



BOARD OF TRUSTEES MEETING

Thursday, June 13, 2024

Executive Session at 5:00 PM / Regular Meeting at 6:00 PM

Palmer Lake Town Hall – 28 Valley Crescent, Palmer Lake, Colorado

LIVE STREAM available at Town website

AGENDA

This agenda is subject to revision 24 hours prior to commencement of the meeting.

Call to Order

Roll Call

Convene to Executive Session

A. For the purpose of discussing possible acquisition of an interest in real property, under C.R.S. Section 42-6-402(4)(a), and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e).

B. For the purpose of discussing possible details of security to be provided by the Palmer Lake police department under C.R.S. Section 24-6-402 4(d); and to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators regarding the possible hiring of a police chief under C.R.S. Section 24-6-402(4)(e).

C. For the purpose of discussing a matter that is subject to negotiation and to direct negotiators with regard to possible development incentives pursuant to Section 24-6-402(4)(e), C.R.S.

Reconvene to Open Session approximately 5:45 PM to open doors for Regular Meeting at 6 PM

Roll Call

Pledge of Allegiance

Introduction/Presentation

1. Southern Colorado Interagency Wildland Fire Team - Presented by Mr. Shane Coyne, Superintendent

Consent Agenda - *Items under the consent agenda may be acted upon by one motion. If, in the judgment of a board member, a consent agenda item requires discussion, the item can be placed on the regular agenda for discussion and/or action.*

- [2.](#) Minutes from May 30, 2024 Meeting
3. Checks Over \$15,000 - Core and Main LLP (\$16,188.07)

Staff/Department Reports

- [4.](#) Water
- [5.](#) Public Works including Roads & Park Maintenance
- [6.](#) Police
- [7.](#) Fire
- [8.](#) Administration
9. Attorney
10. Administrator/Clerk

Business Items

- [11.](#) Special Event Application - Chautauqua, Arts Council (August)
- [12.](#) Application for Public Display on Residential Property
- [13.](#) Update on Elephant Rock Advisory Committee Vision (S.Miner)
- [14.](#) Consider Promotion of Financial Sponsors of Pickleball Courts
- [15.](#) Review/Direction of Draft Code Language for Farmers Market
- [16.](#) Review/Direction of Draft Code for Special Events
- [17.](#) Review/Direction to Amend Code Relating to Peddlers

Public Comment - *Public comments are encouraged to be emailed to the Town office at info@palmer-lake.org with subject line of Public Comment (24 hours prior to meeting) and shall be distributed and read at the meeting. Otherwise, please step to the microphone, state your name and address for the record, and address the Board on matters not on the agenda. Please note that the Board will not take action on your comment but may refer it to staff and/or a future meeting agenda. Public members are allowed up to 3 minutes for comments. Thank you!*

Board Reports**Next Meeting (June 27) and Future Items**

Convene to Executive Session for unfinished discussion

Reconvene to Open Session

Adjourn

Americans with Disabilities Act

Reasonable accommodations for persons with a disability will be made upon request. Please notify the Town of Palmer Lake (at 719-481-2953) at least 48 hours in advance. The Town of Palmer Lake will make every effort to accommodate the needs of the public.



BOARD OF TRUSTEES MEETING

Thursday, May 30, 2024 at 6:00 PM

Palmer Lake Town Hall – 28 Valley Crescent, Palmer Lake, Colorado

MINUTES

Call to Order. Mayor Havenar called the meeting to order at 6:00 pm.

Roll Call. Present: Mayor Glant Havenar; Trustees Dennis Stern, Sam Padgett, Jessica Farr, Shana Ball, Nick Ehrhardt, Kevin Dreher.

Pledge of Allegiance. The Pledge of Allegiance was led by Lindsay Ann Stahlecker, Palmer Lake Elementary School.

Mayor Havenar presented Lindsay Ann Stahlecker with a certificate of appreciation.

Consent Agenda. MOTION (Farr, Dreher) to approve consent agenda items including 1) Minutes from May 9, 2024 Meeting; 2) Checks over \$15,000 – City of Cherry Hills (\$20,000); Bradley Excavating (\$58,683.79); and 3) Financials (April). Roll call vote – aye 7; nay 0. Motion passed.

Staff/Department Reports. None.

Public Hearing

6. Application for Conditional Use Permit for Landscape Yard in C2 Zone (Greater Grounds) - *continued by Planning Commission until June 19; request to continue the hearing to June 27th.* Mayor Havenar explained this item being continued by the Planning Commission. MOTION (Farr, Stern) to continue the hearing until June 27. Roll call vote – aye 7; nay 0. Motion passed.

7. Application for Replat of Interior Lot Lines and Easements, 91-97 Greeley – Mr. Randy Allgood explained the replat request as the slight modification to the PUD zoned property. No other person spoke for or against the request.

8. Application to Replat Property Lines, 278 Lower Glenway – Mr. Jim Brinkman with Crossed Paths Surveying spoke to the replat request by Ethel Engel. Mr. Brinkman explained the seven-foot discrepancy from one survey to another about the right of way location. Attorney Krob commented that there will need to be a correction to the discrepancy, but it does not affect the replat. No other person spoke for or against the request.

Business Items

9. Resolution 28-2024 to Approve Replat of 91-97 Greeley. MOTION (Farr, Dreher) to approve the Replat of 91-97 Greeley as presented. Roll call vote – aye 7; nay 0. Motion passed.

10. Resolution 29-2024 to Approve Replat of 278 Lower Glen way. MOTION (Bell, Ehrhardt) to approve the Replat of 278 Lower Glenway as presented. Roll call vote – aye 7; nay 0. Motion passed.

11. Resolution 30-2024 to Extend Temporary Conditional Use (Diacut/Hayco) – Mr. Bruno Furrer (Diacut), property owner, explained the request to extend the temporary conditional use. McNeil provided background information from the Planning Commission minutes on May 15. Attorney Krob spoke to the conditions set by the Planning Commission. Mayor Havenar inquired if Mr. Burlage agreed with the conditions set by the Planning Commission. Mr. Burlage (tenant/operator) addressed the board about his concerns regarding the screening and requested clarification for the permanent conditional use permit application. Ms. Susan Miner of the Planning Commission spoke to the expectation that the Planning Commission expects regarding complete screening of all properties along 105. After much discussion regarding the screening suitable for all vehicles, connex and other equipment on the property from view from Highway 105, the board referred the item back to the Planning Commission for clear specification on height requirement for screening. MOTION (Ball, Farr) to refer. Roll call vote – aye 7; nay 0. Motion passed.

12. Update on Advisory Committee Vision of ER Property (S. Miner) – Ms. Susan Miner presented an update to the board on the Elephant Rock property. A copy of the material was provided to each board member. Ms. Miner provided progress information on space planning, Parks, Arts Council, PLEDG financial capacity, funding options, risk assessment and fixed costs. She spoke about the possible creation of a Cultural District and how it would open funding options. Ms. Miner has a list ready for Administrator Collins as requested for legal review.

At 6:36 pm., Trustee Ball was excused from the meeting for an emergency.

13. Special Event Application - Funky Little Theater Co, Performance of Last Train to Nibroc (Aug 2-17) – Mr. Chris Medina presented the request to the board and discussed partnership with Chautauqua events. MOTION (Padgett, Stern) to approve the special event application as presented. Roll call vote – aye 6; nay 0. Motion passed.

14. Consider Memo of Understanding with Funky Little Theater Co for Town Hall Use – McNeil presented background information - Mr. Medina met with Administrator Collins to discuss an agreement to utilize town hall on a regular basis for performances brought to the town as a sponsor of the Funky Little Theater Co. This would be an MOU like other agreements with associations for the use of the town hall. The board gave their approval for the agreement to be drafted with Mr. Medina/Funky Little Theater Co.

15. Review/Direction of Draft Code Language for Farmers Market Permit/Application – The town has received a couple requests to host a farmers’ market in town, staff drafted language for review and direction. The board discussed no private property, that the day is not decided by the code, and the board liked the idea of Sunday. The public area where the wine festival is held is preferred. Applications to be handled case by case. The board would like to refer code language back to Administrator Collins for clarity and guidance. No action taken.

16. Review/Direction of Draft Code for Special Events – The board suggests streamlining the process and simplifying administrative approval for minor events, the board liked the language criteria for denial, in favor of taking less to the board. The board would like to refer code language back to Administrator Collins for clarity and guidance. No action taken.

17. Review/Direction to Amend Code Relating to Peddlers Permit - The overall discussion was to simplify the process, possibly once a year for multiple events. The board would like to refer code language back to Administrator Collins for clarity and guidance. No action taken.

Public Comment – None.

Board Reports. Chief Vincent mentioned the Fire Department staff assisted Public Works crew clearing a culvert on Middle Glenway. Vincent mentioned departments communicating and working well together, supporting other departments.

Corporal Ramirez mentioned that the new vehicles are being fitted with equipment, things are going well, currently working on updating policies, foundational work and agencies working together.

Trustee Stern mentioned attending a PPRBD meeting and that residential permits are on the rise.

Next Meeting (June 13) and Future Items

Convene to Executive Session

A. To confer regarding possible sale of public property, pursuant to the provisions of Section 24-6-402(4)(a), C.R.S., and to determine positions relative to the negotiation of such sale of public property, pursuant to the provisions of Section 24-6-402(4)(e), C.R.S.

B. For the purpose of determining positions relative to matters that may be subject to negotiations and/or instructing negotiators in connection with retention of the Town Attorney, pursuant to Section 24-6-402(4)(e), C.R.S.

MOTION (Padgett, Farr) to convene to executive session at 7:20 pm. Roll call vote – aye 6; nay 0. Motion passed.

Reconvene to Open Session. At 7:40 pm, the board reconvened to open session.

18. Resolution 31-2024 to Authorize Mayor to Sign Purchase and Sale Agreement (PSA) – MOTION (Stern, Draher) to approve Resolution 31- 2024 as presented with the buyer signing first. Roll call vote – aye 6; nay 0. Motion passed.

19. Possible action regarding retention of Town Attorney. No action was taken.

Adjourn. MOTION (Padgett, Stern) to adjourn at 7:26 pm. Motion passed.

Mayor Glant Havenar

ATTEST: Dawn A. Collins, Town Clerk

Town of Palmer Lake Monthly Water Usage

**Month
Year May
 2024**

	Gallons	Acre Ft
Surface Water	2,467,000	7.57
Well A2	0	0
Well D2	2,181,000	6.69
Total	4,648,000	14.26
Avg. Gal/Day	150,000	0.46

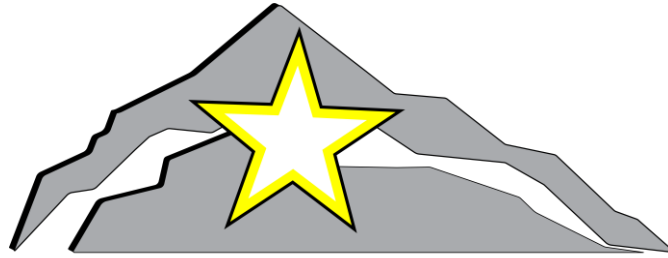
Release To Lake 8.40 AF Max Allowed = 8.4 AF / Month
Release Glen Park Evaporation 0 AF
Water system 0 AF

	Total	8.4 Af
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May 2024 Operations Report

Palmer Lake Water Department

- Installation of 6” water service main on Epworth Highway is nearing completion. Approximately 1500’ of pipe has been installed to date (6/10), including 4 new fire hydrants. This line will be tied in with existing main in the intersection of Shady Lane and Brookridge this month.
- The removal and replacement of old finished water pipe from the SWTP to Glen Ave. was completed during the week of 5/20.
- Preventive maintenance and safety inspections were completed at the upper and lower reservoirs. The main outlet valve for the upper reservoir was greased and inspected. The dam was inspected and no discrepancies were noted. Debris was cleared from the spillway. Surface flow volume into the upper reservoir remains more than adequate, although that can change abruptly based upon rainfall. Measured depth of water over the spillway was 6.5” as of 5/30.
- No operational or safety discrepancies were noted at the lower reservoir and dam (other than fresh graffiti on the dam). Water volume flowing from Ice Caves remains strong. The road to the reservoirs is in good shape.
- For the month of May, 2.181 million gallons of water were treated at the ground water treatment plant (GWTP), and 2.467 million gallons of water were treated at the surface water treatment plant (SWTP), for a monthly total of 4.65 million gallons/14.26 acre feet. 8.4 acre feet of raw surface water was diverted to Palmer Lake.
- There were no main or service line leaks reported for the month of May.

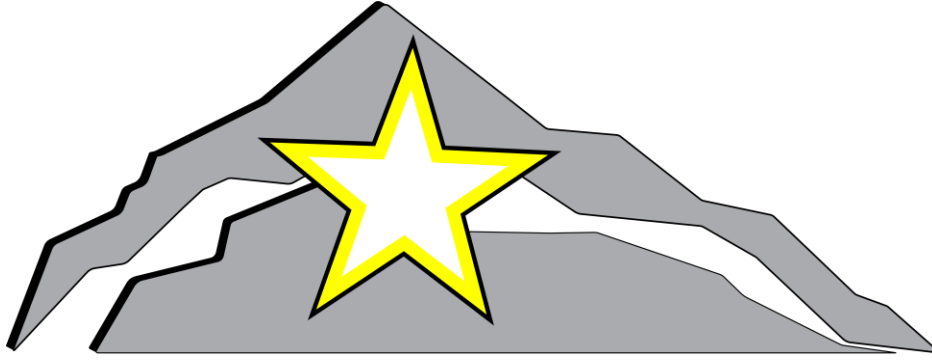


Town of Palmer Lake

Board of Trustees Summary Sheet

	May 2024
Title	Public Works Monthly Report
Date	June 13, 2024
Contact	Stacy DeLozier
Summary	<p>Grade and Mag Roads Cut drainage ditches on roads around PL Limits Cold Patch Asphalt potholes Clean out various road culverts Clean out/ cut ditch in Glen Park for road water runoff Cut tree limbs/ brush from roadways and parks Started large slash pile in PW yard Replace and repair applicable road signs Perform routine maintenance on all equipment, mowers Empty trash cans at Lake Rec. area, parks and trailhead daily Maintain Trailhead parking Kiosk daily Bridge lighting project is complete Clear out material and prep for bridge bathroom project Several onsite meetings about new Pickleball Courts by lake Pickleball courts project started Coordinate placement of Portable Potty's around town and move as needed for Parks Spring cleaning around the shop/yard Helped with small projects at Town Hall, PLFD and PLPD CORE EV chargers project is getting close to being done Assist Parks and Youth Corp at Elephant Rock for trail system Assist Water Department on Epworth/ Greeley water main project Several street cut permits issued throughout PL limits Refurbishing all old wooden Parks signs - almost done, one to go Helped Lions Club with Kids Fishing Derby Prep for upcoming CIRSA annual audit</p>
Training	Ongoing weekly/ monthly safety training and meetings
Other Activity	<p>Working with John Chavez and Matt Pettit on Upper Glenway/ Pie Corner roadway project. Obtaining CDL and tanker endorsement.</p>

NOTE: Parks maintenance staff (3 p/t) had 131 hours of work in May.



Town of Palmer Lake

Board of Trustees Summary Sheet

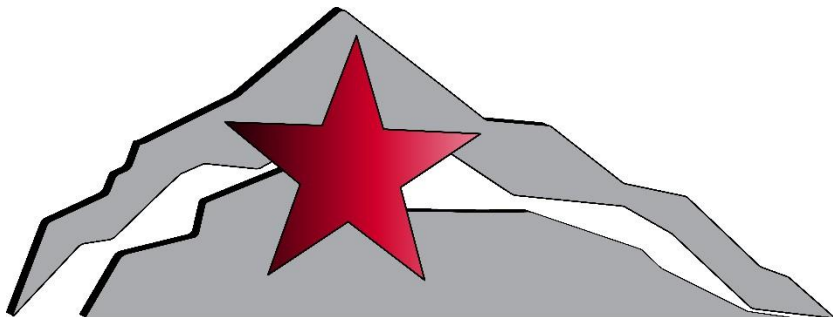
	April & May 2024
Title	PARKS Report
Date	6/13/2024 Board meeting; 6/11/2024 Parks meeting
Contact	Parks Commission
Summary of Volunteer Hours	Labor (clean up, maintenance) : 124 hr. Clerical (email, calls, grants, spreadsheets) : 22.0 hr. Miscellaneous Meetings (other than Parks) : 32.0 hr.
Total Volunteer Time	Total = 178 hours
Upcoming Activity	Parks Workshop 6/25



Board of Trustees Summary Sheet

	June 2024
Title	Police Monthly Report
Action	N/A
Date	05/01-05/31/2024
Contact	A. Lundy
Summary	In the Month of May 2024, the PLPD made 66 traffic stops and issued 44 citations. Also, in the month of May, 2 domestic violence arrests were made, 2 traffic accidents were investigated, and 14 reports were taken.
Training	Officer Vanderpool attended C.I.T. training. The entire department completed P.O.S.T. required pistol, rifle, shotgun, and off duty range qualifications.
Other Actions	PLPD underwent an independent audit in which the department status was evaluated. The results of this report are to be reviewed and suggested actions will be considered over the next month. PLPD was granted permission to purchase 2 new/used patrol units to have a more complete and more reliable fleet. These vehicles are currently being up-fitted to be deployed.
Active investigations	Palmer Lake PD officers are actively investigating reported drug activity within town. This reported drug activity has expounded beyond PLPD capabilities, EI

	Paso County V.N.I. has been contacted.
Callsfor service	Officers responded to 447 calls for service this month.
S.T.E.P.	<p>S.T.E.P. There were 2 traffic accidents in Palmer Lake in the month of May.</p> <p>Accidents are more infrequent and speeds through town have slowed dramatically during these shifts. This program has provided a consistent avenue for extra duty while keeping speeds down and the streets safer for residents.</p>



PALMER LAKE FIRE DEPARTMENT

Board of Trustees Summary Sheet

Title	Fire Department Report- MAY 2024
Date	10 June 2024
Contact	John Vincent, Chief
Summary	<p>Fire Department RMS On-Boarding continues.</p> <p>New Volunteers attending Fire Academy.</p> <p>Assisted Parks with Trail Building.</p> <p>Elephant Rock Mitigation Project in progress.</p> <p>All EMTs attended Physician Advisor Certification.</p> <p>Assisted Public Works with Culvert Cleaning.</p> <p>Assisted Fort Carson with Fire Suppression on a Wildland Fire.</p> <p>Responded to a Single Vehicle Accident involving an Electric Vehicle.</p> <p>Responded to an Electrical Hazard at a Single-Family Home.</p>
Training	137 Hours
Photographs	YES
Other Action	











Board of Trustees Summary Sheet

	May-June 2024		
Title	Administration		
Date	6/13/2024		
Contact	Admin personnel		
Kiosk Revenue	<p>May Collections for the Kiosk / Transactions: 1235</p> <p>\$ 6,545.50 Gross Collections (1235 Transactions)</p> <p>\$ (370.50) Fees</p> <p>\$ (70.00) Monthly T2 Svc charge</p> <p>\$ 6,105.00 Net Collections - May</p> <p>Collections 2024 YTD / YTD Transactions: 2999</p> <p>\$ 15,894.70 Gross Collections</p> <p>\$ (899.70) Fees</p> <p>\$ - Supplies (Kiosk Paper)</p> <p>\$ (350.00) Monthly T2 Svc charge</p> <p>\$ 14,645.00 Net Collections</p> <p>\$ (1,249.70) Total Fees and Maintenance 9%</p>		
Contact Us (online)	Submitted Time	First Name	Subject
	5/1/2024	Lindsay	Home Addition Permit
	5/2/2024	Rick	Water Bill
	5/2/2024	Sara	Pavilion Rental May 24th
	5/6/2024	Kyle	Palmer Lake Reservations
	5/15/2024	Kimbrlei	Pavilion Reservation
	5/17/2024	mark	Road Drainage
	5/19/2024	Meredith	Pavilion Reservation for 06/22/24
	5/19/2024	Jessica	Picnic Table Reservation
	5/20/2024	John	Reserve Pavilion at Palmer Lake Recreational Area
	5/22/2024	Lisa	Palmer lake Pavilion Rental
	5/28/2024	Jennifer	Pavilion Rental
	5/30/2024	Catherine	Rental August 2024
5/30/2024	Adam	CORA Request	

Land Use permits issued

May 2024
 Type: Single Family; Qty: 0
 Other; Qty: 2
 Total water taps issued: **1040**

Business Licenses

BUSINESS LICENSE STATUS CHANGES BY BUSINESS TYPE	2024	2024
	May	May
Business Type	STR	other
New Licenses	0	3
Licenses Renewed	16	7
Licenses Expired	0	1
Businesses Closed	0	0
CURRENT BUSINESS LICENSES BY BUSINESS TYPE (New + Renewed)	40	164
TOTAL CURRENT BUSINESS LICENSES (New + Renewed)	204	

SCHEDULED TO RENEW IN JULY:

BUSINESS NAME
300 General Palmer LLC
All Phase Roofing
Andrew Maguire dba The Bus Recreational Rentals, LLC
Cavalry Capital Management, LLC
Cold Water Media, Inc.
Greater Grounds Landscaping, LLC
Hennessey Roofing, LLC
Holly Sly, dba Body Therapy
Lousberg Roofing & Exteriors
OEL Worldwide Industries
O'Shea Construction
Western Plumbing LLC

Water Billing

Year	Month	# of Water Accounts	# of Gallons Sold	# of Shutoffs
2022	Jan-Dec	1015	41,405,900	11
2023	Jan-Dec	1018	44,855,150	7
2024	Jan	1019	3,498,000	0

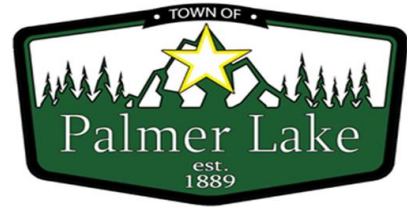
	Feb	1019	3,031,550	0
	March	1019	2,889,000	0
	April	1019	3,401,100	0
	May	1019	34,103,000	0
	YTD		46,922,650	0

Grant Activity Updates

Dept	Name	Grant Purpose	Grant Amount	Match/ Cost Sharing	STATUS/NEXT STEPS
Roads	<i>PLES Road Improvement</i>	replace water main, improve drainage, repave road, ADA sidewalks	\$991,850	\$206,182	Design is completed. Construction contract to be awarded in June.

Staffing Activity

- Conducting interviews for f/t Public Works Supervisor
- Conducting interviews for p/t Code Compliance Officer
- Recommendations from Police Dept audit under staff review



Item 11.

**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - MEMO SUMMARY**

DATE: June 13, 2024	ITEM NO.	SUBJECT: SPECIAL EVENT APPLICATION – Chautauqua (Jul 29 - Aug 04)
Presented by: Deputy Town - Clerk Grace McNeil		

Recommended Action

To approve the event scheduled at the Town Hall, Centennial Park Pavilion, Gazebo and a tent by the lake as presented for July 29 – August 4.

Background

The Palmer Lake Arts Council is planning a modern revival of the historical event held in Palmer Lake in the late 1900s. There will be lectures, demonstrations, and classes that will include all the arts in the spectacular setting of the Town Palmer Lake.

Staff met with Ms. Amy Hutson and have no issues with this event. It is requested to waive the event fee.

Chautauqua Palmer Lake

July 29-Aug 4
2024

Presented by **Palmer Lake Arts Council**
chautauquapalmerlake.org

Overview

- Chautauqua Palmer Lake will be a modern revival of the historical event held in Palmer Lake in the late 1900s. It will have lectures, demonstrations, and classes that will include all of the arts in the spectacular setting of our town.
- There will be multiple venues-Town Hall, Village Green, Centennial Park Pavilion, Gazebo, and a tent down by the lake itself.
- All but two events will be free to the public
- We plan to have promotions in various print and online
- We hope to have local restaurant food tents but no real retail

Monday July 29

	Pavillion/Lake	Village Green	Town Hall
Mon 8am		Yoga	
Mon 9am		Tai Chai	
Mon 10am-11:30	Feldenkrais dance		
Mon 1pm			
Mon 3-5pm	Modern dance		
Mon 6pm	Poetry		Mirasol
Mon 7pm	Brass Quintet		Mirasol

July 30

	Pavillion/Lake	Village Green
Tuesday 9		Yoga
Tuesday 8		Tai Chai
Tues 6pm	Art Class	
Tues 7pm	Youth Singers	
Tues 3-5pm	Contemporary Dance 5-11 year old	
Tues 8pm	Poetry	

July 31

	Pavillion/Lake	Town Hall	Village Green
Wed 8am			Yoga
Wed 9am			Tai Chai
Wed 6pm	Poetry		
Wed 7pm	Brass Quintet		
Wed 3-5pm	Modern Dance		

Aug 1

		Village Green
	Pavillion/Lake	
Thursday 8 am		Yoga
Thursday 9 am		Tai Chai
Thurs 3-5pm	Modern Dance	
Thurs 6 pm	Poetry	

Aug 2

	Pavillion/Lake	Village Green	Gazebo	
Fri 8 am		Yoga	Bagpiper opening for PLAG	
Fri 9am		Tai Chi	Opening ceremony for Art Group	
Fri 3-5pm	Modern Dance			
Fri 6 pm	Poetry		Opening ceremony for Art Group	
Fri 7 pm	Ray deMers music (Art group)		Opening ceremony for Art Group	
Fri 8 pm	Ray deMers music (Art group)			

Aug 3rd

Funky Theater Play 7P Town Hall

	Big Tent- west side	Rock House	On the Bridge	Ballfield	Pavillion		Village Green	Gazebo	Trail head
Sat 8a	Opening Ceremony		Bag Piper/Opening Ceremony				Yoga	Opening	
Sat 9am					Tai Chi		Poetry		History walk
Sat 10a	Rock Art			Guns v Hoses softball	Sound Healing		Kids Scavenger Hunt	Plein Air	Scat/Footprint Walk
Sat 11a	Pottery Demo				Quilting			Plein Air	
Sat 12p	Pottery Demo				Woodcarving			Plein Air	
Sat 1p	Pottery Demo	Chocolate			Sketching			Michael Magrin- Big Skies Demo	
Sat 2 p	Canning/Sourdough				Watercolor			Kids Face painting	
Sat 3 p	Kid Ettiquette				Bridge			Plein Air	

Aug 4

	Big Tent	Pavillion	Town Hall	Village Green	Gazebo
Sun 8a				Yoga	
Sun 9a	Solo Music	Tai Chi	Sawatzki movies	Poetry	Dignitary Breakfast
Sun 10a	Art Sale		AI Art	Kids Scavenger Hunt	Stephanie with Calverts is doing a kids program
Sun 11a	Art Sale			Poetry	Poetry
Sun 12p	Art Sale		Sawatzki movies		Poetry
Sun 1p	Art Sale		AI in Healthcare		Plein Air
Sun 2p	Music				Plein Air
Sun 3p	Music		WPA Film		
Sun4p	Music		WPA Film		

Sun 5 pm

Sun 6pm

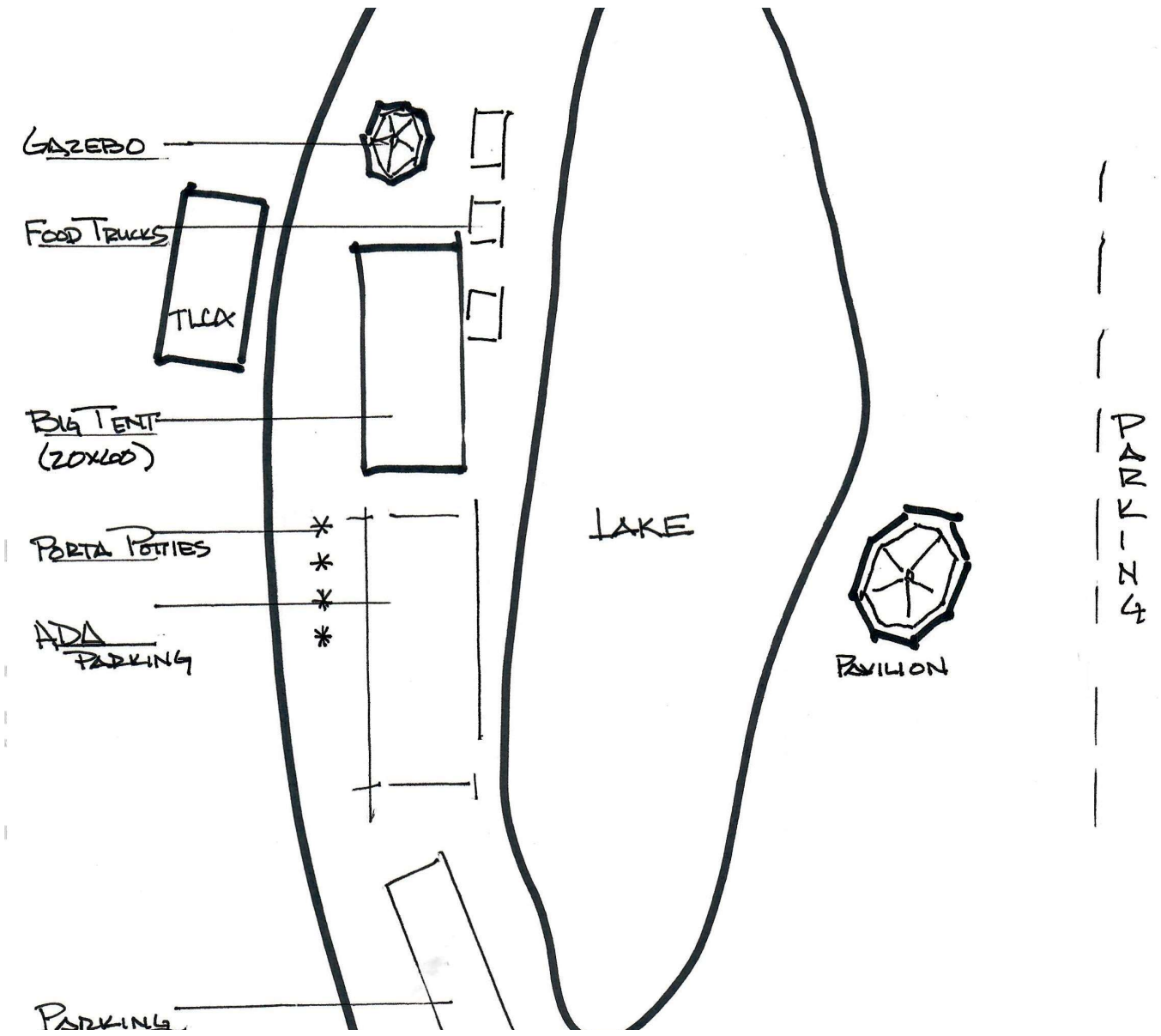
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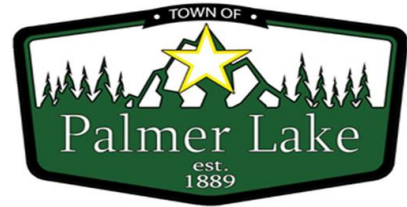
Safety

- We will have the recommended police officer on Sat & Sun
- We will otherwise call 911 for emergencies
- No barriers/fences
- No entrance fees except at the 2 Town Hall events
- Electrical needs met by generator
- We will have an informational 10x10 tent

Logistics

- 20x 60 Tent on the west side of the lake near Gazebo set up Friday evening and removal Monday morning
- Porta Potties and trash nearby- set up Friday evening and removal Monday morning
- ADA parking will be across from the TLCA building
- All other parking will be the regular town parking lots
- Volunteers and cones will keep the Fire Department area clear





**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - MEMO SUMMARY**

DATE: June 13, 2024	ITEM NO.	SUBJECT: Request for Public Display on Residential Lot – J.Kisicki
Presented by: Town Administrator Dawn Collins		

Recommended Action

Consider the request for the public display of the caboose on residential property, located at 32 S Valley Road.

Background

Mr. Jeff Kisicki is requesting to place a caboose, with permission, on a residential property located at 32 S Valley Road. The caboose is approximately 35 ft long x 10 ft wide x 15 ft high (photo enclosed) with the request for public display and permission from the property owner. Mr. Kisicki intends to work on restoring the inside for future touring.

Public display code found here -

https://library.municode.com/co/palmer_lake/codes/code_of_ordinances?nodeId=COOR_TIT5BULIRE_C H5.36PUDI



42 Valley Crescent
PO Box 208
Palmer Lake, CO 80133
Phone: (719) 481-2953
Fax: (719) 488-9305
www.townofpalmerlake.com

TOWN OFFICE USE ONLY	
Date Received: <u>5-21-24</u>	By: <u>[Signature]</u>
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	Date: _____
Expires: _____	By: _____

TOWN OF PALMER LAKE PUBLIC DISPLAY PERMIT

The following application is pursuant to Ordinance No. 02-2020 and must be completed for any Public Display placed upon public property within the Town of Palmer Lake. This includes Sponsorship projects, Public Art, and Advertising Displays. A separate application must be completed for each display. There is no fee for this application. The following must be submitted for this application to be considered:

- Completed Public Display Permit Application
- Picture or sketch of the display, including the nature, size, color, and location of the proposed display

Submission of application does not guarantee approval.

Note: A minimum of 30 days is required to process this application.

APPLICANT INFORMATION

Name: Dorothy Manzaneres & Jeff Kisicki Phone: (303) 905-4143
 Email: Kisickij@gmail.com
 Mailing Address: Po Box 1124
 City: Palmer Lake State: CO Zip: 80133

What type of display are you applying for? Advertising Display Public Art Sponsorship Other

If other, describe: Historic Caboose

Will your display be permanent or temporary? Permanent Temporary

If temporary, approximate dates your display will remain: _____

Note: Temporary displays may not exceed a period of 6 months.

Please describe the purpose and nature of the display (attach additional sheets if needed):

See Attached Description & Details

APPLICANT ACKNOWLEDGEMENT

THIS APPLICATION HAS BEEN EXAMINED AND COMPLETED BY ME. ALL OF THE INFORMATION COMPLETED IN THIS APPLICATION AND ALL ATTACHMENTS ARE TRUE, CORRECT, AND COMPLETE TO THE BEST OF MY KNOWLEDGE. I AM AWARE OF AND FULLY UNDERSTAND THE TOWN OF PALMER LAKE REGULATIONS. BY SIGNING BELOW, I HEREBY CERTIFY THAT I AM THE PERSON WHOSE NAME APPEARS ON THIS APPLICATION AS THE APPLICANT.

[Signature]
Applicant Signature

Jeff Kisicki
Printed Name

5/20/24
Date

Dorothy's "She Shed" Caboose DISPLAY in Palmer Lake

This is the 1930 ATSF Caboose (rebuilt in 1967) # 999239. The Caboose will be relocated to the property of Dorothy Manzanares at 32 South Valley Road, Palmer Lake CO 80133 on her south property.

Pictures of the Caboose and a satellite view of the property and placement of the caboose is provided with the permanent Display application.

The Caboose will be placed within all necessary setback parameters of town easement and land allotment, 25 feet from S. Valley Road, and 10 feet from neighboring property.

Several neighbors have already been informed of the upcoming potential Caboose project, with no known objections or concerns noted about the display "She Shed." We appreciate any ideas, feedback about this project. We hope to share this historic Caboose with the town.

Best,

Jeff Kisicki & Dorothy Manzanares





To Whom It May Concern,

My name is Dorothy Manzanares,

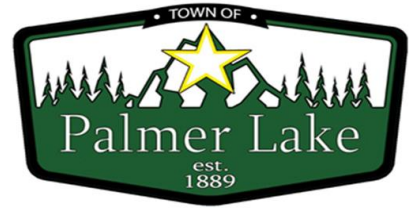
I am partnering with my neighbor friend Jeff Kisicki to bring an ATSF Caboose to Palmer Lake. I grew up here in Palmer Lake and my Dad and one of brothers worked for the Sante Fe rail road. My Father worked for the rail road from the early 50's for many years. I have a personal connection with the rail road and I appreciate having trains nearby in Palmer Lake.

I plan to bring a Caboose display to Palmer Lake. This will be set up on my property at 32 South Valley Road 80133. The Caboose will be set to meet all town property requirements and I will also be informing my neighbors with Jeff of the plan. I look forward to our discussion.

Sincerely,

Dorothy Manzanares

Date: 6.10.2024



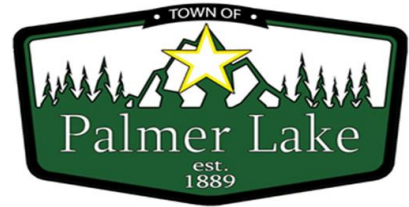
Item 13.

**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - MEMO SUMMARY**

DATE: June 13, 2024	ITEM NO.	SUBJECT: Update on Advisory Committee Vision Plan - ER Property
Presented by: Town Administrator Collins		

Recommended Action
Informational.

Background
Ms Susan Miner will provide a brief update on the Advisory Committee progress.



Item 14.

**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - MEMO SUMMARY**

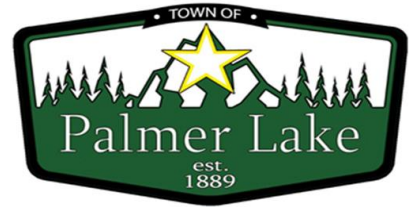
DATE: June 13, 2024	ITEM NO.	SUBJECT: Request for Sponsorship Sign by Town to Pickleball Fence
Presented by: Town Administrator Dawn Collins		

Recommended Action

Direction to agree to purchase, install and maintain signage for pickleball sponsorship on court fencing.

Background

With the development of the pickleball courts, sponsorship is also being confirmed. Currently, about six sponsors have committed to \$2000 annually for three years to support the courts. Monies are planned as follows –



**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - MEMO SUMMARY**

DATE: June 13, 2024	ITEM NO.	SUBJECT: Revised Code Language for Farmers Market
Presented by: Town Administrator Dawn Collins		

Recommended Action

Consider the draft code language relating to Farmers Market application process.

Background

Enclosed is revised draft language for regulations relating to farmers market in town. This will be administratively reviewed and approved with a proposed application fee of \$100 to the market manager. Vendor business or peddlers application fee will apply separately. Modifications include streamlining procedures – rules and set up to be provided by the market manager and markets are prohibited on residential property.

Chapter 5.X FARMER'S MARKETS

5.X.X Permit required.

It is unlawful for any person to operate a farmer's market without a valid farmer's market permit issued by the Town Clerk or designee. In addition to the license requirements of this title, farmer's market applicants shall provide any other pertinent information requested by the Town Clerk or designee for the purpose of administering the provisions of this title. The manager of the farmer's market must obtain the permit and assume responsibility of all vendors. A copy of market rules, all dates, permission from the property owner if applicable, a vendor list, and copy of the certificates of insurance must be provided to the Town Clerk prior to the start of the market.

5.X.X Intent.

The intent of these regulations is to ensure that farmer's markets operate safely; are not detrimental to the public health; do not substantially interfere with traffic, or pedestrian circulation, or public services; and are compatible with surrounding property.

5.X.X Description.

- A. Farmer's markets are permitted on non-residential property and on publicly-owned property with a proper permit.
- B. A farmer's market is a seasonal outdoor market set up with two or more qualifying vendors primarily for the sale or promotion of sale of the following items:
 - 1. Produce;
 - 2. Handcrafted food and beverage;
 - 3. Dairy product;
 - 4. Meat and seafood;
 - 5. Honey and other products from bees;
 - 6. Baked good;
 - 7. Handmade furniture;
 - 8. Flowers and plants;
 - 9. Kitchen goods;
 - 10. Handmade arts and clothing;
 - 11. Food sold from mobile food carts.
- C. The following items are prohibited at a farmer's market:
 - 1. Tobacco products;
 - 2. Sexually oriented business items;
 - 3. Appliances;
 - 4. Electronics;
 - 5. Firearms.

-
- D. Peddler's permit. Mobile food vending, meaning the use of a legal motorized wheeled vehicle, legal towed wheeled vehicle, or pushcart, or other temporary operation designed and equipped to prepare and/or serve food and/or non-alcoholic beverages, may require a peddler's permit and inspection by the Fire department. If a vendor has a current business license established with the Town, a peddler's permit is not required.

5.X.X Manager responsibilities.

- A. Managers shall obtain a Farmer's Market Permit from the Town Clerk. The farmer's market shall operate under one permit for an established and agreed schedule of dates and time.
- B. Managers shall provide a list of market rules.
- C. Managers shall provide written permission from a non-residential landowner, if property is not town owned, upon whose property the farmer's market may be held.
- C. Managers shall provide all required approvals by the El Paso County Department of Public Health and Safety for each food vendor.
- D. Managers shall report sales tax receipts to the Town as agreed pursuant to the established market rules.
- E. Managers shall ensure that all sanitary facilities are maintained to prevent any health or environmental issues.
- F. Managers shall provide contact information and license numbers, as applicable, for every vendor, as well as a certificate of insurance.
- G. Managers shall provide a site map showing placement of all vendors, parking areas, and loading/unloading areas.
- H. Managers shall ensure that all structures and material are removed when market is not operating.
- I. Managers shall ensure that all vendors comply with all Town and County ordinances, and all relevant State Statutes.
- J. Managers shall, during the time of the permit, maintain liability insurance coverage and/or certificates of insurance from vendors, as acceptable to the Town Clerk.

5.X.X Vendor responsibilities.

- A. Vendors shall ensure that their site / form of set up is safe for customer traffic, including securing all loose objects in high wind conditions (including making sure tents/easy-ups, etc., are properly tied down), protecting the public from hazards such as extension cords and items blocking walk routes on site and public sidewalks, and keeping cooking or heating facilities away from areas open to the public.
- B. Vendors shall remit sales tax to the Colorado Department of Revenue.

5.X.X Other provisions.

- A. Motorized vehicles may not be parked, stored, or driven on any unpaved areas, except for gravel surfaces and may not be parked on sidewalks, or blocking any access area or driveways.
- B. The playing of musical instruments by individuals or small bands is pursuant to general nuisance and noise ordinances. An Outdoor Amplified Sound Request will be required.
- C. Animals must be kept on a leash and abide by the Farmer's Market management rules.
- D. Alcohol is prohibited.

5.X.X Permit process.

An application for a farmer's market must be submitted by the Manager to the Town Clerk or designee for review. All permit applications shall be accompanied by the applicable fee. All permit applications shall be accompanied by the appropriate documents applicable to this chapter. The Town Clerk or designee shall not accept a permit application unless accompanied by the required fee and applicable documents.

The Town Clerk or designee may require additional information during the review period and may send referrals to Town staff and/or outside referral agencies for review. The Town Clerk may approve, approve with conditions, or deny any application based upon the approval criteria herein.

5.X.X Approval criteria.

An application for a farmer's market may be approved if it conforms to the following criteria, as applicable. Approval is discretionary, and the Town is under no obligation to issue an approval.

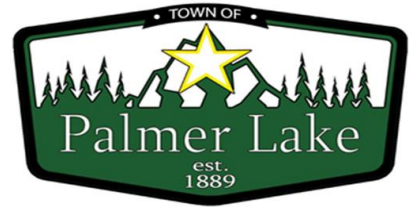
- A. The application is in conformance with all applicable Town or other government regulations. The applicant and vendors will obtain any required permits or approvals, including a Town business license.
- B. The market will not cause significant impacts, disturbance, or damage to the property, surrounding properties, and/or Town streets, and will not compromise the public health and safety.
- C. The site will provide sufficient parking and not obstruct traffic. Gravel surfaced parking may be approved for a farmer's market.
- D. Adequate restroom services will be provided for the public.
- E. Adequate provisions have been made for cleanup and, if applicable, restoration of the site in a timely fashion upon termination of the market. A sufficient clean up/site restoration deposit has been provided, if required, based upon the anticipated costs of cleanup or restoration.
- F. Each Manager shall, during the time of the permit, maintain liability insurance coverage acceptable to the Town Clerk.

5.X.X Permit expiration and renewals.

No permit issued shall be assignable to another applicant. Every permit issued shall expire according to the date established by the permit, not exceeding one calendar year.

5.X.X Revocation of permit.

If, upon review, the conditions or restrictions imposed by this Code, county ordinance or state statute or by the permit have not been complied with, the Town Clerk may take any action deemed necessary to remedy the noncompliance, including but not limited to, revocation of the permit or pursuing the noncompliance as a Code violation. The Town reserves the right to revoke a permit at any time if there is an emergency that substantially interferes with the market.



**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - MEMO SUMMARY**

DATE: June 13, 2024	ITEM NO.	SUBJECT: Revised Draft Code for Special Events
Presented by: Town Administrator Dawn Collins		

Recommended Action

Consider code language relating to the Special Event application process.

Background

The enclosed draft language for special events is revised to streamline approval administratively unless referred by a department supervisor to be reviewed by the Board of Trustees. A fee reduction may be considered where criteria is met.

Events are defined as private, minor and major events. The modification to the procedure will be reflected in the special event application packet.

5.xx Purpose.

The purpose of this chapter is to provide for and regulate the use of public property owned by the town for special events and to ensure that public property is reasonably available and safe for use by the public.

5.xx Definitions.

For purposes of this chapter, the following terms shall have the following meanings:

"Block party" means a gathering on a residential street or right-of-way requiring the closure of a street or right-of-way, or a portion thereof, to vehicular traffic and the use of the street for the gathering including but not limited to barbecue, music or games.

"Major special event" means a special event that has either:

1. One hundred or more participants;
2. Directly impacts a street, public right-of-way or public park area for more than one hour; or
3. Requires a special event liquor permit pursuant to liquor licensing regulations.

"Minor special event" means a special event which does not qualify as a major special event and may be approved administratively.

"Parade" means a march or procession with individuals, animals or vehicles, or combination thereof, on any public street, sidewalk or public right-of-way within the town boundaries.

"Parks" means all municipal recreational areas and facilities owned, leased, or operated by the town and open to the public or available for public use.

"Private event" means an event that is not open to the general public but occurring on public property, including but not limited to birthday parties, weddings, reunions, and require a venue rental application.

"Public property" means any property owned or controlled by the town and open to the public or available for public use, including but not limited to public streets, rights-of-way, sidewalks, parks, and public buildings.

"Special event" means a temporary activity open to the general public and occurring on public property, including without limitation, block parties, parades, soap box derbies, rallies, walks, running or bicycle races, fundraisers, picnics, or sports tournaments.

5.xx Permit or reservation requirement.

- A. Any person desiring to conduct a special event on public property shall first obtain a special event permit from the town.
- B. Any person desiring to hold a private event shall obtain appropriate approval from the town office utilizing the respective venue rental reservation application. Private events requiring a street closure shall obtain a permit pursuant to this chapter. Private events not requiring a street closure are governed by the town's facility use rules.

5.xx Application.

- A. Any person desiring to sponsor or conduct a special event shall apply for a special event, as applicable, by filing an application provided by the town.
- B. At a minimum, the application shall include the following information:
 1. The applicant's name, address, and phone number and if applicable, the main contact for the special event;

2. The date and time of the special event, including the estimated set-up period, the start time, the end time, and the estimated break-down and clean-up period;
 3. A map showing the proposed location of the special event including a detailed map of the route, if applicable, and layout of the special event;
 4. The nature of the special event;
 5. The estimated number of participants and animals, if any;
 6. The estimated number of vehicles;
 7. A waste disposal and clean-up plan;
 8. A parking plan, if the number of participants is anticipated to be one hundred or more;
 9. A list of vendors, if items will be sold at the special event;
 10. A description of any planned amplified noise, and the respective request form completed;
 11. A statement as to whether the special event will involve hazardous, combustible or flammable materials and, if so, the safeguards planned; and
 12. Any other information requested by the town relevant to either this criteria or the possible conditions that may be imposed that will aid the town in deciding whether to issue the special event permit and under what conditions.
- C. Applications for major special events must be filed with the town not less than six months nor more than one year prior to the event.
- D. Applications for minor special events must be filed with the town not less than sixty days nor more than one year prior to the event.
- E. Applications for private events, requiring a reservation, shall be filed with the town as soon as possible prior to the private event.
- F. The town office may waive the application deadlines above for good cause demonstrated by the applicant. Good cause shall not include circumstances where the applicant had the opportunity to apply by the applicable deadline but failed to do so without a reasonable basis.
- G. Each application shall be accompanied by a nonrefundable application fee as set by Resolution in the Town Master Fee Schedule, which shall defray the costs of processing the application.
- H. Each application shall also be accompanied by any applicable deposit as established by Resolution in the Town Master Fee Schedule. Deposits shall be refunded if the application is denied.
- I. Each application shall be accompanied by an indemnification agreement stating that the applicant, in exchange for issuance of the special event, agrees to reimburse the town for any costs incurred by the town in repairing damages to public property caused by the sponsors of the special event or the participants in the event, or by actions that the sponsors directed, authorized, or ratified, and also agreeing to defend the town against, and indemnify and hold the town harmless from any liability to any person or property that arise from or are related to the special event.

5.xx Criteria for denial.

- A. The town shall approve an application for a special event unless the town determines, upon consideration of the application and other pertinent information, that:
1. Information contained in the application or supplemental information obtained from the applicant is found to be false or misleading in any material detail;

2. The applicant has failed to complete the application after having been notified of any additional information or documents required;
 3. Another special event has already been issued, or an application has been received prior in time, to hold another event on the same date and time, or so close in time and place as to cause undue vehicular or pedestrian traffic congestion, or as to burden the town's ability to meet the needs of public services, police, fire or other emergency services to the remainder of the town;
 4. The time, route or size of the special event will substantially interrupt the safe and orderly movement of vehicular or pedestrian traffic on or contiguous to the site or route, or will disrupt the use of a public street at a time when it is usually subject to traffic congestion;
 5. The size, nature or location of the special event will present a substantial risk to the health or safety of the public, or participants in the special event, or other persons;
 6. The size of the special event will require diversion of so great a number of police officers or firefighters to ensure that participants stay within the boundaries or route of the special event, or to protect participants in the special event, as to prevent normal protection to the rest of the town; provided that nothing herein authorizes denial of a permit because of the need to protect participants from the conduct of others, if reasonable conditions can be imposed to allow for adequate protection of participants with the number of police officers available to police the special event;
 7. The location of the special event will substantially interfere with any construction or maintenance work scheduled to take place on or near a public street, sidewalk or public right-of-way or with any previously issued public right-of-way permit;
 8. The special event will occur at a time when a school is in session at a location near the school, and the noise created by the activities of the special event would substantially disrupt the educational activities of the school;
 9. The special event involves the use of hazardous, combustible or flammable materials which create a fire or safety hazard;
 10. The special event, as described in the application, would violate any applicable law;
 11. The applicant has failed to pay costs, fees or deposits for any previous special event; or
 12. The applicant has failed to abide by the terms or conditions of any previous special event.
- B. When the grounds for denial of an application can be corrected by altering said detail, including but not limited to date, time, duration, route or location of the special event, the town shall, instead of denying the application, conditionally approve the application upon the applicant's acceptance of appropriate corrective conditions. The permit shall not be issued until the applicant has accepted the conditions in writing. If the applicant does not accept the conditions, the application shall be considered denied.

5.xx Conditions.

- A. The town may impose reasonable conditions on any permit necessary to protect the safety of persons and property and the control of traffic, including but not limited to the following:
1. Alteration of the date, time, duration, frequency, route or location of the special event;
 2. Conditions concerning the area of assembly and disbanding of other events occurring along a route;
 3. Conditions concerning accommodation of available parking, pedestrian or vehicular traffic, including restricting the special event to only a portion of a street or right-of-way;
 4. Requirements for the use of traffic cones, barricades or other traffic-control devices to be provided, placed and removed by the applicant at its expense;
 5. Requirements for provision of emergency access and first aid or sanitary facilities;

6. Requirements for arrangement of town staff to be present at the special event at the applicant's expense;
7. Requirements to use third party vendors for cleanup and security;
8. Requirements for providing notice of permit conditions to participants;
9. Restrictions on the number and type of vehicles, animals or structures at the special event and inspection and prior approval of structures or decorated vehicles for fire safety;
10. Requirements for use of trash receptacles, cleanup and restoration of property;
11. Restrictions on use of amplified sound;
12. A requirement that notice be provided to the residents of dwellings and businesses along any affected streets;
13. Compliance with any applicable law and obtaining any other legally required permits or licenses; and
14. Designation of a contact person with decision making authority who will be continuously available to law enforcement personnel and present at the special event.

5.xx Issuance.

- A. The Town Administrator shall designate an individual responsible for reviewing applications with respective departments within five to ten business days of receipt of application and administratively issue private and minor special event permits under this chapter.
- B. The Town Administrator shall designate an individual responsible for reviewing applications for major special events with the applicant and respective departments within fifteen to thirty days of receipt of completed application. The designee, along with department supervisors, shall review the application, consider the criteria, and subsequently approve, conditionally approve, or deny the application. If a department member determines that the major special event may have significant impact to the community, the designee may refer the completed application to the Town Board of Trustees for review.
- C. If any application is denied, the town shall inform the applicant in writing of the grounds for denial and the applicant's right of appeal to the Board of Trustees. If the application is approved, the Town Administrator will report special events to the Board of Trustees, post to the town website, and designee shall inform the applicant, including any conditions.

5.xx Insurance—Special events.

- A. In addition to any other condition applied, the town clerk may require the applicant to possess public liability insurance to protect against loss from liability imposed by law for damages for bodily injury or property damage arising from the special event. The town clerk shall determine whether to require such insurance and the amount of insurance that shall be required based upon the considerations routinely taken into account by the town in evaluating loss exposures, including, without limitation, whether the special event poses a substantial risk of damage or injury due to the anticipated number of participants, the nature of the special event and the physical characteristics of the proposed site or route. Such insurance shall name the town and its officers, employees and agents as additional insureds.
- B. If insurance coverage is required, a copy of the certificate of insurance along with all necessary endorsements shall be filed with the town clerk or designee no less than ten days before the special event.
- C. If the applicant is unable to provide insurance, the town clerk may offer to cover the special event at the applicant's expense.
- D. Failure to maintain insurance coverage as required by this section may result in revocation of the permit or may constitute ground for denial of future permit application.

5.xx Deposit.

- A. The applicant shall provide a private and special event non-refundable fee at the time of the application for the review and processing the application. The fee shall be the amount established by resolution by the Town Board of Trustees. If department services are required, an estimate of the town costs incurred for the special event must be provided to the applicant prior to the start of the event.
- B. A required refundable deposit shall be returned after the private or special event if the property used for the event is cleaned and restored to the same condition as existed prior to the special event.
- C. If the property used for the private or special event is not properly restored, the deposit, or a portion thereof, shall be applied toward payment of the actual costs incurred by the town in restoring the property. If after the town uses the deposit, or a portion thereof, for restoring the property, the town shall refund any remaining amount of the deposit to the applicant.

5.xx Duties of applicant.

- A. The applicant shall comply with all terms and conditions of the approved application.
- B. The applicant shall ensure that the person leading or in charge of the private or special event is familiar with provisions of the approved event and this chapter and other municipal code regulations.
- C. Immediately following the completion of the event, the applicant shall ensure that the area used for the event is cleaned and restored to the same condition prior to the event.

5.xx Revocation.

- A. The town clerk may, at any time prior to a private or special event, revoke or terminate a permit that has been issued for the event if conditions change so that the application could have been denied in the first instance.
- B. The town clerk may revoke a permit during the course of the private or special event if continuation of the event presents a clear and present danger to the participants or the public health, safety or welfare of the town property, and for noncompliance with any term or condition of the approval.
- C. A decision to revoke a permit may be made by the town clerk, administrator, police chief, fire chief, or public works supervisor.

5.xx Fee reductions, grants and noise variances.

- A. An applicant may request a fee reduction from the town clerk at the time of filing its application. In determining whether to grant a fee reduction, the town clerk or designee shall consider the following criteria, as applicable:
 - 1. Whether the applicant has had any violations of other private or special event permits previously issued from the town.
 - 2. Fee reductions do not apply to application fees or refundable deposits.
 - 4. There is a limit of one fee reduction per organization per year.
 - 5. The sponsoring organization is a nonprofit corporation and proof of such status is provided.
 - 6. There is a direct benefit to town programs, activities or facilities as a result of the event.
 - 7. The sponsoring organization is located within the town zip code.
 - 8. The event is a frequent event within the town.
 - 9. There is significant potential to attract visitors to the town and encourage tourist activity.

10. The ability of applicant to provide an in-kind or other contribution of goods, services, or programs that will benefit the town or its residents. The in-kind or other contribution must be equal to or exceed the value of the reduced fee.
- B. If an applicant requires a noise variance related to a special event, the applicant shall file the outdoor amplified sound request form with the town at the same time as filing the application for a private or special event.

5.xx Appeals.

- A. Any denial of a special event permit under this chapter may be appealed by the applicant to the Town Board of Trustees by filing a written notice of appeal, setting forth the grounds for appeal, within five (5) days after the decision is communicated.
- B. The Town Board of Trustees shall review the appeal and issue a written decision no later than thirty (30) days after the filing of the appeal. The applicant and the town clerk may present written evidence or argument to assist in the review. The decision of the Town Board of Trustees on an appeal shall be final, subject only to judicial review.
- C. Filing of an appeal does not stay the decision of the application and does not require the town to reserve the date(s) and time(s) requested in the application on appeal.

5.xx Violation; penalty.

- A. It is unlawful for any person to sponsor or conduct a private or special event without approval under this chapter. It is unlawful for any person to participate in an event without a permit with knowledge that the sponsor of the event has not been approved.
- B. It is unlawful for any person to interfere with or disrupt a lawful event.
- C. It is unlawful for an applicant to violate the terms and conditions of approval, or for any participant with knowledge thereof to knowingly violate the terms and conditions of approval.
- D. Any person convicted of a violation of this chapter shall be subject to the penalties set forth in Chapter 1.12 of this code.



**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - MEMO SUMMARY**

DATE: June 13, 2024	ITEM NO.	SUBJECT: Draft Amended Code for Peddlers Permits
Presented by: Town Administrator Dawn Collins		

Recommended Action

Consider amended code relating to the Peddlers permit application process.

Background

With Board direction, enclosed is the amended code for the peddlers process. This language was revised to a calendar year, where a vendor does not have a current business license with the town.

- CODE OF ORDINANCES
Title 5 - BUSINESS LICENSES AND REGULATIONS
CHAPTER 5.12. PEDDLERS

CHAPTER 5.12. PEDDLERS¹

5.12.010. Permit and license required.

It is unlawful for any person to engage in the business of peddler, as defined in section 5.12.020, within the limits of the town without first obtaining a permit ~~pursuant to the provisions of this Chapter 5.12, or a ~~and~~ business license pursuant to Chapter section 5.04, therefore as provided herein.~~

(Code 1973, § 5.12.010; Ord. No. 8-1954, § 1, 1954)

5.12.020. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Peddler means and includes any person, whether a resident of the town or not, traveling by foot, wagon, automotive vehicle, or any other type of conveyance, from place to place, from house to house, or from street to street, carrying, conveying, or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden truck, services for hire, or making sales and delivering articles to purchasers, or who, without traveling from place to place shall sell or offer the same for sale or hire from a wagon, ~~automotive vehicle, railroad car,~~ or other ~~vehicle or~~ conveyance, and further provided that one who solicits orders and as a separate transaction makes deliveries to purchasers as a part of a scheme or design to evade the provisions of this chapter shall be deemed a peddler subject to the provision of this chapter. ~~The term "peddler" includes the terms "hawker" and "huckster."~~

(Code 1973, § 5.12.020; Ord. No. 8-1954, § 2, 1954)

5.12.030. Permit and license—Application; contents.

Applicants for permits and licenses under this chapter must file with the town ~~clerk~~~~a sworn~~ a completed application in writing, which shall give the following information:

- (1) Name and address of the applicant;
- (2) Permanent home address and full local address, if any, of the applicant;
- (3) A brief description of the nature of the business and the goods or services to be sold and in the case of farm products, whether the products are grown by the applicant;
- (4) If employed, the name and address of the employer;
- (5) The length of time for which the right to do business is desired;
- (6) If a vehicle is to be used, a description of the same, together with the license number or other means of identification;

¹State law reference(s)—Municipal authority to license, tax, regulate, suppress and prohibit peddlers, C.R.S. § 31-15-501(1)(g).

- (7) A statement as to whether or not the applicant has been convicted of any crime, misdemeanor, or violation of any municipal ordinance, the nature of the offense, ~~and~~ the punishment or penalty assessed therefore;
- (8) Such other matters as may be from time to time deemed necessary or desirable by ~~the town clerk~~ ~~the board of trustees~~;

(Code 1973, § 5.12.030; Ord. No. 8-1954, § 3, 1954)

5.12.040. Permit and license—Investigation and issuance.

- (a) Upon receipt of such application, the town clerk, or designee, shall cause investigation of the applicant's business and moral character to be made for the protection of the public good.
- (b) If, as a result of such investigation, the applicant's character or business responsibility is found to be unsatisfactory, the town clerk shall deny the request and notify the applicant in writing of such disapproval and that no permit and license will be issued.
- (c) If, as a result of such investigation, the applicant's character or business responsibility are found to be satisfactory, the town clerk shall endorse approval and execute a permit in favor of the applicant for the carrying on of the business applied for upon payment of the prescribed license fee, and issue a license ~~for the calendar year~~. Such license shall contain the signature and seal of the ~~issuing officer~~ ~~town clerk or designee~~ and shall show the name ~~and address~~ of said licensee, the ~~type of license issued, and the~~ kind of goods or services to be sold thereunder, ~~the amount of fee paid,~~ the date of issuance, and the length of time the same shall be operative, as well as the ~~license number or other~~ identifying description of any vehicle used in such peddling. The town ~~clerk or designee~~ ~~clerk~~ shall keep a permanent record of all licenses issued ~~within a calendar year~~.

(Code 1973, § 5.12.040; Ord. No. 8-1954, § 4, 1954)

5.12.050. Permit and license—Fees.

There shall be due and payable for each license or permit issued hereunder, the sum defined in the master fee schedule.

(Code 1973, § 5.12.050; Ord. No. 8-1954, § 5, 1954)

5.12.060. License nontransferable.

No license issued under the provisions of this chapter shall be transferred to or used by any person other than the one to whom it was issued.

(Code 1973, § 5.12.060; Ord. No. 8-1954, § 6, 1954)

5.12.070. Use of streets.

No peddlers shall have any exclusive right to any location in the public streets, nor shall any be permitted in a stationary location, nor shall ~~any~~ be permitted to operate in any congested area where ~~their~~ operations might impede or inconvenience the public. For the purpose of this chapter, ~~a licensed peddler may participate in accompany a special events and farmers markets as determined by a special event coordinator or farmer's market manager respectively.~~ ~~The judgment of a police officer~~ ~~the town clerk exercised in good faith~~ shall be deemed

conclusive as to whether the area is ~~appropriate for peddlers congested or the public impeded or inconvenienced.~~
A party holding a business license with the town is not required to apply for a peddlers permit.

(Code 1973, § 5.12.070; Ord. No. 8-1954, § 7, 1954)

5.12.080. Exhibition of license.

Peddlers are required to exhibit their license at the ~~time of service request of any citizen.~~

(Code 1973, § 5.12.080; Ord. No. 8-1954, § 8, 1954)

5.12.090. Chapter enforcement.

It shall be the duty of any police officer of the town to require any ~~person-party seen~~ peddling, and who is not known by such officer, to be duly licensed to produce a peddler's license ~~or business license.~~ and to enforce the provisions of this chapter against any person found to be violating the same.

(Code 1973, § 5.12.090; Ord. No. 8-1954, § 9, 1954)

5.12.100. Violations record.

The police ~~official department of the town~~ shall report to the town clerk all convictions for violations of this chapter and the town clerk, ~~in his record for each license issued,~~ shall record the reports of violations therein.

(Code 1973, § 5.12.100; Ord. No. 8-1954, § 10, 1954)

5.12.110. Revocation.

(a) Permits and licenses issued under the provisions of this chapter may be revoked by the ~~board town clerk of trustees of the town, after notice and hearing,~~ for any of the following causes:

- (1) Fraud, misrepresentation, or false statement contained in the application for license;
- (2) Fraud, misrepresentation, or false statement made in the course of carrying on his ~~or her~~ business as peddler;
- (3) Any violation of this chapter;
- (4) Conviction of any crime or misdemeanor involving moral turpitude;
- (5) Conducting the business of peddling in an unlawful manner or in such a manner as to constitute a breach of peace or to constitute a menace to the health, safety, or general welfare of the public.

(b) Notice of the ~~revocation~~ hearing ~~or~~ for ~~an appeal of a~~ revocation of license shall be given in writing setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed postage prepaid to the licensee at ~~their~~his last known address at least 15 days prior to the date set for hearing.

(c) An appeal hearing to a revocation will be scheduled before the Board of Trustees. The decision of the Board of Trustees shall be final.

(Code 1973, § 5.12.110; Ord. No. 8-1954, § 11, 1954)

5.12.120. Expiration; ~~renewal fee.~~

~~All annual~~The peddler's licenses and permits issued under the provisions of this chapter shall expire ~~one at the end of a calendar year, from the date of issue, other than annual licenses and permits which expire on the date specified therein. There shall likewise be due and payable for the renewal of each license and permit issued hereunder the sum defined in the master fee schedule.~~ one at the end of a calendar year.

(Code 1973, § 5.12.120; Ord. No. 8-1954, § 12, 1954)