

Posted: _____

Remove:



Town of New Castle
450 W. Main Street
PO Box 90
New Castle, CO 81647

Administration Department
Phone: (970) 984-2311
Fax: (970) 984-2716
www.newcastlecolorado.org

Agenda

New Castle Town Council Regular Meeting Tuesday, August 17, 2021, 7:00 PM

Starting times on the agenda are approximate and intended as a guide for Council. The starting times are subject to change by Council, as is the order of items on the agenda.

Virtual Meetings are subject to internet and technical capabilities.

[To join by computer, smart phone or tablet click HERE](#)

If you prefer to telephone in:

Please call: 1-346-248-7799

Meeting ID: 709 658 8400

Follow the prompts as directed. Be sure to set your phone to mute until called on

Call to Order

Pledge of Allegiance

Roll Call

Meeting Notice

Conflicts of Interest

Agenda Changes

Citizen Comments on Items not on the Agenda

-Comments are limited to three minutes-

Consultant Reports

Consultant Attorney

Consultant Engineer

Items for Consideration

- A. Proclamation Honoring the Coal Ridge High School Girls Track Team (7:05 p.m.)**
- B. Consider Ordinance TC 2021-6 - An Ordinance of the New Castle Town Council Amending the Municipal Code Regarding Membership of the Planning Commission (1st reading) (7:15 p.m.)**
- C. Consider Letters of Interest from Julie Martinez, Dara Marquardt and Tim Williams for Appointment to a Vacant Seat on the Planning & Zoning Commission (7:25 p.m.)**

- D. Update from Garfield County Senior Programs Manager Judy Martin (7:45 p.m.)**
- E. Presentation: Colorado River Fire Rescue Fire Prevention Chief Orrin Moon (8:00 p.m.)**
- F. Consider Ordinance TC 2021-5 - an Ordinance of the New Castle Town Council Amending Chapter 5.32 of the Municipal Code Concerning Tobacco Retailer Licenses (2nd reading)(8:15 p.m.)**
- G. Discussion: Federal Mineral Lease District Grant Agreement Amendment (8:20 p.m.)**
- H. Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402 (f)(I) regarding an evaluation of the town treasurer and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body of any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees (8:35 p.m.)**

Consent Agenda (8:55 p.m.)

Items on the consent agenda are routine and non-controversial and will be approved by one motion. There will be no separate discussion of these items unless a council member or citizen requests it, in which case the item will be removed from the consent agenda.

[July 20, 2021 minutes](#)

[Resolution](#) TC 2021-11 - Adopting a Directory of Fees and Charges

Staff Reports (9:00 p.m.)

Town Administrator
Town Clerk
Town Treasurer
Town Planner
Public Works Director

Commission Reports (9:10 p.m.)

Planning & Zoning Commission
Historic Preservation Commission
Climate and Environment Commission
Senior Program
RFTA
AGNC
GCE
EAB

Council Comments (9:20 p.m.)

Adjourn (9:30 p.m.)



Town of New Castle, State of Colorado

Proclamation

WHEREAS, Coal Ridge High School serves the students of the Town of New Castle; and

WHEREAS, on June 26, 2021, the Coal Ridge Titans Girls Track Team won the 3A State Championship in Lakewood; and

WHEREAS, the victory marks the first track and field title for Coal Ridge and the first in Garfield County since 1994; and

WHEREAS, junior Peyton Garrison won the 100-, 200- and 400-meter dashes and Mikayla Cheney won the 800 meter race; and

WHEREAS, other Titans winning or placing in their events were: Taylor Wiescamp, Jackie Camunez, Raeanna Nelson, Phoebe Young, Railey Largent, Natalie Smythe, Mari Stephens, Araceli Ayala, Marin Simons, and Taylee Richards; and

WHEREAS, the Town applauds the hard work and athleticism demonstrated by the girls track team; and

WHEREAS, all New Castle residents are proud of the achievement of the students and their coach Ben Kirk; and

NOW, THEREFORE, the Town Council of the Town of New Castle congratulates the Coal Ridge High School Girls Track Team for their state championship and recognizes them for the honor they have brought to the RE-2 School District and to the Town.

Let this Proclamation be entered into the official records of the Town

Mayor Art Riddile

Attest: _____
Town Clerk Melody Harrison



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Memorandum

To: Mayor Riddile & Town Council
From: Dave Reynolds
Subject: Agenda Item – Ordinance TC 2021-6
Date: 8/17/21

Purpose:

The purpose of this agenda item is to consider Ordinance TC 2021-6.

Ordinance TC 2021-6 proposes to amend our Municipal Code in order to allow for the appointment of alternate Planning & Zoning Commissioners. With the possibility of an increasing amount of land use development applications, the resignation of an existing P&Z Commissioner, and possible future recusals by other Commission members, staff wishes to protect the total number of P & Z Commission members by exploring the idea of allowing for the appointment of “Alternate P&Z Commission members.”

Ordinance TC 2021-6 gives Town Council *the authority to appoint up to two alternate members who may serve when one or more of the regular members are unavailable due to absence or due to recusal or disqualification from a particular matter.*

In a regular P&Z meeting held on August 11, 2021, P&Z approved Resolution PZ 2021-01 recommending the above changes to Chapter 17.08 of the New Castle Municipal Code. P&Z recommends approval by Town Council of the same.

TOWN OF NEW CASTLE, COLORADO
ORDINANCE NO. TC 2021-6

AN ORDINANCE OF THE TOWN OF NEW CASTLE TOWN COUNCIL AMENDING THE
MUNICIPAL CODE REGARDING MEMBERSHIP OF THE PLANNING COMMISSION

WHEREAS, the Town Council has established a Planning and Zoning Commission pursuant to its authority under C.R.S. § 31-23-202; and

WHEREAS, Chapter 17.08 of the New Castle Municipal Code (“Code”) provides for the creation, membership, qualifications, term of office, and powers of the Planning and Zoning Commission; and

WHEREAS, in order to provide for the efficient functioning of the Planning and Zoning Commission and to ensure a quorum for the conduct of business when members of the commission may be unavailable, the Town Council finds that appointment of alternate members would be beneficial to the Town; and

WHEREAS, C.R.S. § 31-23-203 authorizes the Town to provide by ordinance for the designation of alternate membership of the Planning and Zoning Commission and includes other provisions regarding the membership and personnel of the commission; and

WHEREAS, the Town Council desires to amend Chapter 17.08 of the Code as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO:

1. Recitals. The foregoing recitals are incorporated herein as findings and determinations of the Town Council.

2. Amendment. The following sections of Town Code are hereby amended as follows, with added language in **bold** and underlined and removed language ~~stricken~~:

17.08.010 – Creation

Pursuant to the authority conferred by Article 23, Title ~~24~~**31**, C.R.S., and the New Castle Home Rule Charter, there is created a planning commission and a zoning commission of the town. The members of the planning commission shall also serve and are appointed as the zoning commission.

17.08.020 – Membership

The planning and zoning commission of the town shall consist of seven members. The ex officio members shall include each member of the town council on a minimum six month rotating period, which period may be extended for up to six additional months with the approval

of the town council. The town council shall appoint the remaining six members. The town council shall have the authority to appoint a second town council member to the planning and zoning commission. **The town council shall also have authority to appoint up to two alternate members who may serve when one or more of the regular members are unavailable due to absence or due to recusal or disqualification from a particular matter; provided that no more than seven members shall participate at any one time.** All members of the planning commission shall be voting members, **including the alternate member(s) when participating. If two alternate members have been appointed and are available but only one is needed, the participating alternate member shall be selected by coin flip.**

17.08.030 – Qualifications

All members of the planning and zoning commission shall be bona fide residents of the town, and if any member ceases to reside in the town, his or her membership shall immediately terminate; ~~provided, however that one person who is not a bona fide resident of the town but resides within the three-mile planning area may be appointed to the planning and zoning commission for two years by a unanimous vote of town council. At the completion of the nonresident's two-year term, the town council shall appoint a replacement to serve until the end of what would otherwise be a four-year term.~~ All members of the planning and zoning commission shall serve as such without compensation.

INTRODUCED on August 17, 2021, at which time copies were available to the Council and to those persons in attendance at the meeting, read by title, passed on first reading, and ordered published in full and posted in at least two public places within the Town as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the Town of New Castle, Colorado, on September 7, 2021, read by title and number, passed without amendment as set forth herein, approved, and ordered published as required by the Charter.

TOWN COUNCIL OF THE TOWN OF
NEW CASTLE, COLORADO

By: _____
Art Riddile, Mayor

ATTEST:

Melody Harrison, Town Clerk



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Memorandum

To: Mayor Riddile & Town Council
From: Dave Reynolds
Subject: Agenda Item – Consider an appointment to fill a vacancy on the Planning and Zoning Commission
Date: 8/17/21

Purpose:

The purpose of this agenda item is to consider an appointment to fill a vacancy on the Planning and Zoning Commission.

After the recent resignation of one of our P&Z Commissioners, staff publicly noticed the vacancy and received three letters of interest. All candidates are residents of New Castle and have expressed an interest in supporting their community by serving as P&Z Commissioners. Council will have the opportunity to meet the candidates and gain a better understanding of their interests and qualifications. Based on what the Council understands about the candidates, Council may decide to select one of these three candidates for appointment to the vacant P&Z position.

Julie Martinez
139 Current Dr.
New Castle, CO 81647

July 31, 2021

Mindy Andis
Deputy Town Clerk
Town of New Castle
PO Box 90
New Castle, CO 81647

Dear Ms. Andis,

I am writing to express my interest in serving on the Planning and Zoning Commission. I have lived in New Castle for 20 years. My husband and I purchased a home in the Castle Valley Ranch subdivision in 2001. We raised our two girls in New Castle where they attended Kathryn Senor Elementary, Riverside Middle School and graduated from Coal Ridge High School. Our oldest went on to graduate from the University of Portland and is currently a nurse and our youngest attends Seattle University. I have been a teacher at Kathryn Senor Elementary since 2002. I feel that I know the people and community of New Castle very well. I have served on many committees including the Riverside Association of Parents where I was treasurer and the Coal Ridge Booster Club where I was secretary and president. Now that we are empty nesters, I have the time and desire to become more involved in volunteering and supporting this great town.

Sincerely,

Julie Martinez

Julie Martinez
970-948-0434
martinez.jbb@yahoo.com

August 4th, 2021

RE: Planning and Zoning Commission

Letter of Interest

Dear Commissioners,

I would like to express my interest in serving on the New Castle Planning and Zoning Commission. I have been a New Castle resident for five years and a resident of the valley for nearly a decade. Working with Planning and Zoning to obtain a conditional use permit sparked my interest in serving the town in this capacity. I have a strong interest in fostering growth in our budding community and believe resident input is a critical tenant of a strong, healthy place to live.

I would appreciate your consideration as you look to fill the current vacancy. Thank you for taking the time to read my letter of interest.

Sincerely,

Dara Marquardt

970-355-0595
333 W Main St.
New Castle, CO, 81647

A handwritten signature in black ink, appearing to be 'Dara Marquardt', written in a cursive style.

From: Tim W [<mailto:timothyisaacwilliams@gmail.com>]
Sent: Thursday, August 5, 2021 1:08 PM
To: Mindy Andis <mandis@newcastlecolorado.org>
Subject: Volunteer for Commissions

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Mindy,

I am writing to express interest in volunteering for the Planning & Zoning Commission and the Environmental Commission. My wife, son and I recently moved to New Castle and reside at 35 S Painted Horse Circle.

I currently serve as General Manager of the Hyatt Residence Club Grand Aspen and have an extensive career in luxury hospitality and in unique locations from Aspen to the Caribbean (St. Thomas and Cayman Islands) and other interesting destinations around the U.S. My executive experience running resorts in a variety of domestic locales and foreign jurisdictions has included a significant amount of work with government agencies and municipalities regarding such issues as property development, project permitting, health code adherence, and environmental considerations.

In addition, I have a B.Sc. degree in Accounting and will be obtaining my M.Sc. in Accounting in December.

Please let me know if any other steps are required to submit myself as a volunteer for these commissions.

Thank you,

Tim Williams
760-490-6456



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Memorandum

To: Mayor Riddile & Town Council
From: Dave Reynolds
Subject: Agenda Item – Update from Senior Programs Director Judy Martin
Date: 8/17/21

Purpose:

The purpose of this agenda item is to receive an update from Garfield County’s Senior Programs Director – Judy Martin. As the Council member serving as the New Castle liaison to Senior Programs, Crystal Mariscal has requested that Judy Martin comes to Council for the purpose of providing an update on area senior programs. With many changes and effects during the last year due to COVID, funding concerns and other issues, it is important for Council to understand how our local senior population has been affected. Meals programs, the RFTA Traveler Program, and additional programs will be the topic of this update. Council will be welcome to ask questions in order to better understand how the County (with individual Town support) can best serve our senior population.

SENIOR PROGRAM ANNUAL STATISTICS
July 1, 2020, to June 30, 2021

NUTRITION PROGRAM

Sites	Days served	# Meals/Year	Customers	Avg # meals	Donations Rec'd.	Avg \$/Per Meal**
Carbondale	W	1157	69	22	\$2,068.00	\$ 1.85
Sunnyside Take-Out M/F	M/F	1819	27	52	\$2,678.80	\$ 0.55
Chat 'n Chew Take Out M/F	M/F	4993	116	19	\$3,489.00	\$ 2.05
New Castle	M/F	996	48	21	\$1,202.25	\$ 1.27
Silt	W	1778	82	35	\$2,259.10	\$ 1.34
Rifle	T, Th, F	7529	322	53	\$13,035.78	\$ 1.93
Parachute	W	3135	97	60	\$ 2,905.04	\$ 0.93
Volunteer Banquet		190	190			
Overall		21597	951	37	\$27,637.97	\$ 1.42

*Unduplicated clients at each meal site,
many eat at more than one location

** Average donation per meal

Rifle donations include undedicated donations received by the program

534 persons ate at our Nutrition Program this year.

We converted to Take-Out Meals in March 2020

Last year we served 18, 663 meals

TRANSPORTATION PROGRAM

Municipality	# Rides	Traveler Income	Amount
Carbondale	29	Rider Donations	\$5,388.23
Garfield County Rural	2,701	Outside Donations	\$1,423.00
Glenwood Springs	2,336	Mt. Valley Dev. Services	\$6,276.00
New Castle	45	Total Donations	\$13,087.23
Rifle	2,806	Average Donation	
Silt	203	30 New riders this year	
TOTAL	8,120		

275 registered riders for Traveler in 2021 and 324 in 2020

We provided 12,850 rides last year

Rides that cross over into another municipality or start in Battlement Mesa are charged to Garfield County

WELL & WISE PROGRAM

July 1 - June 30, 2021	Tai Chi	N' Balance	Matter of	Cooking Matters	Geri Fit	Totals
	1, 2, ongoing		Balance			
# of Classes	28	0	0	1	2	29
Class Participants	126	0	0	11	13	150
Class Graduates	59	0	0	11	2	72
# classes suspended/COVID	2	0	0	0	0	2
# of classes still in session	6	0	0	0	0	6
# of Instructors	5	1	4	2	3	15

59 individuals took classes during the year.

Last year we provided 37 classes to 228 students

COVID changed all our programs beginning March 13, 2021. We had stay at home or, suspended all our Well & Wise programs until Zoom teaching began in November of 2020 and in New Castle in person classes at the Recreation Department started in January 2021.



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Memorandum

To: Mayor Riddile & Town Council
From: Dave Reynolds
Subject: Agenda Item – Fire Risk Update from Colorado River Fire Rescue
Date: 8/17/21

Purpose:

The purpose of this agenda item is to allow *Colorado River Fire Rescue* Fire Prevention Chief Orrin Moon the opportunity to update Council on the current local fire risk. With ongoing dry conditions this past winter, spring, and early summer Town Council has requested a professional assessment of the fire risk in our area. Chief Moon is familiar with the testing and assessment of the moisture levels found in local trees and shrubs; it is this data, combined with rain fall amounts, weather patterns, and other factors that allows local fire officials to assess fire risk and issue warnings and fire restrictions. Chief Moon will report on where our region stands as far as fire risk and will answer any questions that Council may have. Chief Moon will also be available to discuss direct fire risk levels to the developed sections of town and future development areas within New Castle.



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Memorandum

To: Mayor Riddile & Town Council
From: Dave Reynolds
Subject: Agenda Item – Second Reading Ordinance TC 2021-5
Date: 8/17/21

Purpose:

The purpose of this agenda item is to consider on second reading Ordinance TC 2021-5.

Ordinance TC 2021-5, if approved as written, will adjust the distance which separates schools from retail establishments which may sell tobacco products. No changes to this proposed ordinance were made during first reading on August 3, 2021.

**Town of New Castle, Colorado
Ordinance No. TC 2021-5**

**AN ORDINANCE OF THE NEW CASTLE TOWN COUNCIL
AMENDING CHAPTER 5.32 OF THE MUNICIPAL CODE
CONCERNING TOBACCO RETAILER LICENSES**

WHEREAS, the Town of New Castle (“Town”) is a home rule municipality having all powers conferred by Article XX of the Colorado Constitution; and

WHEREAS, the Town Council (“Council”) has exercised these powers by the adoption of Chapter 5.32 of the New Castle Municipal Code concerning tobacco retailer licenses; and

WHEREAS, pursuant to that chapter and the provisions in CRS 44-7-101 *et seq.*, the Town may issue tobacco retailer licenses; and

WHEREAS, pursuant to CRS 44-7-104.7(1)(a), no new tobacco retail location may be located within five hundred feet of a school; and

WHEREAS, pursuant to CRS 44-7-104.7(1)(d)(II), Council is authorized to adopt shorter distance restrictions for tobacco retailers; and

WHEREAS, Council wishes to reduce the five-hundred-foot distance requirement in CRS 44-7-104.7(1)(a) for retail locations within the Town at which cigarettes, tobacco products, or nicotine products are sold.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO:

Section 1. Recitals. The foregoing recitals are incorporated herein as findings of the New Castle Town Council.

Section 2. Amendment. Section 5.32.040(B) of the New Castle Municipal Code is amended to read as follows, with added language in **bold** and **underlined**:

5.32.040

...

B. Tobacco retailers shall comply with all other state and federal statutes and regulations regarding the sale of cigarettes, tobacco products, and/or nicotine products, including nicotine delivery products, now existing or hereafter amended or enacted; **provided, however, that the school distance requirement set forth in C.R.S. § 44-7-104.7(1)(a) is reduced from five hundred feet to twenty feet.**

Section 3. Severability, Conflicting Ordinances Repealed. If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 4. Effective Date. This Ordinance shall take effect fourteen (14) days after final publication in accordance with Section 4.3(H) of the New Castle Home Rule Charter.

INTRODUCED on August 3, 2021, at which time copies were available to the Council and to those persons in attendance at the meeting, read by title, passed on first reading, and ordered published in full and posted in at least two public places within the Town as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the Town of New Castle, Colorado, on August 17, 2021, read by title and number, passed with amendment as set forth herein, approved, and ordered published as required by the Charter.

Mayor Art Riddile

ATTEST:

Town Clerk Melody Harrison, CMC



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Memorandum

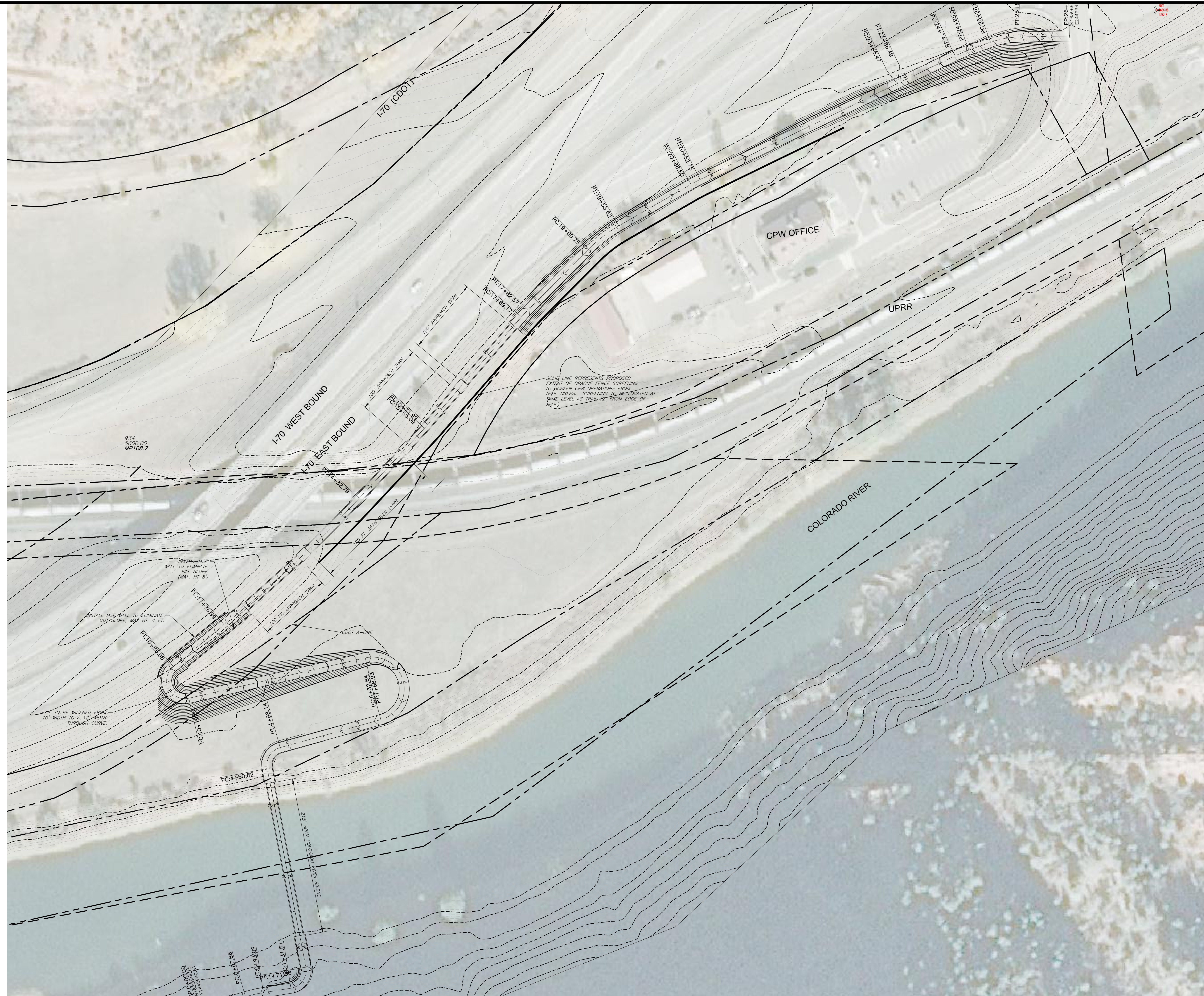
To: Mayor Riddile & Town Council
From: Dave Reynolds
Subject: Agenda Item – FMLD LoVa Grant Agreement Amendment Discussion
Date: 8/17/21

Purpose:

The purpose of this agenda item is to discuss a possible amendment to the FMLD “Meet Me in the Middle” joint grant agreement.

During the CDOT review process for LoVa Trail permitting, it was noted by CDOT staff that funding for the LoVa Trail from FMLD would not be acceptable due to wording in our grant agreement which would appear to encumber CDOT’s ability to move or remove the trail at a later date if they saw a need to do so. After discussion of the issue with the FMLD Board of Directors, the LoVa Trail Partners, and CDOT, the FMLD Board of Directors has agreed to consider an amendment to the terms of our grant agreement in order to better meet the needs and intent of CDOT policy. Staff would like to use this opportunity to briefly discuss the latest information regarding the FMLD Grant agreement and the progress related to the LoVa Trail.

I:\1993\3128\A\228-LOVA_NC to Canyon_CK\1-Dwg-Civil-Design\LovalCombined-Eng-Dgn-A13JSS.dwg Plotted: 7/28/2021 11:12 PM By: Jeff Simonson



LOVA Trail

UPRR Bridge Crossing

Legend

LOVA Trail Colorado River Bridge Crossing - Construction 2019-2020 (Funded through CPW Grant)

LOVA Trail from CPW to Storm King 14 Trail and South Canyon

LOVA Trail from New Castle to Canyon Creek Interchange (Segment 1)

LOVA Trail UPRR/CPW Crossing (This Project)

Alternate Crossing location without CPW

To New Castle

To South Canyon/Glenwood Springs

Nutrient Holdings

CPW Office

CDOT Out Parcel

COLORADO RIVER

CANYON CREEK

Google Earth



2000 ft



Map from Emmalee Blender, Colorado Department of Transportation (CDOT) Region 3 Traffic Engineer

Re: LoVa Trail Special Use Permit application

Map legend

Current Design- lines in orange and red. Moving from west (left) to east (right), the orange and red lines represent the current alignment we have been trying to build. It is designed and engineered. The river bridge is funded in the current CPW construction grant, soil samples have been obtained, bridge abutment design is complete and we're awaiting the CDOT permit to then put it out for bid. The RR overpass bridge is designed, but not yet funded. Ideally, the current grant would complete the river bridge and soft trails on either side, leaving the RR overpass bridge for the next phase.

Alternative 1- green. The trail continues further east before crossing the RR (UPRR Union Pacific Rail Road), completely avoiding Colorado Parks & Wildlife (CPW) Right of Way (ROW).

Alternative 2- black. The trail heads northeast across the CDOT doubletrack, snugs up to the highway slope, crossing over the RR and passing by the north boundary of the CPW facility.

Here's a summary of the issues with each location:

Current

- As I shared at the last board meeting, CDOT has informed us of a conflict with trail use in their doubletrack ROW, (orange line through "CDOT Out Parcel" on map). This is an important maintenance storage site which they wish to keep clear and accessible. They are in an emergency- standby status now and for the next few years due to anticipated landslide events in Glenwood Canyon after last year's wildfires. When a big rainfall occurs there could be a huge amount of material that comes down on the fire-damaged slope, closing the highway and needing to be cleared and dumped quickly. This parcel is where they will dump it. A solution is to slip the trail to the south, closer to the riverbank and out of the doubletrack maintenance road. It will require earthmoving and retaining wall in the narrow pinch point.
- Even if we mitigate the CDOT impact noted above, CPW has a much broader objection to the trail as planned, which crosses the railroad and descends onto their ROW up to the interchange. They conduct routine firearms training and euthanasia activities in the "backyard" of the facility, which would be adjacent to and within view of the trail. Shooting activity is directed from their maintenance shop area to the west and south, away from the highway and toward the railroad and river, directly in the location of the trail. **CPW is strongly opposed to a trail facility anywhere in this downrange area.**

Alternative 1

- Is appealing to CPW as it is out of their ROW entirely. It still encumbers the CDOT Out Parcel maintenance storage site but has potential as a solution. Cons are a) the grades are not as favorable at the RR overpass, requiring a 40' bridge instead of the current 28' bridge. Estimates are an additional \$600,000 (\$1.2M current design vs. \$1.8M Alt. 1 estimate). It is not yet designed.

Alternative 2

- Ellie pointed this out to the group in the field and it quickly gained traction. Run the trail to the north and snug up against the highway slope. Cross over the RR and thread the needle between CPW and I-70, up to the interchange. Pros are that it a) gets us out of the CDOT doubletrack, b) it skirts the CPW downrange zone, and c) the grades are favorable for a lower RR overpass bridge. Con is that it crosses into the dreaded “A Line”, or the “active line” of the interstate, requiring approval from not just CDOT but the Federal Highway Administration (FHWA). The A-Line is a no-go zone, adjacent to the active roadway and never to be crossed. Except that it has been, there is history and precedent in Colorado and elsewhere, where trails have been constructed within it. For example, the bike path along I-70 at Dowd Junction in Minturn. It would kick things up into a more-intensive and time consuming federal permitting process, and we would have to rely on CDOT to help make the case for the exception.

The RR overpass bridges, engineered plans, grade analysis, etc. do not yet exist for alternatives 1 & 2. That’s what Jeff is being asked to produce.

Mark Brunnell, Emmalee’s boss in CDOT Region 3 in Grand Junction, signaled that one of these 2 alternatives might be a solution, and requested the additional information. I think funding Jeff to complete the requested work will a) further assess the feasibility of the alternatives and b) demonstrate to CDOT our willingness to look at all options and help problem-solve. CPW has established a firm stance on their limitations and is unyielding.

Can the river bridge can be located further east? Probably, but not far enough east to avoid the conflicts with the CPW facility. A river bridge located at or near the interchange would have constructability challenges, since the river gorge is steeper and deeper there, and would be much more costly. If we change the river bridge location now we’d probably lose the grant as we’d run out of time for a new design, bid and construction.

1 **New Castle Town Council Regular Virtual Meeting**
2 **Tuesday, July 20, 2021, 7:00 PM**

3
4 **This meeting was also available virtually.**

5
6 **To join by computer, smart phone or tablet:**
7 **<https://us02web.zoom.us/j/7096588400>**

8
9 **If you prefer to telephone in:**
10 **Please call: 1-346-248-7799**
11 **Meeting ID: 709 658 8400**

12
13
14 **Call to Order**

15 Mayor A Riddile Called the meeting to order at 7:00 p.m.

16
17 **Pledge of Allegiance**

18
19
20 **Roll Call**

21 Present	Councilor Mariscal
	Councilor Owens
	Councilor Hazelton
	Mayor A Riddile
	Councilor Copeland
	Councilor Leland
27 Absent	Councilor G Riddile

28
29 **Also present at the meeting were Town Administrator Dave Reynolds, Deputy Town Clerk**
30 **Mindy Andis,**

31
32 **MOTION: Mayor A Riddile made a motion to excuse Councilor G Riddile's**
33 **absence. Councilor Copeland seconded the motion and it passed unanimously.**

34
35 **Meeting Notice**

36 Deputy Town Clerk Mindy Andis verified that her office gave notice of the meeting in
37 accordance with Resolution TC 2021-1.

38
39 **Conflicts of Interest**

40 There were no conflicts of interest.

41
42 **Agenda Changes**

43 There were no agenda changes.

44
45 **Citizen Comments on Items not on the Agenda**

46 There were no citizen comments.

1 **Consultant Reports**

2 Consultant Attorney – present for agenda items.

3 Consultant Engineer – not present.

4
5
6 **Items for Consideration**

7
8 Recess the Town Council Meeting, Convene as the Local Liquor Licensing Authority

9 **MOTION: Mayor A Riddile made a motion to recess the town council meeting and**
10 **to convene as the local liquor licensing authority. Councilor Owens seconded the**
11 **motion and it passed unanimously.**

12
13
14 **Consider a Special Events Liquor License Application from the New Castle Special**
15 **Events Department for the Rides & Reggae Event**

16 Deputy Clerk Andis told the authority that the application was for the Rides & Reggae
17 Event in VIX Ranch Park and was organized by the New Castle Trails group. She said that
18 the event would be similar to prior years. There would be a 100% ID check, and there
19 was a schedule for the servers in the alcohol tent. She said they had provided appropriate
20 mapping of the park for control of the alcohol, and everyone serving had been Tips
21 trained. She also said that alcohol would be allowed on-site until 10:00 p.m., and last call
22 would be at 9:30 p.m.

23
24
25 **Consider a Special Events Liquor License Application from the New Castle Special**
26 **Events Department for Burning Mountain Festival**

27 Town Administrator Dave Reynolds told the authority that each year the town applied for
28 a special events liquor license for Burning Mountain Festival that will be held in Burning
29 Mountain Park. He said that the licensed area for 2021 will be a little different than it had
30 been in the past. Administrator Reynolds said that in prior years the licensed area stopped
31 at the sidewalk, but the event was beginning to outgrow the park. He said that for 2021
32 the food truck vendors will be located along the street and food will be served right along
33 the curb rather than in the park itself. Administrator Reynolds said that staff wanted to do
34 away with the fence line that historically bordered the sidewalk, thus including the
35 sidewalk in the festivities.

36 Administrator Reynolds said that with the reconfiguration of the park set-up it gained
37 more room in the park for patrons and created different entry points on the east and west
38 sides. He said that barriers would be set behind the food trucks preventing alcohol from
39 being carried onto the street and there will be signs that say "No Alcohol Beyond This
40 Point". Administrator Reynolds said that the other new thing being done was that the beer
41 garden will be moved into the gazebo, away from the stage.

42 **MOTION: Mayor A Riddile made a motion to approve the special event liquor**
43 **license application for Burning Mountain Festival. Councilor Owens seconded the**
44 **motion and it passed unanimously.**

45
46 Adjourn the Local Liquor Licensing Authority, Reconvene the Town Council Meeting

1 **MOTION: Councilor Leland made a motion to adjourn the local liquor licensing**
2 **authority and to reconvene the town council meeting. Councilor Copeland**
3 **seconded the motion and it passed unanimously.**
4

5 **Consider Ordinance Tc 2021-3 - An Ordinance of the New Castle Town Council**
6 **Amending Chapter 5.08 of the Municipal Code Concerning Alcoholic Beverages**
7 **(1st reading)**

8 Administrator Reynolds explained to the council that it had come to staff's attention
9 recently that state liquor rules that regulate the distance that a liquor license can be from
10 a school had changed over time. The current rule said that all classes of liquor licenses
11 had to be 500 feet from a school. Indicating the zoning map Administrator Reynolds
12 showed the council how 500 feet could be problematic throughout town because there
13 were commercial zone districts that would be negatively affected because of the proximity
14 of schools in town. He noted the downtown area near Ambleside School as well as Elk
15 Creek Elementary; the Lakota area where there were mixed-use zone districts within 500
16 feet of a school property; and in Castle Valley Ranch where there were mixed-use zone
17 districts within 500 feet of Kathryn Senor Elementary and Riverside Middle School.
18 Administrator Reynolds said that statute implementing the 500-foot rule included
19 provisions for municipalities to pass an ordinance eliminating the 500-foot rule if they
20 wished. He said that was the purpose of the ordinance, to eliminate the distance
21 requirement as to not inhibit potential commercial zone districts. Administrator Reynolds
22 said that as an example of how the rule worked, the Craven property shared a property
23 line with a school property. The rule stated that the 500 feet was from the property line,
24 not a school building or facility, and that would eliminate essentially all of the commercial
25 property owned by Craven, preventing a grocery store, convenience store, restaurant or
26 tavern from being built there. Administrator Reynolds said that if the council chose to
27 approve the ordinance eliminating the 500-foot distance requirement there were still
28 mechanisms to ensure appropriate placement of liquor license establishments. He said
29 that the liquor authority would still review each liquor license application and determine if
30 there was a need in the community for it. Eliminating the distance requirement did not
31 mean that every liquor license application was automatically approved.
32 Administrator Reynolds said that the way the ordinance was written included just four of
33 the many types of liquor licenses available, and he suggested that it may be a good idea
34 to change that to include more of the uses that the commercial zone districts allowed. He
35 also noted that the statutes required that changing the distance requirement had to be
36 town-wide.

37 The council and staff discussed what the liquor license approval process would look like if
38 the council approved the ordinance eliminating the distance requirement.

39 **MOTION: Mayor A Riddile made a motion to approve Ordinance TC 2021-3, An**
40 **Ordinance of the New Castle Town Council Amending Chapter 5.08 of the**
41 **Municipal Code Concerning Alcoholic Beverages, amending section 1 to include**
42 **all classes of licenses, on 1st reading. Councilor Hazelton seconded the motion**
43 **and it passed on a roll-call vote: Councilor Leland: yes; Councilor Mariscal: yes;**
44 **Mayor A Riddile: yes; Councilor Copeland: yes; Councilor Owens: yes; Councilor**
45 **Hazelton: yes.**
46
47

1 **Consider Temporarily Appointing a Second Town Council Member to the Planning**
2 **& Zoning Commission**

3 Administrator Reynolds told the council that there was a member of the Planning & Zoning
4 Commission who had resigned, leaving six members. Another member will have to recuse
5 himself from anything to do with Lakota Canyon Ranch which will be taking up a lot of
6 P&Zs time in the coming months, leaving five voting members on the commission. He
7 said that five voting members will work but was concerning. With large land-use
8 applications coming in the near future it was important that there was a quorum at P&Z.
9 Administrator Reynolds said that staff had explored two things. The first was the
10 opportunity to assign a second council member to P&Z until the seat was filled, which was
11 the purpose of the agenda item. The second was to be able to have an alternate seat for
12 P&Z. The alternate would attend all the P&Z meetings but would be a non-voting member
13 until such time arose that they would be seated due to a resignation or recusal.
14 Administrator Reynolds said that the idea of an alternate would go to P&Z at their next
15 meeting, but in the meantime, he asked the council to consider assigning another council
16 member to P&Z. He also said that Councilor G Riddile offered his opinion on the subject
17 although he was absent, saying that he felt it was appropriate to assign another council
18 member to P&Z, and he volunteered to be that person unless there was another council
19 member who was interested.

20 Staff and council discussed the issue briefly.

21 **MOTION: Mayor A Riddile made a motion to appoint Councilor G Riddile as the**
22 **second council member on the Planning & Zoning Commission until such time**
23 **the vacant seat is filled. Councilor Mariscal seconded the motion and it passed**
24 **unanimously.**

25
26
27 Recess the Town Council Meeting, Convene as the Water & Sewer Enterprise

28 **MOTION: Councilor Hazelton made a motion to recess the town council meeting**
29 **and to convene as the Water and Sewer Enterprise. Councilor Owens seconded**
30 **the motion and it passed unanimously.**

31
32
33 **Consider Ordinance E-2021-1 - An Ordinance of the New Castle Water and Sewer**
34 **Enterprise Amending Section 13.12.080 of the Town Municipal Code (2nd**
35 **reading)**

36 **MOTION: Councilor Leland made a motion to approve Ordinance E 2021-1, An**
37 **Ordinance of the New Castle Water and Sewer Enterprise Amending Section**
38 **13.12.080 of the Municipal Code on 2nd reading. Councilor Owens seconded the**
39 **motion and it passed on a roll-call vote: Mayor A Riddile: yes; Councilor Leland:**
40 **yes; Councilor Owens: yes; Councilor Copeland: yes; Councilor Mariscal: yes;**
41 **Councilor Hazelton: yes.**

42
43 Adjourn the Water & Sewer Enterprise, Reconvene the Town Council Meeting

44 **MOTION: Councilor Hazelton made a motion to adjourn the Water and Sewer**
45 **Enterprise and to reconvene the town council meeting. Councilor Owens**
46 **seconded the motion and it passed unanimously.**

1 **Consider Ordinance TC 2021-2 - An Ordinance of the New Castle Town Council**
2 **Amending Sections of Chapter 12 of Article 12 of the Town Municipal Code**
3 **Regarding Parking of Certain Vehicles in Town Rights-of-Way (2nd reading)**

4 Administrator Reynolds told the council that staff had looked at the ordinance and found a
5 few items that perhaps needed to be changed. He suggested that the word 'consecutive'
6 be removed after the words forty-eight on page two, sections B and C because that could
7 be complicated and appear to be petty if a person had not used their 48 hours initially.
8 The second change he suggested was in sections B and C the wording be changed to 15
9 days rather than 30.

10 After a brief discussion the council agreed to the changes.

11 **MOTION: Councilor Owens made a motion to approve Ordinance TC 2021-2, An**
12 **Ordinance of the New Castle Town Council Amending Sections of Chapter 12 of**
13 **Article 12 of the Town Municipal Code Regarding Parking of Certain Vehicles in**
14 **Town Rights-of-Way on 2nd reading with revisions in sections 12.12.030 B and**
15 **C, removing the word 'consecutive' after forty-eight and changing the 30 days to**
16 **15 days. Councilor Hazelton seconded the motion and it passed on a roll-call**
17 **vote: Councilor Owens: yes; Mayor A Riddile: yes; Councilor Mariscal: yes;**
18 **Councilor Leland: yes; Councilor Copeland: yes; Councilor Hazelton: yes.**

19
20
21
22 **Staff Reports**

23 Town Administrator – Administrator Reynolds said that he was not going to be in on
24 Friday to write his weekly manager's report. He said that Treasurer Loni Burk was on
25 vacation after having worked very hard on the audit with John Cutler. Administrator
26 Reynolds said that he and Treasurer Burk were also working with ColoTrust to determine
27 where some of the town's American Rescue Act funds should be deposited. Administrator
28 Reynolds said that Administrative Assistants Firth and Bordelon were working hard to
29 redesign the town website. Part of that was the town logo which was used extensively. He
30 said that Admin. Asst. Firth wanted to change the logo to give more credit to the town's
31 mining heritage, and perhaps incorporate the image of the miner statue that was in
32 Burning Mountain Park. Administrator Reynolds said that he understood that logos were
33 held dear and he asked if anyone had any concerns with staff offering some alternative,
34 updated images. Administrator Reynolds said that he did not know the history of the town
35 logo, and certainly did not want to cause concern. Councilor Leland said that the town
36 logo came out of an ad hoc committee of five people who worked with a design person
37 that the town had hired. Two designs were presented and the current logo was the one
38 the committee had chosen in approximately 2004. Councilor Hazelton said he was not
39 against it, but there was a lot more industries that made New Castle what it is such as the
40 railroad, agriculture, logging, indigenous people. Mayor A Riddile said that he hoped that
41 not much time had been spent on the idea of changing the logo. Councilor Hazelton said
42 that he thought different images could be used on website pages, but it did not have to be
43 a change in the town logo.

44 Administrator Reynolds said that another project that he and Admin. Asst Firth were
45 working on was "Love Where You Live". It was a book they had read, and they had
46 started a program they had started with the town newsletter as king people to write in
47 and tell what they loved about New Castle. The project had gotten off to a slow start as

1 only two submission had been received. One was a picture and the other was an adorable
2 write-in by someone's dog. He handed out copies to the council.
3 Administrator Reynolds said that Councilor Copeland had asked a few weeks earlier that
4 there be an update about fire risk in the area. He said staff had not forgotten about that
5 and Fire Prevention Chief Orrin Moon would be at the next meeting to provide an update.
6 In addition, there would be a resolution of support for the fire department's ballot issue.
7 Also at next council meeting would be a discussion with Police Chief Pagni and Attorney
8 McConaughy regarding the nuisance code. Administrator Reynolds said that the statutes
9 requiring the 500-foot distance from schools for alcohol sales occurs almost identically for
10 tobacco sales, so council will see an ordinance proposed to remove that distance
11 requirement as well. Administrator Reynolds said that the second round of grants to
12 outside agency applications had gone out. Administrator Reynolds said that he would be
13 available by phone for the next several days as he prepared for a memorial service for his
14 mother. Administrator Reynolds said that employee evaluations were coming up. He
15 passed out evaluation forms as well as a salary survey the mayor had asked for. The
16 evaluations will be scheduled one at each of the next three council meetings: himself
17 being first, then the treasurer then the clerk. Administrator Reynolds said that New Castle
18 had received a grant from CDOT to revitalize Main Street and come to find out, only
19 twelve towns had received monies, New Castle being one of them. He felt that was a
20 significant success. Administrator Reynolds handed out information to the council
21 regarding a COVID update put out by the county earlier in the day. Administrator
22 Reynolds said that he had met earlier in the week with the Federal Mineral Lease District
23 (FMLD) board regarding the Meet Me In The Middle grant for the LoVa Trail. He said that
24 staff had requested an extension of that grant to October of 2022 and the board had
25 extended it to the end of 2022. Administrator Reynolds said that granting agencies
26 typically put a timeline in the agreement so that they could have an expectation on how
27 long their investment would last. That time was usually 25 years. Unfortunately, CDOT
28 regulations would not allow that language in the grant agreement because it encumbered
29 the CDOT right of way and limited their right to expand the highway. The FMLD felt that
30 the LoVa Trail was important to the region and were willing to make the change to the
31 grant agreement eliminating the 25-year obligation. He said they directed their attorney
32 to rewrite that language and the board will vote on it at an upcoming meeting. In the
33 meantime, Town Engineer Jeff Simonson will do yet another trail alignment design that
34 hopefully CDOT will approve.
35 Town Clerk – nothing to report.
36 Town Treasurer – not present.
37 Town Planner – not present.
38 Public Works Director – not present.

40 **Commission Reports**

41 Planning & Zoning Commission – nothing to report.
42 Historic Preservation Commission – Councilor Copeland asked if the council would consider
43 adding more funds to the budget to help get the museum fixed. She asked if there might
44 be American Rescue Act funds that could be used. Administrator Reynolds said that staff
45 will look into it. He said that it might be a good idea to consider the museum for the
46 capital projects list when considering the budget. Councilor Copeland said that she spoke
47 to the museum volunteers and they said that they would also like a computer and printer
48 and label maker, heat and cooling. Administrator Reynolds said that those items could

1 likely be solved for sooner than later.
2 Climate and Environment Commission – Councilor Leland said that they had a work
3 session the previous week. He also said they were beginning to work on the video project.
4 The first interview will be with their member who had lost a home on the front range and
5 they will seek endorsement for CRFR. He said that they were proceeding very slowly with
6 the bee and butterfly garden idea that will hit the ground in the spring.
7 Senior Program – nothing to report.
8 RFTA – nothing to report.
9 AGNC – nothing to report.
10 GCE – Councilor Leland said that the mapping project which will likely take several years,
11 will create an incredible library of data of alternative energies. He said that he also
12 learned that during the fires in Glenwood Canyon in 2020 there were rafters who
13 volunteered to get firefighters into the canyon when trucks were unable to access the
14 canyon.
15 EAB – nothing to report.

16

17 **Council Comments**

18 Councilor Mariscal reminded the council that she would not be at the next meeting
19 because she will be traveling. Also, she said the second meeting in September she will
20 miss because she will attend the CML conference.
21 Councilor Mariscal said that the Garfield County Latino Community Committee will have
22 their first meeting the next day.
23 Councilor Owens said there was a good turnout at the Community Market the previous
24 week.
25 Councilor Owens said it looked like there were a lot of kids involved in the junior golf
26 clinics being held at Lakota.
27 Councilor Hazelton asked if the fall retreat will still be September 25 and if everyone was
28 still good with that date. The council agreed they were.
29 Councilor Leland said that in putting together the newsletter he found there were several
30 dozen sponsors for the Rides & Reggae event. He said that Adam Cornely was very good
31 at getting sponsors and he wondered if Mr. Cornely would be interested in assisting the
32 town in getting sponsors for Burning Mountain Festival.
33 Councilor Leland said that the national and state COVID news had some people saying the
34 perhaps masks should be worn indoors again. Apparently vaccinated people can carry the
35 delta variant to others although they may not get sick. He suggested that they keep a
36 close watch on any suggestions from the health department to keep everyone safe and
37 what the local rules may be.
38 Councilor Leland said that Ambleside School wanted to be called Ambleside, not Skylark.
39 Councilor Leland asked if everyone saw Steve Rippy’s post about the cash register that
40 was in the Community Center.
41 Councilor Copeland asked if there will be a new speed limit on Main Street because of
42 Ambleside School. Administrator Reynolds said he had not heard anything about.
43 Councilor Hazelton said that maybe it should be posted as a school zone.
44 Mayor A Riddile said that there should be photos of the Dirty Hog Dash in the Post
45 Independent the following day.
46 Mayor A Riddile thanked staff for all the hard work on the Dirty Hog Dash, and he said
47 that attendance was very high compared to 2019.



Town of New Castle

450 W. Main Street
PO Box 90
New Castle, CO 81647

Administration Department

Phone: (970) 984-2311

Fax: (970) 984-2716

www.newcastlecolorado.org

Memorandum

To: Mayor & Council

From: Melody Harrison

Re: Consent Agenda Item: Resolution TC 2021-11 – Adopting a Directory of Fees and Charges

Date: August 17, 2021

Purpose:

The purpose of this consent agenda item is to update the Directory of Fees and Charges to reflect the \$50.00 fee for private party alcohol beverage permits as discussed during my Clerk's report at the August 3, 2021 council meeting.

That fee appears on page 10 of the directory.

**TOWN OF NEW CASTLE
RESOLUTION NO. TC-2021-11**

A Resolution of the Town Council of the Town of New Castle Adopting a Directory of Fees and Charges for the Town.

WHEREAS, Town of New Castle Ordinance 2007-11 adopted a schedule of fees for Town services; and

WHEREAS, due to changing circumstances, certain fees in the current fee schedule are not necessarily reflective of current conditions; and

WHEREAS, the Town Council wishes to adopt fees that reflect current conditions.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of New Castle, Colorado:

1. The Town Council adopts the foregoing recitals as findings of fact and determinations of the Council.
2. The Directory of Fees and Charges attached to this resolution as Exhibit A is adopted until such time as it is altered by resolution.

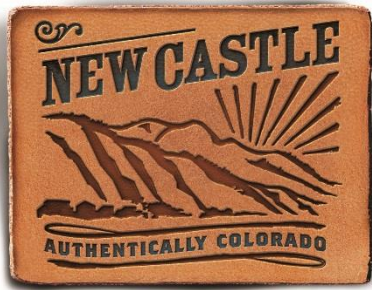
Introduced, Read and Adopted at a Regular Meeting of the Town Council of the Town of New Castle, Colorado, on August 17, 2021.

TOWN OF NEW CASTLE

Mayor Art Riddile

ATTEST:

Town Clerk Melody L Harrison, CMC



Town of New Castle

**Directory
of
Town Fees
and
Charges**

Directory of Town Fees and Charges
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Section 1: Administrative Services

A. Photocopying

- 1. Customer documents
 - a. Black and white copies \$0.25 per page
 - b) Color copies..... \$0.50 per page
- 2. Town documents – see Section 14: Town Records

B. Fax

- 1. Send to local phone number..... \$0.25 per page
- 2. Send to long distance phone number \$0.50 per page
- 3. Receive \$0.25 per page

C. Notary Public

- 1. For Town residentsno charge
- 2. For non-residents \$2.00 per document

D. Administrative Staff Time \$45.00/hr

Section 2: Animals

A. Dog Licenses

- 1. Unneutered male or unspayed female \$25.00 per year
- 2. Neutered male or spayed female \$10.00 per year

B. Impound Fees

- 1. Dog or cat \$120.00 Initial Intake/Day one
..... \$20.00 per day thereafter
- 2. Other animal..... \$120.00 Initial Intake/Day one
..... \$20.00 per day thereafter

Section 3: Building Permits

A. Valuation of Structures

Valuation of Structures. Pursuant to Municipal Code Section 15.08.020, the building valuation for new construction within the scope of the IBC that is used to calculate permit fees shall be based exclusively on the valuation schedule set forth in the most current edition of the Building Safety Journal (“BSJ”) published by the International Code Council. Pursuant to Municipal Code Section 15.10.020, the building valuation for new construction within the scope of the IRC that is used to calculate permit fees shall be the valuation most representative of the work based on either the applicant’s estimate or the valuation schedule set forth in the most current version of the BSJ, as determined by the Building Official.

B. Building Permit Fees

<i>Total Valuation</i>	<i>Fee</i>
\$1.00 to \$500.00	\$23.50
\$501.00 to \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.65 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.15 for each additional \$1,000.00, or fraction thereof

C. Plan Review Fee 65% of building permit fee

D. Other Fees

<i>Other Inspections and Fees</i>	<i>Fee</i>
Inspections outside of normal business hours (minimum charge 2 hours)	\$65.00/hr*
Re-inspection fees (minimum charge 1 hour)	\$65.00/hr*
Inspections for which no fee is specifically indicated (minimum charge ½ hr)	\$65.00/hr*
Additional plan review required by changes, additions or revisions to plans	
For use of outside consultants for plan checking and inspections, or both	Actual cost**
*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	
**Actual costs include administrative and overhead costs.	
Basement finish on existing structure	\$450.00
Re-roofing of one building or structure	\$65.00
Backflow Preventer	\$50.00
Fence	\$25.00
HUD Manufactured Home Installation Permit	\$375.00
HUD Manufactured Home Plan Review	\$275.00
Installation of mechanical appliances	\$70.00
Mechanical systems: addition, alteration or remodel (includes 2 inspections)	\$70.00
Mechanical systems: new construction residential or commercial	\$70.00
Water heater installation and inspection	\$70.00
Plumbing systems: new construction residential or commercial	\$70.00
Plumbing systems: addition, alteration or remodel (includes 2 inspections)	\$70.00

E. Deposits – Plan Review Fees

Basement Finish (Plan Review)	\$150.00
Manufactured Home	\$275.00
New Home or New Commercial Project:	
Value up to \$500,000	\$500.00
Value \$501,000 or more	\$1,000.00

Remodels or Additions:

Value up to \$2,000 to \$25,000	\$100.00
Value \$25,001 to \$100,000	\$250.00
Value \$100,001.00 to \$5,000.00	\$500.00
Value \$500,000 +	\$1,000.00

Section 4: Business and Contractor Licensing

A. Business Licenses

1. General Business License.....\$25.00

2. Special Business Licenses

a. Adult Entertainment Establishment Licenses

Adult Entertainment Establishment License - Initial	\$1,200.00
Adult Entertainment Establishment Employee Permit - Initial	\$75.00
Adult Entertainment Establishment License - Renewal	\$600.00 per year
Adult Entertainment Establishment Employee Permit - Renewal	\$50.00 per year
Adult Entertainment Establishment License - Transfer	Non-Transferable

b. Arborist License..... \$25.00 per year

c. Special Event Business License \$5.00

e. Contractor Business License.....\$25.00

d. Tobacco Retailer License\$25.00

Section 5: Cemetery

A. Burial Plots

- 1. For Town residents \$400.00 per plot
- 2. For non-residents \$650.00 per plot

Section 6: Historic Preservation

A. Fee to Appeal Historic Preservation Commission
Decision Regarding Acceptability of Application
for Building or Demolition Permit.....\$45.00

Section 7: Land Development

A. Annexation

<i>Acreage</i>	<i>Fee</i>	<i>Deposit</i>
Less than 5 acres	\$625.00	\$3,000.00
5 to 35 acres	\$2,250.00	\$3,000.00
Over 35 acres to 100 acres	\$3,550.00	\$3,000.00
Over 100 acres	\$6,500.00	\$3,000.00

B. Conditional Use/Special Review Use Permit	\$275.00	\$275.00
C. Condominium	\$275.00	\$275.00
D. Floodplain Development Permit	\$150.00	\$150.00
E. Grading Permit	\$125.00	\$125.00
F. Lot Line Adjustment/ Dissolution.	\$175.00	\$175.00
G. Lot Split.	\$275.00	\$275.00
H. Mobile Home Park Permit.	\$275.00	\$275.00

I. Planned Unit Development*

<i>Application</i>	<i>Fee</i>	<i>Deposit</i>
1. Sketch Plan	\$600.00	\$3,000.00
2. Preliminary or Master Plan	\$750.00	\$6,000.00
3. Final Plan	\$350.00	\$6,000.00

J. Site Specific Development Plan (vested property rights).	\$500.00	\$3,000.00
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K. Subdivision*

<i>Application</i>	<i>Fee</i>	<i>Deposit</i>
1. Sketch Plan	\$600.00	\$3,000.00
2. Preliminary Plat	\$750.00	\$6,000.00
3. Final Plat	\$350.00	\$6,000.00
4. Amended Plat	\$300.00	\$800.00
5. Minor Subdivision	\$285.00	\$800.00

L. Variance	\$250.00	\$250.00
M. Zoning Amendment.	\$275.00	\$800.00
N. Zoning/Rezoning	\$275.00	\$800.00
O. Interest on Delinquent Land Use Application Costs	1.5% per month	
P. Cash Payment in Lieu of Parkland Dedication . . .	\$120,000.00 per acre	
Q. Fee to Appeal to Board of Zoning Adjustment	\$175.00	

*In the case of combined PUD/subdivision applications, only one fee shall be required.

R. Review of Wireless Communication Facilities: base stations, alternative tower structures, alternative tower structures in the ROW, small cell facilities and eligible facilities.	\$275.00
S. Review of Applications for Wireless Communications Towers.	\$660.00
T. Building Permit for the Installation of Each Wireless Communication Facility.	\$50.00

Section 8: Liquor Licensing

A. Application Fees

1. New License.....	\$1000.00
2. New License with concurrent review by state	\$1000.00
3. Transfer of Ownership	\$750.00
4. Annual Renewal.....	\$100.00

B. Annual License Fees

1. Art License.....	\$41.25
2. Beer & Wine License	\$48.75
3. Brew-Pub License	\$75.00
4. Distillery Pub	\$75.00
5. Club License	\$41.25
6. Hotel & Restaurant License	\$75.00
7. Hotel & Restaurant License with optional premises.....	\$75.00
8. Liquor Licensed Drugstore	\$22.50
9. Lodging & Entertainment License	\$75.00
10. Optional Premises License.....	\$75.00
11. Racetrack License	\$75.00
12. Retail Gaming Tavern.....	\$75.00
13. Resort Complex License.....	\$75.00
14. Fermented Malt Beverage On Premises.....	\$3.75
15. Fermented Malt Beverage Off Premises.....	\$3.75
16. Fermented Malt Beverage On/Off Premises	\$3.75
17. Retail Liquor Store License.....	\$22.50
18. Tavern License	\$75.00
19. Vintner's Restaurant.....	\$75.00

C. Special Event Liquor Permits and Other Permits

1. Alcohol Beverage Tasting Permit.....	\$25.00
2. Art Gallery Permit.....	\$3.75
3. Art Gallery Renewal Application	\$100.00
4. Bed & Breakfast Permit	\$3.75
5. Each Resort-Complex-Related Facility Permit	\$15.00
6. Mini Bar Permit with Hotel/Restaurant license	\$48.75
7. Special Events Permit (Liquor)	\$50.00
8. Special Events Permit (3.2%).....	\$50.00
9. Temporary Permit.....	\$100.00
10. Private Party Alcoholic Beverage Permit.....	\$50.00

D. Other Liquor-Related Applications

1. Addition of related facility permits to existing Resort Complex License \$100.00
2. Change of Location \$750.00
3. Corporate/LLC Change \$100.00 per person
4. Hotel/Tavern Manager's Registration \$75.00
5. Late Renewal Application \$500.00

Section 9: Parks, Open Space, and Trails

A. Recreational Facilities Development Fee \$500.00

B. Private Encroachment Permit

1. Application Fee..... \$150.00

2. Fee to maintain property
encroached upon..... To be set by Town Administrator

C. Special Event Permit Fee

- Event of 25 to less than 40 people: \$25.00 *per day*
- Event of 40 to less than 100 people: \$25.00 *per day*
- Event of 100 to less than 500 people: \$50.00 *per day*
- Event of more than 500 people: \$100.00 *per day*

D. Park Amenity Memorial Fees To be set by Town Council

Section 10: Police Department Fees

A. Vehicle Identification Number Inspection

1. For Town residents\$20.00
2. For non-residents\$30.00

B. Fingerprints

1. For Town residents\$20.00
2. For non-residents\$30.00

C. Police Reports

NOTE: Criminal Histories are referred to CBI – www.cbirecordscheck.com

1. Application for Police Reports (inc. first 2 pages) \$5.00
2. For each page following first 2 pages \$.25
3. Records Check\$15.00
4. Crime Report (copies) \$.25 per page
5. Research – Intensive Check (1st hr. free) \$30.00 per hour
6. Accident Report \$1.00
7. Photographs (digital) \$30.00 per CD
8. Application for Sex Offender List..... \$5.00

D. Fire/Fireworks Ban Exemption Permit\$25.00

E. Sex Offender Registration

1. Initial Registration\$35.00
2. Renewal, Information updates, etc.\$15.00

F. Animal Impound Fees

1. Dog or cat \$120.00 Initial Intake/Day one
..... \$20.00 per day thereafter
2. Other animal..... \$120.00 Initial Intake/Day one
..... \$20.00 per day thereafter

G. Vehicle Tow & Impound Fee

1. Impound Fee.....\$40.00
2. Storage Fee Per Day \$40.00
3. Towing Fee **\$205.00

Towing Fees are Charged by the Towing Company and are Subject to Change

H. Parking Permits

1. First Permit: 2-week maximum FREE
2. Second Permit: 1-week maximum.....\$20.00
3. Third Permit: 1-week maximum.....\$40.00

I. Other Services

1. Breath Test (Portable Breath Tester Only) \$5.00

Section 11: Public Works

A. Fees for Use of Town Equipment

- 1. Light Truck\$30.00 per hour
- 2. Heavy Truck.....\$120.00 per hour
- 3. Light Equipment/Tools.....\$50.00 per hour

B. Fees for Use of Town Labor

- 1. Maintenance 2 Worker.....\$35.00 per hour
- 2. Supervisor\$45.00 per hour

Section 12: Sign Permits

A. \$35.00 base fee, plus \$2.50 for each square foot of sign area

Section 13: Recreation Fees

- 1. Park Shelter Fee\$30.00 per 2 hours
- 2. Athletic Field Fee\$60.00 per 2 hours
- 3. Community Center Rental Fees:
 - Non-Profit/Govn't. Rate.....\$25.00/hr. Small Room
 - Non-Profit/Govn't. Rate.....\$35.00/hr. Large Room
 - Private Parties/General Public\$30.00/hr. Small Room
 - Private Parties/General Public\$50.00/hr. Large Room

Section 14: Streets and Rights-of-Way

A. Right-of-Way Excavation Permits

- 1. Permit.....\$10.00 per square yard of right-of-way
- 2. Deposit\$90.00 per square yard of right-of-way

B. Business Parking Space Licenses \$20.00 per foot of curb

Section 15: Town Records

A. Duplication

- 1. Records in 8½ x 11 inch format..... \$0.25 per page, plus
Research & Retrieval Costs
- 2. Records in other formatsActual reproduction cost, plus
Research & Retrieval Costs

B. Certification\$1.00 for each certificate and seal

C. Research and Retrieval Costs ...\$33.58 per hour (1st hour free per statute)

Section 16: Water, Sewer, and Trash Removal Services

A. Utility Account Administration

1. Administrative charge for ownership change (transfer fee).....\$15.00
2. Administrative charge for adding tenant to account..... \$5.00
3. Utility hookup charge estimated costs of labor, materials, and other expenses incident to the installation of corporation stop, curb stop, curb box, meter, remote readout, and appurtenances, plus a 10 percent administration charge
4. Short check fee\$25.00
5. Administrative charge for processing shutoff notice\$30.00
6. Delinquency charge on unpaid utility charges 1%
7. Disconnect charge for delinquent accounts.....\$75.00
8. Reconnect charge for delinquent accounts\$75.00
9. Charge to certify delinquent utility charges to County Treasurer 10%
10. Lien Filing Fee \$100.00
11. Disconnect charge for vacancy request\$15.00
12. Reconnect charge for vacancy request.....\$15.00
13. Reduced water charges for vacancy period per month: \$19.14 plus charge for sewer maintenance and operations..per EQR: \$5.26
14. Reduced sewer charges for vacancy period..... per month: \$34.61 plus charge for sewer maintenance and operations..per EQR: \$4.41
15. Administrative charge for inactive water tap.....per year: \$25.00
16. Administrative charge for inactive sewer tapper year: \$25.00
17. Reconnect fee after disconnect for watering restriction violation: ... \$50.00

B. Water Meters

1. Water meter and accessories (3/4-inch) \$260.00
2. Water meter and accessories (1-inch) \$380.00
3. Deposit for removal/testing of meter.....\$75.00
4. Fee to reinstall water meteramount charged by licensed plumber pursuant to plumber's contract with Town
5. Service charge for water meter by-passing, tampering or unauthorized metering \$1,000.00

C. Raw Water Service

1. For raw water diverted from East Elk Creek via Red Rock Ditch for 2,500 sf or part thereof of irrigated lawn/gardenper month: \$6.26
2. For raw water diverted from Colorado River via CO. River Pump Station for 2,500sf or part thereof of irrigated lawn/gardenper month: \$9.12

- D. Bulk Water per thousand gallons: \$12.21

E. Water Rates

Water Usage (gallons per month per EQR)	Monthly Water Service Charges	
	Users within Town Limits	Users outside Town Limits
Minimum monthly charge Includes up to 12,000 gallons of water usage	\$30.37	\$46.61
Each additional 1,000 gallons (or part thereof) over 12,000 gallons, up to 20,000 gallons	\$2.89	\$4.19
Each additional 1,000 gallons (or part thereof) over 20,000 gallons, up to 30,000 gallons	\$4.51	\$6.77
Each additional 1,000 gallons (or part thereof) over 30,000 gallons, up to 40,000 gallons	\$9.02	\$12.89
Each additional 1,000 gallons (or part thereof) over 40,000 gallons	\$10.24	\$16.13

Monthly water service charges for the following "special users" only shall be computed as follows:

Category of Special User	Monthly Water Service Charges
<u>Senior:</u> Users <i>within</i> Town limits in where the owner (or primary tenant who is a co-signer on the account) is 65 or older, has applied for and been approved for a senior discounted rate	The minimum monthly charge, including up to 12,000 gallons of water usage per EQR, shall be \$20.89 per EQR. Charges for each additional 1,000 gallons (or part thereof) of water usage per EQR over 12,000 gallons shall be computed according to the in-Town rate schedule set forth in Subsection above.
<u>Senior:</u> Users <i>outside</i> Town limits where the owner (or primary tenant who is a co-signer on the account) is 65 or older, has applied for and been approved for a senior discounted rate	The minimum monthly charge, including up to 12,000 gallons of water usage per EQR, shall be \$31.72 per EQR. Charges for each additional 1,000 gallons (or part thereof) of water usage per EQR over 12,000 gallons shall be computed according to the out-of-Town rate schedule set forth in the water usage table above.
Schools	The minimum monthly charge, including up to 12,000 gallons of water usage per EQR, shall be \$25.53 per EQR. Charges for each additional 1,000 gallons (or part thereof) of water usage per EQR over 12,000 gallons shall be computed according to

	the in-Town rate schedule set forth in the water usage above.
Vacant Property qualifying under municipal code §13.16.050(A)	63% of applicable monthly charges

F. Fees for No Meter and Broken Meters

Period	Surcharge Fee
For first month (or part thereof) without water meter	\$125.19 per EQR per month
For second consecutive month (or part thereof) without water meter	\$250.37 per EQR per month
For third consecutive month (or part thereof) without water meter	\$500.74 per EQR per month
For fourth consecutive month (or part thereof) and each subsequent month (or part thereof) without water meter	\$625.93 per EQR per month

G. Sewer Rates

Category of User	Monthly Sewer Service Charges	
Users within Town Limits	<u>Senior</u> : Owner (or primary tenant who is a co-signer on the account) is 65 or older, has applied for and been approved for a senior discounted rate	The minimum monthly charge for up to 6,000 gallons of water usage per EQR shall be \$47.96 per EQR. Charges for water usage over 6,000 gallons per EQR shall be \$6.56 per EQR for each additional 1,000 gallons (or part thereof).
	All other users	The minimum monthly charge for up to 6,000 gallons of water usage per EQR shall be \$54.92 per EQR. Charges for water usage over 6,000 gallons per EQR shall be \$7.73 per EQR for each additional 1,000 gallons (or part thereof).
Users outside Town limits	<u>Senior</u> : Owner (or primary tenant who is a co-signer on the account) is 65 or older, has applied for and been approved for a senior discounted rate	The minimum monthly charge for up to 6,000 gallons of water usage per EQR shall be \$64.34 per EQR. Charges for water usage over 6,000 gallons per EQR shall be \$8.16 per EQR for each additional 1,000 gallons (or part thereof).
	All other users	The minimum monthly charge for up to 6,000 gallons of water usage per EQR shall be \$65.53 per EQR.

		Charges for water usage over 6,000 gallons per EQR shall be \$9.60 per EQR for each additional 1,000 gallons (or part thereof).
Vacant Property qualifying under municipal code §13.16.050(A)	63% of applicable monthly charges	

H. Fee in Lieu of Water Rights Dedication..... \$6,000.00
per Equivalent Residential Unit

I. Watershed Protection District Permit

- 1. Activity to take place on single-family residential property
 - a. Application fee \$150.00
 - b. Deposit \$500.00
- 2. All other activity
 - a. Application fee \$500.00
 - b. Deposit \$1,500.00

J. Trash Removal Service

- 1. Users in owner-occupied residences occupied by one or more senior citizens..... \$27.45 per month
- 2. All other users..... \$31.04 per month