAUTIFICATION	.00	10,046.87	10,000.00	(46.87)	100.5
10-51-35 TOWN CLEAN UP	.00	7,432.70	9,000.00	1,567.30	82.6
10-51-40 DUES AND MEMBERSHIPS	140.00	624.93	500.00	(124.93)	125.0
10-51-50 TGIFAIRPLAY EXPENSE	1,720.02	15,121.41	22,500.00	7,378.59	67.2
10-51-62 BURRO DAYS	3,687.68	52,880.80	43,000.00	(9,880.80)	123.0
10-51-66 MARDI GRAS	.00	9,243.96	10,000.00	756.04	92.4
10-51-70 MISCELLANEOUS EVENTS	329.79	1,801.29	5,500.00	3,698.71	32.8
10-51-71 FIREWORKS/4TH OF JULY	573.30	17,881.53	18,000.00	118.47	99.3
10-51-74 REAL COLORADO CHRISTMAS	.00	1,085.40	2,000.00	914.60	54.3
10-51-75 DONATIONS	.00	3,500.00	2,000.00	(1,500.00)	175.0
10-51-80 FAIRPLAY FORWARD	.00	.00	10,000.00	10,000.00	.0
10-51-85 PROPERTY IMPROVEMENT INCENTIV	.00	3,287.00	20,000.00	16,713.00	16.4
10-51-86 850 HATHAWAY-BUS BARN	341.12	12,898.82	12,000.00	(898.82)	107.5
10-51-95 501 MAIN STREET	694.98	13,589.63	16,000.00	2,410.37	84.9
10-51-96 501 MAIN STREET REMODEL	.00	516.00	200,000.00	199,484.00	.3
TOTAL COMMUNITY DEVELOPMENT	1,919.82	187,435.83	446,000.00	258,564.17	42.0
<u>JUDICIAL SYSTEM</u>					
10-53-02 401(A) EMPLOYER MATCH	17.79	115.94	139.00	23.06	83.4
10-53-05 MUNICIPAL JUDGE SALARY	1,002.12	7,176.99	8,685.00	1,508.01	82.6
10-53-10 COURT CLERK	509.59	3,722.63	4,308.00	585.37	86.4
10-53-11 SS/MEDICARE EXPENSE	115.62	833.66	994.00	160.34	83.9
10-53-12 UNEMPLOYMENT EXPENSE	3.03	21.57	26.00	4.43	83.0
10-53-13 EMPLOYEE HEALTH INSURANCE	88.29	884.08	1,052.00	167.92	84.0
10-53-14 WORKER'S COMPENSATION	.00	37.00	37.00	.00	100.0
10-53-20 COURT ATTORNEY	.00	.00	500.00	500.00	.0
10-53-30 EDUCATION	.00	.00	500.00	500.00	.0
10-53-40 OPERATING EXPENSE	116.18	116.18	400.00	283.82	29.1
10-53-50 DUES AND MEMBERSHIPS	.00	.00	136.00	136.00	.0
TOTAL JUDICIAL SYSTEM	1,852.62	12,908.05	16,777.00	3,868.95	76.9

TOWN OF FAIRPLAY
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PUBLIC SAFETY</u>					
10-54-01 POLICE SALARIES	26,043.82	215,478.20	282,713.00	67,234.80	76.2
10-54-03 EXTRA DUTY PAY-GRANT	.00	5,487.50	.00	(5,487.50)	.0
10-54-04 PART TIME OFFICERS	1,400.00	9,690.25	14,950.00	5,259.75	64.8
10-54-05 PENSION CONTRIBUTION	3,177.36	24,663.59	34,491.00	9,827.41	71.5
10-54-08 POLICE SALARIES OVERTIME	1,657.58	13,003.54	.00	(13,003.54)	.0
10-54-10 UNIFORMS AND ACCESSORIES	.00	2,380.06	5,000.00	2,619.94	47.6
10-54-11 SS/MEDICARE EXPENSE	507.99	4,768.14	5,243.00	474.86	90.9
10-54-12 UNEMPLOYMENT EXPENSE	58.19	341.35	595.00	253.65	57.4
10-54-13 EMPLOYEE HEALTH INSURANCE	7,765.55	69,294.68	97,212.00	27,917.32	71.3
10-54-14 WORKER'S COMPENSATION	.00	13,623.00	13,623.00	.00	100.0
10-54-15 FUEL	1,401.66	14,272.17	12,000.00	(2,272.17)	118.9
10-54-20 VEHICLE MAINTENANCE	1,194.61	10,777.86	15,000.00	4,222.14	71.9
10-54-24 PROFESSIONAL TRAINING EXPENSE	.00	2,046.68	3,500.00	1,453.32	58.5
10-54-26 IN-SERVICE TRAINING EXPENSE	.00	.00	1,000.00	1,000.00	.0
10-54-28 VEHICLE RENTAL PAYMENT	.00	18,413.28	24,551.00	6,137.72	75.0
10-54-30 RADAR & RADIO MAINTENANCE	.00	394.42	1,000.00	605.58	39.4
10-54-32 AMMUNITION	.00	.00	500.00	500.00	.0
10-54-45 OPERATING SUPPLIES	67.73	766.09	1,000.00	233.91	76.6
10-54-50 EQUIPMENT EXPENSE	.00	32,823.00	22,300.00	(10,523.00)	147.2
10-54-55 TELEPHONE - POLICE LINE	968.50	5,112.94	5,000.00	(112.94)	102.3
10-54-60 MEMBERSHIPS - DUES	.00	250.00	500.00	250.00	50.0
10-54-65 COMPUTER/SOFTWARE/SUPPORT	500.00	13,408.73	7,000.00	(6,408.73)	191.6
10-54-75 INVESTIGATIVE SERVICES	381.56	2,184.12	3,500.00	1,315.88	62.4
10-54-80 OFFICER RECRUITING	.00	325.00	1,000.00	675.00	32.5
10-54-87 LIABILITY INSURANCE	.00	10,435.84	10,436.00	.16	100.0
10-54-97 PUBLIC RELATIONS	.00	741.12	500.00	(241.12)	148.2
 TOTAL PUBLIC SAFETY	 45,124.55	 470,681.56	 562,614.00	 91,932.44	 83.7

TOWN OF FAIRPLAY
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PUBLIC WORKS</u>					
10-56-01 SALARIES	16,852.26	137,912.74	151,362.00	13,449.26	91.1
10-56-02 401(A) EMPLOYER MATCH	563.08	3,942.25	4,600.00	657.75	85.7
10-56-10 SEASONAL WAGES	.00	.00	10,000.00	10,000.00	.0
10-56-11 SS/MEDICARE EXPENSE	1,289.20	10,550.45	11,984.00	1,433.55	88.0
10-56-12 UNEMPLOYMENT EXPENSE	23.33	195.23	470.00	274.77	41.5
10-56-13 EMPLOYEE HEALTH INSURANCE	2,353.05	23,560.34	39,099.00	15,538.66	60.3
10-56-14 WORKER'S COMPENSATION	.00	5,964.00	5,965.00	1.00	100.0
10-56-15 FUEL	395.86	5,157.35	5,000.00	(157.35)	103.2
10-56-25 REPAIRS & MAINT - EQUIPMENT	2,826.77	6,884.60	15,000.00	8,115.40	45.9
10-56-30 TOOLS, MAT'L'S, & SUPPLIES	382.43	4,066.72	5,000.00	933.28	81.3
10-56-35 EDUCATION & TRAINING	.00	100.00	2,000.00	1,900.00	5.0
10-56-40 ELECTRIC STREET LIGHTS & SIGNS	960.10	9,763.68	12,000.00	2,236.32	81.4
10-56-45 TELEPHONE	165.67	1,716.27	2,700.00	983.73	63.6
10-56-50 MAINTENANCE BUILDING - UTILITY	251.58	7,713.56	8,600.00	886.44	89.7
10-56-55 MAPPING	266.00	4,720.00	.00	(4,720.00)	.0
10-56-60 VEHICLE RENTAL PAYMENT	.00	36,848.36	22,620.00	(14,228.36)	162.9
10-56-70 STREET REPAIRS	14,012.47	204,358.19	250,000.00	45,641.81	81.7
10-56-82 TOWN SHOP BUILDING REPAIRS	.00	2,176.49	7,500.00	5,323.51	29.0
10-56-90 EQUIPMENT	.00	41,812.50	47,000.00	5,187.50	89.0
TOTAL PUBLIC WORKS	40,341.80	507,442.73	600,900.00	93,457.27	84.5
<u>PARKS & RECREATION</u>					
10-58-30 TOOLS, MATERIALS, & SUPPLIES	.00	2,444.04	5,500.00	3,055.96	44.4
10-58-41 PARKS UTILITIES	27.33	340.80	400.00	59.20	85.2
10-58-42 VAULT RESTROOMS MAINTENANCE	613.34	4,622.75	2,500.00	(2,122.75)	184.9
10-58-50 CEMETERY EXPENSE	.00	434.70	3,500.00	3,065.30	12.4
10-58-83 COHEN PARK PROJECT	1,055.58	105,978.55	111,000.00	5,021.45	95.5
TOTAL PARKS & RECREATION	1,696.25	113,820.84	122,900.00	9,079.16	92.6
<u>NON-DEPARTMENTAL EXPENDITURE</u>					
10-61-15 LIABILITY INSURANCE	156.96	16,952.29	16,107.00	(845.29)	105.3
10-61-17 AUDIT FEES	.00	4,500.00	4,500.00	.00	100.0
10-61-23 TREASURER'S FEES - MILL LEVY	15.15	4,616.44	4,000.00	(616.44)	115.4
10-61-25 PUBLISHING EXPENSE	140.59	1,441.94	2,000.00	558.06	72.1
10-61-30 DUES & MEMBERSHIPS	.00	1,642.00	2,000.00	358.00	82.1
10-61-60 ABATEMENT	.00	.00	2,000.00	2,000.00	.0
TOTAL NON-DEPARTMENTAL EXPEND	312.70	29,152.67	30,607.00	1,454.33	95.3
TOTAL FUND EXPENDITURES	119,410.28	1,579,492.21	2,063,943.00	484,450.79	76.5
NET REVENUE OVER EXPENDITURES	117,492.98	1,058,575.03	677,220.00	(381,355.03)	156.3

TOWN OF FAIRPLAY
REVENUES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

		CONSERVATION TRUST FUND				
		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>INTERGOVERNMENTAL REVENUES</u>						
20-44-10	COLORADO LOTTERY FUNDS	.00	3,406.63	4,500.00	1,093.37	75.7
	TOTAL INTERGOVERNMENTAL REVE	.00	3,406.63	4,500.00	1,093.37	75.7
<u>INTEREST INCOME</u>						
20-46-50	INTEREST INCOME SAVINGS	4.84	18.78	10.00	(8.78)	187.8
	TOTAL INTEREST INCOME	4.84	18.78	10.00	(8.78)	187.8
	TOTAL FUND REVENUE	4.84	3,425.41	4,510.00	1,084.59	76.0

TOWN OF FAIRPLAY
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

CONSERVATION TRUST FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>OPERATION EXPENSE</u>					
20-73-10 COHEN PARK - IMPROVEMENTS	.00	1,000.00	5,000.00	4,000.00	20.0
20-73-75 BURRO PARK	.00	.00	10,000.00	10,000.00	.0
TOTAL OPERATION EXPENSE	.00	1,000.00	15,000.00	14,000.00	6.7
TOTAL FUND EXPENDITURES	.00	1,000.00	15,000.00	14,000.00	6.7
NET REVENUE OVER EXPENDITURES	4.84	2,425.41	(10,490.00)	(12,915.41)	23.1

TOWN OF FAIRPLAY
REVENUES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

INTERNAL SERVICE FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
32-47-20 DEPT RENTAL PAYMENTS	.00	72,676.64	103,676.00	30,999.36	70.1
TOTAL REVENUE	.00	72,676.64	103,676.00	30,999.36	70.1
TOTAL FUND REVENUE	.00	72,676.64	103,676.00	30,999.36	70.1

TOWN OF FAIRPLAY
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

INTERNAL SERVICE FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
32-58-10 POLICE VEHICLES	.00	39,806.35	.00	(39,806.35)	.0
32-58-20 PUBLIC WORK EQUIPMENT	.00	145,750.00	150,000.00	4,250.00	97.2
TOTAL EXPENDITURES	.00	185,556.35	150,000.00	(35,556.35)	123.7
TOTAL FUND EXPENDITURES	.00	185,556.35	150,000.00	(35,556.35)	123.7
NET REVENUE OVER EXPENDITURES	.00	(112,879.71)	(46,324.00)	66,555.71	(243.7)

TOWN OF FAIRPLAY
REVENUES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

FAIRPLAY UTILITY ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>WATER REVENUE</u>					
51-42-05 POTABLE WATER	30,112.24	319,858.88	400,000.00	80,141.12	80.0
51-42-20 LIEN REVENUE	.00	3,760.51	8,200.00	4,439.49	45.9
51-42-32 WATER FACILITY MAINTENANCE FEE	121.82	487.28	500.00	12.72	97.5
51-42-34 WATER METERS, PRV, PARTS	149.27	1,301.92	1,000.00	(301.92)	130.2
51-42-36 PENALTY NON-COMPLIANCE	40.00	400.00	480.00	80.00	83.3
51-42-40 PLANT INVESTMENT FEES	.00	120,000.00	13,500.00	(106,500.00)	888.9
51-42-60 OTHER WATER REVENUE	.00	.00	1,000.00	1,000.00	.0
TOTAL WATER REVENUE	30,423.33	445,808.59	424,680.00	(21,128.59)	105.0
<u>WASTEWATER REVENUE</u>					
51-46-05 WW USER FEES	56,112.77	560,598.26	668,880.00	108,281.74	83.8
51-46-20 LIEN REVENUE	.00	4,360.60	.00	(4,360.60)	.0
51-46-30 LIEN REVENUE - INTEREST	.00	58.63	.00	(58.63)	.0
51-46-40 PLANT INVESTMENT FEES	.00	141,967.00	16,702.00	(125,265.00)	850.0
51-46-60 OTHER WASTEWATER REVENUE	.00	.00	100.00	100.00	.0
TOTAL WASTEWATER REVENUE	56,112.77	706,984.49	685,682.00	(21,302.49)	103.1
<u>INTEREST/FEE REVENUE</u>					
51-48-10 INTEREST ON INVESTMENTS	3,755.29	12,675.69	200.00	(12,475.69)	6337.9
51-48-30 LATE FEES	699.03	6,245.52	9,000.00	2,754.48	69.4
TOTAL INTEREST/FEE REVENUE	4,454.32	18,921.21	9,200.00	(9,721.21)	205.7
TOTAL FUND REVENUE	90,990.42	1,171,714.29	1,119,562.00	(52,152.29)	104.7

TOWN OF FAIRPLAY
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

FAIRPLAY UTILITY ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EMPLOYEE EXPENSES</u>					
51-70-01 SALARIES	21,790.58	168,066.76	171,166.00	3,099.24	98.2
51-70-02 401A EMPLOYER MATCH	653.40	5,127.82	5,594.00	466.18	91.7
51-70-11 SS/MEDICARE EXPENSE	1,669.22	12,894.96	13,186.00	291.04	97.8
51-70-12 UNEMPLOYMENT EXPENSE	39.12	302.94	345.00	42.06	87.8
51-70-13 EMPLOYMENT HEALTH INSURANCE	3,614.17	36,164.24	42,209.00	6,044.76	85.7
51-70-14 WORKER'S COMPENSATION	.00	3,001.00	2,975.00	(26.00)	100.9
51-70-15 BOARD OF TRUSTEE SALARIES	30.00	500.00	1,200.00	700.00	41.7
TOTAL EMPLOYEE EXPENSES	27,796.49	226,057.72	236,675.00	10,617.28	95.5
<u>OFFICE/GENERAL EXPENSE</u>					
51-72-02 BANK/CREDIT CARD FEES	454.94	3,886.25	6,300.00	2,413.75	61.7
51-72-06 COMPUTER/SOFTWARE/SUPPORT-O	1,268.00	12,484.01	13,000.00	515.99	96.0
51-72-10 MISCELLANEOUS	.00	276.91	1,000.00	723.09	27.7
51-72-14 OFFICE SUPPLIES	76.23	1,483.21	3,500.00	2,016.79	42.4
51-72-18 POSTAGE EXPENSE	309.88	3,214.45	4,000.00	785.55	80.4
51-72-22 PUBLISHING EXPENSE	.00	542.50	600.00	57.50	90.4
51-72-26 TELEPHONE/INTERNET EXPENSE	230.00	2,305.00	3,000.00	695.00	76.8
51-72-30 TOWN HALL RENTAL PAYMENT	.00	12,397.00	12,397.00	.00	100.0
51-72-34 UTILITIES-OFFICE	141.44	1,900.98	2,500.00	599.02	76.0
51-72-38 VEHICLE/EQUIP RENTAL TO ISF	.00	17,415.00	24,000.00	6,585.00	72.6
51-72-42 VEHICLE MAINTENANCE/REPAIR	361.85	1,532.09	2,500.00	967.91	61.3
51-72-44 FUEL	395.85	5,157.31	4,000.00	(1,157.31)	128.9
51-72-60 REPAIR & MAINT - OFFICE BLDG	30.00	3,203.25	5,000.00	1,796.75	64.1
TOTAL OFFICE/GENERAL EXPENSE	3,268.19	65,797.96	81,797.00	15,999.04	80.4
<u>CONTRACTUAL FEES</u>					
51-73-20 AUDITOR FEES	.00	4,500.00	4,500.00	.00	100.0
51-73-40 INSURANCE-PROPERTY/LIABILITY	.00	16,107.00	16,107.00	.00	100.0
51-73-60 LEGAL FEES	.00	.00	5,000.00	5,000.00	.0
51-73-70 TREASURER FEES	.00	814.43	.00	(814.43)	.0
TOTAL CONTRACTUAL FEES	.00	21,421.43	25,607.00	4,185.57	83.7

TOWN OF FAIRPLAY
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

FAIRPLAY UTILITY ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WATER - PLANT & EQUIPMENT</u>					
51-74-10 DNU	.00	.00	2,500.00	2,500.00	.0
51-74-15 COMPUTER EXPENSE-WATER SYSTE	.00	2,386.44	3,000.00	613.56	79.6
51-74-17 CONTRACT PLANT OPERATOR	4,500.00	40,500.00	54,000.00	13,500.00	75.0
51-74-20 DITCH MAINTENANCE	.00	.00	500.00	500.00	.0
51-74-25 EDUCATION	446.44	446.44	1,000.00	553.56	44.6
51-74-30 INFILLTRATION GALLERY PROJECT	5,598.60	49,352.49	25,000.00	(24,352.49)	197.4
51-74-34 ENGINEERING	907.00	907.00	.00	(907.00)	.0
51-74-40 HASP MEMBERSHIP DUES	1,610.00	1,610.00	1,400.00	(210.00)	115.0
51-74-45 LEAKS AND REPAIRS	36,709.45	90,616.65	10,000.00	(80,616.65)	906.2
51-74-50 MISCELLANEOUS	23.80	23.80	3,000.00	2,976.20	.8
51-74-55 PERMITS/DUES/LOCATES	37.70	1,388.49	1,650.00	261.51	84.2
51-74-60 PUMPHOUSE EXPENSE	.00	1,277.23	1,500.00	222.77	85.2
51-74-65 REPAIR & MAINTENANCE-EQUIP	2,083.82	3,304.04	5,000.00	1,695.96	66.1
51-74-70 UTILITIES	165.72	2,139.25	3,000.00	860.75	71.3
51-74-75 TESTING CHEMICALS AND SUPPLIES	872.11	8,521.75	1,000.00	(7,521.75)	852.2
51-74-80 TOOLS AND SUPPLIES	.00	1,756.00	2,000.00	244.00	87.8
51-74-85 WATER METERS	3,738.02	9,588.44	30,000.00	20,411.56	32.0
51-74-90 WATER TANKS	15.14	368.94	10,000.00	9,631.06	3.7
51-74-95 WATER TREATMENT PLANT	10,156.90	34,803.07	15,000.00	(19,803.07)	232.0
TOTAL WATER - PLANT & EQUIPMENT	66,864.70	248,990.03	169,550.00	(79,440.03)	146.9
<u>WASTEWATER-PLANT & EQUIPMENT</u>					
51-76-10 CAPITAL EXPENDITURES	18,368.00	18,368.00	30,000.00	11,632.00	61.2
51-76-15 DNU	.00	.00	1,000.00	1,000.00	.0
51-76-20 COLLECTION SYSTEM MAINTENANC	.00	9,335.00	12,000.00	2,665.00	77.8
51-76-25 COMPUTER EXPENSE-WW SYSTEM	.00	2,590.59	2,000.00	(590.59)	129.5
51-76-27 CONTRACT - ORC	5,000.00	45,000.00	60,000.00	15,000.00	75.0
51-76-30 EDUCATION	.00	173.46	1,000.00	826.54	17.4
51-76-35 ENGINEERING FEES	.00	.00	5,000.00	5,000.00	.0
51-76-36 LIFT STATION	.00	2,000.00	10,000.00	8,000.00	20.0
51-76-45 MISCELLANEOUS	.00	3,060.24	10,000.00	6,939.76	30.6
51-76-50 PERMITS/DUES/LOCATES	39.00	3,185.10	4,300.00	1,114.90	74.1
51-76-55 REPAIRS AND MAINTENANCE-EQUIP	1,400.97	10,018.35	15,000.00	4,981.65	66.8
51-76-60 SLUDGE REMOVAL/DISPOSAL	100,000.00	100,000.00	100,000.00	.00	100.0
51-76-65 TESTING CHEMICALS AND SUPPLIES	1,106.69	5,938.06	6,000.00	61.94	99.0
51-76-70 TOOLS AND SUPPLIES	.00	644.11	2,000.00	1,355.89	32.2
51-76-75 TRASH	69.00	690.00	960.00	270.00	71.9
51-76-80 UTILITIES-PLANT	5,188.28	49,634.85	65,000.00	15,365.15	76.4
TOTAL WASTEWATER-PLANT & EQUIP	131,171.94	250,637.76	324,260.00	73,622.24	77.3

TOWN OF FAIRPLAY
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2022

FAIRPLAY UTILITY ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>DEBT SERVICE</u>					
51-80-02 LOAN PRINCIPAL	.00	.00	223,700.00	223,700.00	.0
51-80-04 LOAN INTEREST	.00	46,667.84	93,841.00	47,173.16	49.7
TOTAL DEBT SERVICE	.00	46,667.84	317,541.00	270,873.16	14.7
TOTAL FUND EXPENDITURES	229,101.32	859,572.74	1,155,430.00	295,857.26	74.4
NET REVENUE OVER EXPENDITURES	(138,110.90)	312,141.55	(35,868.00)	(348,009.55)	870.3

PUBLIC HEARING FORMAT

LEGISLATIVE HEARINGS (Policy issues such as ordinances amending the Municipal Code, Budget Hearings, Etc.

1. Mayor will introduce the topic and announce that the Public Hearing is open at _____ (time).
2. Mayor will ask for Staff presentation and allow for questions from the Board and suggested amendments, if any.
3. Mayor will solicit public comment in favor of or in opposition to issue/matter.
4. Mayor will close the public hearing and ask for Board deliberation.
5. Following deliberation, Mayor will ask for a motion to continue, approve as presented, approve with stated amendment(s) or deny.



Town of Fairplay
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STAFF REPORT

TO: Mayor and Board of Trustees

FROM: Kyle Parag, Building Official
Janell Sciacca, Town Administrator

RE: Chapter 18 Repeal and Re-Enact – Ordinance No. 11, Series of 2022

DATE: November 18, 2022

BACKGROUND/ANALYSIS:

The Town adopts Building Codes that provide specific details and requirements related to construction of buildings and structures within the Town to assure a safe built environment. These Building Codes are based on a national council that continuously implements code changes based on industry standards, requirements, events, and material innovations. The Council produces new versions with updates every 3 years and jurisdictions are suggested to adopt the newer versions on a regular basis.

The purpose is to adopt a code to establish minimum requirements to safeguard the public safety, health and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment, and to provide safety to fire fighters and emergency responders during emergency operations.

This ordinance has had significant resources put into it for the development and review to assure the best document we could provide. This item has been a Board of Trustees agenda item numerous times and the topic of a work session to refine the contents to fit the Town's unique character and needs. Staff has consulted with local and state resources and has provided a great deal of input into this ordinance to assure the document reflects the best interest of the Town, its residents and businesses.

STAFF RECOMMENDATION

Staff recommends the Board discuss any final amendments and then approve Ordinance No. 11, Series 2022 as presented/amended by motion, second and a roll call vote and account the effective date will be January 1, 2023.

Attachment
Ordinance No. 11, Series of 2022

“Where History Meets the High Country”

TOWN OF FAIRPLAY, COLORADO

**ORDINANCE NO. 11
(SERIES 2022)**

AN ORDINANCE ADOPTING THE INTERNATIONAL BUILDING CODE, 2018 EDITION, INCLUDING APPENDIX CHAPTERS G; INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION INCLUDING APPENDIX CHAPTER J; INTERNATIONAL EXISTING BUILDING CODE, 2018 EDITION; INTERNATIONAL FIRE CODE, 2018 EDITION; NATIONAL ELECTRICAL CODE AS ADOPTED BY THE STATE OF COLORADO ELECTRICAL BOARD; INTERNATIONAL MECHANICAL CODE, 2018 EDITION; INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION; INTERNATIONAL PLUMBING CODE, 2018 EDITION; INTERNATIONAL FUEL GAS CODE, 2018 EDITION; INTERNATIONAL PROPERTY MAINTENANCE CODE 2018 EDITION, ALL REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF ALL BUILDINGS OR STRUCTURES, AND BUILDING SERVICE EQUIPMENT; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE OF JANUARY 1, 2023.

WHEREAS, the Town of Fairplay, Colorado (“Town”) is a statutory town, duly organized and existing under the laws of the state of Colorado; and

WHEREAS, pursuant to C.R.S. § 31-15-401, the Town by and through its Board of Trustees (“Board”), possesses the authority to adopt laws and ordinances within its police power in furtherance of the public health, safety and welfare; and

WHEREAS, Colorado Revised Statutes § 31-16-201 to 208 provides that municipalities may adopt certain codes and standards by reference; and

WHEREAS, Pursuant to CRS § 31-16-204, the Board of Trustees may alter and amend any building code; and

WHEREAS The Town of Fairplay, Board of Trustees did approve Ordinance 5, Series of 2019, adopting with certain amendments the International Building Code, 2012 Edition which is codified as Fairplay Municipal Code Chapter 18 – Building Regulations, and the Board of Trustees now desires to repeal and reenact the entire Chapter with the adoption of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD FOR THE TOWN OF FAIRPLAY, COLORADO AS FOLLOWS:

Section 1. Chapter 18 – Building Regulations are repealed entirely and reenacted as follows:

**CHAPTER 18
Building Regulations**

ARTICLE I Building Codes

Sec. 18-1-10. Administrative.

- (a) No building or work on any building shall be commenced within the Town without first obtaining a building permit as required by this Article and the codes adopted herein and paying the appropriate building permit fee.
- (b) For any work requiring a contractor license pursuant to Section 18-1-80 of this Code, permits under this Article shall only be issued to the contractor or registrant or their authorized representative. It shall be unlawful for any person to fraudulently use a license or registration issued to a contractor or registrant to obtain a permit for another person.
- (c) The Board of Trustees may retain an independent contractor to serve as the Building Department for the Town of Fairplay pursuant to a written contract approved by the Board of Trustees, which contract shall appoint a person to serve as Building Official, and set forth the general duties, responsibilities and requirements of the Building Official. No member of the Building Department shall be an officer of the Town or hold any other elected or appointed office or position within the Town. Members of the independent contractor shall not be considered employees of the Town of Fairplay.

Sec. 18-1-20. Adoption of codes.

- (a) Pursuant to Title 31, Article 16, Part 2, C.R.S., the codes and standards hereinafter described are hereby adopted by reference, subject to the amendments herein set forth. The subject matter of the codes and standards adopted herein includes the regulation of the new construction, alteration and repair of all new and existing structures, along with all plumbing, mechanical, electrical and installations therein or in connection therewith. In case of any conflict between a code adopted herein and any other specific provision of the Fairplay Municipal Code, the specific provision of the Fairplay Municipal Code shall prevail. Copies of the referenced codes and standards are available for public inspection and review by any interested party at ICCSAFE.org and NFPA.org.
- (b) The International Building Code, 2018 Edition, Sixth Printing, November 2021, as amended, and appendix G for flood resistant construction, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, is hereby adopted by reference as the Town of Fairplay Building Code as if fully set out in this Article with the additions deletions insertions and changes as follows:
 - (1) IBC Section 101.1. IBC Section 101.1 (Title) is amended by the addition of the term “Town of Fairplay” where indicated.
 - (2) IBC Section 105.2 (Work Exempt from Permit) Number 2 is amended to read in its entirety:
 - 2. fences not over 7’ high and located more than 1 foot from a property line.
 - (3) IBC Section 105.4 (Expiration) Replace 180 days with 360 days in all locations 180 days is written.
 - (4) Add Section 110.7 Reinspections with the following language:
 - 110.7 Reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.
 - This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as

controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

To obtain a reinspection, the applicant shall file an application therefor in writing and pay the reinspection fee in accordance with the fee established by the building official.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

- (4) Delete from Section 113.1 the following language:

“there shall be and is hereby created a board of appeals.”

And substitute the following in its place:

“there shall be a board of appeals created when necessary, the members of which shall be appointed by the Board of Trustees. The Board of Trustees may, if it so elects by resolution, serve as the Board of Appeals”

- (5) Add Section 3303.8 (Demolition) with the following language:

3303.8 Asbestos. Prior to the commencement of demolition, the owner of the property shall either submit to the Town a certification, in a form reasonably acceptable to the Town, that the structure is asbestos-free or submit a plan for removal of asbestos for approval by the building official.

- (c) The International Residential Code, 2018 Edition, Fourth Printing, September 2020, and appendix J for existing buildings and structures, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, including sections as amended or as is from time to time modified, by the State of Colorado; Department of Regulatory Agencies, as part of the Colorado Plumbing Code and Colorado Fuel Gas Code listed in Rule 3 CCR 720-1 pursuant to the authority granted to the Colorado Plumbing Board by 12-155-105(1)e and 12-155-106(1) and (5), C.R.S., is hereby adopted by reference as the Town of Fairplay Residential Code as if fully set out in this ordinance with the additions deletions insertions and changes as follows:

- (1) IRC Section R101.1. (Title) is amended by the addition of the term "Town of Fairplay" where indicated.
- (2) IRC Section R105.1 (Required) is amended by replacing the words "building official" with "Town," and by adding the following requirement: "Demolition permits. Proof of compliance with the Colorado Department of Public Health and Environment's asbestos program must be submitted to the Town prior to issuance of a demolition permit."
- (3) IRC Section 105.2 (Work Exempt from Permit) (Building Section) Number 2 building section is amended to read in its entirety:
 2. fences not over 7' high and located more than 1 foot from a property line.
- (4) IRC Section R105.2.1 (Emergency Repairs) is amended to read in its entirety:

R105.2.1 Emergency repairs. Where repairs to a structure, equipment replacements and other repairs must be performed in an emergency situation, a

permit application shall be submitted within the next working business day to the building official. During a large scale event such as a hail, wind storm event or tornado, requirements for roofing permits may be deferred until as such time as a provided by the building official.

- (5) IRC Section 105.5 (expiration) is amended by replacing 180 days with 360 days in all locations 180 days is written.
- (6) IRC Section 108.6. IRC Section 108.6 (Work commencing before permit issuance) is amended to add the following sentence at the end of the paragraph: "The fee shall be equal to 100% of the original building fee in addition to the required permit fees."
- (7) Delete Section R110.4 (temporary certificates) in its entirety
- (8) Delete from Section R112.1 the following language:
 "there shall be and is hereby created a board of appeals."
 And substitute the following in its place:
 "there shall be a board of appeals created when necessary, the members of which shall be appointed by the Board of Trustees. The Board of Trustees may, if it so elects by resolution, serve as the Board of Appeals"
- (9) IRC Table R301.2(1). IRC Table R301.2(1) is filled to provide the following:

Table R301.2(1)

Climatic and Geographic Design Criteria

Ground Snow Load ^a	Wind Design				Seismic Design Category ^f	Subject to Damage		
	Speed (mph) ^d	Topographic effects ^k	Special wind region ^l	Wind-borne debris zone ^m		Weathering ^a	Frost line depth ^b	Termite ^c
65 PSF	Ultimate 110, Nominal 90 Exp. C	Yes	No	No	B	Severe	48 inches	Slight to moderate
Winter Design Temp ^e	Ice Barrier Under-layment Required ^h	Flood Hazards ^g	Air Freezing Index ^j	Mean Annual Temp ⁱ				
2 F	Yes	See Town adopted regulations and Article III	2500	32 F				
Manual J Design Criteria ⁿ								
Elevation	Latitude	Winter heating	Summer cooling	Altitude correction factor	Indoor design temperature	Design temperature cooling	Heating temperature difference	
9953 Ft.	39.22135 N	-14	81	.69	70 F	75 F	84	
Cooling temperature difference	Wind velocity heating	Wind velocity cooling	Coincident wet bulb	Daily range	Winter humidity	Summer humidity		
6	15 mph	7.5 mph	51	High (H)	50%	50%		

- (10) Add to the end of R313.2 after the word "dwellings" the following: greater than 6,000 square feet.

- (11) Add section R313.2 (Internal Fire Protection) with the following language:
 R313.2 Internal Fire Protection. Unsprinklered residences between 4,000 and 6,000 square feet shall be provided with 5/8 inch Type "X" drywall or ½" Cementous board throughout the structure.
- (12) IRC Section N1102.4.1.2 (Testing) is deleted in its entirety
- (13) IRC Section R905.1.2 is amended to read in its entirety:
 R905.1.2 Ice Barriers. An ice dam protection that consists of an approved self-adhering modified bitumen sheet underlayment shall be used at all sloped roofs. This ice dam protection underlayment shall extend up the slope of the roof from the drip edge of the roof or eave and cover the entire roof deck surface. In new construction, ice dam protection shall extend a minimum 30 inches up walls adjacent to the roof surface.
- (14) IRC Section P3103.1 (roof extension) is amended to read in its entirety:
 P3103.1. Roof extension. All open vent pipes which extend through a roof shall be terminated at least 16 inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.
- (d) The International Mechanical Code, 2018 Edition, Fourth Printing July 2021, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, is hereby adopted by reference as the Town of Fairplay Mechanical Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows:
 - (1) IMC Section 101.1. IMC Section 101.1 (Title) is amended by the addition of the term "Town of Fairplay" where indicated.
- (e) The current Colorado Fuel Gas Code, as currently adopted by the State of Colorado; Department of Regulatory Agencies, or as is from time to time modified, re-enacted or re-adopted by the State of Colorado as listed in Rule 3 CCR 720-1 pursuant to the authority granted to the Colorado Plumbing Board by 12-155-105(1)e and 12-155-106(1) and (5), C.R.S., is hereby adopted by reference as the Town of Fairplay Fuel Gas Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows:
 - (1) IFGC Section 101.1. IFGC Section 101.1 (Title) is amended by the addition of the term "Town of Fairplay" where indicated.
- (f) The current Colorado Plumbing Code, as currently adopted by the State of Colorado; Department of Regulatory Agencies, or as is from time to time modified, re-enacted or re-adopted by the State of Colorado as listed in Rule 3 CCR 720-1 pursuant to the authority granted to the Colorado Plumbing Board by 12-155-105(1)e and 12-155-106(1) and (5), C.R.S., is hereby adopted by reference as the Town of Fairplay Plumbing Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows:
 - (1) IPC Section 101.1. IPC Section 101.1 (Title) is amended by the addition of the term "Town of Fairplay" where indicated.
 - (2) IPC Section 903.1. IPC Section 903.1 (Roof extension) is amended by inserting "16 inches (203.2 mm)" where indicated.
- (g) The International Property Maintenance Code, 2018 Edition, Second Printing April 2018, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, is hereby adopted by reference as the Town of Fairplay Property

Maintenance Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows:

- (1) Section 101.1: Insert "Town of Fairplay."
- (2) Section 102, Applicability, is amended by the addition of a new Subsection 102.11 to read as follows:

102.11 Conflicts with other provisions. In the event of a conflict between the provision of this code and any other provision of the Fairplay Municipal Code or other codes adopted by the Town, the stricter provision shall govern, it being the intent of the Board of Trustees to strictly enforce requirements pertaining to the health, safety and welfare of the Town's residents and businesses."
- (3) Section 103, Department of Property Maintenance Inspection, is amended to read as follows:

103.1 Code Official. The Code Official, as that term is used in this code, shall be the Fairplay Building Official."
- (4) Section 111.2, Membership of Board, is amended to read as follows:

"111.2 Board of Appeals. The Board of Appeals, as that term is used in this code, shall be the Fairplay Board of Adjustment created and governed by Chapter 16, Article XXII of the Fairplay Municipal Code."
- (5) Section 302.4: Insert "twelve (12) inches."
- (6) Section 602.3: Insert "October 1 to May 1."
- (7) Section 602.4: Insert "October 1 to May 1."
- (h) The International Existing Building Code, 2018 Edition, Fifth Printing March 2021, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, is hereby adopted by reference as the Town of Fairplay Existing Building Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows.
 - (1) International Existing Building Code is amended by replacing all references to "ICC Electrical Code" with "Current Code Adopted by the Colorado State Electrical Board."
 - (2) IEBC Section 101.1. IEBC Section 101.1 (Title) is amended by the addition of the term "Town of Fairplay" where indicated.
- (i) The International Energy Conservation Code, 2018 Edition, Fourth Printing March 2020, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, is hereby adopted by reference as the Town of Fairplay Energy Conservation Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows:
 - (1) IECC Section 101.1. IECC Section 101.1 (Title) is amended by the addition of the term "Town of Fairplay" where indicated.
- (j) The International Swimming Pool and Spa Code, 2018 Edition, Fourth Printing November 2020, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, is hereby adopted by reference as the Town of Fairplay Swimming Pool and Spa Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows:
 - (1) ISPSC Section 101.1. ISPSC Section 101.1 (Title) is amended by the addition of the term "Town of Fairplay" where indicated.
- (k) The current National Electrical Code, as currently adopted by the State of Colorado;

Department of Regulatory Agencies, or as is from time to time modified, re-enacted or re-adopted by the State of Colorado as listed in Rule 3 CCR 710-1 is hereby adopted by reference as the Town of Fairplay Electrical Code as if fully set out in this ordinance.

- (l) The International Wildland-Urban Interface Code, 2018 edition, Second Printing August 2020, and appendix C, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, is hereby adopted by reference as the Town of Fairplay Wildland-Urban Interface Code as if fully set out in this ordinance.

Sec. 18-1-30. Reserved.

Sec. 18-1-40. Purpose.

The purpose of adopting the foregoing code is to protect the public health, safety and general welfare of the inhabitants of the Town by providing for sound and safe structures and prohibiting certain practices.

Sec. 18-1-50. Scope.

The subject matter of the adopted primary code and secondary codes includes the construction, erection and demolition of buildings, providing for the issuance of permits for certain construction and regulating construction practices and establishing standards for construction in the Town.

Sec. 18-1-60. Certificate of occupancy required.

No building or structure shall be used or occupied and no change in the existing occupancy classification of a building or structure or portion of a building shall be made until the Building Official has issued a certificate of occupancy as provided in the International Building Code. Issuance of a certificate of occupancy shall not be construed as approval of a violation of the provisions of this Code or other ordinance of the Town.

Sec. 18-1-70. Violations and penalty.

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this Code. A person or entity who violates this Code may be fined in an amount not to exceed two thousand six hundred and fifty dollars (\$2650.00), or imprisoned for not more than one (1) year or suffer both fine and imprisonment. A separate offense shall be deemed committed on each day or portion thereof that the violation of any of the provisions of this Article occurs or continues unabated after the time limit set for abatement of the violation.

Sec. 18-1-80. Contractor's License.

- (a) License required. All persons, general contracting firms, subcontracting firms and other entities engaged in construction work of any kind or nature, including but not limited to general contracting, electrical, plumbing, excavating and concrete finishing within the Town limits shall be licensed under the applicable terms and provisions adopted by the Board of County Commissioners of Park County and when applicable, by the State of Colorado Department of Regulatory Agencies prior to:
 - (1) applying for any type of building permit for the performance of any construction work within the Town limits; or
 - (2) entering into a contract to perform or performing any construction work within the Town limits.
- (b) Any person or entity that is required hereunder to be licensed to perform construction work may only enter into a contract to perform that type of construction work for which they are

licensed by the County. Construction work that does not require a license under the applicable terms and provisions adopted by the Board of County Commissioners of Park County and when applicable, by the State of Colorado Department of Regulatory Agencies does not require a contractor's license

- (c) Any Person or entity conducting or engaging in work in the Town must obtain a business license from the Town of Fairplay in accordance with Sec. 6-1-10.
- (d) Any natural person may construct a single-family dwelling on real property owned by such person without having first obtained a contractor's license from Park County if:
 - (1) the person has been issued a building permit;
 - (2) the construction complies with all applicable building codes and land use regulations;
 - (3) such person does not construct any more than one
 - (a) single-family dwelling unit within any two
 - (b) consecutive calendar year periods; and
 - (4) such single-family dwelling is constructed as such natural person's principal residence.
 - (5) Any or all subcontractors have the appropriate Contractor's County License.

ARTICLE II Fire Code

Sec. 18-2-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference the International Fire Code, 2018 Edition, Sixth Printing October 2021, including Appendix Chapters B, C, D, E, F, G, H, I, J, K, M, N, O and P, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, for the purpose of establishing fire code standards for fire code enforcement relating to the provision of fire protection to the Town, as if fully set out in this Article with the additions, deletions, insertions and changes as set forth in this Article.

Sec. 18-2-20. Enforcement.

The code and standards adopted herein shall be enforced by the Northwest Fire Protection District, which shall serve as the Bureau of Fire Prevention for the Town. Organizational structure and duties, if any, shall be as provided by the District's bylaws.

Sec. 18-2-30. Amendments.

The International Fire Code as adopted in this Article shall be amended as follows:

1. 102.4 Amend this section to read **Application of Building Code**. The design and construction of new structures shall comply with the *International Building Code* or *International Residential Code* and the *International Fire Code*, and any alterations, additions, changes in use or changes in structures required by this code, which are within the scope of the *International Building Code* or *International Residential Code*, shall be made in accordance therewith.

2. 102.7 Amend this section to read **Referenced codes and standards**. The codes and standards referenced in this code shall be the most currently published edition of those that are listed in Chapter 80, and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

3. 105.1.2 Amend item #2 to read. **Types of permits.** 2. Construction permits. A construction permit allows the applicant to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, the likes of which are regulated by this code. A construction permit also allows the applicant to install or modify systems and equipment for which a permit is required by Section 105.7.

4. 105.4.1 Amend this section to read **Submittals.** Construction documents and supporting data shall be submitted with each application for a permit and in such form and detail as required by the fire code official. The construction documents shall be prepared by a registered design professional where required by the jurisdiction in which the project is to be constructed.

5. 105.6.30 Amend this section to read **Mobile food preparation vehicles.** A permit is required for mobile food preparation vehicles equipped with appliances.

6. 105.6.33 Amend this section by removing the Exception. **Open Burning.**

7. 105.7 Amend this section to read **Required Construction Permits.** The fire code official is authorized to issue construction permits for work, or the likes of which are regulated by this code, and as set forth in Section 105.7.1 through 105.7.26.

8. 105.7.25 Amend this section to read **Temporary membrane structures and tents.** A construction permit is required to erect an air-supported temporary membrane structure, a temporary stage canopy or a tent having an area in excess of 200 square feet (18.58 m²).

9. 105.7.26 Add the following section **Wildfire Mitigation.** The holder of a construction permit is required to perform defensible space requirements of Appendix P that do not fall under a voluntary wildfire mitigation program.

10. 108.1.1 Add the following section **Procedures.** To request a hearing before the board of appeals, the applicant shall file a request in writing to the fire chief. The fire chief shall arrange for the board of appeals to meet within 10 working days from the receipt of the request. All applicable fees as stated in the fire district or fire authority fee schedule shall be paid at the time the written request is made.

11. 108.3 Amend this section to read **Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions, or fire protection systems.

12. 109.4 Amend this section to read **Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine or by imprisonment, or both such fine and imprisonment as determined by the court. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

13. 111.4 Amend this section to read **Failure to comply**. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as determined by the court and shall be subject to a fee as adopted by the fire district or fire authority.

14. Amend or add the following definitions:

CONTROLLED BURNING. Any fire intentionally ignited to meet specific land management objectives, such as to reduce flammable fuels, restore forest or ecosystem health, recycle nutrients, or prepare an area for new trees or vegetation. Controlled burning may also be known by the terms “Prescribed Burning” or “Pile Burning.”

DEFENSIBLE SPACE. The selection, location, grouping, and maintenance of vegetation on the property in such a manner that the opportunity for fire to burn directly to a structure is minimized.

FIRE AREA. The aggregate floor area enclosed and bounded by fire walls meeting the requirements of Section 706 of the International Building Code and exterior walls or horizontal assemblies of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor above. For buildings constructed under the International Residential Code, the fire area is the aggregate floor area enclosed and bounded by exterior walls of a building.

FIREWISE® LANDSCAPING is defined as trees, shrubs, and other materials which meet the criteria for fire resistant landscaping.

GROUND FUELS. All combustible materials on, in or near the ground such as grass, duff, loose surface litter, tree or shrub roots, rotting wood, leaves, peat, or sawdust that typically support combustion.

MITIGATION. Action that moderates the severity of a fire hazard or risk.

MOBILE FOOD PREPARATION VEHICLES. Vehicles that contain cooking equipment for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

MOBILE FUELING. The operation of dispensing liquid fuels from tank vehicles into the fuel tanks of vehicles. Mobile fueling may also be known by the terms “Mobile fleet fueling,” “Wet fueling,” “Wet hosing,” or “Hot fueling.”

PERMANENT FIRE RING. A permanently constructed feature without air gaps in its surrounding sides and a solid bottom, or earthen bottom free of roots and other organic material, used to contain campfires and prevent them from spreading and turning into a wildfire.

PORTABLE OUTDOOR FIREPLACE. A commercially designed and manufactured device with a screen that prevents ember emissions.

RECREATIONAL FIRE. An outdoor fire on private land contained to a commercially designed and manufactured fireplace, a permanent outdoor fireplace, or a portable outdoor fireplace that is assembled, located, and operated in accordance with the manufacturer's or designer's instructions. The fire shall not exceed a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610mm) or less in height. A non-toxic fuel source such as wood or gas (i.e. propane or natural gas) must be used and the fire is intended for pleasure, religious, ceremonial, cooking, warmth or similar purposes. A recreational fire shall not be used for the purpose of waste removal or trash incineration.

STRUCTURE IGNITION ZONE. The area around a specific structure and associated accessory structures, including all vegetation that contains potential ignition sources and fuels.

TREE CROWN. The needle or leaf-bearing part of a tree. The crown edge is the tree's drip edge.

WILDLAND-URBAN INTERFACE. An area where wildland fuels abut structures, with a clear line of demarcation between residential, business, and public structures and wildland fuels.

OCCUPANCY CLASSIFICATION.

Institutional Group 1-1 - Five or fewer persons receiving care. A facility such as the above with five or fewer persons receiving such care shall be classified as Group R-3 or shall comply with the International Residential Code provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3.

Institutional Group 1-2 - Five or fewer persons receiving care. A facility such as the above with five or fewer persons receiving such care shall be classified as Group R-3 or shall comply with the International Residential Code provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3.

Residential Group R-3 - Care facilities within a dwelling. Care facilities for five or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the International Residential Code provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3.

15. 304.1.2 Amend this section to read **Vegetation.** Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirements in urban-wildland interface areas shall be in accordance with Appendix P, local codes, policies, and ordinances.

16. 304.3.3 Amend to add Exception #3. **Capacity exceeding 1.5 cubic yards.**

3. Storage in a structure shall not be prohibited where the structure is in compliance with local codes, policies, and ordinances as mandated by the authority having jurisdiction.

17. 304.3.4 Amend to add Exception #3. **Capacity of 1 cubic yard or more.**

3. Storage in a structure shall not be prohibited where the structure is in compliance with local codes, policies, and ordinances as mandated by the authority having jurisdiction.

18. 308.1.4 Amend this section and exception #3 and add exception #4 to read. **Open-flame cooking devices.** Charcoal burners, wood pellet burners, and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.

3. LP-gas cooking devices having LP-gas container with a water capacity not greater than $2\frac{1}{2}$ 48 pounds [nominal 20 pounds (9.1 kg) LP-gas capacity].

4. Where a more restrictive code, policy, ordinance, or covenant exists.

19. 311.2.2 Amend exception #3 to read. **Fire protection.** 3. 3. Where approved by the fire code official, fire alarm and sprinkler systems are permitted to be placed out of service in seasonally occupied buildings: that will not be heated, where fire protection systems will be exposed to freezing temperatures, where fire areas do not exceed 6,000 square feet (557.42 m²), and/or that do not store motor vehicles or hazardous materials.

20. 315.3 Amend this section to read **Storage in buildings.** Storage of materials in buildings shall be orderly and stacks shall be stable. Storage of combustible materials shall be separated from heaters or heating devices by distance or shielding so that ignition cannot occur. Storage room doors shall be provided with approved signs.

21. 315.3.1 Amend exceptions #1 and #2 to read. **Ceiling clearance.**

1. The 2-foot (610 mm) ceiling clearance is not required for storage along walls in nonsprinklered areas of buildings where the storage does not exceed 30-inches (762 mm) in depth.

2. The 18-inch (457 mm) ceiling clearance is not required for storage along walls in areas of buildings equipped with an automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 where the storage does not exceed 30-inches (762 mm) in depth.

22. 315.3.3 Amend this section to read **Equipment rooms.** Combustible material shall not be stored in boiler rooms, mechanical rooms, electrical equipment rooms, and other rooms where a potential ignition source exists, as determined by the fire code official.

23. 319.1 Amend this section to read **General.** Mobile food preparation vehicles that are equipped with appliances shall comply with this section.

24. 319.4.1 Amend this section to read **Fire protection for cooking equipment.** Cooking equipment that produces smoke or grease-laden vapors shall be protected by automatic fire extinguishing systems in accordance with Section 904.12.

25. 319.8 Amend this section to read **LP-gas systems**. Where LP-gas systems provide fuel, such systems shall comply with Chapter 61 and Sections 319.8.1 through 319.8.5.

26. 403.12.3 Amend this section to read **Crowd managers**. Where facilities or events involve a gathering of 500 people or more, crowd managers shall be provided in accordance with Sections 403.12.3.1 through 403.12.3.3.

27. 403.12.3.1 Amend exceptions #1 and #2 to read **Number of crowd managers**.

1. Outdoor events with fewer than 500 persons in attendance shall not require crowd managers.
2. Assembly occupancies used exclusively for religious worship with an occupant load not exceeding 500 shall not require crowd managers.

28. 505.1 Amend this section to read **Address identification**. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 5 inches (127 mm) high, unless otherwise approved, with a minimum stroke width of .5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or sign or means shall be used to identify the structure. Address numbers shall be maintained.

29. 508.1 Amend this section to read **General**. Where required by other sections of this code, buildings, structures, or facilities that are more than 4 stories (including basements) in height or are greater than 50,000 square feet (4645 m²) within surrounding exterior walls, and in all buildings classified as high-rise buildings by the International Building Code, a fire command center for fire department operations shall be provided and shall comply with Sections 508.1.1 through 508.1.6.

30. 508.1.5 Amend this section to read **Features**. A Fire Command Center shall be required in buildings, structures, or facilities that are more than 4 stories (including basements) in height or are greater than 50,000 square feet (4645 m²) within surrounding exterior walls. The fire command center shall be provided and comply with Sections 508.1.1 through 508.1.6.

31. 603.6.6 Add a section to read **Chimneys and Heating Appliances**. Chimneys and fireboxes for solid, fuel burning appliances shall be inspected annually by a qualified individual or company. They shall be inspected for soundness, corrosion, proper support, and freedom from combustible deposits. A certificate of inspection in a form acceptable to the fire code official shall be forwarded to the fire department upon completion.

32. 603.9 Amend this section to read **Gas and utility meters**. Above-ground gas and utility meters, regulators and piping subject to damage shall be protected by a barrier complying with Section 312 or otherwise protected in an approved manner. Gas and utility meters and piping shall be protected from snow & ice shedding from a roof area. Areas around gas and utility meters shall be kept clear of snow and ice build-up at all times.

33. 606.9 Add a section to read **Communication**. All elevators shall be equipped with two-way communication equipment and the equipment shall be operable at all times. Exception: One- and two-family dwellings

34. 701.2.2 Add section to read **Fire-resistance-rated labeling**. The fire-resistance rating shall be marked in an approved manner on the following fire resistance rated construction features: 1. Structural members 2. Exterior walls 3. Fire walls, fire barriers, fire partitions 4. Horizontal assemblies 5. Shaft enclosures

35. 701.3.1 Add section to read **Smoke barriers labeling**. The fire-resistance rating and smoke-resistant characteristics of smoke barriers shall be marked in an approved manner on the rated construction feature.

36. 803.13 Amend this section to read **Laminated products factory produced with an attached wood substrate**. Laminated products factory produced with or without an attached wood substrate shall comply with one of the following:

37. 901.4.2 Amend this section to read **Nonrequired fire protection systems**. A fire protection system or portion thereof not required by this code, the *International Building Code*, or the *International Residential Code* shall be installed throughout a building for complete protection provided that such installed system meets the applicable requirements of this code, the *International Building Code*, and the *International Residential Code*.

38. 901.4.3 Amend this section to read **Fire areas**. Where buildings, or portions thereof, are divided into fire areas so as not to exceed the limits established for requiring a fire protection system in accordance with this chapter, such fire areas shall be separated by fire walls constructed in accordance with the *International Building Code* or horizontal assemblies constructed in accordance with the *International Building Code*, or both, having a fire-resistance rating of not less than that determined in accordance with the *International Building Code*.

39. 901.7 Amend this section to read **Systems out of service**. Where a required fire protection system is out of service, the fire department shall be notified immediately and where required by the fire department, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service.

40. 901.9 Amend this section to read **Termination of monitoring services**. For fire alarm protection systems required to be monitored by the authority having jurisdiction, notice shall be made to the fire code official whenever system monitoring services are terminated. Notice shall be made in writing, to the fire code official by the provider of the monitoring service being terminated.

41. 903.2.1 Amend this section to read **Group A**. An automatic fire sprinkler system shall be provided throughout buildings as Group A occupancies as provided in this section.

42. 903.2.1.1 Amend this section to read and delete conditions #3 and #4 **Group A-1.**
903.2.1.1 Group A-1. An automatic sprinkler system shall be provided throughout buildings containing Group A-1 occupancies where one of the following conditions exists:

1. The fire area exceeds 6,000 square feet (557 m²).
2. The fire area has an occupant load of 50 or more.

43. 903.2.1.2 Amend this section to read and delete condition #3 **Group A-2.** An automatic sprinkler system shall be provided throughout buildings containing Group A-2 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (464 m²).
2. The fire area has an occupant load of 50 or more.

44. 903.2.1.3 Amend this section to read and delete condition #3 **Group A-3.** An automatic sprinkler system shall be provided throughout stories buildings containing Group A-3 occupancies where one of the following conditions exists:

1. The fire area exceeds 6,000 square feet (557 m²).
2. The fire area has an occupant load of 50 or more.

45. 903.2.1.4 Amend this section to read and delete condition #3 **Group A-4.** An automatic sprinkler system shall be provided throughout buildings containing Group A-4 occupancies where one of the following conditions exists:

1. The fire area exceeds 6,000 square feet (557 m²).
2. The fire area has an occupant load of 50 or more.

46. 903.2.1.6 Amend this section to read and delete the exception **Assembly occupancies on roofs.** Where an occupied roof has an assembly occupancy with an occupant load exceeding 50 for Group A occupancies, an automatic sprinkler system shall be provided throughout the building in accordance with Section 903.3.1.1 or 903.3.1.2.

47. 903.2.1.7 Amend this section to read **Multiple fire areas.** An automatic sprinkler system shall be provided where multiple fire areas of Group A-1, A-2, A-3 or A-4 occupancies share exit or exit access components and the combined occupant load of these fire areas is 50 or more.

48. 903.2.2 Amend this section to read and delete the exception **Ambulatory care facilities.** An automatic sprinkler system shall be installed throughout the entire building containing an ambulatory care facility where either of the following conditions exist at any time:

1. Four or more care recipients are incapable of self-preservation.
2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility.

49. 903.2.3 Amend conditions #1 and #3 to read and delete the exception **Group E.** An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 6,000 square feet (557 m²) in area.
3. The Group E fire area has an occupant load of 50 or more.

50. 903.2.4 Amend this section and conditions #1, #2, #3, and #4 to read **All Group F.**

An automatic sprinkler system shall be provided throughout all buildings containing a Group occupancy where one of the following conditions exists:

1. A Group F fire area exceeds 6,000 square feet (557 m²).
2. A Group F fire area is located more than two stories above grade plane.
3. The combined area of all Group F fire areas on all floors, including any mezzanines, exceed 6,000 square feet (557 m²).
4. A Group F occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).

51. 903.2.6 Amend exception #3 to read **Group I.**

3. In buildings where Group I-4 day care is provided on levels other than the level of exit discharge, an automatic sprinkler system in accordance with Section 903.3.1.1 shall be installed.

52. 903.2.7 Amend conditions #1, #2, and #3 to read **Group M.**

1. A Group M fire area exceeds 6,000 square feet (557 m²).
2. A Group M fire area is located more than two stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 6,000 square feet (557 m²).

53. 903.2.9 Amend conditions #1, #2, and #3 to read **Group S-1.**

1. A Group S-1 fire area exceeds 6,000 square feet (557 m²).
2. A Group S-1 fire area is located more than two stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 6,000 square feet (557 m²).

54. 903.2.9.1 Amend conditions #1 and #2 to read **Repair garages.**

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 6,000 square feet (557 m²).
2. Buildings not more than one story above grade plane, with a fire area containing a repair garage exceeding 6,000 square feet (557 m²).

55. 903.2.9.2 Amend this section to read **Bulk storage of tires.** Buildings and structures where the area for the storage of tires exceeds 10,000 cubic feet (283 m³) shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

56. 903.2.10 Amend condition #1 to read **Group S-2 enclosed parking garages.**

1. Where the fire area of the enclosed parking garage exceeds 6,000 square feet (557 m²).

57. 903.2.11.1 Amend this section to read **Stories without openings.** An automatic sprinkler system shall be installed throughout all buildings, where the floor area of the story exceeds 1,500 square feet (139 m²) and where the story does not comply with the following criteria for exterior wall openings:

58. 903.2.11.1.2 Amend this section to read **Openings on one side only.** Where openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet (22

860 mm) from such openings, the building shall be equipped throughout with an approved automatic sprinkler system, or openings shall be provided on not fewer than two sides of the story.

59. 903.2.11.1.3 Amend this section to read **Basements**. Where any portion of a basement is located more than 75 feet (22 860 mm) from openings required by Section 903.2.11.1, or where walls, partitions or other obstructions are installed that restrict the application of water from hose streams, the building shall be equipped throughout with an approved automatic sprinkler system.

60. 903.2.11.3 Delete exceptions #1 and #2 **Buildings 55 feet or more in height**.

61. 903.2.13 Add a new section to read **Group B or Mixed Occupancies**. An automatic sprinkler system shall be provided throughout all buildings containing Group B or mixed occupancies where one of the following conditions exists:

1. The fire area exceeds 6,000 sq. ft. (577 m²).
2. Where the combined fire areas of Group B and mixed occupancies on all floors including mezzanines and basements is greater than 6,000 sq. ft. (577 m²).

62. 903.2.14 Add a new section to read **Buildings Constructed under the International Residential Code**. An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be provided throughout all detached one and two-family dwellings and multiple single-family dwellings (townhouses), complying with the requirements of the International Residential Code, whose total aggregate fire area exceeds 6,000 square feet (577 m²). Exception: Unless otherwise required by more restrictive local codes, policies, amendments, ordinances, or plat note.

63. 903.3.1.3 Amend this section to read **NFPA 13D sprinkler systems**. Automatic sprinkler systems installed in one- and two-family dwellings; Group R-3; Group R-4, Condition 1; and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D and local codes, ordinances, and policies.

64. 903.3.8 Amend this section to read **Limited area sprinkler systems**. Limited area sprinkler systems as required in the International Residential Code shall be in accordance with the standards listed in Section 903.3.1 except as provided in Sections 903.3.8.1 through 903.3.8.5.

65. 903.4 Amend exception #1 to read and delete exceptions #2, #3, and #5 **Sprinkler system supervision and alarms**.

1. Automatic sprinkler systems valves, pumps, and tanks in one- and two-family dwellings.

66. 905.3 delete the exception. **Required installations**.

67. 905.3.1 Amend this section and conditions #2 and #3 to read and delete condition #1 **Height**. Class I standpipe systems shall be installed throughout buildings where any of the following conditions exist:

2. The floor level of the highest story is located more than 20 feet (603.5 m) above the lowest level of the fire department vehicle access. 3. The floor level of the lowest story is located more than 20 feet (603.5 m) below the highest level of fire department vehicle access.

68. 905.3.1.1 Add a new section to read **Building Area**. In buildings exceeding 10,000 sq. ft. (929 m²) within surrounding exterior walls, an approved Class I standpipe system shall be provided where any portion of the building's interior is more than 140 feet (42.67 m) of travel, vertically and/or horizontally, from the nearest point of fire department vehicle access.

69. 905.4 Amend conditions #1 and #6 of this section to read **Location of Class I standpipe hose connections**.

1. In every required interior exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at the intermediate landing unless otherwise approved by the fire code official. 6. Where the most remote portion of a nonsprinklered floor or story is more than 140 feet (45 720 mm) from a hose connection or the most remote portion of a sprinklered floor or story is more than 200 feet (60960 mm) from a hose connection, the fire code official is authorized to require that additional hose connections be provided in approved locations.

70. 907.6.6 Amend this section to read and delete exception #3 **Monitoring**. Fire protection systems required by this chapter, the International Building Code, or the International Residential Code shall be monitored by an approved supervising station in accordance with NFPA 72.

71. 915.1 Amend this section to read **General**. Carbon monoxide detection shall be installed in new buildings in accordance with Sections 915.1.1 through 915.6 and in accordance with State Statute. Carbon monoxide detection shall be installed in existing buildings in accordance with Section 1103.9 and in accordance with State Statute.

72. 1010.1.9.4 Amend this condition 2.2 to read **Locks and latches**. 2.2. A readily visible, durable sign is posted on the egress side on or adjacent to the door stating: THIS DOOR TO REMAIN UNLOCKED DURING BUSINESS HOURS. The sign shall be in letters 1 inch (25 mm) high on a contrasting background.

73. 1103.5 Amend this section to read **Sprinkler systems**. An automatic sprinkler system shall be provided in existing buildings in accordance with Sections 1103.5.1 through 1103.5.5.

74. 1103.5.5 Add a new section to read **Additions and alterations to existing buildings**. Existing buildings constructed prior to adoption of this code, with a fire area exceeding 6,000 square feet (577 m²), undergoing additions, alterations or remodel work shall be evaluated under the International Fire Code, for the need for additional fire protection. Portions of buildings separated by approved fire walls as outlined in Chapter 7, Section 707 of the International Building Code may be considered as separate buildings.

75. 1103.5.5.1 Add a new section to read **Existing buildings with a fire area not exceeding 6,000 sq. ft. (577 m²)**. An automatic sprinkler system shall be provided throughout a

building undergoing an addition and/or alteration work whose new aggregate fire area of the building exceeds 6,000 square feet (464 m²).

76. 1103.5.5.2 Add a new section to read **Existing buildings with a fire area exceeding 6,000 sq. ft. (577 m²)**. An automatic sprinkler system shall be provided throughout a building undergoing addition work that increases the fire area of the existing building.

77. 1103.5.5.3 Add a new section to read **Alterations to existing buildings with a fire area exceeding 6,000 sq. ft. (577 m²)**. An automatic sprinkler system shall be provided throughout a building when the area undergoing alterations equals or exceeds 50% of the aggregate fire area of the building. Exception: Alterations limited to the removal and replacement or the covering of existing materials, elements, equipment, or fixtures using the same materials, elements, equipment or fixtures that serve the same purpose.

78. 1103.6.1 Amend this section to read **Existing multistory buildings**. Existing buildings with occupied floors located more than 40 feet (12192 mm) above the lowest level of fire department access or more than 40 feet (12192 mm) below the highest level of fire department access shall be equipped with standpipes.

79. 1103.9 Amend this section to read **Carbon monoxide alarms**. Carbon monoxide alarms shall be installed in existing dwelling units and sleeping units where those units include any of the conditions identified in Section 915.1. The carbon monoxide alarms shall be installed in the locations specified in Section 915.2 and the installation shall be in accordance with Section 915.4.

80. 2403.2.7 Amend this section to read **Welding warning signs**. Welding, cutting and similar spark-producing operations shall not be conducted in or adjacent to flammable vapor areas or dipping or coating operations unless precautions have been taken to provide safety. Conspicuous signs with the following warning shall be posted in the vicinity of flammable vapor areas, dipping operations and paint storage rooms:

NO WELDING
THE USE OF WELDING OR
SIMILAR SPARK-PRODUCING
EQUIPMENT IN OR NEAR THIS AREA
IS DANGEROUS BECAUSE OF FIRE
AND EXPLOSION HAZARDS. WELDING
AND CUTTING SHALL BE DONE ONLY
UNDER THE SUPERVISION OF THE
PERSON IN CHARGE.

81. 3103.2 Amend this section to read and delete exceptions #2, #2.1, #2.2 and #2.3 **Approval required**. Tents and membrane structures having an area in excess of 200 square feet (19 m²) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the fire code official.

82. 3103.6 Amend this section to read **Construction documents**. A detailed site and floor plan for tents or membrane structures shall be provided with each application for approval. The tent or membrane structure floor plan shall indicate details of the means of egress facilities, seating capacity, arrangement of the seating and location and type of heating and electrical equipment. See fire code official for additional local requirements.

83. 3105.2 Amend this section to read **Approval**. Temporary special event structures in excess of 200 square feet (18.58 m²) shall not be erected, operated or maintained for any purpose without first obtaining approval and a permit from the fire code official and the building official.

84. 5001.1 Amend exception #10 to read **Scope**.
10. The storage of wines in wooden barrels and casks.

85. 5104.2.2 Amend this section to read **Aerosol cooking spray products**. Storage of aerosol cooking spray products in A, B, E, F, M, and R occupancies shall not be more than 1,000 pounds (454 kg) net weight.

86. 5701.2 Amend condition #10 section to read **Nonapplicability**.
10. The storage of wines in wooden barrels and casks.

87. Chapter 80 Amend this section to add **Referenced Standards NFPA 1— 2015 Fire Code** Chapter 38.

88. Table B105.1(1) Amend this section to read

TABLE B105.1(I)
REQUIRED FIRE FLOW FOR ONE- AND TWO-FAMILY DWELLINGS, GROUP
R-3 AND R-4
BUILDINGS AND TOWNHOUSES

FIRE-FLOW CALCULATION AREA (square feet)	AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE FLOW (gallons per minute)	FLOW DURATION (hours)
0-3,600	No automatic sprinkler system	1,000	1
3,601 and greater	No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2) at the required fire-flow rate
0-3,600	Section 903.3.1.3 of the International Fire Code	500	1/2
3,601 and greater	Section 903.3.1.3 of the International Fire Code	½ value in Table B104.1(2)	1

89. D103.6 Amend this section to read **Signs**. Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING— FIRE LANE signs complying with Figure DI 03.6. Signs shall have a minimum dimension of 12 inches (305 mm)

wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2 and at intervals as required by the Fire Code Official.

90. J101.1 Amend this section to read New buildings shall have a building information sign(s) that shall comply with Sections J101.1.1 through J101.7. Existing buildings may be brought into conformance with Sections J 101.1 through J101.9 when one of the following occurs:

91. N103.3 Amend this section to read N103.3 Crowd managers. Where events involve a gathering of more than 500 people, trained crowd managers shall be provided in accordance with Section 403.12.3.

92. Add new appendix to read **Appendix O: Fire Regulations** - This appendix helps land management agencies reduce fire risk and prevent wildfires within Summit County where there is above average exposure to the Wildland Urban Interface (WUI).

SECTION 0101 GENERAL

0101.1 **Scope.** This appendix is intended to identify the restrictions to recreational fires, open burning, fire management, smoking, and using internal combustion engines under conditions not covered by any Federal, State, or Local fire restrictions.

SECTION 0201 DEFINITIONS

0201.1 **Definitions.** The following terms are defined in Chapter 2:

Controlled Burning

Open Burning

Permanent Fire Ring

Portable Outdoor Fireplace

Recreational Fire

SECTION 0301 RECREATIONAL FIRE

0301.1 **Recreational Fire.** Outdoor recreational fires on private property shall be allowed under the following conditions:

1. A valid permit has been issued.
2. The fire is contained to:
 - 2.1 Permanent outdoor fireplace or fire ring with a screen to reduce the spread of embers.
 - 2.2 Portable outdoor fireplace that is assembled, located, and operated in accordance with the manufacturer's instructions with a screen to reduce the spread of embers.
 - 2.3 A commercially designed chiminea with a screen to reduce the spread of embers.

3. The area directly underneath the fireplace or chiminea is barren of flammable material.
4. The fireplace or chiminea is located at least 15 feet (4.572 m) from any flammable material and/or structure.
5. The fire is contained within an approved fireplace or fire ring and the fire has a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (1.2192 m) or less in height and utilizes a non-toxic fuel source such as wood or charcoal.

Exception:

1. Fires built within designated dispersed camping sites or picnic areas contained within a permanent metal fire ring as long as the fire has a total fuel area of 3 feet (0.9144 m) or less in diameter and 2 feet (1.2192 m) or less in height and utilizes a wood or charcoal.
2. Fires contained within a fireplace, stove, wood burning stove, or pellet stove designed for and located within a fully enclosed permanent structure.

0301.2 Fire Prevention Measures. Individuals operating a fire in compliance with the 0301.1 shall provide the following safety equipment to prevent the spread of the fire:

1. The fire shall be constantly attended by a responsible adult.
2. The fire shall be extinguished and cool to the touch prior to leaving the site unattended.
3. There shall be available for immediate utilization one of the following:
 - 3.1 A portable fire extinguisher with a minimum 2A-10B:C rating.
 - 3.2 A 5 gallon container filled with water.
 - 3.3 A charged garden hose available for immediate utilization.

SECTION 0401 CONTROLLED BURNING

0401.1 Controlled burning. Burning for the purposes of meeting specific land management objectives, such as to reduce flammable fuels, restore ecosystem health, recycle nutrients, or prepare an area for new trees or vegetation shall be allowed under the following conditions:

1. A valid permit has been issued.
2. The fire shall be constantly attended by a responsible adult.
3. The fire shall be extinguished and cool to the touch prior to leaving the site unattended.
4. Within the approved bum site, the fire has a total fuel area of 8 feet (2.4384 m) or less in diameter and 4 feet (1.2192 m) or less in height.
5. There shall be available for immediate utilization one of the following:
 - 5.1 A portable fire extinguisher with a minimum 2A-10B:C rating.
 - 5.2 A 5 gallon container filled with water.
 - 5.3 A charged garden hose available for immediate utilization.
6. The approved bum area is located at least 50 feet (15.24 m) from any flammable material and/or structure.

0401.2 Fire Management. Fires caused or administered by any Federal, State, or Local officer or member of an organized rescue or firefighting force shall be permitted if the following conditions are met:

1. Notice is given to the fire department or Fire Code Official.
2. The fire is performed as part of an official duty.

0401.3 Restrictions. The Fire Code Official has the right to restrict controlled burning to certain times of the year outside the scope of Federal, State, or Local fire restrictions.

SECTION 0501 SMOKING

0501.1 Outdoor Smoking. Outdoor smoking shall be permitted under the following conditions:

1. The individual smoking shall be at least 3 feet (0.914 m) away from natural vegetation and/or flammable materials.
2. All burning objects shall be properly extinguished and disposed of in a sealed container.

SECTION 0601 USE OF INTERNAL COMBUSTION ENGINES

0601.1 General. The operation of a chainsaw, trimmer, mower, or similar internal combustion engine driven equipment shall be permitted under the following conditions:

1. The operator shall have a 2A-10B:C rated dry chemical fire extinguisher available for immediate use.
2. The engine shall be equipped with an approved spark arresting device.

SECTION 0701 FIREWORKS AND EXPLOSIVES

0701.1 Fireworks. The use and sale of recreational fireworks shall be prohibited.

Exception: Fireworks permitted under Town or County codes and/or ordinances.

0701.2 Explosives. The use and sale of recreational explosives including explosive targets or tracer ammunition shall be prohibited.

Exception: Explosives permitted under Town or County codes and/or ordinances.

SECTION 0801 OPEN FLAME DEVICES

0801.1 Open flame torch devices. The use of any open flame torch device shall be permitted under the following conditions:

1. A valid permit has been issued.

2. The operator shall have a 2A-10B:C rated dry chemical fire extinguisher available for immediate use. The use of the device shall be at least 15 feet (4.572m) away from natural vegetation and/or flammable materials.

93. Add new appendix to read **Appendix P: Wildfire Mitigation** - This appendix provides requirements for wildfire mitigation where not otherwise regulated by local ordinances.

SECTION P101 GENERAL

P101.1 **Scope.** This appendix provides a methodology for reducing wildland fire ignition hazards around structures that will be located in a wildland-urban interface area and provides minimum requirements to reduce the potential of structure ignition from wildland fires while ensuring continuity between required and voluntary mitigation activities.

SECTION P201 DEFINITIONS

P201.1 **Definitions.** The following terms are defined in Chapter 2:

Defensible Space

Firewise® Landscaping

Ground Fuels

Mitigation

Structure Ignition Zone

Tree Crown

Wildland-Urban Interface

SECTION P301 FUEL MODIFICATION AREA

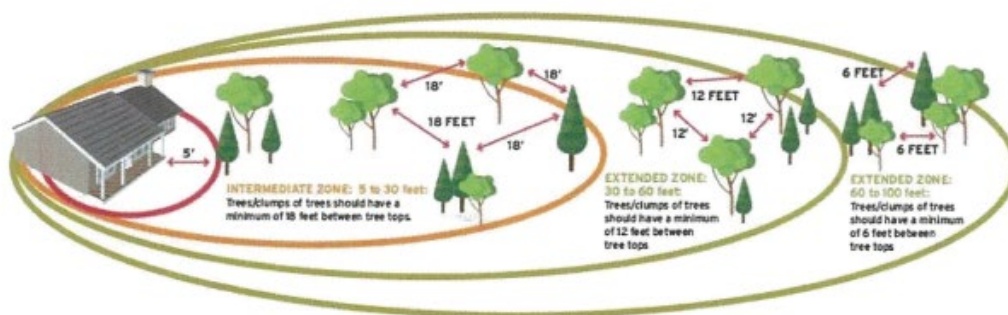
P301.1 **General.** The property shall be divided into three zones. These zones are (Figure P301):

1. The Immediate Zone — 0 to 5 feet from the furthest attached exterior point of the home
2. The Intermediate zone -- 5 to 30 feet from the furthest attached exterior point of the home.
3. The Extended Zone, 30 to 60 feet and 60 to 100 feet from the furthest attached exterior point of the home.

Exception:

1. Nothing in this appendix shall require the removal of healthy trees, shrubs, and other landscaping materials required by a Town or the County as part of an approved landscaping plan.
2. Property past a property line.

FIGURE P301



SECTION P401 THE IMMEDIATE ZONE

P401.1 General. This is the most important zone of the defensible space, according to the Firewise® program, to take immediate action on as it is the most vulnerable to embers. The following specific standards apply to the creation of defensible space within the Immediate Zone:

1. All dead and diseased trees, shrubs, and other landscaping materials shall be removed.
2. All vegetation and combustible and flammable materials shall be moved away from exterior walls, under the eaves, and or decks. This includes:
 - 2.1 Mulch
 - 2.2 Ground fuels
 - 2.3 Flammable plants
 - 2.4 Leaves and needles
 - 2.5 Firewood piles

SECTION P501 THE INTERMEDIATE ZONE

P501.1 General. This is the landscaping/hardscaping zone of the defensible space through the use of careful landscaping or creating breaks that can help influence and decrease fire behavior. The following specific standards apply to the creation of defensible space within the Intermediate Zone:

1. All dead and diseased trees, shrubs, and other landscaping materials shall be removed.
2. Removal of ladder fuels (vegetation under trees) shall occur so a surface fire cannot reach the crowns of the trees.
 - a. Limb up trees to a height of 10 feet. For shorter trees, trim to a height of 1/3 of the overall tree height.
3. Trees shall be spaced to have a minimum of eighteen feet between the crowns with the distance increasing with the percentage of slope.
4. Firewise® trees and shrubs in this zone should be limited to small clusters of a few each to break up the continuity of the vegetation across the landscape.

5. Irrigated trees, shrubs, and other landscaping material shall be preserved if they are limbed to remove dead branches and well-spaced to reduce the risk of a fire spreading to other vegetation or structures.

SECTION P601 THE EXTENDED ZONE UP TO 60 FEET

P601.1 General. This zone focuses on interrupting a fire's path and keeping the flames smaller and on the ground by:

1. All dead and diseased trees, shrubs, and other landscaping materials shall be removed.
2. The accumulation of ground litter and debris shall be disposed of or dispersed.
3. Small conifers growing between mature trees shall be removed.
4. Vegetation adjacent to storage or other outbuildings shall be removed.
5. Trees shall be spaced to have a minimum of twelve feet between the crowns with the distance increasing with the percentage of slope.

SECTION P701 THE EXTENDED ZONE OVER 60 FEET

P701.1 General. This zone focuses on interrupting a fire's path and keeping the flames smaller and on the ground by:

1. All dead and diseased trees, shrubs, and other landscaping materials shall be removed.
2. The accumulation of ground litter and debris shall be disposed of or dispersed.
3. Small conifers growing between mature trees shall be removed.
4. Vegetation adjacent to storage or other outbuildings shall be removed.
5. Trees shall be spaced to have a minimum of six feet between the crowns with the distance increasing with the percentage of slope.

Sec. 18-2-50. Enforcement.

The Chief shall enforce this Code in accordance with the procedures set forth in this Code and C.R.S. § 32-1-1002(1)(d).

Sec. 18-2-60. Penalty for violation.

- (a) It shall be unlawful for any person, firm, corporation or other entity to violate any of the provisions of this Article.
- (b) Any person, firm corporation or other entity violating any of the provisions of this Article shall be deemed guilty of a misdemeanor and each such person, firm, corporation or entity, upon conviction of any violation of this Article, shall be punished by a fine of not more than three hundred dollars (\$1000.00) or be imprisoned for not more than one (1) year or both such fine and imprisonment for each offense.
- (c) When a violation of any section of this Article or any part of the adopted code occurs and continues for more than one (1) day, each day or portion thereof such violation occurs or continues shall constitute a separate offense.

ARTICLE III

Flood Damage Prevention

Sec. 18-3-10. Statutory authorization.

The Legislature of the State has, in Title 29, Article 20, C.R.S., delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the Board of Trustees hereby adopts the following floodplain management regulations.

(Ord. 2013-6 §1)

Sec. 18-3-20. Findings of fact.

- (a) The flood hazard areas of the Town are subject to periodic inundation, which can result in loss of life and property, health and safety hazards, disruption of commerce and governmental services and extraordinary public expenditures for flood protection and relief, all of which adversely affect the health, safety and general welfare of the public.
- (b) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

(Ord. 2013-6 §1)

Sec. 18-3-30. Statement of purpose.

It is the purpose of this Article to promote public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to critical facilities, infrastructure and other public facilities such as water, sewer and gas mains; electric and communications stations; and streets and bridges located in floodplains;
- (6) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
- (7) Ensure that potential buyers are notified that property is located in a flood hazard area.

(Ord. 2013-6 §1)

Sec. 18-3-40. Methods of reducing flood losses.

In order to accomplish its purposes, this Article uses the following methods:

- (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels and natural protective barriers, which are involved in the accommodation of floodwaters;
- (4) Control filling, grading, dredging and other development which may increase flood damage;
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

(Ord. 2013-6 §1)

Sec. 18-3-50. Definitions.

Unless specifically defined below, words or phrases used in this Article shall be interpreted to give them the meaning they have in common usage and to give this Article its most reasonable application.

100-year flood means a flood having a recurrence interval that has a one-percent chance of being equaled or exceeded during any given year (1-percent-annual-chance flood). The terms one-hundred-year flood and one-percent-chance flood are synonymous with the term 100-year flood. The term does not imply that the flood will necessarily happen once every one hundred (100) years.

100-year floodplain means the area of land susceptible to being inundated as a result of the occurrence of a one-hundred-year flood.

500-year flood means a flood having a recurrence interval that has a 0.2-percent chance of being equaled or exceeded during any given year (0.2-percent-chance annual flood). The term does not imply that the flood will necessarily happen once every five hundred (500) years.

500-year floodplain means the area of land susceptible to being inundated as a result of the occurrence of a five-hundred-year flood.

Addition means any activity that expands the enclosed footprint or increases the square footage of an existing structure.

Alluvial fan flooding means a fan-shaped sediment deposit formed by a stream that flows from a steep mountain valley or gorge onto a plain or the junction of a tributary stream with the main stream. Alluvial fans contain active stream channels and boulder bars, and recently abandoned channels. Alluvial fans are predominantly formed by alluvial deposits and are modified by infrequent sheet flood, channel avulsions and other stream processes.

Area of shallow flooding means a designated Zone AO or AH on a community's flood insurance rate map (FIRM) with a one-percent chance or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Base flood elevation (BFE) means the elevation shown on a FEMA Flood Insurance Rate Map for Zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, V1-V30 and VE that indicates the water surface elevation resulting from a flood that has a one-percent chance of equaling or exceeding that level in any given year.

Basement means any area of a building having its floor sub-grade (below ground level) on all sides.

Channel means the physical confine of a stream or waterway consisting of a bed and stream banks, existing in a variety of geometries.

Channelization means the artificial creation, enlargement or realignment of a stream channel.

Code of Federal Regulations (CFR) means the codification of the general and permanent Rules published in the Federal Register by the executive departments and agencies of the federal government. It is divided into fifty (50) titles that represent broad areas subject to federal regulation.

Community means any political subdivision in the State that has authority to adopt and enforce floodplain management regulations through zoning, including but not limited to cities, towns, unincorporated areas in the counties, Indian tribes and drainage and flood control districts.

Conditional letter of map revision (CLOMR) means FEMA's comment on a proposed project, which does not revise an effective floodplain map, that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodplain.

Critical facility means a structure or related infrastructure, but not the land on which it is situated, that, if flooded, may result in significant hazards to public health and safety or interrupt essential services and operations for the community at any time before, during and after a flood. See Section 18-11-240.

Development means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

DFIRM database means a database, usually spreadsheets containing data and analyses, that accompany DFIRMs. The FEMA Mapping Specifications and Guidelines outline requirements for the development and maintenance of DFIRM databases.

Digital flood insurance rate map (DFIRM) means the FEMA digital floodplain map. These digital maps serve as "regulatory floodplain maps" for insurance and floodplain management purposes.

Elevated building means a non-basement building (i) built, in the case of a building in Zones A1-30, AE, A, A99, AO, AH, B, C, X and D, to have the top of the elevated floor above the ground level by means of pilings, columns (posts and piers) or shear walls parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-30, AE, A, A99, AO, AH, B, C, X and D, elevated building also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters.

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads).

Federal Register means the official daily publication for Rules, proposed Rules, and notices of federal agencies and organizations, as well as executive orders and other presidential documents.

FEMA means the Federal Emergency Management Agency, the agency responsible for administering the National Flood Insurance Program.

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. The overflow of water from channels and reservoir spillways;
- b. The unusual and rapid accumulation or runoff of surface waters from any source; or
- c. Mudslides or mudflows that occur from excess surface water that is combined with mud or other debris that is sufficiently fluid so as to flow over the surface of normally dry land areas, such as earth carried by a current of water and deposited along the path of the current.

Flood control structure means a physical structure designed and built expressly or partially for the purpose of reducing, redirecting or guiding flood flows along a particular waterway. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Flood insurance rate map (FIRM) means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) means the official report provided by the Federal Emergency Management Agency. The report contains the flood insurance rate map as well as flood profiles for studied flooding sources that can be used to determine base flood elevations for some areas.

Floodplain or flood-prone area means any land area susceptible to being inundated as the result of a flood, including the area of land over which floodwater would flow from the spillway of a reservoir.

Floodplain Administrator means the community official designated by title to administer and enforce the floodplain management regulations.

Floodplain development permit means a permit required before construction or development begins within any special flood hazard area (SFHA). If FEMA has not defined the SFHA within a community, the community shall require permits for all proposed construction or other development in the community, including the placement of manufactured homes, so that it may determine whether such construction or other development is proposed within flood-prone areas. Permits are required to ensure that proposed development projects meet the requirements of the NFIP and this Article.

Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodproofing means any combination of structural and/or nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway (regulatory floodway) means the channel of a river or other watercourse and adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. The statewide standard for the designated height to be used for all newly studied reaches shall be one-half (½) foot (six [6] inches). Letters of map revision to existing floodway delineations

may continue to use the floodway criteria in place at the time of the existing floodway delineation.

Freeboard means the vertical distance in feet above a predicted water surface elevation intended to provide a margin of safety to compensate for unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood, such as debris blockage of bridge openings and the increased runoff due to urbanization of the watershed.

Functionally dependent use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure means any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;
- c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 1. By an approved state program as determined by the Secretary of the Interior, or
 2. Directly by the Secretary of the Interior in states without approved programs.

Letter of map revision (LOMR) means FEMA's official revision of an effective flood insurance rate map (FIRM) or flood boundary and floodway map (FBFM), or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations (BFEs) or the special flood hazard area (SFHA).

Letter of map revision based on fill (LOMR-F) means FEMA's modification of the special flood hazard area (SFHA) shown on the flood insurance rate map (FIRM) based on the placement of fill outside the existing regulatory floodway.

Levee means a man-made embankment, usually earthen, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding. For a levee structure to be reflected on the FEMA FIRMs as providing flood protection, the levee structure must meet the requirements set forth in 44 CFR § 65.10.

Levee system means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Lowest floor means the lowest floor of the lowest enclosed area (including basement). Any floor used for living purposes, which includes working, storage, sleeping, cooking and

eating or recreation, or any combination thereof. This includes any floor that could be converted to such a use, such as a basement or crawl space. The lowest floor is a determinate for the flood insurance premium for a building, home or business. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

Manufactured home means a structure transportable in one (1) or more sections which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term manufactured home does not include a recreational vehicle.

Manufactured home park or subdivision means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

Mean sea level means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum to which base flood elevations shown on a community's flood insurance rate map are referenced.

Material safety data sheet (MSDS) means a form with data regarding the properties of a particular substance. An important component of product stewardship and workplace safety, it is intended to provide workers and emergency personnel with procedures for handling or working with that substance in a safe manner, and includes information such as physical data (melting point, boiling point, flash point, etc.), toxicity, health effects, first aid, reactivity, storage, disposal, protective equipment and spill-handling procedures.

National Flood Insurance Program (NFIP) means FEMA's program of flood insurance coverage and floodplain management administered in conjunction with the Robert T. Stafford Relief and Emergency Assistance Act. The NFIP has applicable federal regulations promulgated in Title 44 of the Code of Federal Regulations. The U.S. Congress established the NFIP in 1968 with the passage of the National Flood Insurance Act of 1968.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

No-rise certification means a record of the results of an engineering analysis conducted to determine whether a project will increase flood heights in a floodway. A no-rise certification must be supported by technical data and signed by a registered Colorado professional engineer. The supporting technical data should be based on the standard step-backwater computer model used to develop the 100-year floodway shown on the flood insurance rate map (FIRM) or flood boundary and floodway map (FBFM).

Physical map revision (PMR) means FEMA's action whereby one (1) or more map panels are physically revised and republished. A PMR is used to change flood risk zones, floodplain and/or floodway delineations, flood elevations and/or planimetric features.

Recreational vehicle means a vehicle which is:

- a. Built on a single chassis;
- b. Four hundred (400) square feet or less when measured at the largest horizontal

projections;

- c. Designed to be self-propelled or permanently towable by a light duty truck; and
- d. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

Special flood hazard area means the land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year, i.e., the 100-year floodplain.

Start of construction means the date the building permit was issued, including substantial improvements, provided that the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means a walled and roofed building, including a gas or liquid storage tank, which is principally above ground, as well as a manufactured home.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty percent (50%) of the market value of the structure just prior to when the damage occurred.

Substantial improvement means any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before start of construction of the improvement. The value of the structure shall be determined by the local jurisdiction having land use authority in the area of interest. This includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary conditions; or
- b. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Threshold planning quantity (TPQ) means a quantity designated for each chemical on the list of extremely hazardous substances that triggers notification by facilities to the State that such facilities are subject to emergency planning requirements.

Variance means a grant of relief to a person from the requirement of this Article when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this Article. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

Violation means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4) or (e)(5) is presumed to be in violation until such time as that documentation is provided.

Water surface elevation means the height, in relation to the North American Vertical Datum (NAVD) of 1988, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

(Ord. 2013-6 §1)

Sec. 18-3-60. Lands to which this Article applies.

This Article shall apply to all special flood hazard areas and areas removed from the floodplain by the issuance of a FEMA letter of map revision based on fill (LOMR-F) within the jurisdiction of the Town.

(Ord. 2013-6 §1)

Sec. 18-3-70. Basis for establishing areas of special flood hazard.

The special flood hazard areas identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for Park County, Colorado and Incorporated Areas," dated December 18, 2009, with accompanying flood insurance rate maps and/or flood boundary-floodway maps (FIRM and/or FBFM) and any revisions thereto are hereby adopted by reference and declared to be a part of this Article. These special flood hazard areas identified by the FIS and attendant mapping are the minimum area of applicability of this Article and may be supplemented by studies designated and approved by the Board of Trustees. The Floodplain Administrator shall keep a copy of the Flood Insurance Study (FIS), DFIRMs, FIRMs and/or FBFMs on file and available for public inspection.

(Ord. 2013-6 §1)

Sec. 18-3-80. Establishment of development permit.

A floodplain development permit shall be required to ensure conformance with the provisions of this Article.

(Ord. 2013-6 §1)

Sec. 18-3-90. Compliance.

No structure or land shall hereafter be located, altered or have its use changed within the special flood hazard area without full compliance with the terms of this Article and other applicable regulations. Nothing herein shall prevent the Board of Trustees from taking such lawful action as is necessary to prevent or remedy any violation. These regulations meet the minimum requirements as set forth by the Colorado Water Conservation Board and the National Flood Insurance Program.

(Ord. 2013-6 §1)

Sec. 18-3-100. Abrogation and greater restrictions.

This Article is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this Article and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(Ord. 2013-6 §1)

Sec. 18-3-110. Interpretation.

In the interpretation and application of this Article, all provisions shall be considered as minimum requirements; liberally construed in favor of the governing body; and deemed neither to limit nor repeal any other powers granted under state statutes.

(Ord. 2013-6 §1)

Sec. 18-3-120. Warning and disclaimer of liability.

The degree of flood protection required by this Article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This Article does not imply that land outside the special flood hazard area or uses permitted within such areas will be free from flooding or flood damages. This Article shall not create liability on the part of the Town or any official or employee thereof for any flood damages that result from reliance on this Article or any administrative decision lawfully made thereunder.

(Ord. 2013-6 §1)

Sec. 18-3-130. Designation of Floodplain Administrator.

The Town Administrator or Authorized Designee is hereby appointed the Floodplain Administrator to administer and implement the provisions of this Article and other appropriate sections of 44 CFR (National Flood Insurance Program Regulations) pertaining to floodplain management.

(Ord. 2013-6 §1)

Sec. 18-3-140. Duties and responsibilities of Floodplain Administrator.

Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

- (1) Maintain and hold open for public inspection all records pertaining to the provisions of this Article.
- (2) Review permit applications to determine whether the proposed building site, including the placement of manufactured homes, will be reasonably safe from flooding.
- (3) Review, approve or deny all applications for development permits required by adoption of this Article.
- (4) Review permits for proposed development to assure that all necessary permits have been obtained from those federal, state or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. § 1334) from which prior approval is required.
- (5) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the Floodplain Administrator shall make the necessary interpretation.
- (6) Notify, in riverine situations, adjacent communities and the state coordinating agency, which is the Colorado Water Conservation Board, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- (7) Assure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.
- (8) When base flood elevation data has not been provided in accordance with Paragraph 18-11-150(a)(3) below, the Floodplain Administrator shall obtain,

review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other course in order to administer the provisions of this Article.

(Ord. 2013-6 §1)

Sec. 18-3-150. Permit procedures.

- (a) Application for a development permit shall be presented to the Floodplain Administrator on forms furnished by him or her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard.

Additionally, the following information is required:

- (1) Elevation, in relation to mean sea level, of the lowest floor (including basement) of all new and substantially improved structures;
 - (2) Elevation, in relation to mean sea level, to which any nonresidential structure shall be floodproofed;
 - (3) A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of Paragraph 18-11-180(2) of this Article.
 - (4) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development; and
 - (5) Maintain a record of all such information in accordance with Paragraph 18-11-140(2) above.
- (b) Approval or denial of a development permit by the Floodplain Administrator shall be based on all of the provisions of this Article and the following relevant factors:
- (1) The danger to life and property due to flooding or erosion damage;
 - (2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (3) The danger that materials may be swept onto other lands to the injury of others;
 - (4) The compatibility of the proposed use with existing and anticipated development;
 - (5) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (6) The costs of providing governmental services during and after flood conditions, including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
 - (7) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
 - (8) The necessity to the facility of a waterfront location, where applicable;
 - (9) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use; and
 - (10) The relationship of the proposed use to the comprehensive plan for that area.

(Ord. 2013-6 §1)

Sec. 18-3-160. Variance procedures.

- (a) The Board of Adjustment (hereinafter referred to as the "Appeal Board") may consider and grant or deny variances to the requirements of this Article in accordance with the standards and procedures set forth in Article XXII of Chapter 16 of this Code. The Appeal Board shall hear and render judgment on an appeal only when it is alleged there is an error in any

requirement, decision or determination made by the Floodplain Administrator in the enforcement or administration of this Article.

- (1) Any person or persons aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.
 - (2) The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
 - (3) Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half ($\frac{1}{2}$) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided that the relevant factors in Section 18-11-150 above have been fully considered. As the lot size increases beyond the one-half ($\frac{1}{2}$) acre, the technical justification required for issuing the variance increases.
 - (4) Upon consideration of the factors noted above and the intent of this Article, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this Article as stated in Section 18-11-30 of this Article.
 - (5) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
 - (6) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
 - (7) Prerequisites for granting variances:
 - a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - b. Variances shall only be issued upon:
 1. Showing a good and sufficient cause;
 2. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
 - c. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
 - (8) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use, provided that:
 - a. The criteria outlined in Paragraphs (1)—(7) above are met; and
 - b. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
- (Ord. 2013-6 §1)

Sec. 18-3-170. General standards.

In all special flood hazard areas, the following provisions are required for all new construction and substantial improvements:

- (1) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- (2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
- (3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage.
- (4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from the systems into floodwaters.
- (7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(Ord. 2013-6 §1)

Sec. 18-3-180. Specific standards.

In all special flood hazard areas where base flood elevation data has been provided as set forth in this Article, the following provisions are required:

- (1) Residential construction. New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities (including ductwork) elevated to one (1) foot above the base flood elevation. Upon completion of the structure, the elevation of the lowest floor, including basement, shall be certified by a registered Colorado professional engineer, architect or land surveyor. Such certification shall be submitted to the Floodplain Administrator.
- (2) Nonresidential construction. With the exception of critical facilities, outlined in Section 18-11-240 of this Article, new construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement), electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities (including ductwork) elevated to one (1) foot above the base flood elevation or, together with attendant utility and sanitary facilities, be designed so that, at one (1) foot above the base flood elevation, the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered Colorado professional engineer or architect shall develop and/or review structural design, specifications and plans for the construction, and shall certify that the

design and methods of construction are in accordance with accepted standards of practice as outlined in this Subsection. Such certification shall be maintained by the Floodplain Administrator.

- (3) Enclosures. New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered Colorado professional engineer or architect or meet or exceed the following minimum criteria:

- a. A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.
- b. The bottom of all openings shall be no higher than one (1) foot above grade.
- c. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(4) Manufactured homes.

- a. All manufactured homes that are placed or substantially improved within Zones A1-30, AH and AE on the community's FIRM on sites:

1. Outside of a manufactured home park or subdivision;
2. In a new manufactured home park or subdivision;
3. In an expansion to an existing manufactured home park or subdivision; or
4. In an existing manufactured home park or subdivision on which manufactured home has incurred substantial damage as a result of a flood;

are elevated on a permanent foundation such that the lowest floor of the manufactured home, electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities (including ductwork) is elevated to one (1) foot above the base flood elevation and is securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

- b. All manufactured homes placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of the above Subparagraph shall be elevated so that either:
 1. The lowest floor of the manufactured home, electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities (including ductwork) are one (1) foot above the base flood elevation; or
 2. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade and is securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

(5) Recreational vehicles.

- a. All recreational vehicles placed on sites within Zones A1-30, AH and AE on the community's FIRM either:
 1. Be on the site for fewer than one hundred eighty (180) consecutive days;
 2. Be fully licensed and ready for highway use; or
 3. Meet the permit requirements of Section 18-11-150 of this Article and the

elevation and anchoring requirements for manufactured homes in Paragraph (4) above.

- b. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

(Ord. 2013-6 §1)

Sec. 18-3-190. Standards for areas of shallow flooding (AO/AH Zones).

Located within the special flood hazard area are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

- (1) Residential construction. All new construction and substantial improvements of residential structures must have the lowest floor (including basement), electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities (including ductwork) elevated above the highest adjacent grade at least one (1) foot above the depth number specified in feet on the community's FIRM (at least three [3] feet if no depth number is specified). Upon completion of the structure, the elevation of the lowest floor, including basement, shall be certified by a registered Colorado professional engineer, architect or land surveyor. Such certification shall be submitted to the Floodplain Administrator.
- (2) Nonresidential construction.
 - a. With the exception of critical facilities, all new construction and substantial improvements of nonresidential structures must have the lowest floor (including basement), electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities (including ductwork) elevated above the highest adjacent grade at least one (1) foot above the depth number specified in feet on the community's FIRM (at least three [3] feet if no depth number is specified), or, together with attendant utility and sanitary facilities, be designed so that the structure is watertight to at least one (1) foot above the base flood level with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered Colorado professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this Section, as proposed in Section 18-11-150 of this Article are satisfied.
 - b. Within Zones AH or AO, adequate drainage paths around structures on slopes are required to guide floodwaters around and away from proposed structures.

(Ord. 2013-6 §1)

Sec. 18-3-200. Floodways.

Floodways are administrative limits and tools used to regulate existing and future floodplain development. The State has adopted floodway standards that are more stringent than the FEMA minimum standard (see definition of Floodway in Section 18-11-50 of this Article). Located within special flood hazard area established in Section 18-11-70 of this Article, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

- (1) Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway, unless it has been demonstrated through hydrologic and hydraulic analyses performed by a licensed Colorado professional engineer and in accordance with standard engineering practice that the proposed encroachment would not result in any increase (requires a no-rise certification) in flood levels within the community during the occurrence of the base flood discharge.
- (2) If Paragraph (1) above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 18-11-180 of this Article.
- (3) Under the provisions of 44 CFR Chapter 1, Section 65.12 of the National Flood Insurance Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a CLOMR and floodway revision through FEMA.

(Ord. 2013-6 §1)

Sec. 18-3-210. Alteration of watercourse.

For all proposed developments that alter a watercourse within a special flood hazard area, the following standards apply:

- (1) Channelization and flow diversion projects shall appropriately consider issues of sediment transport, erosion, deposition and channel migration and properly mitigate potential problems through the project, as well as upstream and downstream of any improvement activity. A detailed analysis of sediment transport and overall channel stability should be considered, when appropriate, to assist in determining the most appropriate design.
- (2) Channelization and flow diversion projects shall evaluate the residual 100-year floodplain.
- (3) Any channelization or other stream alteration activity proposed by a project proponent must be evaluated for its impact on the regulatory floodplain and be in compliance with all applicable federal, state and local floodplain rules, regulations and ordinances.
- (4) Any stream alteration activity shall be designed and sealed by a registered Colorado professional engineer or certified professional hydrologist.
- (5) All activities within the regulatory floodplain shall meet all applicable federal, state and Town floodplain requirements and regulations.
- (6) Within the regulatory floodway, stream alteration activities shall not be constructed unless the project proponent demonstrates through a floodway analysis and report, sealed by a registered Colorado professional engineer, that there is not more than a 0.00-foot rise in the proposed conditions compared to existing conditions in the floodway resulting from the project, otherwise known as a no-rise certification, unless the community first applies for a CLOMR and floodway revision in accordance with Section 18-11-200 above.
- (7) Maintenance shall be required for any altered or relocated portions of watercourses so that the flood-carrying capacity is not diminished.

(Ord. 2013-6 §1)

Sec. 18-3-220. Properties removed from floodplain by fill.

A floodplain development permit shall not be issued for the construction of a new structure or addition to an existing structure on a property removed from the floodplain by the issuance of a FEMA letter of map revision based on fill (LOMR-F), unless such new structure or addition complies with the following:

- (1) Residential construction. The lowest floor (including basement), electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities (including ductwork), must be elevated to one (1) foot above the base flood elevation that existed prior to the placement of fill.
- (2) Nonresidential construction. The lowest floor (including basement), electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities (including ductwork) must be elevated to one (1) foot above the base flood elevation that existed prior to the placement of fill, or, together with attendant utility and sanitary facilities, be designed so that the structure or addition is watertight to at least one (1) foot above the base flood level that existed prior to the placement of fill with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

(Ord. 2013-6 §1)

Sec. 18-3-230. Standards for subdivision proposals.

- (a) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be reasonably safe from flooding. If a subdivision or other development proposal is in a flood-prone area, the proposal shall minimize flood damage.
- (b) All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet the floodplain development permit requirements of this Article.
- (c) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than fifty (50) lots or five (5) acres, whichever is lesser, if not otherwise provided pursuant to Section 18-11-70 of this Article or Section 18-11-140 of this Article.
- (d) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
- (e) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities, such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

(Ord. 2013-6 §1)

Sec. 18-3-240. Standards for critical facilities.

A critical facility is a structure or related infrastructure, but not the land on which it is situated, as specified in Rule 6 of the Rules and Regulations for Regulatory Floodplains in Colorado, that, if flooded, may result in significant hazards to public health and safety or interrupt essential services and operations for the community at any time before, during and after a flood.

- (1) Classification of critical facilities. Critical facilities are classified under the following categories: (a) essential services; (b) hazardous materials; (c) at-risk populations; and (d) vital to restoring normal services. It is the responsibility of the Board of Trustees

to identify and confirm that specific structures in its community meet the following criteria:

- a. Essential services facilities include public safety, emergency response, emergency medical, designated emergency shelters, communications, public utility plant facilities and transportation lifelines.
 1. These facilities consist of:
 - a) Public safety (police stations, fire and rescue stations, emergency vehicle and equipment storage and emergency operation centers);
 - b) Emergency medical (hospitals, ambulance service centers, urgent care centers having emergency treatment functions, and nonambulatory surgical structures, but excluding clinics, doctors' offices and non-urgent care medical structures that do not provide these functions);
 - c) Designated emergency shelters;
 - d) Communications (main hubs for telephone, broadcasting equipment for cable systems, satellite dish systems, cellular systems, television, radio and other emergency warning systems, but excluding towers, poles, lines, cables and conduits);
 - e) Public utility plant facilities for generation and distribution (hubs, treatment plants, substations and pumping stations for water, power and gas, but not including towers, poles, power lines, buried pipelines, transmission lines, distribution lines and service lines); and
 - f) Air transportation lifelines (airports [municipal and larger], helicopter pads and structures serving emergency functions, and associated infrastructure [aviation control towers, air traffic control centers and emergency equipment aircraft hangars]).
 2. Specific exemptions to this category include wastewater treatment plants (WWTP), nonpotable water treatment and distribution systems, and hydroelectric power generating plants and related appurtenances.
 3. Public utility plant facilities may be exempted if it can be demonstrated to the satisfaction of the Board of Trustees that the facility is an element of a redundant system for which service will not be interrupted during a flood. At a minimum, it shall be demonstrated that redundant facilities are available (either owned by the same utility or available through an intergovernmental agreement or other contract) and connected, the alternative facilities are either located outside of the 100-year floodplain or are compliant with the provisions of this Article, and an operations plan is in effect that states how redundant systems will provide service to the affected area in the event of a flood. Evidence of ongoing redundancy shall be provided to the Board of Trustees on an as-needed basis upon request.
- b. Hazardous materials facilities include facilities that produce or store highly volatile, flammable, explosive, toxic and/or water-reactive materials.
 1. These facilities may include:
 - a) Chemical and pharmaceutical plants (chemical plant, pharmaceutical manufacturing);
 - b) Laboratories containing highly volatile, flammable, explosive, toxic and/or water-reactive materials;
 - c) Refineries;

- d) Hazardous waste storage and disposal sites; and
 - e) Aboveground gasoline or propane storage or sales centers.
2. Facilities shall be determined to be critical facilities if they produce or store materials in excess of threshold limits. If the owner of a facility is required by the Occupational Safety and Health Administration (OSHA) to keep a Material Safety Data Sheet (MSDS) on file for any chemicals stored or used in the work place, AND the chemical is stored in quantities equal to or greater than the threshold planning quantity (TPQ) for that chemical, then that facility shall be considered to be a critical facility. The TPQ for these chemicals is: either five hundred (500) pounds or the TPQ listed (whichever is lower) for the three hundred fifty-six (356) chemicals listed under 40 C.F.R. § 302 (2010), also known as Extremely Hazardous Substances (EHS); or ten thousand (10,000) pounds for any other chemical. This threshold is consistent with the requirements for reportable chemicals established by the Colorado Department of Public Health and Environment. OSHA requirements for MSDS can be found in 29 C.F.R. § 1910 (2010). The Environmental Protection Agency (EPA) regulation "Designation, Reportable Quantities, and Notification," 40 C.F.R. § 302 (2010) and OSHA regulation "Occupational Safety and Health Standards," 29 C.F.R. § 1910 (2010) are incorporated herein by reference and include the regulations in existence at the time of the promulgation of this Article, but exclude later amendments to or editions of the regulations.
3. Specific exemptions to this category include:
- a) Finished consumer products within retail centers and households containing hazardous materials intended for household use, and agricultural products intended for agricultural use.
 - b) Buildings and other structures containing hazardous materials for which it can be demonstrated to the satisfaction of the local authority having jurisdiction by hazard assessment and certification by a qualified professional (as determined by the local jurisdiction having land use authority) that a release of the subject hazardous material does not pose a major threat to the public.
 - c) Pharmaceutical sales, use, storage and distribution centers that do not manufacture pharmaceutical products.
- These exemptions shall not apply to buildings or other structures that also function as critical facilities under another category outlined in this Article.
- c. At-risk population facilities include medical care, congregate care and schools. These facilities consist of:
- 1. Elder care (nursing homes).
 - 2. Congregate care serving twelve (12) or more individuals (day care and assisted living).
 - 3. Public and private schools (pre-schools, K-12 schools), before-school and after-school care serving twelve (12) or more children.
- d. Facilities vital to restoring normal services, including government operations. These facilities consist of:
- 1. Essential government operations (public records, courts, jails, building permitting and inspection services, community administration and management, maintenance and equipment centers).

2. Essential structures for public colleges and universities (dormitories, offices and classrooms only).

These facilities may be exempted if it is demonstrated to the Board of Trustees that the facility is an element of a redundant system for which service will not be interrupted during a flood. At a minimum, it shall be demonstrated that redundant facilities are available (either owned by the same entity or available through an intergovernmental agreement or other contract), the alternative facilities are either located outside of the 100-year floodplain or are compliant with this Article, and an operations plan is in effect that states how redundant facilities will provide service to the affected area in the event of a flood. Evidence of ongoing redundancy shall be provided to the Board of Trustees on an as-needed basis upon request.

- (2) Protection for critical facilities. All new and substantially improved critical facilities and new additions to critical facilities located within the special flood hazard area shall be regulated to a higher standard than structures not determined to be critical facilities. For the purposes of this Article, protection shall include one (1) of the following:
 - a. Location outside the special flood hazard area; or
 - b. Elevation of the lowest floor or floodproofing of the structure, together with attendant utility and sanitary facilities, to at least two (2) feet above the base flood elevation.
- (3) Ingress and egress for new critical facilities. New critical facilities shall, when practicable as determined by the Board of Trustees, have continuous non-inundated access (ingress and egress for evacuation and emergency services) during a 100-year flood event.

(Ord. 2013-6 §1)

ARTICLE IV

Growing and Processing of Marijuana in Residential Structures¹

Sec. 18-4-10. Purpose.

This Article is intended to apply to the growing of marijuana in residential structures whether such growing is done by persons for their own use, or by primary caregivers.

(Ord. No. 2014-10, § 1, 8-18-2014)

Sec. 18-4-20. Growing of marijuana in residential structures.

A person may use, cultivate, possess, produce, use or transport marijuana or paraphernalia to administer marijuana in a residential structure subject to the following:

- (1) Such cultivation, production, or possession of marijuana plants must be in full compliance with all applicable provisions of Article XVIII, section 14 and/or 16 of the Colorado Constitution, the Colorado Medical Marijuana Code, C.R.S. §§ 12-43.3-101 et seq., the Medical Marijuana Program, C.R.S. § 25-1.5-106; and the Colorado Retail Marijuana Code, as applicable.
- (2) Such marijuana plants are cultivated, produced, or possessed within a person's primary residence, as defined by subsection (8) below.

¹Editor's note(s)—Ord. No. 2014-10, § 1, adopted Aug. 18, 2014, repealed the former Art. XII, §§ 18-12-10, 18-12-20, and enacted a new Art. XII as set out herein. The former Art. XII pertained to similar subject matter and derived from Ord. 1, 2012, § 1.

- (3) The cultivation, production, or possession of such marijuana plants must not be perceptible from the exterior of the primary residence, including but not limited to:
 - a. Common visual observation, including any form of signage;
 - b. Unusual odors, smells, fragrances, or other olfactory stimulus;
 - c. Light pollution, glare, or brightness that disturbs the repose of another; and
 - d. Undue vehicular or foot traffic, including excess parking within the residential zone.
- (4) Such marijuana plants shall not be grown or processed in the common areas of a multi-family or attached residential development.
- (5) Such cultivation, production, or possession of marijuana plants shall be limited to the following space limitations within a primary residence:
 - a. Within a single-family dwelling unit (Group R-3 as defined by the International Building Code): A secure, defined, contiguous one hundred fifty (150) square foot area within the primary residence of the person.
 - b. Within a multi-family dwelling unit (R, Other than R-3, as defined by the International Building Code): A secure, defined, contiguous one hundred (100) square foot area within the primary residence of the person.
 - c. Such cultivation, production, or possession of marijuana plants not occur in any accessory structure.
- (6) Such cultivation, production, or possession of marijuana plants shall meet the requirements of all adopted Town of Fairplay building and life/safety codes.
- (7) Such cultivation, production, or possession of marijuana plants shall meet the requirements of all adopted water and sewer regulations promulgated by the applicable water and sewer providers within the Town.
- (8) For purposes of this Article, "primary residence" means the place that a person, by custom and practice, makes his or her principle domicile and address and to which the person intends to return, following any temporary absence, such as vacation. Residence is evidenced by actual daily physical presence, use, and occupancy of the primary residence and the use of the residential address for domestic purposes, such as, but not limited to, slumber, preparation of and partaking of meals, regular mail delivery, vehicle and voter registration, or credit, water, and utility billing. A person shall have only one (1) primary residence. A primary residence shall not include accessory buildings.
- (9) For purposes of this Article, "a secure" area means an area within the primary residence accessible only to the owners or occupants. Secure premises shall be locked or partitioned off to prevent access by children, visitors, casual passersby, vandals, or anyone not licensed or authorized to possess marijuana.
- (10) The cultivation, production, or possession of marijuana plants in a residential structure pursuant to this Article is and shall be deemed consent by the owner or occupant,

upon reasonable notice, for the Town to inspect the premises to assure compliance with the provisions of this Article.

(Ord. No. 2014-10, § 1, 8-18-2014)

Sec. 18-4-30. Compressed flammable gas prohibited in residential THC extraction.

It is unlawful for a person to use any compressed flammable gas as a solvent in the extraction of tetrahydrocannabinol (THC) or any other cannabinoids in any residential structure in the Town.

(Ord. No. 2014-10, § 1, 8-18-2014)

ARTICLE V

Building Moves and Sets

Sec. 18-5-10. Purpose.

The purpose of move and set permits is to ensure compliance with all Town, state and public utility requirements related to the movement of buildings upon public and quasi-public rights-of-ways and easements, and to ensure the structural stability of any structure to be moved. (Ord. 6, 2021 §1)

Sec. 18-5-20. Permits required.

No building, structure or improvement shall be moved from or set upon land located in the Town or transported upon any public street in the Town until a permit to move and set has been obtained therefor and said building, structure or improvement complies with the provisions of this Article.

(Ord. 6, 2021 §1)

Sec. 18-5-30. Procedures.

- (a) All buildings, structures and improvements to be moved and set shall comply with the Building Code, as adopted by the Town.
- (b) An application shall be submitted for said permit, along with a footing and foundation plan and construction plans for any new construction, which plans shall comply with the Building Code.
- (c) The applicant shall submit a statement from the County Treasurer showing that all past and current taxes have been paid before any permit shall be issued.
- (d) Upon receipt of the above items, the Building Official shall inspect said building, structure or improvements and the proposed location where the same will be set within the Town. Upon determining that the proposed development complies with the Building Code and this Chapter, the Building Official shall issue a permit to move and set.
- (e) The Building Official shall charge a reasonable fee, in addition to the normal fees set forth in the Building Code, to cover costs of investigation and inspection for determining the structural soundness of buildings, structures or improvements to be moved, which fee is payable in advance and must accompany the application provided for herein. The inspection shall determine what will be necessary to bring buildings, structures or improvements into compliance with the Building Code should the building not comply. This fee is not returnable. If buildings, structures or improvements are found to be capable or complying with the Building Code, a building permit will be issued at the regular fee as determined by the valuation of said building, structure or improvements as published in the Building Code.
- (f) No permit to move and set shall be issued until the applicant has first obtained any necessary permits from the public utility company, railroad companies, Colorado Department of Transportation and County Road Supervisor, unless it can be shown by the applicant that these agencies are not involved in the move.
- (g) No person shall transport, move or set any building, structure or improvement in the Town until and unless such person shall post with the Building Official a good and sufficient indemnity bond in favor of the Town. Such bond shall be made by a surety corporation authorized to do business in this State; said bond may be issued on an annual basis but shall not be in excess of such period of time.

- (h) A certificate of liability insurance in an amount determined by the Building Official shall be given to and kept on file by the Building Official. Appeals may be made to the Board of Trustees for the amount of insurance required only.
(Ord. 6, 2021 §1)

ARTICLE VI

Drainage Requirements

Sec. 18-6-10. Drainage devices required.

The owners of all new construction in the Town shall be required to install such appropriate drainage devices under any driveway or other barrier which would interfere with the natural and existing drainage of the Town. It shall be the duty of the Building Official to enforce and implement this Article.

(Ord. 5, 1980 §1; Ord. 5, 2019, §2)

Sec. 18-6-20. Town to establish requirements.

It shall be the duty of the Building Official to determine the proper requirements for each site in regard to the nature and design for each drainage device required hereunder.

(Ord. 5, 1980 §2; Ord. 5, 2019, §2)

Sec. 18-6-30. Drainage device form.

To enable the Building Official to enforce and implement this Article, the Building Official:

- (1) Shall cause a form to be issued with the building permit setting forth the requirements for the drainage device to be installed; and
- (2) Shall condition issuance of the certificate of occupancy upon compliance with the requirements set forth by the Building Official in the form issued under Subsection (1) above.

(Ord. 5, 1980 §3; Ord. 11, 2002 §1; Ord. 5, 2019, §2)

Section 4. **Safety Clause.** The Town Board hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Fairplay, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Board further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

Section 5. Should any one or more sections or provisions of this Ordinance or of the Code provisions enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or of such Code provision, the intention being that the various sections and provisions are severable.

Section 6. This Ordinance shall become effective January 1, 2023.

**INTRODUCED, READ AND PASSED, ADOPTED AND ORDERED PUBLISHED
IN FULL** in a newspaper of general circulation in the Town of Fairplay by the Board of Trustees
this _____ day of _____, 2022.

TOWN OF FAIRPLAY, COLORADO

Frank Just, Mayor

ATTEST:

Janell Sciacca, Town Clerk



MEMORANDUM

TO: Mayor and Board of Trustees

FROM: Kim Wittbrodt, Treasurer

RE: 2022 Amended Budget, 2023 Proposed Budget

DATE: 11/16/2022

AGENDA ITEM: Public Hearing – 2022 Amended Budget and 2023 Proposed Budget.

This is the second public hearing for the 2022 amended budget and the 2023 proposed budget for the Town of Fairplay. The hearing needs to be reopened and public comment allowed. Staff will be prepared to answer questions. Updates will be made to the proposed budget reflecting any changes you request during this budget process. The updates will also contain updated year to date actual numbers. These numbers will continue to change, up until you adopt the final budget in December.

At the conclusion of the hearing, rather than close it, staff requests that a motion be made to continue the hearing until your next regularly scheduled meeting on December 5, 2022.

GENERAL FUND BUDGET							
Account #	Account Description	2021 Audited Final	2022 Budgeted	2022 Actual to date through 11/16/2022	2022 Amended	2023 Budgeted	Comments
GENERAL FUND - REVENUE	BEGINNING FUND BALANCE	\$ 1,476,442	\$ 2,073,200	\$ 1,476,442	\$ 2,058,903	\$ 3,328,941	
	TAXES						
10-40-05	AD VALOREM TAX (Current Taxes)	194,943	234,399	232,915	234,399	236,805	11.799 mills-set amount
10-40-10	SPEC. OWNERSHIP TAX (SO Taxes)	25,732	25,000	24,201	26,000	25,000	
10-40-30	INTEREST ON PROPERTY TAX (Interest)	459	500	642	642	500	
10-40-40	DELINQUENT TAXES	-	-	293	293	-	
10-40-55	50% SHAREBACK OF R&B LEVY	7,642	7,000	7,928	8,100	8,000	
10-40-60	MOTOR VEHICLE REGISTRATION (Dis Lic Fees)	4,206	4,000	3,683	4,000	4,000	
10-40-70	SALES TAX	1,426,196	1,507,693	1,430,206	1,670,206	1,720,312	3% of 4% TOF Tax
10-40-75	SALES TAX - STREETS	475,399	502,565	478,279	558,279	575,027	1% of 4% TOF Tax
10-40-80	HIGHWAY USER'S TAX	39,222	36,000	28,233	36,000	36,468	
10-40-85	SEVERANCE TAX	357	500	11,679	11,679	500	
10-40-86	MINERAL LEASE REVENUE	340	500	581	581	500	
10-40-90	CIGARETTE TAX	4,413	3,000	3,092	3,400	2,000	
10-40-96	LODGING TAX	62,643	60,000	43,100	57,000	60,000	
	TOTAL	\$ 2,241,561	\$ 2,381,167	\$ 2,264,831	\$ 2,610,578	\$ 2,669,113	
	LICENSES						
10-41-10	LIQUOR LICENSES	6,480	3,000	5,504	5,504	5,000	
10-41-30	DOG LICENSES	115	150	98	98	100	
10-41-32	LIVESTOCK PERMIT	25	25	75	75	75	
10-41-34	COMMERCIAL FLY FISHING PERMIT	600	450	450	450	450	
10-41-40	*BUILDING PERMITS	(1,654)	5,000	12,530	12,530	10,000	
10-41-41	* SURCHARGE: STREETS 5%	83	369	844	935	916	Permits with an * get 10% surcharged
10-41-42	* SURCHARGE: PARKS & REC 5%	83	369	844	935	916	Permits with an * get 10% surcharged
10-41-50	FRANCHISE TAX (Xcel 3% Fee) (CNG 5%)	65,007	58,000	56,293	65,000	65,000	
10-41-60	GOLD PANNING PERMITS/DONATIONS	11,910	10,000	7,960	8,200	8,000	
10-41-70	BUSINESS LICENSES	7,550	7,500	7,625	7,675	3,000	
10-41-74	SHORT TERM RENTAL PERMIT	-	-	4,500	4,500	6,000	
10-41-80	SIGN PERMITS	390	300	430	430	300	
*10-41-90	* EXCAVATION PERMITS	500	100	539	539	600	
*10-41-92	* MECHANICAL PERMIT	100	-	250	250	100	
*10-41-94	* STREET CUT	-	-	1,000	1,000	-	
*10-41-96	* FENCE PERMIT	320	320	290	290	320	
10-41-97	SPECIAL EVENTS PERMIT	1,320	1,000	1,320	1,600	1,300	
*10-41-98	* RESIDE/REROOF PERMIT	2,000	2,000	3,600	3,600	3,000	
	TOTAL	\$ 94,829	\$ 88,583	\$ 104,151	\$ 113,611	\$ 106,077	
	FEES						
10-42-75	PLANNING & DEVELOPMENT FEES	1,200	20,000	2,175	2,175	3,000	fees only-no bill backs
10-42-90	COPIES & FAXES	366	200	231	240	200	
	TOTAL	\$ 1,566	\$ 20,200	\$ 2,406	\$ 2,415	\$ 3,200	
	TRANSPORTATION REVENUE						
10-43-05	RIDERSHIP REVENUE	-	-	-	-	-	
10-43-90	MISCELLANEOUS REVENUE	-	-	-	-	-	
	TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -	

Account #	Account Description	2021 Audited Final	2022 Budgeted	2022 Actual to date through 11/16/2022	2022 Amended	2023 Budgeted	Comments
	LAW ENFORCEMENT						
10-45-05	TRAFFIC FINES	9,825	12,000	6,660	7,500	12,000	
10-45-10	SURCHARGE: POLICE TRAINING (\$15.00)	1,537	1,500	1,387	1,417	1,500	
10-45-15	COURT COSTS \$31.00	433	620	279	310	310	
10-45-20	DEFAULT/OJW FEES \$30.00	150	150	15	15	-	
10-45-30	OTHER FINES	100	500	100	100	500	
10-45-80	VIN INSPECTIONS	668	400	3,269	3,400	3,000	
10-45-90	MISCELLANEOUS	2,443	1,000	11,267	11,267	1,000	
10-45-95	GRANT REIMBURSEMENT	2,685	-	30,960	30,960	-	
	TOTAL	\$ 17,840	\$ 16,170	\$ 53,937	\$ 54,969	\$ 18,310	
	INTEREST						
10-46-05	INTEREST ON COLTRUST	138	150	19,165	30,000	60,000	
10-46-30	INTEREST ON CHECKING	494	400	338	350	400	
	TOTAL	\$ 632	\$ 550	\$ 19,503	\$ 30,350	\$ 60,400	
	EVENTS						
10-47-39	4TH OF JULY	6,472	10,000	5,697	5,697	8,000	
10-47-50	TGIFAIRPLAY CONCERTS	3,339	22,500	16,636	16,636	25,000	
10-47-52	REAL COLORADO CHRISTMAS		500	-	500	500	
10-47-56	BURRO DAYS	45,658	50,000	55,781	55,781	60,000	
10-47-65	MARDI GRAS		10,000	6,200	6,200	10,000	
10-47-59	BURRO DAYS RETAIL SALES	7,776	9,000	2,233	2,233	300	
10-47-90	MISCELLANEOUS REVENUE-EVENTS	6,963	3,000	-	-	2,500	
	TOTAL	\$ 70,208	\$ 105,000	\$ 86,546	\$ 87,047	\$ 106,300	
	MISCELLANEOUS						
10-47-00	MISCELLANEOUS INCOME	12,970	103,906	14,940	15,140	10,000	
10-47-10	CEMETERY	3,730	300	408	408	300	
10-47-38	TOWN CLEAN UP DONATIONS	305	-	135	135	-	tires
10-47-49	STREET LIGHTS	10,843	10,800	9,076	10,800	10,800	collected on utility bills
10-47-62	501 MAIN - RENT & UTILITY	1,459	1,500	910	1,300	1,500	
10-47-75	COMMERCIAL FISHING FEES	-	-	1,990	4,000	6,000	
10-47-82	CAMPING PERMITS/FACILITY USE	897	600	500	500	600	
10-47-81	GRANT - COHEN PARK PLAYGROUND	102,959	-	92,739	92,739	-	
10-47-83	GRANT - FEDERAL	24,547	-	197,812	197,812	-	
10-47-86	GRANT - 501 MAIN STREET	-	-	-	-	-	
10-47-88	GRANT - RIVER PARK	-	-	-	-	750,000	
10-47-91	TOWN HALL RENT REVENUE	12,397	12,397	12,397	12,397	12,397	utility portion
	TOTAL	\$ 170,106	\$ 129,503	\$ 330,907	\$ 336,231	\$ 791,597	
	TOTAL GENERAL FUND REVENUE	\$ 2,596,732	\$ 2,741,163	\$ 2,862,281	\$ 3,234,201	\$ 3,753,997	
	TOTAL AVAILABLE RESOURCES	\$ 4,073,174	\$ 4,814,363	\$ 4,338,723	\$ 5,291,104	\$ 7,083,937	

Account #	Account Description	2021 Audited Final	2022 Budgeted	2022 Actual to date through 11/16/2022	2022 Amended	2023 Budgeted	Comments
GENERAL FUND - EXPENSES							
	ADMINISTRATION						
10-50-02	401A EMPLOYER MATCH	3,120	4,271	3,376	3,930	5,807	3% of gross salaries +admin fee
10-50-05	SALARIES	131,432	132,021	108,038	128,499	182,915	JS 60%, KW 60%, SE 60%, JB 70%, Fac 20%
10-50-10	EMPLOYEE HEALTH & WELLNESS	-	-	-	-	7,000	
10-50-11	SS/MEDICARE EXPENSE	10,419	10,237	8,762	9,922	14,131	7.65% of gross salaries
10-50-12	UNEMPLOYMENT EXPENSE	408	268	226	259	369	.002% for 2022
10-50-13	EMPLOYEE HEALTH INSURANCE	33,526	34,125	31,819	34,710	46,264	health, life, vision, dental, disability
10-50-14	WORKER'S COMPENSATION	510	693	667	667	592	
10-50-15	EDUCATION	1,762	6,000	1,604	2,500	4,000	
10-50-16	ADMIN VEHICLE	4,658	6,000	5,193	6,000	6,000	
10-50-20	TOWN HALL LEASE PURCHASE	295,291	-	-	-	-	- paid off 2021
10-50-23	TOWN HALL EXPENSE - UTILITIES	6,221	6,000	5,787	7,000	7,000	electric, natural gas, trash
10-50-25	TOWN HALL EXPENSE - REPAIR & MAINT	9,467	15,000	3,434	5,000	25,000	misc repairs/landscaping/ceilings in 2 offices
10-50-27	TOWN HALL EXPENSE - SUPPLIES	1,058	1,500	829	1,500	1,000	cleaning, bathroom, misc supplies
10-50-30	OFFICE SUPPLIES	2,811	4,000	2,675	4,000	4,000	
10-50-32	EQUIPMENT RENTAL	4,719	5,000	3,858	5,000	7,100	copier lease/pw copier
10-50-35	POSTAGE EXPENSE	942	750	1,123	1,300	750	bus. license bills, notices etc.
10-50-40	BANK/CREDIT CARD FEES	433	480	3,119	3,700	4,000	bank/express form fee
10-50-50	ELECTION EXPENSE	25	2,000	-	-	-	
10-50-55	BOARD OF TRUSTEE SALARY	1,200	1,800	1,185	1,300	1,800	board payroll 60% admin, 40% utility
10-50-57	TOWN ATTORNEY LEGAL SERVICES	13,780	20,000	13,158	20,000	30,000	udc update
10-50-58	BUILDING OFFICIAL CONTRACT	-	-	6,293	7,000	20,000	inspections
10-50-60	COMPUTER/SOFTWARE/SUPPORT	8,423	7,000	49,986	60,000	40,000	software support/repairs/it contract
10-50-65	TELEPHONE/INTERNET	13,637	14,000	9,942	11,000	11,000	park co/cell phones/phone lines
10-50-70	MISCELLANEOUS EXPENSE	13,908	6,000	5,795	10,000	6,000	
10-50-75	CODIFICATION	450	3,000	2,051	3,000	3,000	annual fees/updates
10-50-76	ESTIP AGREEMENT	8,810	4,000	3,080	18,000	25,000	
10-50-80	VEHICLE RENTAL PAYMENT TO ISF	-	-	-	-	5,000	admin vehicle
10-50-85	COVID EXPENSES	23,322	-	-	-	-	
10-50-90	CAPITAL OUTLAY	-	-	-	-	-	
	TOTAL	\$ 590,331	\$ 284,144	\$ 271,999	\$ 344,288	\$ 457,748	

Account #	Account Description	2021 Audited Final	2022 Budgeted	2022 Actual to date through 11/16/2022	2022 Amended	2023 Budgeted	Comments
GENERAL FUND							
- EXPENSES							
	COMMUNITY DEVELOPMENT						
10-51-05	PROFESSIONAL FEES	14,370	40,000	11,686	20,000	40,000	planner/eng/udc update
10-51-07	PROFESSIONAL FEES-BILL BACK	-	-	-	-	-	bill back from attorney/planner/legal
10-51-10	EDUCATION/BENEVOLENCE(Board Members)	4,228	7,500	3,135	7,500	7,500	lighting contest/board tables/sr banners/misc
10-51-20	VISITOR CENTER	3,504	3,000	3,463	4,000	4,000	
10-51-30	MARKETING	9,034	15,000	14,445	15,000	15,000	general marketing plan
10-51-34	TOWN BEAUTIFICATION	7,152	10,000	10,957	14,000	10,000	flowers
10-51-35	TOWN CLEAN UP DAY	7,368	9,000	7,433	7,433	12,000	inc. electronic waste/town cleanup program
10-51-40	DUES AND MEMBERSHIPS	595	500	625	625	1,000	comm. dev dues, chamber dues, etc.
10-51-50	WORKFORCE HOUSING	-	-	-	-	75,000	
10-51-75	DONATIONS	500	2,000	3,500	4,000	5,000	nat'l night out/misc donations
10-51-76	EMERGENCY SUPPLIES	-	-	-	-	3,000	
10-51-80	FAIRPLAY FORWARD PROJECTS	-	10,000	-	-	10,000	
10-51-85	PROPERTY IMPROVEMENT INCENTIVE PLAN	14,813	20,000	3,287	10,000	20,000	
10-51-86	850 HATHAWAY-BUS BARN	13,638	12,000	14,252	20,000	15,000	utilities/plow
10-51-95	501 MAIN STREET	16,502	16,000	14,200	21,000	20,000	utilities
10-51-96	501 MAIN STREET-REMODEL	23,104	200,000	516	516	435,000	remodel/generator
	TOTAL	\$ 114,809	\$ 345,000	\$ 87,499	\$ 124,074	\$ 672,500	
	COMMUNITY DEVELOPMENT/EVENTS						
10-51-50	TGIFAIRPLAY CONCERTS	9,053	22,500	15,121	16,000	29,500	three concerts/stage/sound on front st
10-51-62	BURRO DAYS	39,940	43,000	53,322	58,322	55,000	stage/recycle trash
10-51-66	MARDI GRAS	-	10,000	9,244	9,244	10,000	
10-51-70	MISC EVENTS	6,601	5,500	1,801	2,000	5,500	
10-51-71	FIREWORKS/4TH OF JULY	15,067	18,000	17,882	17,882	25,000	fireworks, one concert, stage
10-51-74	REAL COLORADO CHRISTMAS	148	2,000	1,085	2,500	2,500	
	TOTAL	\$ 70,809	\$ 101,000	\$ 98,455	\$ 105,948	\$ 127,500	

Account #	Account Description	2021 Audited Final	2022 Budgeted	2022 Actual to date through 11/16/2022	2022 Amended	2023 Budgeted	Comments
	TRANSPORTATION						
10-52-05	SALARIES	-	-	-	-	30,000	
10-52-11	SS/MEDICARE EXPENSE	-	-	-	-	2,295	
10-52-12	UNEMPLOYMENT EXPENSE	-	-	-	-	60	
10-52-14	WORKER'S COMPENSATION	-	-	-	-	1,000	
10-52-15	DRIVER TRAINING/PHYSICALS	-	-	-	-	900	
10-52-30	OFFICE SUPPLIES	-	-	-	-	500	
10-52-35	INSURANCE	-	-	-	-	1,000	
10-52-40	OPERATING SUPPLIES	-	-	-	-	500	
10-52-45	MISCELLANEOUS	-	-	-	-	1,000	
10-52-50	PHONE	-	-	-	-	600	
10-52-55	UTILITIES	-	-	-	-	1,200	
10-52-60	VEHICLE MAINTENANCE	-	-	-	-	5,000	
10-52-70	FUEL	-	-	-	-	6,000	
	TOTAL	\$ -	\$ -	\$ -	\$ -	\$ 60,055	
	JUDICIAL						
10-53-02	401A EMPLOYER MATCH	104	139	121	144	154	3% gross salary + admin fee
10-53-05	MUNICIPAL JUDGE SALARY	8,478	8,685	7,511	8,688	9,119	
10-53-10	COURT CLERK	3,965	4,308	3,888	4,453	4,806	SE 10%
10-53-11	SS/MEDICARE EXPENSE	950	994	872	1,005	1,065	7.65% of gross salaries
10-53-12	UNEMPLOYMENT EXPENSE	37	26	23	26	28	.002% for 2022
10-53-13	EMPLOYEE HEALTH INSURANCE	1,005	1,052	972	1,052	1,097	health, life, vision, dental, disability
10-53-14	WORKER'S COMPENSATION	37	37	37	37	37	
10-53-20	COURT ATTORNEY	-	500	-	-	500	
10-53-30	EDUCATION	-	500	-	-	500	
10-53-40	OPERATING EXPENSE	87	400	205	400	400	copies, documents, postage
10-53-50	DUES AND MEMBERSHIPS	136	136	-	136	136	CAMCA
	TOTAL	\$ 14,800	\$ 16,777	\$ 13,629	\$ 15,941	\$ 17,842	
	GENERAL FUND - EXPENSES						
	POLICE DEPARTMENT						
10-54-01	POLICE SALARIES	204,894	282,713	224,748	257,837	293,961	5 full time
10-54-03	EXTRA DUTY PAY-PARK COUNTY	-	-	5,488	5,488	-	
10-54-04	PART TIME OFFICERS	4,625	14,950	10,290	15,000	15,000	1 part time
10-54-05	PENSION CONTRIBUTION	22,548	34,491	25,795	31,456	37,921	fire&police pension association/disability
10-54-08	POLICE SALARIES-OVERTIME	-	-	13,178	18,000	-	
10-54-10	UNIFORMS AND ACCESSORIES	1,404	5,000	2,380	3,000	5,000	
10-54-11	SS/MEDICARE EXPENSE	3,627	5,243	4,976	5,774	5,410	ss & medi - pt/medi - ft
10-54-12	UNEMPLOYMENT EXPENSE	770	595	361	582	618	.002% 2022
10-54-13	EMPLOYEE HEALTH INSURANCE	51,405	97,212	76,577	85,000	118,564	health, vision, dental, life, disability
10-54-14	WORKER'S COMPENSATION	9,772	13,623	13,623	13,623	11,708	
10-54-15	FUEL	10,513	12,000	15,641	20,000	15,000	
10-54-20	VEHICLE MAINTENANCE	12,276	15,000	10,886	15,000	10,000	
10-54-24	PROFESSIONAL TRAINING EXPENSE	2,520	3,500	2,047	3,500	3,500	officer training
10-54-26	IN-SERVICE TRAINING EXPENSE	152	1,000	-	1,000	1,000	officer training
10-54-28	VEHICLE RENTAL PYMT TO ISF	28,626	24,551	18,413	31,101	37,611	
10-54-30	RADAR & RADIO MAINTENANCE	845	1,000	394	1,000	1,000	
10-54-32	AMMUNITION	470	500	-	-	500	
10-54-45	OPERATING/OFFICE SUPPLIES	1,455	1,000	965	1,000	1,000	postage, office supplies
10-54-50	EQUIPMENT	1,868	22,300	32,823	39,000	10,500	bolos/AEDs
10-54-53	GRANT-EQUIPMENT & SUPPLIES	2,485	-	-	-	-	
10-54-55	TELEPHONE/INTERNET	4,105	5,000	5,689	7,200	7,000	
10-54-60	MEMBERSHIPS - DUES	188	500	250	250	500	
10-54-65	COMPUTER/SOFTWARE/SUPPORT	4,514	7,000	14,139	15,000	13,000	crime star, lexipol, tac 10, maint, body cams
10-54-75	INVESTIGATIVE SERVICES & SUPPLIES	419	3,500	2,184	3,500	3,500	
10-54-80	OFFICER RECRUITING	449	1,000	325	500	1,000	
10-54-87	LIABILITY INSURANCE	10,217	10,436	10,436	10,436	10,329	
10-54-97	PUBLIC RELATIONS	427	500	741	1,000	1,000	
	TOTAL	\$ 380,674	\$ 562,614	\$ 492,348	\$ 585,247	\$ 604,621	

Account #	Account Description	2021 Audited Final	2022 Budgeted	2022 Actual to date through 11/16/2022	2022 Amended	2023 Budgeted	Comments
GENERAL FUND - EXPENSES							
	PUBLIC WORKS						
10-56-01	SALARIES	132,899	151,362	134,737	160,000	209,002	DG 75%, CB 50%, AW 100%, SK 50%, JB 15%, FAC 50%
10-56-02	401A EMPLOYER MATCH	3,350	4,600	4,110	4,800	6,620	3% of gross salary + admin fee
10-56-10	SEASONAL	7,204	10,000	8,775	8,775	15,000	summer help
10-56-11	SS/MEDICARE EXPENSE	10,660	11,984	10,979	12,791	17,136	7.65% of gross salary
10-56-12	UNEMPLOYMENT EXPENSE	309	470	203	334	448	0.02% of gross salaries
10-56-13	EMPLOYEE HEALTH INSURANCE	27,012	39,099	25,913	28,266	45,444	health, life, vision, dental, disability
10-56-14	WORKER'S COMPENSATION	6,054	5,965	5,964	5,964	6,820	
10-56-15	FUEL	3,940	5,000	5,589	7,000	7,000	
10-56-25	REPAIRS & MAINT - EQUIPMENT	12,037	15,000	7,569	10,000	15,000	
10-56-30	TOOLS, MAT'L'S, & SUPPLIES	8,967	5,000	4,441	5,000	5,000	
10-56-35	EDUCATION - TRAINING	1,276	2,000	100	2,000	2,000	
10-56-40	ELECTRIC STREET LIGHTS	10,568	12,000	10,922	12,000	12,000	
10-56-45	TELEPHONE/INTERNET	2,330	2,700	2,338	2,500	2,300	cell phone reimburse/phone
10-56-50	MAINTENANCE BUILDING - UTILITY	8,936	8,600	8,281	9,500	9,000	trash, electric, natural gas
10-56-55	MAPPING	-	-	5,778	7,000	45,000	survey/license/training/gps
10-56-60	VEHICLE/EQUIP RENTAL PYMT TO ISF	23,988	22,620	36,848	52,350	64,826	
10-56-70	STREETS - REPAIRS & MAINT	226,724	250,000	204,567	230,000	275,000	pot holes, paving, plowing, signage
10-56-82	TOWN SHOP/OFFICE BUILDING REPAIRS	2,599	7,500	2,176	6,000	10,000	
10-56-90	EQUIPMENT	16,922	47,000	41,813	41,813	20,000	UTV
	TOTAL	\$ 605,774	\$ 600,900	\$ 521,103	\$ 606,093	\$ 767,597	
GENERAL FUND - EXPENSES							
	PARKS & RECREATION						
10-58-30	TOOLS, MATERIALS, & SUPPLIES	7,140	5,500	2,444	4,000	6,000	incl. weed spraying/trash cans
10-58-41	PARKS UTILITIES	438	400	391	430	430	
10-58-42	VAULT RESTROOMS MAINTENANCE	2,379	2,500	5,155	7,000	7,000	port a pots/supplies
10-58-50	CEMETERY EXPENSE	457	3,500	435	1,000	5,000	improvements at cemetery, graves, sign
10-58-83	COHEN PARK	104,816	111,000	129,182	135,000	130,000	landscape/water tap/ bathrooms/ benches/ pathways/comm garden/sm playground
10-58-86	FAIRPLAY RIVERPARK	52,218	-	-	-	1,000,000	
10-58-95	LAND LEASE PAYMENT	145,389	-	-	-	-	fairplay 29 acres-paid off 2021
	TOTAL	\$ 312,837	\$ 122,900	\$ 137,607	\$ 147,430	\$ 1,148,430	
	NON/DEPARTMENTAL EXPENSES						
10-61-15	LIABILITY INSURANCE	15,910	16,107	16,952	18,000	20,378	CIRSA-Property, Liab
10-61-17	AUDIT FEES	4,375	4,500	4,500	4,500	5,555	
10-61-23	TREASURER'S FEES - MILL LEVY	3,867	4,000	4,639	6,000	6,000	
10-61-25	PUBLISHING EXPENSE	1,188	2,000	1,541	2,000	2,000	
10-61-30	DUES & MEMBERSHIPS	998	2,000	1,642	1,642	5,300	emp council
10-61-50	CAPITAL IMPROVEMENT	-	-	-	-	-	
10-61-60	ABATEMENT	-	2,000	-	-	2,000	
	TOTAL	\$ 26,338	\$ 30,607	\$ 29,274	\$ 32,142	\$ 41,243	
	TOTAL GENERAL FUND EXPENDITURES	\$ 2,016,271	\$ 2,063,943	\$ 1,661,915	\$ 1,961,163	\$ 3,887,537	Ttl. Gen. Fund Exp.
	TOTAL GENERAL FUND REVENUES	\$ 2,596,732	\$ 2,741,163	\$ 2,862,281	\$ 3,234,201	\$ 3,753,997	
	TOTAL GENERAL FUND EXPENDITURES	\$ 2,016,271	\$ 2,063,943	\$ 1,661,915	\$ 1,961,163	\$ 3,887,537	
	REVENUES OVER EXPENDITURES	\$ 580,461	\$ 677,220	\$ 1,210,366	\$ 1,273,038	\$ (133,540)	Ttl. Gen. Fund Rev - Ttl. Gen. Fund Exp.
	DIFFERENCE PLUS BEG. FUND BALANCE	\$ 2,056,903	\$ 2,750,420	\$ 2,686,808	\$ 3,329,941	\$ 3,196,401	
	REDUCTION OF BEG FUND BALANCE TO BALANCE THE BUDGET						
	ENDING FUND BALANCE	\$ 2,056,903	\$ 2,750,420	\$ 2,686,808	\$ 3,329,941	\$ 3,196,401	
	TABOR RESTRICTED FUNDS	\$ 77,902	\$ 82,235	\$ 85,868	\$ 97,026	\$ 112,620	

Account #	Account Description	2021 Audited Final	2022 Budgeted	2022 Actual to date through 11/16/2022	2022 Amended	2023 Budgeted	Comments
CTF - REVENUE							
	BEGINNING FUND BALANCE	\$ 29,061	\$ 33,933	\$ 33,933	\$ 33,933	\$ 37,433	
	INTERGOVERNMENTAL REVENUE						
20-44-10	COLORADO LOTTERY FUNDS	4,882	4,500	3,407	4,500	4,500	lottery sales
20-44-20	PARK COUNTY GRANTS	-	-	-	-	-	
	TOTAL	\$ 4,882	\$ 4,500	\$ 3,407	\$ 4,500	\$ 4,500	
	INTEREST						
20-46-50	INTEREST INCOME SAVINGS	-	10	14	20	20	
	TOTAL	-	10	14	20	20	
	TOTAL CTF REVENUE	\$ 4,882	\$ 4,510	\$ 3,421	\$ 4,520	\$ 4,520	
	TOTAL AVAILABLE RESOURCES	\$ 33,933	\$ 38,443	\$ 37,354	\$ 38,453	\$ 23,443	
CTF - EXPENSES							
	OPERATIONS						
20-73-03	BASEBALL FIELD IMPROVEMENTS	-	-	-	-	-	
20-73-10	COHEN PARK - IMPROVEMENTS	-	5,000	1,000	1,000	-	
20-73-75	BURRO PARK	-	10,000	-	-	10,000	drainage/engineer plan
	TOTAL	\$ -	\$ 15,000	\$ 1,000	\$ 1,000	\$ 10,000	
	CAPITAL OUTLAY	-	-	-	-	-	
	TOTAL CTF EXPENDITURES	\$ -	\$ 15,000	\$ 1,000	\$ 1,000	\$ 10,000	
	TOTAL REVENUE	\$ 4,882	\$ 4,510	\$ 3,421	\$ 4,520	\$ 4,520	
	TOTAL CTF EXPENDITURES	\$ -	\$ 15,000	\$ 1,000	\$ 1,000	\$ 10,000	
	REVENUE OVER EXPENDITURES	\$ 4,882	\$ (10,490)	\$ 2,421	\$ 3,520	\$ (5,480)	
	DIFFERENCE PLUS BEG. FUND BAL	\$ 33,933	\$ 23,443	\$ 36,354	\$ 37,453	\$ 31,953	
	REDUCTION OF BEG FUND BALANCE TO BALANCE THE BUDGET						
	CTF ENDING FUND BALANCE	\$ 33,933	\$ 23,443	\$ 36,354	\$ 37,453	\$ 31,953	

Account #	Account Description	2021 Audited Final	2022 Budgeted	2022 Actual to date through 11/16/2022	2022 Amended	2023 Budgeted	Comments
INTERNAL SVC FUND							
	BEGINNING FUND BALANCE	\$ 365,207	\$ 320,312	\$ 363,161	\$ 363,161	\$ 267,368	
	REVENUE						
32-47-20	DEPT. RENTAL PAYMENT	76,602	103,676	72,677	115,145	130,658	
32-47-30	SALE OF VEHICLE/EQUIPMENT-PD	-	-	-	-	-	
	TOTAL REVENUE	\$ 76,602	\$ 103,676	\$ 72,677	\$ 115,145	\$ 130,658	
	EXPENDITURES						
32-58-10	POLICE VEHICLES	27,994	-	39,806	65,188	-	
32-58-20	PUBLIC WORKS EQUIPMENT		150,000	145,750	145,750	62,281	60 ft boom lift/utility vehicle
32-58-30	PUBLIC WORKS VEHICLES	70,654	-	-	-	-	
	ADMINISTRATION VEHICLE					25,000	admin vehicle
	TOTAL	\$ 98,648	\$ 150,000	\$ 185,556	\$ 210,938	\$ 87,281	
	TOTAL RENTAL REVENUE	\$ 76,602	\$ 103,676	\$ 72,677	\$ 115,145	\$ 130,658	
	TOTAL EXPENDITURES	\$ 98,648	\$ 150,000	\$ 185,556	\$ 210,938	\$ 87,281	
	REVENUES OVER EXPENDITURES	\$ (22,046)	\$ (46,324)	\$ (112,880)	\$ (95,793)	\$ 43,377	
	DIFFERENCE PLUS BEG. FUND BALANCE	\$ 363,161	\$ 273,988	\$ 250,281	\$ 267,368	\$ 310,744	
	REDUCTION OF BEG FUND BALANCE TO BALANCE THE BUDGET						
	ENDING FUND BALANCE	\$ 363,161	\$ 273,988	\$ 250,281	\$ 267,368	\$ 310,744	

Account #	Account Description	2021 Audited Final	2022 Budgeted	2022 Actual to date through 11/16/2022	2022 Amended	2023 Budgeted	Comments
	UTILITY FUND BUDGET						
	WATER REVENUE						
51-42-05	POTABLE WATER	398,418	400,000	319,859	400,000	400,000	including bulk water sales
51-42-20	LIEN REVENUE	6,277	8,200	3,761	4,000	5,000	
51-42-30	LIEN INTEREST - REVENUE	53	-	-	-	-	
51-42-32	WATER FACILITY MAINTENANCE FEE	487	500	487	487	487	
51-42-34	WATER METERS, PRV, PARTS	341	1,000	1,302	1,854	1,000	
51-42-36	PENALTY NON-COMPLIANCE	240	480	400	480	480	
51-42-40	PLANT INVESTMENT FEES		13,500	120,000	120,000	13,500	
51-42-60	OTHER WATER REVENUE		1,000	-	-	570,000	water loan/grant
	TOTAL	\$ 405,816	\$ 424,680	\$ 446,809	\$ 526,821	\$ 990,467	
	WATER - MISCELLANEOUS REVENUE						
	TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -	
	TOTAL WATER REVENUE	\$ 405,816	\$ 424,680	\$ 446,809	\$ 526,821	\$ 990,467	
	WASTEWATER REVENUE						
51-46-05	USER FEES	667,305	668,880	560,598	672,713	675,360	936 EQR'S @ \$60.00 each
51-46-20	LIEN REVENUE	7,125	-	4,361	6,000	-	
51-46-30	LIEN REVENUE - INTEREST	29	-	59	59	-	
51-46-40	PLANT INVESTMENT FEE	58,467	16,702	141,967	141,967	16,702	
51-46-60	OTHER WASTEWATER REVENUE		100	-	-	100	
	TOTAL WASTEWATER REVENUE	\$ 732,916	\$ 685,682	\$ 706,985	\$ 820,739	\$ 692,162	
	INTEREST						
51-48-10	INTEREST ON INVESTMENTS	208	200	\$ 12,676	21,000	20,000	
51-48-30	LATE FEES	7,417	9,000	\$ 6,246	8,000	8,000	
	TOTAL INTEREST	\$ 7,625	\$ 9,200	\$ 18,921	\$ 29,000	\$ 28,000	
	TOTAL UTILITY FUND REVENUE	\$ 1,146,358	\$ 1,119,562	\$ 1,171,714	\$ 1,375,560	\$ 1,682,629	

Account #	Account Description	2021 Audited Final	2022 Budgeted	2022 Actual to date through 11/16/2022	2022 Amended	2023 Budgeted	Comments
UTILITY FUND EXPENDITURES							
	EMPLOYEE EXPENSES						
51-70-01	SALARIES	174,055	171,166	175,312	196,931	151,957	40% JS, 25% DG, 50% CB, 40% KW, 15% JB, 15% SE, 30% Fac
51-70-02	401A EMPLOYER MATCH	4,742	5,594	5,345	6,368	4,959	3% of gross salaries + admin fee
51-70-10	EMPLOYEE HEALTH & WELLNESS			-	-	3,000	
51-70-11	SS/MEDICARE EXPENSE	13,635	13,186	13,454	15,111	11,717	7.65% of gross salaries
51-70-12	UNEMPLOYMENT EXPENSE	487	345	316	395	306	0.02% of gross salaries
51-70-13	EMPLOYEE HEALTH INSURANCE	41,542	42,209	39,778	43,393	44,575	health, life, vision, dental, disability
51-70-14	WORKER'S COMPENSATION	5,521	2,975	3,001	3,001	3,184	
51-70-15	BOARD OF TRUSTEE SALARIES	680	1,200	560	600	1,200	
	TOTAL	\$ 240,661	\$ 236,674	\$ 237,766	\$ 265,799	\$ 220,898	
	GENERAL OPERATIONS EXPENSE						
51-72-02	BANK/CREDIT CARD FEES	6,154	6,300	3,886	5,500	5,000	
51-72-06	COMPUTER/SOFTWARE/SUPPORT-OFFICE	7,954	13,000	13,393	15,500	18,000	caselle/computers
51-72-10	MISCELLANEOUS	310	1,000	277	500	1,000	
51-72-14	OFFICE SUPPLIES	3,684	3,500	1,483	3,000	2,500	
51-72-18	POSTAGE EXPENSE	3,765	4,000	3,644	4,000	4,000	
51-72-22	PUBLISHING EXPENSE	445	600	543	750	600	ccr report/legal ads
51-72-26	TELEPHONE/INTERNET EXPENSE	2,887	3,000	2,535	3,000	4,000	new phones
51-72-30	TOWN HALL RENTAL PAYMENT	12,397	12,397	12,397	12,397	12,397	
51-72-34	UTILITIES-OFFICE	2,338	2,500	2,903	3,400	2,500	elec/natural gas
51-72-38	VEHICLE/EQUIP RENTAL PYMT TO ISF	23,988	24,000	17,415	23,220	23,220	
51-72-42	VEHICLE MAINTENANCE/REPAIR	2,368	2,500	1,532	2,500	2,500	
51-72-44	FUEL	3,826	4,000	5,589	9,000	9,000	
51-72-60	REPAIRS AND MAINT - OFFICE BUILDING	230	5,000	3,233	4,000	3,000	pest control/misc
	TOTAL	\$ 70,346	\$ 81,797	\$ 68,831	\$ 86,767	\$ 87,717	
	CONTRACTUAL FEES						
51-73-20	AUDITOR FEES	4,375	4,500	4,500	4,500	3,710	
51-73-40	INSURANCE - PROPERTY/LIABILITY	14,848	16,107	16,107	16,107	17,934	CIRSA
51-73-50	PROFESSIONAL FEES	-	-	-	25,000	-	asset/cip plan
51-73-60	LEGAL FEES	2,224	5,000	-	-	5,000	
51-73-70	TREASURERS FEES	1,378	-	814	1,000	1,000	
	TOTAL	\$ 22,825	\$ 25,807	\$ 21,421	\$ 46,807	\$ 27,644	
	WATER - PLANT & EQUIPMENT						
	CAPITAL EXPENDITURES						
51-74-10	CHEMICAL AND SUPPLIES	2,200	-	-	-	-	
51-74-15	COMPUTER EXPENSE-WATER SYSTEM	2,374	3,000	2,386	3,000	14,000	scada, upgrades, team viewer, sensus, backflow
51-74-17	CONTRACT - PLANT OPERATOR	54,000	54,000	45,000	54,000	66,000	
51-74-20	DITCH MAINTENANCE	-	500	-	-	500	research easements
51-74-25	EDUCATION	916	1,000	446	1,000	2,000	
51-74-30	ENGINEERING FEES/GALLERY PROJECT	29,633	25,000	53,975	151,000	570,000	bill hahn
51-74-32	ENGINEERING FEES	-	-	907	2,000	5,000	
51-74-40	HASP MEMBERSHIP DUES	1,400	1,400	1,610	1,610	1,610	
51-74-45	LEAKS AND REPAIRS	5,546	10,000	100,820	125,000	20,000	leak detection, prv vault insulation, hydrants
51-74-50	MISCELLANEOUS	2,038	3,000	24	24	1,000	
51-74-55	PERMITS/DUES/LOCATES	1,542	1,650	1,413	1,500	1,500	
51-74-60	PUMPHOUSE EXPENSE	-	1,500	1,277	1,400	-	
51-74-65	REPAIRS & MAINTENANCE- EQUIPMENT	1,176	5,000	3,382	5,000	5,000	
51-74-70	UTILITIES	2,835	3,000	2,504	3,000	3,000	
51-74-75	TESTING AND SUPPLIES	995	3,500	8,546	10,000	5,000	required testing/supplies/chlorine
51-74-80	TOOLS & SUPPLIES	1,086	2,000	1,836	2,000	2,000	tools, safety equipment, uniform shirts
51-74-85	WATER METERS	7,602	30,000	9,588	30,000	10,000	
51-74-90	WATER TANKS	2,936	10,000	386	450	10,000	electric/insulation/paint
51-74-95	WATER TREATMENT PLANT	40,764	15,000	37,247	40,000	115,000	well 1
	TOTAL	\$ 157,041	\$ 169,550	\$ 271,349	\$ 430,984	\$ 831,610	

Account #	Account Description	2021 Audited Final	2022 Budgeted	2022 Actual to date through 11/16/2022	2022 Amended	2023 Budgeted	Comments
	WASTEWATER - PLANT & EQUIPMENT						
51-76-10	CAPITAL EXPENDITURES	-	30,000	37,468	37,468	20,000	blower fans
51-76-15	CHEMICALS AND SUPPLIES	254	-	-	-	-	
51-76-20	COLLECTION SYSTEM MAINTENANCE	5,418	12,000	9,335	9,335	10,000	1/3 of town line cleaning/clear easements
51-76-25	COMPUTER EXPENSE-WASTEWATER SYSTEM	1,121	2,000	2,591	3,000	7,000	scada maintenance/team viewer
51-76-27	CONTRACT - PLANT OPERATOR	60,000	60,000	50,000	60,000	66,000	
51-76-30	EDUCATION	120	1,000	173	1,000	2,000	
51-76-35	ENGINEERING FEES	-	5,000	-	-	5,000	
51-76-36	LIFT STATION	-	10,000	2,000	3,000	5,000	bypass, pump
51-76-45	MISCELLANEOUS	13,367	10,000	3,060	5,000	3,000	
51-76-50	PERMITS/DUES/LOCATES	3,419	4,300	3,211	4,300	4,300	
51-76-55	REPAIRS AND MAINTENANCE - EQUIPMENT	7,624	15,000	10,018	15,000	10,000	
51-76-60	SLUDGE DISPOSAL	100,000	100,000	100,000	100,000	100,000	
51-76-65	TESTING, SUPPLIES AND CHEMICALS	6,219	7,000	5,936	8,000	8,000	required testing
51-76-70	TOOLS AND SUPPLIES	1,493	2,000	644	2,000	2,000	
51-76-75	TRASH	1,161	960	690	1,000	1,500	
51-76-80	UTILITIES-PLANT	66,796	65,000	55,343	67,000	67,000	
	TOTAL	\$ 266,991	\$ 324,260	\$ 280,472	\$ 316,103	\$ 310,800	
	DEBT SERVICE						
51-80-02	LOAN PRINCIPAL	-	223,700	-	223,700	231,000	
51-80-04	LOAN INTEREST	100,326	93,841	46,668	93,841	86,616	
	TOTAL	\$ 100,326	\$ 317,541	\$ 46,668	\$ 317,541	\$ 317,616	
	TOTAL UTILITY FUND EXPENDITURES	\$ 868,190	\$ 1,165,429	\$ 926,507	\$ 1,463,801	\$ 1,796,285	
	TOTAL UTILITY FUND REVENUES	\$ 1,146,358	\$ 1,119,562	\$ 1,171,714	\$ 1,375,560	\$ 1,682,629	
	TOTAL UTILITY FUND EXPENDITURES	\$ 868,190	\$ 1,165,429	\$ 926,507	\$ 1,463,801	\$ 1,796,285	
	REVENUES OVER EXPENDITURES	\$ 288,168	\$ (35,867)	\$ 245,208	\$ (88,241)	\$ (113,656)	
	ESTIMATED UTILITY FUND CASH BALANCE	\$ 1,730,165	\$ 1,200,711		\$ 1,641,914	\$ 1,528,258	
	RESTRICTED FUNDS	\$ 290,530	\$ 333,190		\$ 333,190	\$ 333,190	
	AVAILABLE FUNDS	\$ 1,439,625	\$ 867,521	\$ -	\$ 1,308,724	\$ 1,195,068	
	TABOR RESTRICTED FUNDS		33,587		41,267	50,479	



MEMORANDUM

TO: Mayor and Board of Trustees
FROM: Kim Wittbrodt
RE: New Bank Account Signers - Resolution Number 41
DATE: November 17, 2022

Attached please find Resolution Number 41 authorizing the following financial institution changes. We need to have new signature cards prepared for all of our financial institutions.

The current signers are Frank Just, Scott Dodge, Janell Sciacca and Sarah Ernst. The new signers will be Frank Just, Scott Dodge, Janell Sciacca and Julie Bullock.

The accounts to be updated at TBK Bank are as follows:

- TOF – Disbursement Account ending in 3402
- TOF – Deposit Account ending in 3403
- TOF – Square Reader Account ending in 3404
- TOF – Street Cut Escrow Account ending in 8210

There will be no other changes to the account information at this time.

The accounts to be updated at Csafe are as follows:

- TOF – Water Fund
- TOF – Conservation Trust Fund

The accounts to be updated at ColoTrust are:

- TOF – General Fund CO-01-0580-1640
- TOF – Water Fund – CO-01-0580-2330

I will have forms for the new signers to complete.

Recommended Motion: Approval of Resolution Number 41. This will require a 2nd and a voice vote.

TOWN OF FAIRPLAY, COLORADO

RESOLUTION NO. 41

(Series of 2022)

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, DESIGNATING THOSE PERSONS AUTHORIZED TO SIGN ON TOWN BANK ACCOUNTS.

WHEREAS, the Town of Fairplay, Colorado ("Town") is a statutory town, duly organized and existing under the laws of the state of Colorado; and

WHEREAS, C.R.S. 31-15-302 provides that the Board of Trustees shall have general powers in relation to the finances of the Town; and

WHEREAS, the Town of Fairplay Municipal Code Section 4-2-10 sets forth rules and regulations for the custody and management of funds; and

WHEREAS, the Town Treasurer is recommending to update the current list of Town Staff and Board of Trustee members who are authorized to sign financial instruments for the Town;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO:

Section 1. The foregoing recitals are hereby incorporated as conclusions, determinations, facts, and findings of the Board of Trustees.

Section 2. The following persons are hereby authorized to sign instruments for all bank or financial institution accounts maintained by the Town of Fairplay:

- A. Frank Just, Mayor
- B. Scott Dodge, Trustee
- C. Julie Bullock, Special Events Coordinator
- D. Janell Sciacca, Town Administrator/Town Clerk

All checks or other instruments evidencing the withdrawal of Town funds from any bank or other financial institution shall be signed by either Frank Just, Mayor, or Scott Dodge, Trustee, and by either Janell Sciacca, Town Administrator/Town Clerk, or Julie Bullock, Special Events Coordinator.

Section 3. This resolution shall become effective upon adoption.

ADOPTED the 21st day of November, 2022.

TOWN OF FAIRPLAY, COLORADO

 Frank Just, Mayor

ATTEST:

 Janell Sciacca, Town Clerk

TOWN OF FAIRPLAY, COLORADO

RESOLUTION NO. 41
(Series of 2022)**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, DESIGNATING THOSE PERSONS AUTHORIZED TO SIGN ON TOWN BANK ACCOUNTS.**

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WHEREAS, C.R.S. 31-15-302 provides that the Board of Trustees shall have general powers in relation to the finances of the Town; and

WHEREAS, the Town of Fairplay Municipal Code Section 4-2-10 sets forth rules and regulations for the custody and management of funds; and

WHEREAS, the Town Treasurer is recommending to update the current list of Town Staff and Board of Trustee members who are authorized to sign financial instruments for the Town;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO:

Section 1. The foregoing recitals are hereby incorporated as conclusions, determinations, facts, and findings of the Board of Trustees.

Section 2. The following persons are hereby authorized to sign instruments for all bank or financial institution accounts maintained by the Town of Fairplay:

- A. Frank Just, Mayor
- B. Scott Dodge, Trustee
- C. Julie Bullock, Special Events Coordinator
- D. Janell Sciacca, Town Administrator/Town Clerk

All checks or other instruments evidencing the withdrawal of Town funds from any bank or other financial institution shall be signed by either Frank Just, Mayor, or Scott Dodge, Trustee, and by either Janell Sciacca, Town Administrator/Town Clerk, or Julie Bullock, Special Events Coordinator.

Section 3. This resolution shall become effective upon adoption.

ADOPTED the 21st day of November, 2022.

TOWN OF FAIRPLAY, COLORADO

 Frank Just, Mayor

ATTEST:

 Janell Sciacca, Town Clerk



MEMORANDUM

TO: Mayor and Board of Trustees

FROM: Janell Sciacca, Town Administrator/Clerk

RE: New Business Item B – Appointment to Fill Vacant Seat on Board of Trustees

DATE: November 21, 2022

Background:

On April 18, 2022, the Board interviewed citizens that submitted letters of interest to fill the seat that was left vacant when Eve Stapp completed her 8 year term and no one ran in the Regular Municipal Election to fill that seat. At that time, the Board appointed Isaiah Goodreau to a 2-year term. Unfortunately, for the Town, Goodreau was offered a promotion with his employer that necessitated his relocation from the Town and he resigned the seat on September 26, 2022.

Per Section 2-2-10 (d) of the Fairplay Municipal Code, when situations like this occur the Board of Trustees must select and appoint from duly qualified electors of the Town, a suitable person to fill the vacancy or call a special election to fill the vacancy. On October 3, 2022, the Board directed Staff to announce the vacancy and post and publish notices soliciting letters of interest to fill the seat by appointment for the unexpired term ending April, 2024.

Public Notices were posted in the designated posting places across Town and also shared on the Town's social media sites with a deadline for submission of Friday, November 18 at close of business. Only one letter was received from Ray Douglas and that letter is attached for your review. Mr. Douglas was invited to attend the meeting to be interviewed.

Recommended Board Action:

Following the conclusion of an interview, Staff recommends the Board appoint Ray Douglas as Trustee for the Town of Fairplay, Colorado to complete the remainder of the 2-year term ending April 2, 2024 by motion, second and a roll call vote.

Attachments:

1. R. Douglas Letter of Interest

November 7, 2022

Fairplay Mayor and Board of Trustees,

My name is Ray Douglas and I am interested in filling the position as trustee that is currently vacant. I was appointed to the Board of Trustees in 2013 and resigned from that position in 2019 when I was elected Park County Commissioner. My term expires the first part of January 2023, and it would be an honor to serve as a trustee once again.

During my term as Commissioner, I continue to be engaged with the town by attending Trustee Meetings and volunteering at both TGI Friday Concerts and Burro Days.

My wife, Monica, and I moved to Fairplay in 1991 and purchased our house in 1993. We raised both of our children here and, like so many others, have no plans of moving elsewhere. I do not have an agenda, nor an axe to grind. I would only like to serve the residents of the Town of Fairplay and at the same time bring some ideas to the table.

Thank you for your consideration, and again, it would be an honor to serve as Trustee for the town of Fairplay.

A handwritten signature in cursive script that reads "Ray Douglas".

Ray Douglas

36th Holiday Bazaar & A Real Colorado Christmas

Saturday, December 3, 2022

Chili Cook-Off and
Fairplay's Festival
of Trees Fundraiser

Holiday Bazaar

- 9:30am-4:30pm South Park School Campus
640 Hathaway Street, Fairplay
 - Unique holiday shopping opportunity, more than 50
arts and craft vendors
 - 9:30am-11:30am Preschool Holiday Workshop
 - 9am-5pm Mattress Fundraiser, benefits school
band program, silent auction benefits
South Park Schools Foundation Scholarship Fund,
food and beverages available for purchase
 - 11am-1pm Visits with Santa and Mrs. Claus
- For more information or to sign up as a vendor, call
970-406-1031 or email southparkbazaar@gmail.com

A Real Colorado Christmas

- "Shop Small and Win Big" with a Holiday Local's
Card available at Town Hall, 901 Main Street
The following activities located on Front Street
 - 3pm-5pm FREE hot drinks & cookies, visit with
Santa and Mrs. Claus, FREE kids activities by
Curiosity Clubhouse!
 - 3:30pm Christmas Cookie & Hot Cocoa Competition
 - 4:15pm Santa/Doggie Look-A-Like Contest
 - 4:50pm True Pioneer Award Presentation to Julie Bullock
 - 5pm Lighting of the Town Christmas Tree
 - NEW 5:30pm-8pm South Park Chamber presents a
Chili Cook-Off at the American Legion, 601 Clark Street
 - NEW 5:30pm-7:30pm Fairplay's Festival of Trees
silent auction fundraiser, at the Chili Cook-Off,
to benefit non-profits
- For more information on a Real Colorado Christmas,
call 719-838-0163 or email jbullock@fairplayco.us



Bullock

PRESENTED BY



SATURDAY
DECEMBER 3

5:30PM - 7:30PM

AMERICAN LEGION

POST 172

601 CLARK STREET

FAIRPLAY, CO

A graphic for the Chili Cook-off featuring a bowl of chili, a red chili pepper, and the text "Chili COOK-OFF" in a mix of red and green fonts.

Chili COOK-OFF

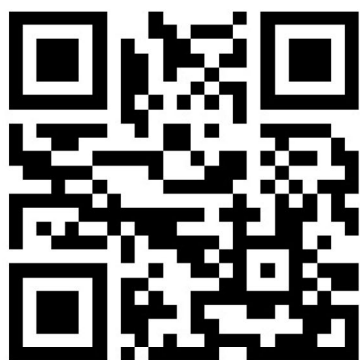
DO YOU MAKE THE BEST
CHILI IN SOUTH PARK?

IF YOU DON'T, HAVE DINNER
WITH US AND VOTE FOR
THE BEST!

AWARDS PRESENTED FOR
JUDGE'S CHOICE AND
PUBLIC POPULAR VOTE

\$25 TO ENTER YOUR
BEST RECIPE AND EARN
THE CHANCE TO WIN!

SCAN
FOR
EVENT
INFO

A large, decorated Christmas tree with green ornaments, gold and red baubles, and red bows.

THE
FAIRPLAY

*Festival of
Trees*

NEW IN 2022, A SILENT-
AUCTION FUNDRAISER FOR
LOCAL NON-PROFITS

DECORATE AND DONATE A
TREE AND GIFT THE
PROCEEDS TO YOUR
FAVORITE NON-PROFIT THIS
HOLIDAY SEASON!