



CITY COUNCIL REGULAR MEETING

448 E. 1st Street, Room 190 Salida, Colorado 81201

January 16, 2024 - 6:00 PM

AGENDA

Please register for Regular City Council Meeting

<https://attendee.gotowebinar.com/register/3742005742374996822>

After registering, you will receive a confirmation email containing information about joining the webinar.

To watch live

meetings: https://c.streamhoster.com/embed/media/W6sdC9/xAllQfSsmmO/vpfQhcsApYv_5?preview=1

CALL TO ORDER

Pledge of Allegiance

Roll Call

Civility Invocation

1. Civility Invocation

CONSENT AGENDA

2. Approve Agenda

3. Approve January 2, 2024 Minutes

CITIZEN COMMENT—Three (3) Minute Time Limit

4. CITIZEN COMMENT

UNFINISHED BUSINESS / ACTION ITEMS

5. **Ordinance 2024-01** AN ORDINANCE OF THE CITY OF SALIDA, COLORADO, AMENDING CHAPTER 18 OF THE SALIDA MUNICIPAL CODE BY ADOPTING BY REFERENCE THE 2021 INTERNATIONAL BUILDING CODE; THE 2021 INTERNATIONAL RESIDENTIAL CODE; THE 2021 INTERNATIONAL FIRE CODE; THE 2021 INTERNATIONAL FUEL GAS CODE; THE 2021 INTERNATIONAL MECHANICAL CODE; 2021 INTERNATIONAL PLUMBING CODE; THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE; THE 2021 INTERNATIONAL EXISTING BUILDING CODE; THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE; THE 2021 INTERNATIONAL SWIMMING POOL & SPA CODE; THE MOST CURRENT VERSION OF THE NATIONAL ELECTRIC CODE WHICH HAS BEEN ADOPTED BY THE COLORADO STATE ELECTRIC BOARD; THE 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS; THE 2021 INTERNATIONAL WILDLAND URBAN INTERFACE CODE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND MAKING CONFORMING AMENDMENTS TO CHAPTER 18 OF THE SALIDA MUNICIPAL CODE, **FINAL READING AND PUBLIC HEARING**

NEW BUSINESS / ACTION ITEMS

6. Appointment of Sara Law as Interim City Clerk and adjustment of her salary for the period of such appointment
7. Appointment of Chaffee County Community Fund Community Grants Review Committee

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the City Clerk at 448 E. 1st Street, Ste. 112, Salida, CO 81201, Ph.719-530-2630 at least 48 hours in advance.

- [8.](#) **Resolution 2024-10** A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO APPROVING THE DEVELOPMENT IMPROVEMENT AGREEMENT FOR 1030 ILLINOIS AVENUE.
- [9.](#) **Resolution 2024-11** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, SUPPORTING AN APPLICATION FOR STATE GRANT FUNDS TO ASSIST IN THE IMPLEMENTATION OF AFFORDABLE HOUSING EFFORTS IN COMPLIANCE WITH THE REQUIREMENTS OF STATE OF COLORADO PROPOSITION 123 AND COMMITTING LOCAL MATCHING FUNDS
- [10.](#) **Resolution 2024-12** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, APPROVING CITIZEN APPOINTMENTS TO THE TREE BOARD PURSUANT TO SECTION 2-12-10 OF THE SALIDA MUNICIPAL CODE
- [11.](#) **Ordinance 2024-02** AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO, APPROVING THE MANAGEMENT AGREEMENT WITH INTERSTATE PARKING MANAGEMENT, **FIRST READING AND SETTING A PUBLIC HEARING**
- [12.](#) **Ordinance 2024-03** AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO AMENDING SECTION 4-6-10 OF THE SALIDA MUNICIPAL CODE TO MODIFY THE SHORT TERM RENTAL TAX RATE, **FIRST READING AND SETTING A PUBLIC HEARING**

COUNCILORS, MAYOR AND CITY TREASURER REPORTS

Council Reports

- Critelli, Fontana, Kasper, Naccarato, Pappenfort, Stephens

Mayor Report

Treasurer Report

Attorney Report

Staff Reports

[13.](#) Staff Reports

ADJOURN



City Clerk | Deputy City Clerk

Mayor Dan Shore



CIVILITY INVOCATION

We are here working together to create a thriving community. It is the intention of the Salida City Council to promote civil communication by adopting the following guidelines for speaking to the public in the City Council Chambers. It is our hope that by acting in this manner we can help create a safe space for people to share their perspectives and opinions:

- We honor the opportunity to be engaged in the process of governance for the benefit of our community.
- We acknowledge that each of us brings a unique perspective to this conversation and that our perspectives may differ.
- We challenge ourselves to value varying points of view and hold all contributions as equally important.
- We understand and accept that while we may sometimes disagree, we can always be courteous and kind.
- We commit to respectful language, avoiding rumor, harsh criticism or personal accusation, even when feeling emotionally charged.
- We will, to best of our ability, speak thoughtfully and listen with attention, respect, and curiosity.
- We are confident that there may be even better solutions than any of us have thought of, which may be discovered through civil conversations.
- We affirm our support for women's rights, including equal pay, equal treatment under the law and in the workplace, and the right to determine choices that impact the direction and personal values of one's life, including all individuals' reproductive health choices.
- We commit to the City of Salida being a hate-free zone and declare and affirm a policy of non-discrimination on the basis of a person's race, color, religion, ancestry, national origin, age, sexual orientation, gender, gender identity, marital status, military or veteran status, socio-economic class, medical condition, or physical or mental disability.



CITY COUNCIL REGULAR MEETING

448 E. 1st Street, Room 190 Salida, Colorado 81201
January 02, 2024 - 6:00 PM

MINUTES

CALL TO ORDER

Pledge of Allegiance

Roll Call

PRESENT

Council Member Suzanne Fontana
Council Member Dominique Naccarato
Council Member Justin Critelli
Council Member Aaron Stephens
Council Member Harald Kasper
Council Member Alisa Pappenfort
Mayor Dan Shore
Treasurer Ben Gilling

Civility Invocation

CONSENT AGENDA

Council Member Critelli moved to combine and approve the items on the Consent Agenda, Seconded by Council Member Kasper.

Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Kasper, Council Member Pappenfort

THE MOTION PASSED.

Approve Agenda

Approve December 19, 2023 Minutes

Approve Elks Club Special Event Permit

Approve Wilson Williams Fellman Dittman Professional Legal Services Agreement

CITIZEN COMMENT—Three (3) Minute Time Limit

Jim Miller, Danny Taylor, and Chris Welter, James Flatten, and Kat Been spoke during Public Comment.

PROCLAMATIONS

Martin Luther King Jr. Day

Mayor Shore read the Proclamation and proclaimed January 15, 2024 as Dr. Martin Luther King Jr. Day in the City of Salida and further encouraged all Salidans to participate in a day of service in tribute to the life and works of Dr. Martin Luther King Jr.

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the City Clerk at 448 E. 1st Street, Ste. 112, Salida, CO 81201, Ph.719-530-2630 at least 48 hours in advance.

UNFINISHED BUSINESS / ACTION ITEMS

Ordinance 2023-20 AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO APPROVING THE FLOUR MILL MAJOR IMPACT REVIEW FOR A PLANNED DEVELOPMENT OVERLAY AND MAJOR SUBDIVISION OF THE 2 ACRE PARCEL LOCATED AT 6907 C.R. 105, FIRST READING AND SETTING A PUBLIC HEARING, **SECOND READING AND PUBLIC HEARING**

Mayor Shore opened the Public Hearing. Planner Kathryn Dunleavy presented the Ordinance. Applicant, Rob Gartman, had a presentation and asked Council to approve the Ordinance.

Jim Miller, Merrell Bergin, Read McCulloch, Wayles Martin, Thomas Winston, Ray Kitsen, Jake Rishavy, Eric Warner, Salty Riggs, Nancy Dominick, Jon Terbash, Betsy Dittenber, Ashley Kappel, Ned Suisse, and Pamela Good spoke regarding the Ordinance.

Kathryn answered Council questions.

Shore closed the Public Hearing. Council discussed the Ordinance.

Council Member Pappenfort moved to approve the Ordinance, Seconded by Council Member Critelli.

Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Kasper, Council Member Pappenfort

THE MOTION PASSED.

Ordinance 2023-21 AN EMERGENCY ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO REAPPOINTING AND SETTING COMPENSATION FOR CHERYL HARDY-MOORE AS MUNICIPAL COURT JUDGE FOR A TWO-YEAR TERM COMMENCING JANUARY 1, 2024 AND RUNNING THROUGH DECEMBER 31, 2025 , **SECOND READING AND PUBLIC HEARING**

Mayor Shore opened the Public Hearing. City Administrator Christy Doon presented the Ordinance.

Hearing no comment, Shore closed the Public Hearing.

Council discussed the Ordinance.

Council Member Critelli moved to approve the Ordinance, Seconded by Council Member Kasper.

Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Kasper, Council Member Pappenfort

THE MOTION PASSED.

NEW BUSINESS / ACTION ITEMS

Council Liaison Appointments for Sustainability Committee, Airport Board, and Finance Committee

Council Member Pappenfort moved to appoint Council Member Naccarato to the Sustainability Committee, Council Member Aaron Stephens to the Airport Board, and Council Member Pappenfort and Council Member Suzanne Fontana to to the Finance Committee, Seconded by Council Member Naccarato.

Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Kasper, Council Member Pappenfort

THE MOTION PASSED.

Resolution 2024-01 A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO DESIGNATING THE PLACE FOR THE POSTING OF PUBLIC NOTICES FOR CITY COUNCIL MEETINGS AND OTHER CITY BUSINESS

Council Member Kasper moved to approve the Resolution, Seconded by Council Member Critelli.

Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Kasper, Council Member Pappenfort

THE MOTION PASSED.

Resolution 2024-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, APPROVING CITIZEN APPOINTMENTS TO THE SUSTAINABILITY COMMITTEE PURSUANT TO SECTION 2-18-10 OF THE SALIDA MUNICIPAL CODE

Motion made by Council Member Critelli to make the following appointments, Seconded by Council Member Pappenfort.

1. The City Council hereby appoints Eileen Rogers as a one year member of the Salida Sustainability Committee; term to expire January 2, 2025.
2. The City Council hereby appoints Megan Witherspoon as a two year member of the Salida Sustainability Committee; term to expire January 2, 2026.
3. The City Council hereby appoints Melanie Gade as a two year member of the Salida Sustainability Committee; term to expire January 2, 2026.
4. The City Council hereby appoints David Keyser as a two year member of the Salida Sustainability Committee; term to expire January 2, 2026.
5. The City Council hereby appoints Julie Mach as a three year member of the Salida Sustainability Committee; term to expire January 2, 2027.
6. The City Council hereby appoints Jane Templeton as a three year member of the Salida Sustainability Committee; term to expire January 2, 2027.
7. The City Council hereby appoints Nathan Ward as a three year member of the Salida Sustainability Committee; term to expire January 2, 2027.

Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Kasper, Council Member Pappenfort

THE MOTION PASSED.

Resolution 2024-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, APPROVING CITIZEN APPOINTMENTS TO THE TREE BOARD PURSUANT TO SECTION 2-12-10 OF THE SALIDA MUNICIPAL CODE

Council Member Naccarato to appoint Josef Bartels, Karen Duquette, Jake Jacobson, Marilyn Moore, Michelle Putz, and Ben Tiefenbrun to two year terms, expiring on January 2, 2026, Seconded by Council Member Pappenfort.

Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Kasper, Council Member Pappenfort

THE MOTION PASSED.

Resolution 2024-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, APPROVING CITIZEN APPOINTMENTS TO THE HARRIET ALEXANDER FIELD – SALIDA AIRPORT ADVISORY BOARD

Council Member Critelli moved to appoint Shawn O'Day, Michael Marino, Barbara Struble, and James Baker to 3 years terms expiring on January 31, 2027., Seconded by Council Member Pappenfort.

Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Kasper, Council Member Pappenfort

THE MOTION PASSED.

Resolution 2024-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO APPROVING THE COMMERCIAL LEASE AGREEMENT WITH SALIDA BOTTLING COMPANY LLC

Council Member Pappenfort moved to approve the Resolution, Seconded by Council Member Critelli.

Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Kasper, Council Member Pappenfort

THE MOTION PASSED.

Resolution 2024-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, APPROVING AN ANNEXATION AGREEMENT WITH BIKER BAKER HOLDINGS LLC FOR THE ANNEXATION OF CERTAIN REAL PROPERTY INTO THE CITY.

Council Member Critelli moved to approve the Resolution, Seconded by Council Member Kasper.

Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Kasper, Council Member Pappenfort

THE MOTION PASSED.

Resolution 2024-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO APPROVING THE LEASE AGREEMENT WITH CHAFFEE HOUSING AUTHORITY

Council Member Kasper moved to approve the Resoution, Seconded by Council Member Critelli.

Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Kasper

Voting Nay: Council Member Pappenfort

THE MOTION PASSED.

Resolution 2024-08 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, APPROVING THE LEASE AGREEMENT WITH FULL CIRCLE RESTORATIVE JUSTICE

Council Member Pappenfort moved to approve the Resolution, Seconded by Council Member Critelli.

Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Kasper, Council Member Pappenfort

THE MOTION PASSED.

Ordinance 2024-01 AN ORDINANCE OF THE CITY OF SALIDA, COLORADO, AMENDING CHAPTER 18 OF THE SALIDA MUNICIPAL CODE BY ADOPTING BY REFERENCE THE 2021 INTERNATIONAL BUILDING CODE; THE 2021 INTERNATIONAL RESIDENTIAL CODE; THE 2021 INTERNATIONAL FIRE CODE; THE 2021 INTERNATIONAL FUEL GAS CODE; THE 2021 INTERNATIONAL MECHANICAL CODE; 2021 INTERNATIONAL PLUMBING CODE; THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE; THE 2021 INTERNATIONAL EXISTING BUILDING CODE; THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE; THE 2021 INTERNATIONAL SWIMMING POOL & SPA CODE; THE MOST CURRENT VERSION OF THE NATIONAL ELECTRIC CODE WHICH HAS BEEN ADOPTED BY THE COLORADO STATE ELECTRIC BOARD; THE 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS; THE 2021 INTERNATIONAL WILDLAND URBAN INTERFACE CODE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND MAKING CONFORMING AMENDMENTS TO CHAPTER 18 OF THE SALIDA MUNICIPAL CODE, **FIRST READING AND SETTING A PUBLIC HEARING**

Council Member Kasper moved to approve the Ordinance on First Reading and set a Second Reading and Public Hearing for January 16, 2024, Seconded by Council Member Pappenfort.

Voting Yea: Council Member Fontana, Council Member Naccarato, Council Member Critelli, Council Member Stephens, Council Member Kasper, Council Member Pappenfort

THE MOTION PASSED.

COUNCILORS, MAYOR AND CITY TREASURER REPORTS

Reports were given.

ADJOURN

Adjourned at 9:09 p.m.



City Clerk | Deputy City Clerk

Mayor Dan Shore

I was blind-sided upon learning the City of Salida annexed a portion of County Road 105. You would think the neighbors would have been notified that annexation was underway so they could weigh in. Does Salida think that all of us Chaffee County, non-Salida residents should be constantly searching Salida City Council agendas for potential negative impacts on our lives? 9/12 residential owners in this area have lived here 40+ years. Most do not have a computer. Should Salida overreach force us to adopt new technology against our will to protect ourselves? This is an unimaginably unfair expectation.

So, none of us knew about the CR 105 annexation beforehand. I decided to investigate. I sought out officials at the County Courthouse, and managed to meet with Finance, Assessor and 2 Commissioners. None had heard anything about CR 105 annexation.

Road and Bridge said they recently found out, but indirectly, through a city filing with the state defining who maintains the road. This report did not mention annexation.

What in the Sam Hill is going on here?

I spoke for 3 minutes about the Flour Mill Development on CR 105 at the last Council Meeting. I knew that despite major problems, passage was inevitable. I took a measured tone and asked for two things. First, construction traffic using Hwy 50 to Vandaveer Road, giving direct access to the Flour Mill build site. In the past, construction traffic destroyed both the road itself and our peace and quiet. Second, that extra parking be included since the parking from previous dense development in the area spills vehicles out onto the street.

What I got from Councilman Critelli was a snarky comment. Yes Justin, me being conciliatory towards this project is what dreams are made of. You would think after 6 years on Council Justin would have grown up. But Mayor Shore snickering along with him shows that wisdom is not gained with age and experience. Just curious, does that bullcrap civility pledge you preach at all of us before every meeting also apply to elected officials and staff? Because where I am sitting, I see you use it to bludgeon the public into silence while you abuse them from the bully pulpit. You ought to be ashamed.

If I am going to be treated with disrespect anyway, next time I will get my money's worth.

Nancy Dominick, Chaffee County



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Administration	Christy Doon - City Administrator	January 16, 2024

ITEM

Ordinance 2024-01, AN ORDINANCE OF THE CITY OF SALIDA, COLORADO, AMENDING CHAPTER 18 OF THE SALIDA MUNICIPAL CODE BY ADOPTING BY REFERENCE THE 2021 INTERNATIONAL BUILDING CODE; THE 2021 INTERNATIONAL RESIDENTIAL CODE; THE 2021 INTERNATIONAL FIRE CODE; THE 2021 INTERNATIONAL FUEL GAS CODE; THE 2021 INTERNATIONAL MECHANICAL CODE; 2021 INTERNATIONAL PLUMBING CODE; THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE; THE 2021 INTERNATIONAL EXISTING BUILDING CODE; THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE; THE 2021 INTERNATIONAL SWIMMING POOL & SPA CODE; THE MOST CURRENT VERSION OF THE NATIONAL ELECTRIC CODE WHICH HAS BEEN ADOPTED BY THE COLORADO STATE ELECTRIC BOARD; THE 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS; THE 2021 INTERNATIONAL WILDLAND URBAN INTERFACE CODE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND MAKING CONFORMING AMENDMENTS TO CHAPTER 18 OF THE SALIDA MUNICIPAL CODE , SECOND READING AND PUBLIC HEARING

BACKGROUND

The City of Salida, though an IGA, utilizes the Chaffee County Building Department to provide the same services to Salida. Section 2 of our IGA with the County regarding Building Department services states that both parties agree that the “existing Building Codes of the City and County remain substantially similar and no changes to the City Codes are required until such time as the City and County adopt new Codes, recognizing that there are some local amendments which each jurisdiction has independently adopted.”

Furthermore, Section 4 states that the “City shall, within 90 days, adopt changes to their Building Code to reflect changes to the County Code as adopted by the County from time to time. The County shall work with the City during the Code adoption process to ensure adopted Codes are acceptable to both entities.”

In 2021, through Resolution 2021-02, the City of Salida Council expressed its support of the adoption of either the 2018 or the 2021 version of the International Energy Conservation Code and urging Chaffee County and its building department to formally adopt the same.

In 2022 the State Legislature passed [HB22-1362](#) requiring all local governments to transition to the 2021 International Energy Conservation Code during their next building code update, or by January 1, 2026, which ever happens first. In late 2022/early 2023, Chaffee County began holding community meetings to start conversations regarding the updates to the various codes which would be affected by the adoption of the 2021 IECC.

Chaffee County adopted the various codes on December 12, 2024. Codes will go into effect on March 1, 2024 across the County to ensure equitable compliance.

FISCAL NOTE

No fiscal impact

STAFF RECOMMENDATION

Staff recommends that the City Council approve Ordinance 2024-01.



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Administration	Christy Doon - City Administrator	January 16, 2024

SUGGESTED MOTION

A City Councilmember should state, "I move to approve Ordinance 2024-01, **AN ORDINANCE OF THE CITY OF SALIDA, COLORADO, AMENDING CHAPTER 18 OF THE SALIDA MUNICIPAL CODE BY ADOPTING BY REFERENCE THE 2021 INTERNATIONAL BUILDING CODE; THE 2021 INTERNATIONAL RESIDENTIAL CODE; THE 2021 INTERNATIONAL FIRE CODE; THE 2021 INTERNATIONAL FUEL GAS CODE; THE 2021 INTERNATIONAL MECHANICAL CODE; 2021 INTERNATIONAL PLUMBING CODE; THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE; THE 2021 INTERNATIONAL EXISTING BUILDING CODE; THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE; THE 2021 INTERNATIONAL SWIMMING POOL & SPA CODE; THE MOST CURRENT VERSION OF THE NATIONAL ELECTRIC CODE WHICH HAS BEEN ADOPTED BY THE COLORADO STATE ELECTRIC BOARD; THE 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS; THE 2021 INTERNATIONAL WILDLAND URBAN INTERFACE CODE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND MAKING CONFORMING AMENDMENTS TO CHAPTER 18 OF THE SALIDA MUNICIPAL CODE** on Second Reading" followed by a second and a roll call vote.

CITY OF SALIDA, COLORADO
ORDINANCE NO. 2024-01
(Series of 2024)

AN ORDINANCE OF THE CITY OF SALIDA, COLORADO, AMENDING CHAPTER 18 OF THE SALIDA MUNICIPAL CODE BY ADOPTING BY REFERENCE THE 2021 INTERNATIONAL BUILDING CODE; THE 2021 INTERNATIONAL RESIDENTIAL CODE; THE 2021 INTERNATIONAL FIRE CODE; THE 2021 INTERNATIONAL FUEL GAS CODE; THE 2021 INTERNATIONAL MECHANICAL CODE; 2021 INTERNATIONAL PLUMBING CODE; THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE; THE 2021 INTERNATIONAL EXISTING BUILDING CODE; THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE; THE 2021 INTERNATIONAL SWIMMING POOL & SPA CODE; THE MOST CURRENT VERSION OF THE NATIONAL ELECTRIC CODE WHICH HAS BEEN ADOPTED BY THE COLORADO STATE ELECTRIC BOARD; THE 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS; THE 2021 INTERNATIONAL WILDLAND URBAN INTERFACE CODE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND MAKING CONFORMING AMENDMENTS TO CHAPTER 18 OF THE SALIDA MUNICIPAL CODE

WHEREAS, C.R.S. § 31-15-103 authorizes the City Council of the City of Salida (“Council”) to adopt ordinances necessary to provide for the health, safety, and welfare of the City; and

WHEREAS, C.R.S. Article 16, Part 2 authorizes the Council to adopt codes by reference; and

WHEREAS, pursuant to this authority, the Council previously adopted by reference and made local amendments to prior additions of several International and National Codes and codified such Codes and amendments within Chapter 18 of the Salida Municipal Code (“Code”); and

WHEREAS, the City of Salida (“City”), through an Intergovernmental Agreement (“IGA”), utilizes the Chaffee County Building Department as the Building Official for the City to perform all duties required of such official under the City’s Building Code Regulations, Chapter 18 of the Code, and as set forth in the IGA; and

WHEREAS, pursuant to the terms of the IGA, the existing Building Codes of the City and County will remain substantially similar and no changes to the City Codes are required until such time as the City and County adopt new codes, recognizing that there are some local amendments which each jurisdiction has independently adopted; and

WHEREAS, the IGA establishes that the City shall, within 90 days, adopt changes to their Building Code to reflect changes to the County Code as adopted by the County from

time to time and the County shall work with the City during the Code adoption process to ensure adopted Codes are acceptable to both entities; and

WHEREAS, the Council recognizes the value of the various International and National Codes as providing commonly adopted uniform standards for public health, safety, and welfare issues relating to the subject matter of each and as the standards recommended by the City Building Official; and

WHEREAS, first reading was January 2, 2024, and second reading and a public hearing on this Ordinance was January 16, 2024, and proper notice thereof was provided pursuant to C.R.S. § 31-16-203; and

WHEREAS, penalties for violating the International and National Codes adopted hereby are set forth in full in this Ordinance and shall be published in full after final adoption pursuant to C.R.S. § 31-16-204; and

WHEREAS, Chaffee County adopted the various codes on December 12, 2023 with an effective date of March 1, 2024; and

WHEREAS, this Ordinance will have an effective date of March 1, 2024.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO, AS FOLLOWS:

Section 1: Code Section 18-1-10, concerning the adoption of the International Building Code by reference, is hereby amended as follows:

Section 18-1-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference Chapters 1 through 35 and Appendix **Chapters C, G, H, and I** of the International Building Code (IBC), ~~2015~~ **2021** Edition, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards regulating the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures, unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code as amended in Section 18-1-30.

Section 2: Code Section 18-1-30, adopting certain amendments to the IBC adopted by Code Section 18-1-10, is hereby amended to read in its entirety as follows:

Section 18-1-30. Amendments.

The following chapters, sections, subsections, paragraphs, and appendices of the IBC are hereby amended as follows:

(1) Section 101.1 is amended to read:

101.1 Title. These regulations shall be known as the Building Code of the City of Salida, hereinafter referred to as “this Code.”

(2) Section 101.4.3 is amended to read:

101.4.3. Plumbing. Replace “International Private Sewage Disposal Code” with “Chaffee County On-site Wastewater Treatment System Regulations.”

(3) Delete Section **105.1.1 Annual Permit** in its entirety.

(4) Delete Section **105.1.2 Annual Records** in its entirety.

(5) Section 105.2 is amended as follows:

105.2 Work Exempt from Permits.

Building:

[Delete this subsection in its entirety and amend to read as follows]

1. One-story detached accessory structures used as tool sheds, storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet. Such structures shall not be used as habitable spaces, sleeping rooms or for vehicle storage. Structures that have a roof overhang greater than 24”, measured on a horizontal plane from the exterior wall, shall be subject to permitting. Any electrical, mechanical, or plumbing work performed on such structures shall require permitting and inspection.”

[Add to the beginning of this exception]

5. “Other than cisterns for fire and domestic water supply tanks . . .”

(6) Section 107.2.1 is amended by the addition of the following:

107.2.1 Information on Construction Documents.

[Add]

“Plans shall also include location of utilities, private well and wastewater sites, ditches, rivers, lakes, drainages, slopes greater than 30%, accesses and road grades at access to Rights-of-way.”

(7) Section 113 is amended to read in its entirety:

113 Board of Appeals. Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in the City of Salida Municipal Code Chapter 18, Article VIII, entitled Appeals Process. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

(8) Section 202 is amended by the addition of the following:

202 Definitions.

[Add]

BEDROOM. See sleeping room.

SLEEPING ROOM. A sleeping room or bedroom herein is defined as a habitable space, which may be used for sleeping which contains a closet 16 inches or greater in depth, an emergency escape and rescue opening and a smoke alarm.

(9) Section 310.4 is amended as follows:

310.4 Residential Group R-3. Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I including:

[Change to]

“Buildings that do not contain more than **four** dwelling units.”

[All other text in this section to remain unchanged].

(10) Section 502.1 is amended to read:

502.1 Address identification.

All buildings, new and existing (when required) shall be provided with an approved permanent address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address signage placed at the roadway, street or driveway shall be placed a minimum of thirty (30) inches above the grade. Address identification characters shall contrast with their background and be reflective. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches in height with a stroke width of not less than ½ inch. Where required by the code official, address identification shall be provided in additional approved locations to facilitate emergency

response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign shall be used to identify the structure. Address identification shall be posted at the start of construction (prior to the first required inspection). The permanent address identification shall be completed and installed prior to the final building inspection and shall thereafter be maintained by the property owner.

Exception:

1. Alteration of the character height and stroke width requirements may be approved by the Fire Protection District having jurisdiction authority.

(11) Section 903.2.8 is amended by the addition of the following:

903.2.8 Group R.

[Add]

“Exception: Group R-3 portions of buildings not more than 3 stories above grade plane and not required to be provided with an automatic sprinkler system by other sections of this code.”

[All other text in this subsection to remain unchanged].

(12) Section 1503 is amended by addition of the following:

[Add new subsection to read as follows]

1503.2.2 Penetrations.

Roof jacks, vents and similar roof penetrations shall not be located less than 24 inches from the center of a valley to the closest edge of the penetration.

(13) Section 1604.1 is amended to read as follows:

1604.1 General.

Commercial building structures and all portions thereof shall be designed by a Colorado Licensed Architect or Engineer. This shall include without limitation: soils, footings, foundations, structural building design, calculations, loads, energy, electrical, mechanical, plumbing and elevators. All plan submittals, as identified above, shall bear the stamp and signature of the appropriate Colorado Licensed Architect or Engineer, except as provided in Article 27 of the National Electric Code. The *Building Official* may waive these requirements when in accordance with Colorado State statutes.

(14) Section 1608.1 is amended as follows:

1608.1 General.

[Add]

“,but in no case shall they be permitted to be reduced to less than 35 pounds per square foot.”

[All other text in this subsection to remain unchanged].

(15) Section 1608.2 is amended to read:

1608.2 Ground Snow Loads.

The ground snow loads to be used in determining the design snow loads for roofs shall be determined in accordance with Figure 1608.2(1) the Chaffee County Snow Load Zones Map and the Elevation and Snow Load Zone Table. Ground snow loads for sites at elevations above the limits indicated in Figure 1608.2(1) and for all sites within the CS areas shall be determined from the Chaffee County Snow Load Zones Map and the Elevation and Snow Load Zone Table. Design snow loads may be reduced in accordance with ASCE 7, but in no case shall they be permitted to be reduced to less than 35 pounds per square foot.

(15) Section 1609.3 is amended to read:

1609.3 Basic Design Wind Speed.

“The basic design wind speed, V, in mph, within the entirety of Chaffee County, Colorado, shall be 115 miles per hour (ultimate design wind speed.)”

(16) Section 1809.5 is amended as follows:

1809.5 Frost Protection. Except where otherwise protected from frost, foundations, and other permanent support of buildings or structures shall be protected from frost by one or more of the following methods:

1. [Delete this subsection in its entirety and replace with]:

Extending a minimum of 24 inches below finished grade for locations up to 8,000 feet of elevation above sea level, a minimum of 30 inches below finished grade for locations with an elevation between 8,001 – 10,000 feet above sea level and 36 inches below finished grade for locations with an elevation of greater than 10,000 feet above sea level.

[All other text in this section to remain unchanged].

(17) Section 2701.1 is amended to read:

2701.1 Scope.

The provisions of the National Electric Code (NEC), adopted by the State of Colorado and the City of Salida, shall apply to the installation of electrical systems, including without limitation: alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances thereto.

(18) Section 2901.1 is amended as follows:

2901.1 Scope.

[Delete]

“International Private Sewage Disposal Code”

[Replace with]

“Chaffee County On-Site Wastewater Treatment Regulations.”

(19) Section 3303.1 is amended by addition of the following:

3303.1 Construction Documents.

[Add to end of subsection to read as follows]:

It shall be the responsibility of the owner, owner’s authorized agent, permit applicant or contractor to comply with State of Colorado regulations with regard to demolition and the removal of asbestos or lead-based paint. A permit for demolition and/or asbestos remediation is required to be issued prior to the start of demolition or remediation.

(20) Chapter 35 is amended as follows:

Chapter 35 Referenced Standards. Delete references to “IPSDC-21 International Private Sewage Disposal Code.”

Section 18-1-40. Violations, Penalties.

It shall be unlawful for any person, owner, occupant, or contractor to erect, construct enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip, or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Section and the IBC. Violations of this Section and/or the IBC shall be punishable by a fine not to exceed two thousand six hundred fifty dollars (\$2,650.00). A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Section occurs or continues unabated.

Section 3: Code Section 18-2-10, concerning the adoption of the International Residential Code by reference, is hereby amended as follows:

Section 18-2-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference Chapters 1 through 44 including Appendix Chapters AA, AB, AC, AG, AH, AJ, AN and AO of the International Residential Code (IRC), ~~2015~~ **2021** Edition, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one (1) and two (2) family dwellings and multiple single family dwellings (townhouses) not more than three (3) stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions, and terms of said Residential Code as amended in Section 18-2-30.

Section 4: Code Section 18-2-30, adopting certain amendments to the IRC adopted by Code Section 18-2-10, is hereby amended to read in its entirety as follows:

Section 18-2-30. Amendments.

The following chapters, sections, subsections, paragraphs, and appendices of the IRC are hereby amended as follows:

(1) Section R101.1 is amended to read:

R101.1 Title. These provisions shall be known as the Residential Code for One- and Two-Family Dwellings and Townhouses Not More Than Three Stories in Height Above Grade Plane with a Separate Means of Egress and Their Accessory Structures of the City of Salida, Colorado and shall be cited as such and will be referred to herein as “this Code.”

(2) Section R102.4.1 is amended to read:

R102.4.1 Conflicts.

When conflicts occur between provisions of this code and referenced codes and standards, the provisions of the most current version of the National Electric Code (NEC), as adopted by the State of Colorado and the City of Salida, shall apply. The National Electric Code shall apply to the installation of electrical systems, including without limitation: alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances thereto and reference the most current version of the National Electric Code (NEC), as adopted by the State of Colorado and the City of Salida Chaffee County Board of County Commissioners.

(3) Section R105.2 is amended as follows:

R105.2 Work Exempt from Permit.

[Delete #1 in its entirety and replace with]:

1. "One-story detached accessory structures used as tool sheds, storage sheds, playhouses, and similar uses, provided the floor area does not exceed 200 square feet. Such structures shall not be used as habitable spaces, sleeping rooms or for vehicle storage. Structures that have a roof overhang greater than 24", measured on a horizontal plane from the exterior wall, shall be subject to permitting. Any electrical, mechanical or plumbing work performed on such structures shall require permitting and inspection."

[Add #11]

11. "Temporary membrane structures such as canopies or tents used for residential events."

(4) Section R108.5 is amended to read:

R108.5 Refunds.

The building official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected. The building official may authorize the refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with the code. The building official may authorize refunding of not more than 80% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review has been done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of the fee payment.

(5) Section R109 is amended by addition of the following:

R109 Inspections.

[Add new subsections to read as follows]

R109.1.1.1 Damp Proofing. All required damp proofing shall be inspected prior to backfill and shall remain exposed and uncovered until inspection approval is received.

R109.1.1.2 Foundation Drains. All required foundation drains shall be inspected prior to backfill and shall remain exposed and uncovered until inspection approval is received.

(6) Section R112 is amended to read in its entirety:

R112 Board of Appeals. Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in the City of Salida Municipal Code Chapter 18, Article VIII, entitled Appeals Process. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

(7) Section R202 is amended by addition of the following:

R202 Definitions.

[Add]

BEDROOM. See Sleeping Room.

SLEEPING ROOM. A sleeping room or bedroom herein is defined as a habitable space, which may be used for sleeping which contains a closet 16 inches or greater in depth, an emergency escape and rescue opening and a smoke alarm.

TINY HOME. A *dwelling* that is permanently constructed on a vehicle chassis, is designed for long-term residency, includes electrical, mechanical or plumbing services that are fabricated, formed or assembled at a location other than the site of the completed home, is not self-propelled and that is 400 square feet or less in floor area excluding *lofts*. A Tiny Home may be installed on a temporary or permanent foundation.

TINY HOUSE. A *dwelling* that is 400 square feet or less in floor area excluding *lofts*. A Tiny House may only be installed on a permanent foundation.

(8) Table R301.2(1) is amended to read:

Table R301.2(1) – Climatic and Geographic Design Criteria

Ground Snow Load: In accordance with Snow Load Map and Elevation/Zone Table

Wind Speed: 115 mph (ultimate design wind speed)

Topographic Effects: No

Special Wind Region: No

Wind-borne Debris Zone: No

Seismic Design Category: C unless geotechnical study indicates otherwise

Weathering: Severe

Frost Line Depth: 0 feet to 8,000 feet above sea level – 24” below finished grade
 8,001 feet to 10,000 feet above sea level – 30” below finished grade
 10,001 feet and above – 36” below finished grade

Termite: None to slight

Ice Barrier Underlayment Required: Yes, per 2021 International Residential Code R905.1.2

Flood Hazards: Entered NFI Program 02/10/87 through Resolution 1987-7, Flood Insurance Study Dated 03/04/87, Panel Numbers all begin with 08015C and are followed by; 0025, 0075, 0100, 0150, 0200, 0300, 0304, 0307, 0308, 0309, 0315, 0328, 0330, 0335, 0340, 0425, 0428, 0429, 0430, 0435, 0445, 0455, 0460, 0465, 0470, 0541, 0542, 0555, 0560, 0562, 0566, 0568, 0568, 0580, 0585, 0588, 0589, 0591, 0592, 0593, 0594, 0611, 0613, 0615, 0625, 0660, 0677, 0680 all followed by suffix D (48 panels plus index)

Air Freezing Index: 1,500

Mean Annual Temp: 40 ° F.

Manual J Design Criteria

Elevation: 7300

Latitude: 38°

Altitude Correction Factor:

8,000 ft. – 0.75

9,000 ft. – 0.72

10,000 ft. – 0.69

12,000 ft. – 0.63

Daily Range: H

Coincident Wet Bulb: 55° F.

Indoor Summer Design Relative Humidity: 45%

Indoor Winter Design Dry-bulb Temperature: 70° F.

Summer Design Gains: 2 BTUH/Hr./SF or 0.5W/SF

Indoor Summer Design Dry-bulb Temperature: 75° F.

Outdoor Winter Design Dry-bulb Temperature: -10° F.

Outdoor Summer Design Dry-bulb Temperature: 90° F.

Heating Temperature Difference: 80° F.

Cooling Temperature Difference: 15° F.

- (9) Delete **Section R302.13 Fire Protection of Floors** in its entirety.
- (10) Delete **Section R313.1 Townhouse Automatic Fire Sprinkler Systems** in its entirety.
- (11) Delete **Section R313.2 One and Two-Family Dwellings Automatic Sprinkler Systems** in its entirety.
- (12) Section R315.3 is amended to read:

R315.3 Location.

Carbon monoxide alarms in dwelling units shall be installed outside of each separate sleeping room or area, within 15 feet of the entrance to each sleeping room or area. Alarms shall be installed in dwelling units which contain fuel-fired appliances and in dwelling units with an attached garage that has an opening that communicates with the dwelling unit. Where a fuel-burning appliance is located within a bedroom or its attached bathroom, a carbon monoxide alarm shall be installed within the bedroom.

(13) Section R319.1 is amended to read:

R319.1 Address Identification.

All buildings, new and existing (when required) shall be provided with an approved permanent address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address signage placed at the roadway, street or driveway shall be placed a minimum of thirty (30) inches above the grade. Address identification characters shall contrast with their background and be reflective. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches in height with a stroke width of not less than ½ inch. Where required by the code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign shall be used to identify the structure. Address identification shall be posted at the start of construction (prior to the first required inspection.) The permanent address identification shall be completed and installed prior to the final building inspection and shall thereafter be maintained by the property owner.

Exception:

1. Alteration of the character height and stroke width requirements may be approved by the Fire Protection District having jurisdiction authority.

(14) Section R402.1 is amended to read:

R402.1 Wood Foundations.

Wood foundation systems shall be designed by a Colorado Licensed Architect or Engineer.

(15) Section R403.1 is amended as follows:

R403.1 General.

[Delete last sentence and replace with the following]

“Footings shall be designed by a Colorado Licensed Architect or Engineer or be designed and constructed in accordance with the Chaffee County Minimum Footing and Foundation Requirements contained in Exhibit M.”

(16) Section R403.1.4.1 #3 and #4 are amended as follows:

R403.1.4.1 Frost Protection.

#3 Constructed in accordance with the Chaffee County Minimum Footing and Foundation Requirements contained in Exhibit M.

#4 Erected on solid rock using a design prepared by a Colorado Licensed Architect or Engineer.

(17) Section R404.1.3 is amended to read:

R404.1.3 Concrete foundation walls.

Concrete foundation walls that support light-frame walls shall be designed by a Colorado Licensed Architect or Engineer or be designed and constructed in accordance with the Chaffee County Minimum Footing and Foundation Requirements contained in Exhibit M. Concrete foundation walls that support above-grade concrete walls that are within the applicability limits of Section R608.2 shall be designed by a Colorado Licensed Architect or Engineer or be designed and constructed in accordance with the Chaffee County Minimum Footing and Foundation Requirements contained in Exhibit M. Concrete foundation walls that support above-grade concrete walls that are not within the applicability limits of Section R608.2 shall be designed by a Colorado Licensed Architect or Engineer.

(18) Section R507.2.4 is amended by addition of the following:

R507.2.4 Flashing.

[Add]

Water-resistive barrier shall be placed between the deck ledger and the structure substrate.

(19) Section R507.3.1 is amended to read:

R507.3.1 Minimum size.

Footings for decks shall be designed by a Colorado Licensed Architect or Engineer or be designed and constructed in accordance with the Chaffee County Minimum Footing and Foundation Requirements contained in Exhibit M.

(20) Section R507.3.2 is amended to read:

R507.3.2 Minimum depth.

Deck footings shall be extended below the frost line as specified in Table R301.2.

(21) Delete **Section R507.9.2 Lateral Connection** in its entirety.

(22) Section R903 is amended by addition of the following:

[Add new subsection to read as follows]

R903.2.3 Penetrations.

Roof jacks, vents and similar roof penetrations shall not be located less than 24 inches from the center of a valley to the closest edge of the penetration.

(23) Delete **Section R1004.4 Unvented Gas Log Heaters** in its entirety.

(24) Delete **Section G2406.2 (303.3) Prohibited Locations. Exception # 3** in its entirety.

(25) Delete **Section G2406.2 (303.3) Prohibited Locations. Exception # 4** in its entirety.

(26) Section G2414.3 (403.4.3) is amended to read:

G2414.3 (403.4.3) Copper or Copper-Alloy Tubing.

Copper and copper-alloy piping shall not be used on natural gas systems.

(27) Section G2445 (621) is amended to read:

G2445 (621) Unvented Room Heaters.

Unvented room heaters are prohibited.

(28) Delete **Section P2503.6 Shower Liner Test** in its entirety.

(29) Section P2601.1 is amended to read:

P2061.1 Scope.

The provisions of this chapter and the 2021 International Plumbing Code, as amended and adopted by the State of Colorado and as adopted by the Chaffee County Board of County Commissioners shall govern the installation of plumbing, appliances, equipment, and plumbing systems. If there is a conflict between this code and the 2021 International Plumbing Code, as amended and adopted by the State of Colorado and the Chaffee County Board of County Commissioners, the more restrictive shall govern.

(30) Section P2602.1 is amended as follows:

Section P2602.1 General.

[Delete]

“International Sewage Disposal Code”

[Replace with]

“Chaffee County On-Site Wastewater Treatment System Regulations.”

(31) Section P2603.5.1 is amended to read:

Section P2603.5.1 Sewer Depth.

Building sewers that connect to private sewage disposal systems shall not be less than 24 inches below finished grade at the point of septic tank connection. Building sewers shall not be less than 24 inches below grade. When site restrictions negate the ability to comply with this minimum depth requirement, an alternate design shall be submitted to the *building official* for approval.

(32) Section P2901.1 is amended as follows:

Section P2901.1 Potable Water Required.

[Delete the following language from this subsection]

“treated rainwater, treated graywater or”

[All other text in this subsection to remain unchanged].

(33) Section P2904.1 is amended by addition of the following:

Section P2904.1 General

[Add the following language to the beginning of this subsection]

Automatic fire sprinkler systems are not required to be installed in one- or two-family dwellings and townhouses. Automatic fire sprinkler systems that are installed in one- and two-family dwellings and townhouses shall comply with the regulations and requirements of Section P2904.

[All other text in this subsection to remain unchanged]

(34) Section P2913.1 is amended by addition of the following:

Section P2913.1 General.

[Add the following language as the last sentence to this subsection]

The use and application of non-potable water shall comply with laws, rules, and ordinances applicable in the jurisdiction.

(35) Delete **Section P3009 Graywater Soil Absorption Systems** in its entirety.

(36) Appendix AQ102.1 is amended by addition of the following:

Appendix AQ102.1 Definitions General.

[Add the following definitions to this subsection]

TINY HOME. A dwelling that is permanently constructed on a vehicle chassis, is designed for long-term residency, includes electrical, mechanical, or plumbing services that are fabricated, formed, or assembled at a location other than the site of the completed home, is not self-propelled and that is 400 square feet or less in floor area excluding lofts. A Tiny Home may be installed on a temporary or permanent foundation.

TINY HOUSE. A dwelling that is 400 square feet or less in floor area excluding lofts. A Tiny House may only be installed on a permanent foundation.

Section 18-2-40. Violations, Penalties.

It shall be unlawful for any person, owner, occupant, or contractor to erect, construct enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Section and the IRC. Violations of this Section and/or the IRC shall be punishable by a fine not to exceed two thousand six hundred fifty dollars (\$2,650.00). A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Section occurs or continues unabated.

Section 5: Code Section 18-3-10, concerning the adoption of the International Fire Code by reference, is hereby amended as follows:

Section 18-3-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference the Chapters 1-80 and Appendices B, C, D, F, H and I of the ~~2015~~ **2021** International Fire Code (**IFC**), published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478, to have the same force and effect as if set forth herein in every particular; provided however, that such code shall be amended by the changes set forth in Section 18-3-30 below.

Section 6: Code Section 18-3-30, adopting certain amendments to the IFC adopted by Code Section 18-3-10, is hereby amended to read in its entirety as follows:

Section 18-3-30. Amendments.

The following chapters, sections, subsections, paragraphs, and appendices of the IFC are hereby amended as follows:

(1) Section 101.1 is amended to read:

101.1 Title. These regulations shall be known as the Fire Code of the City of Salida, and will be cited as such and will be referred to herein as “this Code.”

(2) Section 102.1 is amended by addition of the following:

Section 102.1 Applicability. Construction and Design Provisions.

[Add the following as the last sentence to this subsection].

This Fire Code shall not apply to structures governed by the International Residential Code, specifically one- and two-family dwellings and townhouses or to those agricultural and other buildings exempt from building permits. Existing buildings and structures built in compliance with the codes in effect at the time of construction are not subject to the requirements of this code, except for commercial, industrial or multi-family residential structures being renovated or altered.

(3) Section 103.1 is amended to read:

103.1 Creation of Agency.

The Chaffee County Building Safety Department is hereby established as the Authority Having Jurisdiction (AHJ) with respect to the structure related portions of active permits. The Salida Fire Department is hereby established as the Authority Having

Jurisdiction (AHJ) within their respective boundaries for all other provisions of this code, specifically including fire suppression supply requirements.

- (4) Section 105.1 is amended by addition of the following:

Section 105.1 General.

[Add the following sentences to the beginning of the subsection]

The Chaffee County Building Safety Department is responsible for the issuance of construction permits in accordance with the requirements of the Building Codes as adopted by Chaffee County. When conflicts between the Chaffee County Building Codes and the Fire Code requirements for application, issuance, posting, inspection and enforcement for construction permits occur, the adopted Chaffee County Building Codes shall govern.

- (5) Section 111.1 is amended to read in its entirety:

111 Board of Appeals. Appeals of decisions and determinations made by the Building Official or the fire code official shall comply with the process and procedures set forth in the City of Salida Municipal Code Chapter 18, Article VIII, entitled Appeals Process.

- (6) Delete **Section 111.3 Qualifications** in its entirety.

- (7) [BG] Residential Group R-3 List Item 1 is amended as follows:

[BG] Residential Group R-3 List Item 1

[Amend List Item 1 as follows]

Buildings that do not contain more than four dwelling units.

[All other text in this section to remain unchanged]

- (8) Section 307 **Open Burning, Recreational Fires and Portable Outdoor Fireplaces** is amended as follows:

307.1 General.

A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless burning is for agricultural purposes and is in accordance with this section. The City of Salida shall comply with all open burning regulations in accordance with Chaffee County Ordinance 2018-03.

307.2 Permit Required.

[Delete subsection in its entirety.]

307.3 Extinguishment authority.

[Delete subsection in its entirety.]

(9) Section 505.1 is amended to read:

Section 505.1 Address Identification.

All buildings, new and existing (when required) shall be provided with an approved permanent address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address signage placed at the roadway, street or driveway shall be placed a minimum of thirty (30) inches above the grade. Address identification characters shall contrast with their background and be reflective. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches in height with a stroke width of not less than ½ inch. Where required by the code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign shall be used to identify the structure. Address identification shall be posted at the start of construction (prior to the first required inspection.) The permanent address identification shall be completed and installed prior to the final building inspection and shall thereafter be maintained by the property owner.

Exception:

1. Alteration of the character height and stroke width requirements may be approved by the Fire Protection District having jurisdiction authority.

(10) Section 510 is amended to read:

Section 510 Emergency Responder Radio Coverage.

The Fire Chief of the Authority Having Jurisdiction (AHJ) may require signal boosters if deemed necessary.

(11) Section 903.2.8 is amended by addition of the following:

Section 903.2.8 Group R.

[Add the following exception to the end of this subsection]

Exception: Group R-3 portions of buildings not more than 3 stories above grade plane and not required to be provided with an automatic sprinkler system by other sections of this code.

(12) Appendix C103.3 is amended by addition of the following:

Appendix C103.3 Maximum Spacing.

[Add the following exception to the end of this subsection]

Exception: The Fire Chief may grant an exception to hydrant spacing requirements when, in the opinion of the Fire Chief, there are extenuating circumstances and the increase of hydrant spacing does not limit suppression capabilities.

(13) Appendix D102.1 is amended by addition of the following:

Appendix D102.1 Access and Loading.

[Add the following exception to the end of this subsection]

Exception: The Fire Chief may grant an exception to fire apparatus access requirements when, in the opinion of the Fire Chief, there are extenuating circumstances, and the decrease does not limit response and suppression capabilities.

Sec. 18-3-40. Enforcement.

The Fire Chief shall enforce this Article and may issue summonses and complaints for violations of this Article on his or her own authority, or may request that summonses and complaints be issued by any police officer.

Sec. 18-3-50. Violations, penalties.

The municipal court shall have jurisdiction to hear all violations of this Article and, in the event that a violation is of a continuing nature, each day during which such violation continues shall be deemed a separate offense, subject to fine not to exceed two thousand six hundred fifty dollars (\$2,650.00) for each such separate offense pursuant to Section 109.3 of the IFC.

Sec. 18-3-60. Establishing limits.

Sections 5704.2.9.6.1, 5706.2.4.4, 5806.2, and 6104.2 of the IFC reference limits established by this Article as the limits of districts in which storage is prohibited. In all of those cases, the limits of the district in which such storage is prohibited shall be the City limits.

Section 7: Code Section 18-4-10, concerning the adoption of the International Existing Building Code by reference, is hereby amended as follows:

Section 18-4-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference Chapters 1 through 16 and Appendix B of the ~~2015~~ **2021** International Existing Building Code (**IEBC**), published by the International Code Council, Inc., 4051 West Flossmoor Road, County Club Hills, IL 60478, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards regulating the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings, as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions, and terms of said Existing Building Code as amended in Section 18-4-30.

Section 8: Code Section 18-4-30, adopting certain amendments to the IEBC adopted by Code Section 18-4-10, is hereby amended to read in its entirety as follows:

Section 18-4-30. Amendments.

The following chapters, sections, subsections, paragraphs, and appendices of the IEBC are hereby amended as follows:

(1) Section 101.1 is amended to read:

101.1 Title. These regulations shall be known as the Existing Building Code of the City of Salida, hereinafter referred to as “this Code.”

(2) Section 112 is amended to read in its entirety:

112 Board of Appeals. Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in the City of Salida Municipal Code Chapter 18, Article VIII, entitled Appeals Process. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

Section 18-4-40. Violations, Penalties.

It shall be unlawful for any person, owner, occupant, or contractor to erect, construct enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Section and the IEBC. Violations of this Section and/or the IEBC shall be punishable by a fine not to exceed two thousand six hundred fifty dollars (\$2,650.00). A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Section occurs or continues unabated.

Section 9: Code Section 18-5-10, concerning the adoption of the International Plumbing Code by reference, is hereby amended as follows:

Section 18-5-10. Adoption.

The City of Salida hereby adopts Chapters 1 through 15 and Appendices B, C, and E of the most current edition of the Colorado Plumbing Code, currently the ~~2015~~ **2021** International Plumbing Code (**IPC**), published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 61478, to have the same force and effect as if set forth herein in every particular. New editions of the Colorado Plumbing Code shall become effective twelve (12) months after adoption of such new edition by the Colorado Plumbing Board. The subject matter of the adopted code includes comprehensive provisions and standards regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code as amended in Section 18-5-30.

Section 10: Code Section 18-5-30, adopting certain amendments to the IPC adopted by Code Section 18-5-10, is hereby amended to read in its entirety as follows:

Section 18-5-30. Amendments.

The following chapters, sections, subsections, paragraphs, and appendices of the IPC are hereby amended as follows:

- (1) Section 101.1 is amended to read:

101.1 Title. These regulations shall be known as the Plumbing Code of the City of Salida, and will be cited as such and will be referred to herein as "this Code."

- (2) Section 102.1 is amended by addition of the following:

102.1 General.

[Add the following as the last sentence to this subsection]

Where there is a conflict between the International Building Code, the International Residential Code, and this code, this code shall govern.

- (3) Section 113 is amended to read in its entirety:

Section 113 Means of Appeal. Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in the City of Salida Municipal Code Chapter 18, Article VIII, entitled Appeals Process. An application

for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

- (4) Section 312.1 is amended as follows:

312.1 Required Tests.

[Delete the following words and sentences]

“for piping systems other than plastic” and “After the plumbing fixtures have been set and their traps filled with water, the entire drainage system shall be submitted to final tests. The code official shall require the removal of any cleanouts if necessary to ascertain whether the pressure has reached all parts of the system.”

- (5) Section 312.3 is amended as follows:

312.3 Drainage and Vent Air Test.

[Delete the following words]

“Plastic piping shall not be tested using air.”

- (6) Delete **Section 312.4 Drainage and Vent Final Test** in its entirety.

- (7) Section 312.5 is amended as follows:

Section 312.5 Water Supply System Test.

[Delete the following words]

“for piping systems other than plastic”

- (8) Delete **Section 312.6 Gravity Sewer Test** in its entirety.

- (9) Delete **Section 312.7 Forced Sewer Test** in its entirety.

- (10) Delete **Section 312.9 Shower Liner Test** in its entirety.

- (11) Section 312.10.1 is amended by addition of the following:

Section 312.10.1 Inspections.

[Add the following as the last sentence to this subsection]

The premise owner or responsible party shall have the backflow prevention assembly tested by a certified cross-connection control technician at the time of installation, repair or relocation.

(12) Section 608.18 is amended to read:

Section 608.18 Protection of Individual Water Supplies.

Water wells are regulated by the Colorado Division of Water Resources.

(13) Section 903.1.1 is amended to read:

903.1.1 Roof Extension Unprotected.

Open vent pipes that extend through the roof shall not be terminated not less than 12 inches above the roof.

(14) Delete **Section 903.2 Frost Closure** in its entirety.

(15) Section 1003.1 is amended to by addition of the following exception:

Section 1003.1 Where Required.

Exception: Where special regulations exist by the local wastewater and/or sanitation district into which the grease trap or interceptor effluent is transported and/or treated. These regulations may supersede this requirement.

Section 18-5-40. Violations, Penalties.

It shall be unlawful for any person, owner, occupant, or contractor to erect, construct enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Section and the IPC. Violations of this Section and/or the IPC shall be punishable by a fine not to exceed two thousand six hundred fifty dollars (\$2,650.00). A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Section occurs or continues unabated.

Section 11: Code Section 18-6-10, concerning the adoption of the International Mechanical Code by reference, is hereby amended as follows:

Section 18-6-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference Chapters 1 through 15 **and Appendix A** of the ~~2015~~ **2021** International Mechanical Code (**IMC**), published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills,

IL 60478, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code as amended in Section 18-6-30.

Section 12: Code Section 18-6-30, adopting certain amendments to the IMC adopted by Code Section 18-6-10, is hereby amended to read in its entirety as follows:

Section 18-6-30. Amendments.

The following chapters, sections, subsections, paragraphs, and appendices of the IMC are hereby amended as follows:

- (1) Section 101.1 is amended to read:

101.1 Title. These regulations shall be known as the Mechanical Code of the City of Salida and will be cited as such and will be referred to herein as “this Code.”

- (2) Section 113 is amended to read in its entirety:

113 Means of Appeal. Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in the City of Salida Municipal Code Chapter 18, Article VIII, entitled Appeals Process. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

- (3) Delete **Section 504.3 Cleanout** in its entirety.

- (4) Delete **Section 903.3 Unvented Gas Log Heaters** in its entirety.

Section 18-6-40. Violations, Penalties.

It shall be unlawful for any person, owner, occupant, or contractor to erect, construct enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip, or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Section and the IMC. Violations of this Section and/or the IMC shall be punishable by a fine not to exceed two thousand six hundred fifty dollars (\$2,650.00). A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Section occurs or continues unabated.

Section 13: Code Section 18-7-10, concerning the adoption of the National Electric Code by reference, is hereby amended as follows:

Section 18-7-10. Adoption.

The City of Salida hereby adopts the most current edition of the National Electric Code which has been adopted by the Colorado State Electrical Board, published by the National Fire Protection Association, Inc., One Batterymatch Park, Quincy, MA 02169-7471, to have the same force and effect as if set forth herein in every particular. New editions of the National Electrical Code shall become effective twelve (12) months after adoption of such new edition by the Colorado State Electrical Board. The subject matter of the adopted code includes comprehensive provisions and standards regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, replacement, addition to, use, or maintenance of electrical systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Electrical Code.

Section 14: Code Section 18-7-30, adopting certain violations and penalties to the National Electric Code adopted by Code Section 18-7-10, is hereby amended to read in its entirety as follows:

Section 18-7-30. Violations, Penalties.

It shall be unlawful for any person, owner, occupant, or contractor to erect, construct enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip, or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Section and the NEC. Violations of this Section and/or the NEC shall be punishable by a fine not to exceed two thousand six hundred fifty dollars (\$2,650.00). A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Section occurs or continues unabated.

Section 15: Code Section 18-12-10, concerning the adoption of the International Fuel Gas Code by reference, is hereby amended as follows:

Section 18-12-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference Chapters 1 through 8 **and Appendix Chapter A** of the ~~2015~~ **2021** International Fuel Gas Code (**IFGC**), published by the International Code Council, Inc., 4051 West Flossmoor Road, County Club Hills, IL 60478, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards regulating fuel gas systems and gas-fired appliances as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions, and terms of said Fuel Gas Code as amended in Section 18-12-30.

Section 16: Code Section 18-12-30, adopting certain amendments to the IFGC adopted by Code Section 18-1-10, is hereby amended to read in its entirety as follows:

Section 18-12-30. Amendments.

The following chapters, sections, subsections, paragraphs, and appendices of the IBC are hereby amended as follows:

- (1) Section 101.1 is amended to read:

101.1 Title. These regulations shall be known as the Fuel Gas Code of the City of Salida, and will be cited as such and will be referred to herein as "this Code."

- (2) Section 114 is amended to read in its entirety:

114 Means of Appeal. Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in the City of Salida Municipal Code Chapter 18, Article VIII, entitled Appeals Process. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

- (3) Delete **Section 303.3 Prohibited Locations Exception # 3** in its entirety.

- (4) Delete **Section 303.3 Prohibited Locations Exception # 4** in its entirety.

- (5) Section 403.3.3 is amended to read:

Section 403.3.3 Copper and Copper Alloy.

Copper and copper alloy pipe shall not be used on natural gas systems.

- (6) Section 403.4.3 is amended to read:

Section 403.4.3 Copper and Copper Alloy Tubing.

Copper and copper alloy tubing shall not be used on natural gas systems.

- (7) Section 404.2 is amended by addition of the following:

Section 404.2 CSST.

[Add the following sentence]

Installation of CSST must be performed by a qualified installer that meets all applicable qualifications of the authority having jurisdiction (AHJ). Qualified certification must be submitted to the building official prior to the inspection of any installed CSST.

- (8) Section 404.20 is amended to read:

404.20 Testing of Piping.

Before any system of piping is put in service or concealed, it shall be permitted with the authority having jurisdiction (AHJ) and shall be tested and inspected by the authority having jurisdiction (AHJ) to ensure it is gastight. Testing, inspection and purging of piping systems shall comply with Section 406.

- (9) Section 406.1.1 is amended to read:

Section 406.1.1 Inspections.

Inspection shall consist of visual examination during or after manufacture, fabrication, assembly, or pressure tests. Inspection shall be performed by the authority having jurisdiction (AHJ) or by an agency or third-party having approval of the building official.

- (10) Section 406.1.2 is amended as follows:

Section 406.1.2 Repairs and Additions.

[Amend the second paragraph to read as follows]

Minor repairs and additions are not required to be tested provided the piping is accessible, limited to a maximum of eight joints and has a total developed length of not more than 6 feet.

- (11) Section 406.6.4 is amended to read:

406.6.4 Placing Appliances and Equipment in Operation.

Gas piping or equipment that has been out of service for a period of longer than six (6) months shall be permitted to be placed in operation only after the piping system has been inspected, tested, and purged per Section 406 (IFGS) of the 2021 International Fuel Gas Code and found to be free from leakage.

- (12) Section 406.6 is amended by addition of the following:

[Add new subsection to read as follows]

Subsection 406.6.5 Disconnected Piping Systems.

When existing piping is disconnected from the source of supply (gas meter removed, gas tank removed, etc.) for more than six (6) months, the piping shall be retested and

inspected in accordance with the requirements of Section 406 (IFGS) of the 2021 International Fuel Gas Code.

(13) Delete **Section 614.3 Cleaning Access** in its entirety.

(14) Section 621 is amended to read:

Section 621 (IFGC) Unvented Room Heaters.

Unvented room heaters are prohibited.

Section 18-12-40. Violations, Penalties.

It shall be unlawful for any person, owner, occupant, or contractor to erect, construct enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip, or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Section and the IFGC. Violations of this Section and/or the IFGC shall be punishable by a fine not to exceed two thousand six hundred fifty dollars (\$2,650.00). A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Section occurs or continues unabated.

Section 17: Code Section 18-13-10, concerning the adoption of the International Energy Conservation Code by reference, is hereby amended as follows:

Section 18-13-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference Chapters 1 [CE] through 6 [CE] and Chapter 1 [RE] – 6 [RE] of the International Energy Conservation Code (IECC), ~~2006~~ 2021 Edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards regulating energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions, and terms of said Energy Conservation Code as amended in Section 18-13-30.

Section 18: Code Section 18-13-30, adopting certain amendments to the IECC adopted by Code Section 18-13-10, is hereby amended to read in its entirety as follows:

Section 18-13-30. Amendments.

The following chapters, sections, subsections, paragraphs, and appendices of the IECC are hereby amended as follows:

(1) Section C101.1 is amended to read:

C101.1 Title. These regulations shall be known as the Energy Conservation Code of the City of Salida, and will be cited as such and will be referred to herein as "this Code."

(2) Section C110 is amended to read in its entirety:

C110 Board of Appeals. Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in the City of Salida Municipal Code Chapter 18, Article VIII, entitled Appeals Process. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

(3) Section R101.1 is amended to read:

R101.1 Title. These regulations shall be known as the Energy Conservation Code of the City of Salida, and will be cited as such and will be referred to herein as "this Code."

(4) Section R110 is amended to read in its entirety:

R110 Board of Appeals. Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in the City of Salida Municipal Code Chapter 18, Article VIII, entitled Appeals Process. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed

Section 18-13-40. Violations, Penalties.

It shall be unlawful for any person, owner, occupant or contractor to erect, construct enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Section and the IECC. Violations of this Section and/or the IECC shall be punishable by a fine not to exceed two thousand six hundred fifty dollars (\$2,650.00). A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Section occurs or continues unabated.

Section 19: Code Section 18-14-10, concerning the adoption of the International Property Maintenance Code by reference, is hereby amended as follows:

Section 18-14-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference Chapters 1 through 8 of the International Property Maintenance Code (IPMC), ~~2015~~ **2021** Edition,

published by the International Code Council, Inc., 4051 Flossmoor Road, Country Club Hills, IL 60478, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards regulating the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use; and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code as amended in Section 18-14-30.

Section 20: Code Section 18-14-30, adopting certain amendments to the IPMC adopted by Code Section 18-14-10, is hereby amended to read in its entirety as follows:

Section 18-14-30. Amendments.

The following chapters, sections, subsections, paragraphs, and appendices of the IPMC are hereby amended as follows:

- (1) Section 101.1 is amended to read:

101.1 Title. These regulations shall be known as the Property Maintenance Code of the City of Salida, will be cited as such and will be referred to herein as "this Code."

- (2) Section 103.1 is amended to read:

103.1 Creation of Agency.

The official in charge shall be known as the code official. The Chaffee County Building Safety Department and the code official shall oversee the implementation, administration and enforcement of the provisions of this code.

- (3) Section 103.3 is amended to read:

103.3 Deputies. The Chief of Police, Fire Chief and Code Enforcement Officer shall be deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint other deputy code officials, other related technical officers, inspectors, and other employees.

- (4) Section 107 is amended to read in its entirety:

107 Means of Appeal. Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in the City of Salida Municipal Code Chapter 18, Article VIII, entitled Appeals Process. An application for

appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

Section 18-14-40. Violations, Penalties.

It shall be unlawful for any person, owner, occupant, or contractor to erect, construct, enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip, or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Article and the IPMC. Violations of this Article and/or the IPMC may be punishable by a fine not to exceed two thousand six hundred fifty dollars (\$2,650.00). A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Article occurs or continues unabated. As an alternate remedy, after complying with the Notice and Order provisions of IPMC Section 107, the City shall have the right, but not the obligation, to enter the violating property and conduct repairs and/or maintenance necessary to abate a non-emergency violation. The City Administrator shall prepare a statement enumerating the actual costs of abatement and collection plus a surcharge often percent (10%) of the abatement costs to cover inspection and other administrative costs. Such charge shall be payable by the owners at the time of the assessment, personally, and also shall be a perpetual lien upon the respective lots or parcels served relating back to the date upon which the abatement actions were performed. Any such lien may be foreclosed in the same manner as provided by the laws of this state for the foreclosure of mechanics' liens.

Section 21: Code Section 18-16-10, concerning the adoption of the International Swimming Pool and Spa Code by reference, is hereby amended as follows:

Section 18-16-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference Chapters 1 through 11 of the ~~2015~~ **2021** International Swimming Pool and Spa Code (**ISPSC**), published by the International Code Council, Inc., 4051 Flossmoor Road, Country Club Hills, IL 60478, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code governs the general design and construction of public and residential pools and spas and related piping, equipment, and materials; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Swimming Pool and Spa Code as amended in Section 18-16-30.

Section 22: Code Section 18-16-30, adopting certain amendments to the ISPSC adopted by Code Section 18-16-10, is hereby amended to read in its entirety as follows:

Section 18-16-30. Amendments.

The following chapters, sections, subsections, paragraphs, and appendices of the ISPSC are hereby amended as follows:

- (1) Section 101.1 is amended to read:

101.1 Title. These regulations shall be known as the Swimming Pool and Spa Code of the City of Salida, and will be cited as such and will be referred to herein as "this Code."

- (2) Section 103.1 is amended to read:

103.1 Creation of Agency.

The official in charge shall be known as the code official. The Chaffee County Building Safety Department and the code official shall oversee the implementation, administration, and enforcement of the provisions of this code.

- (3) Section 111 is amended to read in its entirety:

111 Means of Appeal. Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in the City of Salida Municipal Code Chapter 18, Article VIII, entitled Appeals Process. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

Section 18-16-40. Violations, Penalties.

It shall be unlawful for any person, owner, occupant or contractor to erect, construct enlarge, alter, repair, move, improve, remove, rehabilitate, convert or equip any swimming pool or spa in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Section. Violations of this Section shall be punishable by a fine not to exceed two thousand six hundred fifty dollars (\$2,650.00). A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Section occurs or continues unabated.

Section 23: A new Article 18, concerning the International Wildland-Urban Interface Code, is hereby added to Chapter 18, concerning Building Regulations, of the Salida Municipal Code, to read as follows:

ARTICLE XVIII. – WILDLAND-URBAN INTERFACE CODE

Section 18-18-10. -Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference Chapters 1 through 9 of the 2021 International Wildland-Urban Interface Code (WUI), published by the International Code Council, Inc., 4051 Flossmoor Road, Country Club Hills, IL 60478, to have the same force and effect as if set forth herein in every particular.

The purpose and subject matter of the WUIC is to prevent wildfire spreading from vegetation to a building by establishing a set of minimum standards to reduce the loss of property from wildfire.

Section 18-18-20. - Copy on file.

At least one (1) copy of the International Wildland-Urban Interface Code has been and is now on file in the office of the City Clerk and may be inspected by any interested persons between the hours of 9:00a.m. and 4:00p.m., Monday through Friday, holidays excepted. The code as finally adopted shall be available for sale to the public through the office of the Building Official

Section 18-18-30. - Amendments.

The following chapters, sections, subsections, paragraphs, and appendices of the WUI are hereby amended as follows:

- (1) Section 101.1 is amended to read:

101.1 Title. These regulations shall be known as the Wildland-Urban Interface Code of the City of Salida, and will be cited as such and will be referred to herein as "this Code."

- (2) Section 103.1 is amended to read:

103.1 Creation of Agency.

The official in charge shall be known as the code official. The Chaffee County Building Safety Department and the code official shall oversee the implementation, administration, and enforcement of the provisions of this code.

- (3) Section 106.3 is amended to read:

Section 106.3 Work exempt from permit.

Unless otherwise provided in the requirements of the *International Building Code*, the *International Residential Code* or the *International Fire Code*, a permit shall not be required for the following:

1. One-story detached accessory structures used as tools sheds, storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet for non-residential use or 200 square feet for residential use. Such structures shall not be used as habitable spaces, sleeping rooms or for vehicle storage. Structures that have a roof overhang greater than 24", measured on a horizontal plane from the exterior wall, shall be subject to permitting. Any electrical, mechanical, or plumbing work performed on such structures shall require permitting and inspection.

2. Fences not over 7 feet high. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code, as amended and adopted, or any other adopted codes, laws, or ordinances of this jurisdiction. Exempt structures must adhere to the required setback distance for property lines and shall not be located within the individual lot identified defensible space. Structures exempt from permits shall be located a minimum of 20 feet from any structure. The code official is authorized to stipulate conditions for permits. Permits shall not be issued where public safety would be at risk, as determined by the code official.

- (4) Section 111.1 is amended to read:

111.1 General.

The certificate of occupancy shall not be issued until a statement of compliance/completion is received by the code official. This statement shall stipulate that the building, structure or premises meet the requirements for code compliance with this code, as amended and adopted. The statement of compliance/completion shall be prepared and submitted by the Fire Protection District having authority. If the Fire Protection District having authority is not providing this inspection service at the time of the requested inspection, the property owner or responsible party may self-certify using the certification document provided by the Chaffee County Building Safety Department or may provide a certificate of completion prepared by an approved third-party forester or mitigation professional. The code official is authorized to accept reports submitted by approved third-party agencies, provided that such agencies satisfy the requirements as to qualifications and reliability and have the approval of the code official.

Exception: Reports submitted to the code official by the Fire Chief or the Fire Chief's authorized representative of the Fire District having authority shall be acceptable without submittal of qualifications.

- (5) Section 113 is amended to read in its entirety:

113 Means of Appeal. Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in the City of Salida Municipal Code Chapter 18, Article VIII, entitled Appeals Process. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

- (6) Section 301.1 is amended to read as follows:

301.1 Scope.

The provisions of this Chapter shall establish and identify the wildland-urban interface area.

(7) Delete **Section 301.2 Objective** in its entirety.

(8) Section 302.1 is amended to read:

Section 302.1 Declaration.

The City of Salida City Council shall declare the wildland-urban interface area within the jurisdiction. The wildland-urban interface area shall be the area of incorporated City of Salida, as defined by the City of Salida Official Zoning Map, as referred to within, Section 16-4-30 of this Code, as adopted by the City of Salida City Council and the Chaffee County Wildfire Risk Map (Exhibit K-1).

(9) Section 302.3 is amended to read:

302.3 Review of Wildland-Urban Interface Areas.

Reevaluation and recommended modification of the wildland-urban interface area may be performed as deemed necessary by the City of Salida City Council.

(10) Section 402.1.1 is amended to read:

402.1.1 Access.

New subdivisions (subdivisions created after the adoption of this Code) shall be provided with fire apparatus access roads in accordance with the City of Salida Land Use Code, the *International Fire Code* and access requirements in accordance with Section 403.

(11) Section 402.1.2 is amended to read:

402.1.2 Water Supply.

New subdivisions (subdivisions created after the adoption of this code) shall provide water supply in accordance with the City of Salida Municipal Code and all applicable regulations.

(12) Section 402.2 is amended to read:

402.2 Individual Structures.

Individual structures shall comply with Section 402.2.1.

(13) Delete **Section 402.2.2 Water Supply** in its entirety.

(14) Delete **Section 402.3 Existing Conditions** in its entirety.

(15) Section 403.2.1 is amended to read:

403.2.1 Dimensions.

Driveways shall provide a clear minimum width of 14 feet and a minimum unobstructed height of 14 feet.

(16) Section 403.2.2 is amended to read:

403.2.2 Length.

Driveways in excess of 150 feet in length shall be provided with turnarounds for emergency vehicles as specified in 403.2.4. Driveways in excess of 400 feet in length shall be provided with turnouts as specified in 403.2.5 in addition to turnarounds.

(17) Section 403.2.5 is amended to read:

403.2.5 Turnouts.

Driveways in excess of 400 feet and at every 400 feet thereafter shall be provided with turnouts. Turnouts shall be a minimum of 10 feet in width and shall be a minimum of 30 feet in length. Driveway turnouts shall be comprised of such material and be constructed to support the weight requirements of a fire apparatus vehicle.

(18) Section 403.6 is amended to read:

403.6 Address Markers.

All buildings, new and existing (when required) shall be provided with an approved permanent address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address signage placed at the roadway, street or driveway shall be placed a minimum of thirty (30) inches above the grade. Address identification characters shall contrast with their background and be reflective. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches in height with a stroke width of not less than ½ inch. Where required by the code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign shall be used to identify the structure. Address identification shall be posted at the start of construction (prior to the first required inspection). The permanent address identification shall be completed and installed prior to the final building inspection and shall thereafter be maintained by the property owner.

Exception:

1. Alteration of the character height and stroke width requirements may be approved by the Fire Protection District having jurisdiction authority.

(19) Section 403.7.1 is amended to read:

403.7.1 Fire Apparatus Access Roads.

The gradient (slope) for fire apparatus access roads shall not exceed the maximum approved per the City of Salia Land Use Code, as adopted by the City of Salida City Council.

(20) Section 403.7.2 is amended to read:

403.7.2 Driveways.

The average gradient (slope) for driveways shall not exceed eight percent (8%). Certification of the driveway gradient must be provided to the code official prior to or as part of a certificate of completion. This certification shall be prepared, signed and sealed by a Colorado Professional Licensed Surveyor, a Colorado licensed Engineer or Architect or by an approved third-party agency. The code official is authorized to accept reports of approved third-party agencies, provided that such agencies satisfy the requirements as to qualifications and reliability and have the approval of the code official. Where this requirement cannot be met due to site restrictions, internal fire sprinklers shall be installed within the habitable space of the structure. Automatic fire sprinkler systems that are installed in one- and two-family dwellings and townhouses shall comply with the regulations and requirements of Section P2904.

(21) Section 501.1 is amended to read:

501.1 Scope.

Buildings, structures, and additions to existing buildings within the City of Salida Wildfire Hazard Mitigation area shall be constructed in accordance with the International Building Code, the International Residential Code, this code, as amended, and all other codes as adopted by the City of Salida City Council.

Exceptions:

1. One-story detached accessory residential structures used as tool sheds, storage sheds, playhouses, or similar uses with a floor area of less than 200 square feet and having a roof overhang of 24" or less, measured on a horizontal plane from the exterior wall.
2. One-story detached accessory non-residential structures used as tool sheds, storage sheds, playhouses, or similar uses with a floor area of less than 120 square feet and having a roof overhang of 24" or less, measured on a horizontal plane from the exterior wall.
3. Detached residential greenhouses with a floor area of not more than 600 square feet.
3. Agricultural use structures for which an agricultural permit exemption has been granted by the code official.

Structures identified in the above-listed exceptions shall adhere to the required setback distance for property lines as identified in the City of Salida Land Use Code and shall not be located within the individual lot identified defensible space.

Structures exempt from permits shall be located a minimum of 20 feet from any structure

(22) Section 501.2 is amended to read:

501.2 Objective.

The objective of this chapter is to establish minimum standards to locate, design and construct buildings and structures or portions thereof located or to be located within the Chaffee County Wildfire Hazard Mitigation area for the protection of life and property, to resist damage from wildfires and to mitigate building and structure fires from spreading to wildland fuels.

(23) Section 502.1 is amended to read:

502.1 General.

The fire hazard of building sites for buildings hereafter constructed, modified or relocated into wildland-urban interface areas shall be established in accordance with the Chaffee County Wildfire Risk Map (Exhibit K-1). Fire hazard severity designations shall be amended to follow the area designations as identified by the Chaffee County Wildfire Risk Map (Exhibit K-1).

Class 1 = Extreme Risk
Class 2 = High Risk
Class 3 = Moderate Risk

(24) Delete **Section 502.2 Fire Hazard Severity Reduction** in its entirety.

(25) Section 503 is amended to read:

Section 503. General.

Buildings and structures hereafter constructed, modified or relocated into or within the wildland-urban interface area shall meet the construction requirements in accordance with the Chaffee County Land Use code and this adopted code. Class 1 (Extreme Risk), Class 2 (High Risk) and Class 3 (Moderate Risk) ignition resistant construction shall be in accordance with Sections 504, 505 and 506 respectively. Materials required to be ignition resistant materials shall comply with the requirements of Section 503.2.

(26) Section 504.1 is amended to read:

Section 504.1 General.

Ignition resistant construction for areas designated as Extreme Risk shall be in accordance with Sections 504.2 through 504.11.

(27) Section 504.2 is amended to read:

Section 504.2 Roof Assembly.

Roofs shall have a roof assembly that complies with a Class A rating when tested in accordance with ASTM E108 or UL 790. This will apply to any construction under permit, residential or commercial, to include new construction, additions, alterations, repairs or replacements.

Exceptions:

1. Unchanged
2. Unchanged
3. Unchanged

(28) Section 504.2.1 is amended to read:

504.2.1 Roof Valleys.

Any construction under permit, residential or commercial, to include new construction, additions, alterations, repairs or replacements, where roof valleys are provided, shall have valley flashings of not less than 0.019 inch (0.48 mm) (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36-inch-wide (914 mm) underlayment consisting of one layer of 72-pound (32.4kg) mineral-surfaced, nonperforated cap sheet complying with ASTM D3909 running the full length of the valley.

(29) Section 504.3 is amended to read:

504.3 Protection of Eaves.

Eaves and soffits, on residential and commercial new construction buildings only, shall be protected on the exposed underside by one of the following methods or materials:

1. Tested assemblies having an approved 1-hr. fire-resistance rating (i.e. 2 layers 5/8" Type X gypsum board).
2. Nominal 2" solid wood (T&G).
3. Nominal 2" solid wood fire blocking installed from the top of the exterior wall to the underside of the roof sheathing.
4. Ignition-resistant materials in accordance with Section 503.2 of this chapter
5. Non-combustible materials.
6. Fire-retardant-treated-wood (FRTW) materials.
7. Heavy timber construction.

(30) Section 504.5 is amended as follows:

504.5 Exterior Walls.

5. Ignition-resistant materials complying with Section 503.2 on the exterior side. These materials may include, but are not limited to, fiber cement siding, 3 coat stucco, masonry, brick, and manufactured stone.

(31) Delete **Section 504.6 Underfloor Enclosure** in its entirety.

(32) Section 504.7 is amended to read:

504.7 Appendages and Projections.

Exposed exterior deck surfaces, stair treads, stair risers, handrail system assemblies and guardrail system assemblies shall be of ignition resistant materials.

(33) Delete **Section 504.7.1 Underfloor Areas** in its entirety.

(34) Delete **Section 504.9 Exterior Doors** in its entirety.

(35) Section 504.10 is amended to read:

504.10 Vents.

Vent screens shall be 1/4" screen or otherwise specifically designed to prevent the intrusion of fire embers.

(36) Section 504.10.1 is amended to read:

504.10.1 Vent Locations.

Attic ventilation vents located in soffits, in eave overhangs, between rafters at eaves or in other overhang areas shall be specifically designed to prevent the intrusion of fire embers. Gable end and dormer vents shall be located not less than 10 feet from lot lines. Underfloor ventilation openings shall be located as close to grade as possible.

(37) Section 504.11 is amended as follows:

504.11 Detached Structures.

[Delete the following text]

50 feet

[Replace with]

20 feet

(38) Delete **Section 504.11.1 Underfloor areas** in its entirety.

(39) Section 505.1 is amended to read:

505.1 General.

Ignition resistant construction for areas designated as High Risk shall be in accordance with Sections 505.2 through 505.11.

(40) Section 505.2 is amended to read:

505.2 Roof Assembly.

Roofs shall have a roof assembly that complies with a Class A rating when tested in accordance with ASTM E108 or UL 790. This will apply to any construction under permit, residential or commercial, to include new construction, additions, alterations, repairs, or replacements.

(41) Section 505.2.1 is amended to read:

505.2.1 Roof Valleys.

Any construction under permit, residential or commercial, to include new construction, additions, alterations, repairs or replacements, where roof valleys are provided, shall have valley flashings of not less than 0.019 inch (0.48 mm) (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36-inch-wide (914 mm) underlayment consisting of one layer of 72-pound (32.4kg) mineral-surfaced, nonperforated cap sheet complying with ASTM D3909 running the full length of the valley.

(42) Section 505.3 is amended to read:

505.3 Protection of Eaves.

Eaves and soffits, on residential and commercial new construction buildings only, shall be protected on the exposed underside by one of the following methods or materials:

1. Solid materials with a minimum thickness of $\frac{3}{4}$ ".
2. Tested assemblies having an approved 1-hr. fire-resistance rating (i.e. 2 layers 5/8" Type X gypsum board)
3. Nominal 2" solid wood (T&G)
4. Nominal 2" solid wood fire blocking installed from the top of the exterior wall to the underside of the roof sheathing.
5. Ignition-resistant materials in accordance with Section 503.2 of this chapter
6. Non-combustible materials
7. Fire-retardant-treated-wood (FRTW) materials

8. Heavy timber construction. Exposed rafter tails shall not be permitted unless constructed of heavy timber materials.

(43) Section 505.5 is amended as follows:

Section 505.5 Exterior Walls

5. Ignition-resistant materials complying with Section 503.2 on the exterior side. These materials may include, but are not limited to, fiber cement siding, 3 coat stucco, masonry, brick, and manufactured stone.

(44) Delete **Section 505.6 Underfloor Enclosure** in its entirety.

(45) Section 505.7 is amended to read:

Section 505.7 Appendages and Projections.

Exposed exterior deck surfaces, stair treads, stair risers, handrail system assemblies and guardrail system assemblies shall be of ignition resistant materials.

(46) Delete **Section 505.7.1 Underfloor Areas** in its entirety.

(47) Delete **Section 505.9 Exterior Doors** in its entirety.

(48) Section 505.10 is amended to read:

505.10 Vents.

Vent screens shall be 1/4" screen or otherwise specifically designed to prevent the intrusion of fire embers.

(49) Section 505.10.1 is amended to read:

505.10.1 Vent Locations.

Attic ventilation vents located in soffits, in eave overhangs, between rafters at eaves or in other overhang areas shall be specifically designed to prevent the intrusion of fire embers. Gable end and dormer vents shall be located not less than 10 feet from lot lines. Underfloor ventilation openings shall be located as close to grade as possible.

(50) Section 505.11 is amended as follows:

505.11 Detached Structures.

[Delete the following text]

50 feet

[Replace it with]

20 feet

(51) Delete **Section 505.11.1 Underfloor Areas** in its entirety.

(52) Section 506.1 is amended to read:

506.1 General.

Ignition resistant construction for areas designated as Moderate Risk shall be in accordance with Sections 506.2 through 506.4.

(53) Section 506.2 is amended to read:

506.2 Roof Assembly.

Roofs shall have a roof assembly that complies with a Class A rating when tested in accordance with ASTM E108 or UL 790. This will apply to any construction under permit, residential or commercial, to include new construction, additions, alterations, repairs, or replacements.

(54) Section 506.2.1 is amended to read:

506.2.1 Roof Valleys.

Any construction under permit, residential or commercial, to include new construction, additions, alterations, repairs or replacements, where roof valleys are provided, shall have valley flashings of not less than 0.019 inch (0.48 mm) (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36-inch-wide (914 mm) underlayment consisting of one layer of 72-pound (32.4kg) mineral-surfaced, nonperforated cap sheet complying with ASTM D3909 running the full length of the valley.

(55) Delete **Section 506.3 Underfloor Enclosure** in its entirety.

(56) Section 507.1 is amended to read:

507.1 General.

Any roof replacement or repair under permit, to include additions, alterations, repair or replacements shall have a roof assembly that complies with a Class A rating when tested in accordance with ASTM E108 or UL 790.

(57) Section 601.1 is amended to read:

Section 601.1 Scope.

The provisions of this chapter establish general requirements for new buildings, new structures and premises hereafter constructed, modified, located or relocated into or within the wildland-urban interface areas.

(58) Delete **Section 602 Automatic Sprinkler Systems** in its entirety.

(59) Section 603.2 is amended to read:

Section 603.2 Fuel Modification.

Buildings and structures hereafter constructed, modified, or relocated into or within the wildland-urban interface area shall comply with the defensible space requirements contained in Table 603.2. For all other purposes the fuel modification distances shall be 30 feet or to the lot line, whichever is less.

(60) Section 603.2.3 is amended to read:

Section 603.2.3 Responsible Party.

Persons owning, leasing, controlling, operating, or maintaining buildings or structures requiring defensible spaces are responsible for modifying or removing non-fire resistive vegetation on the property owned, leased, or controlled by said person. The responsible party shall be delegated as the person responsible for meeting the provisions of the following subsections:

603.2.2 Trees.

603.2.3 Ground cover.

(61) Section 604.3 is amended by addition of the following:

604.3 Responsibility.

[Add the following text to the end of the subsection]

The responsible party shall be delegated as the person responsible for meeting the provisions of the following subsections;

604.4 Trees.

604.4.1 Chimney clearance.

604.4.2 Deadwood removed.

(62) Section 605.1 is amended to read:

605.1 General.

Buildings and structures hereafter constructed, modified, or relocated into or within the wildland-urban interface area that contain chimneys serving fireplaces, barbecues, incinerators or decorative heating appliances in which solid or liquid fuels used, shall be provided with a spark arrestor. Spark arrestors shall be constructed of woven or welded

wire screening of 12 USA standard gage wire (0.1046 inch) (2.66 mm) having openings not exceeding ½" (12.7 mm).

Section 18-16-40. Violations, Penalties.

It shall be unlawful for any person, owner, occupant, or contractor to erect, construct enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip, or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Section and the WUI. Violations of this Section and/or the WUI shall be punishable by a fine not to exceed two thousand six hundred fifty dollars (\$2,650.00). A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Section occurs or continues unabated.

Section 24: This Ordinance shall become effective on March 1, 2024.

Section 25: Severability. The provisions of this ordinance are severable and the invalidity of any section, phrase, clause, or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

INTRODUCED ON FIRST READING, FINAL ADOPTED, AND ORDERED PUBLISHED IN FULL in a newspaper of general circulation in the City of Salida by the City Council on the 2nd day of January, 2024, and set for second reading and public hearing on the 16th day of January, 2024.

INTRODUCED ON SECOND READING, FINAL ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY, on the 16th day of January, 2024.

CITY OF SALIDA, COLORADO

By: _____

Dan Shore, Mayor

[SEAL]

ATTEST

City Clerk Erin Kelley



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	January 16, 2024

ITEM

Approval of Resolution 2024-10. Approval of Development Improvement Agreement (DIA) for the property located at 1030 Illinois Avenue.

BACKGROUND

On December 19, 2023, City Council approved the 1030 Illinois Avenue Pre-annexation Agreement for the 1/2-acre property. The applicant, Just off the River, Inc. has submitted plans for the construction of the required sewer main extension.

The development improvement agreement sets forth the requirements for the applicant to complete the public improvements, which include extension of the sewer main, and the subsequent dedication to the City.

FISCAL NOTE: There are no budget implications with the approval of the agreement.

STAFF RECOMMENDATION

Staff recommends the City Council approve the Development Improvement Agreement for 1030 Illinois Avenue.

SUGGESTED MOTION

A Council person should make the motion to "Approve Resolution 2024-10 to approve the proposed Development Improvement Agreement for 1030 Illinois Avenue."

Attachments:

Resolution 2024-10

Development Improvement Agreement for 1030 Illinois Avenue

Development Improvement Agreement Exhibits A-D

Recorded 1030 Illinois Avenue Pre-annexation agreement

**CITY OF SALIDA, COLORADO
RESOLUTION NO. 10
(Series 2024)**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO
APPROVING THE DEVELOPMENT IMPROVEMENT AGREEMENT FOR 1030
ILLINOIS AVENUE.**

WHEREAS, the property owner, Just off the River, Inc. (“Developer”) received approval for a pre-annexation agreement on December 19, 2023 as recorded at Reception No. 491241 of the Chaffee County Recorder's Office, Chaffee County, Colorado; and;

WHEREAS, the ("Property") is being developed in accordance with the Salida Municipal Code; and

WHEREAS, pursuant to Sections 16-2-60 of the Salida Municipal Code (“Land Use Code”), the City and the Developer wish to enter into a Development Improvement Agreement to set forth their understanding concerning the terms and conditions for the construction of the development’s public improvements and other improvements; and

WHEREAS, the City Council therefore now wishes to approve and execute a Development Agreement with Developer for 1030 Illinois Avenue; and

WHEREAS, upon such approval, city staff shall be permitted to correct non-substantive errors, typos and inconsistencies that may be found in the Agreement, as approved by the Mayor.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Salida that:

The Development Improvement Agreement for 1030 Illinois Avenue is hereby approved and incorporated herein as “Exhibit A”.

RESOLVED, APPROVED AND ADOPTED on this 16th day of January, 2024.

CITY OF SALIDA, COLORADO

Dan Shore, Mayor

[SEAL] ATTEST:

City Clerk/Deputy City Clerk

EXHIBIT A

A tract of land in the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 4, Township 49 North, Range 9 East of the New Mexico Principal Meridian N.M.P.M., being described as follows:

Commencing in the NW Corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 4; thence South 579 feet, thence East 189 feet to the point of beginning of the tract herein described;

thence East 90 feet; thence North 84 feet; thence East 243.7 feet; thence South 153 feet; thence West 333.7 feet; thence North 69 feet to the point of beginning.

EXCEPTING

A tract of land in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 4, Township 49 North, Range 9 East of the N.M.P.M., being described as follows, Commencing at the Northwest corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 4; thence South 579 feet; thence East 279 feet; thence North 84 feet and thence East 106.0 feet to the point of beginning of the tract herein described; thence continuing East 137.7 feet; thence South 153 feet; thence West 137.7 feet; thence North 153 feet to the point of beginning.

BEING MORE CORRECTLY DESCRIBED AS FOLLOWS,

A tract of land in the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 4, Township 49 North, Range 9 East of the N.M.P.M., being more particularly described as follows,

Commencing at the Northwest corner (2 1/2" aluminum capped monument) of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 4; thence South 00°04'03" East along the west boundary of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 579.0 feet; thence South 89°47' East parallel with the south boundary of Tract 4 of the Lowry-Cooper Boundary Line Adjustment (Reception No. 335781) a distance of 189.0 feet to the point of beginning; thence proceeding around said tract, South 89°47' East 90.0 feet; thence North 00°04'03" West parallel with the said west boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 84.0 feet to the south boundary of said Tract 4 of the Lowry-Cooper Boundary Line Adjustment; thence South 89°47' East along said south tract boundary 106.0 feet to the northwest corner of the Cooper Tract as shown on the filed plat of the said Lowry-Cooper Boundary Line Adjustment (Reception No. 335781); thence South 00°23' West along the westerly most boundary of said Cooper Tract, 162.99 feet to an axle on the north boundary of a lane conveyed to Chaffee County in Book 286 at page 185; thence North 89°35'21" West along the north boundary of said lane, 195.59 feet; thence North 00°04'03" West parallel with the said west boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 78.33 feet to the point of beginning.

Also known by street address as: 1030 Illinois Avenue, Salida, CO 81201

And assessor's schedule or parcel number: 380704300009

H&T Construction LLC
11845 C.R 140
Salida Co 81201



Gabe Barnard
Sewer Line Install

BID

Bid # 0000253

Bid Date 10/10/2023

Item	Description	Unit Price	Quantity	Amount
Service	Mob all equipment	800.00	1.00	800.00
Service	Install 400' of sewer main. This includes bedding material and final dirt grade with road base. All labor and material included	31567.00	1.00	31,567.00
Service	Pipe material from Ferguson	6326.33	1.00	6,326.33
Product	Manhole per specs	3687.10	1.00	3,687.10
		Subtotal		42,380.43
		Total		42,380.43
		Amount Paid		0.00
		Bid		\$42,380.43

H&T Construction
11845 Cr 140 Salida, CO 81201
01/04/2024

EXHIBIT C

Item 8.

Maggie Barnard
1030 Illinois Ave

H&T Construction will start this project in July of 2024. We believe it will take 2 weeks to complete.

Thanks

Joey

Open Records Policy – EXHIBIT D

Fee Schedule

Charges must be paid before service is provided.

The City does not allow payment terms on copies or other services in conjunction with open records requests.

The Open Records Act allows \$.25 charge per page when copies are requested and provided, or the actual cost of preparation if the cost is greater. The actual cost may include, but is not limited to, the hourly rate paid to the employee conducting the research, cost of the physical medium of the document (e.g., tape or diskette) and the cost of retrieving the document from off-site storage for inspection.

The first hour of research and retrieval service is free.

Cost per hour for research, retrieval and related services after the first hour: \$33.58

City Maps \$5/ black & white ink, paper 24" x 36"

\$10/colored ink, paper 24" x 36"

The Department responsible for the record shall provide it to the Clerk so that the Clerk's office may make an appointment with the applicant for inspection within the time frame required.

**CITY OF SALIDA, COLORADO
RESOLUTION NO. 56
(Series of 2023)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO
AUTHORIZING THE MAYOR TO SIGN A PRE-ANNEXATION AGREEMENT WITH
JUST OFF THE RIVER INC (MAGGIE GALLEN BARNARD) FOR 1030 ILLINOIS
AVENUE.**

WHEREAS, Just off the River Inc, represented by Maggie Gallen Barnard, are the owners of certain real property in unincorporated Chaffee County, which property is more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, the Property is not currently eligible for annexation but lies within the City of Salida Municipal Services Area; and

WHEREAS, the City is capable of providing municipal services to the Property, and the parties desire to enter into a Pre-Annexation Agreement pursuant to C.R.S. §31-12-121 to set forth the terms and conditions of the future extension of services by the City.

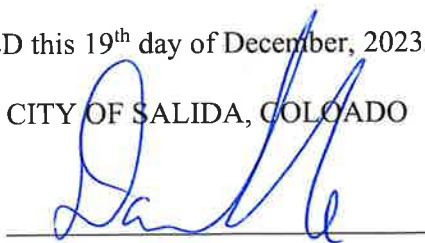
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO THAT:

1. The Salida City Council incorporates the foregoing recitals as its conclusions, facts, determinations, and findings.
2. The Pre-Annexation Agreement by and between the City and Just off the River Inc, attached as Exhibit B, is hereby approved, and the Mayor is authorized to sign the Agreement on behalf of the City.

RESOLVED, APPROVED, AND ADOPTED this 19th day of December, 2023.

CITY OF SALIDA, COLORADO

By


Dan Shore, Mayor




City Clerk/Deputy Clerk

**EXHIBIT A
PRE-ANNEXATION AGREEMENT
1030 ILLINOIS AVENUE**

THIS AGREEMENT is made and entered into this 15th day of December, 2023, by and between the CITY OF SALIDA, COLORADO, a municipal corporation (hereinafter "City"), and Just off the River Inc, represented by Maggie Gallen Barnard, as the owner of the real property described hereafter (hereinafter "Owner");

WITNESSETH:

WHEREAS, Owner is the owner of certain real property located in unincorporated Chaffee County, which property is more particularly described on **Exhibit B** attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, the Property is currently not eligible for annexation and lies within the City of Salida Municipal Services Area; and

WHEREAS, Owner desires to obtain the municipal sewer services hereinafter described from the City at such time, and the City is capable of providing such service;

WHEREAS, the parties desire to enter into this Agreement pursuant to C.R.S. §31-12-121 to set forth the terms and conditions of the extension of services and annexation of the Property by the City; and

WHEREAS, "Owner" shall be defined in this Agreement to include Maggie Gallen Barnard, as well as their successors and assigns, and any subsequent owners of the Property, who shall be obligated under the covenants of this Pre-Annexation Agreement, until terminated upon Annexation of the Property.

NOW THEREFORE, for and in consideration of the mutual promises and covenants herein contained, the parties agree as follows:

1. Services to be Provided. The Owner is not connected to the City's municipal water or sewer systems. The owner desires to connect to the City's wastewater system and is required to provide engineered drawings and extend the sewer main the full length of the property pursuant to Salida Municipal Code Sec. 16-8-50. Additionally, a development improvement agreement (DIA) between the Owner and the City for the sewer main extension will be required. City agrees to provide Owner with municipal sewer services to the Property for residential uses at in-City rates.

The owner has requested a variance for connection to the City's water main to build a single-family residence. The water main is approximately 185 feet from the Property, is cost prohibitive for a single-family residence, and is not recommended by the City Public Works Department until looping of mains can be completed with future development.

2. Costs. The City will provide said service subject to the rules, regulations, charges, fees, and ordinances of the City of Salida as are now in effect, or as they may hereafter be amended. All costs of extending services to the Property shall be borne by the Owner including, but not limited to, sewer main and service line extensions within the right-of-way of Illinois Avenue for the length of the Property, approximately 330 feet, and termination of the sewer at a manhole per City standards. At or prior to the first delivery of municipal service pursuant to this Agreement, the Owner agrees to pay all system improvement fees at the then applicable in-City rate as provided in the Salida Municipal Code.

3. No Precedential Value. Nothing herein shall obligate the City to extend additional service to the Owner or to the Property, other than that service described in Paragraph 1, above. There shall be no expansion of such service without the express written consent of the City. The Owner and its agents, employees, and tenants shall be bound by all of the ordinances of the City of Salida insofar as they may pertain to the conditions of pre-annexation herein described.

4. Annexation. To the maximum extent permitted by law, the parties agree that this Agreement, pursuant to C.R.S. §31-12-121, constitutes an enforceable obligation upon the Owner, its successors, and assigns to file a petition for annexation prior to or contemporaneous with any additional development of the Property to the extent permitted by law. The Owner further agrees that at such time as the Property is eligible for annexation, Owner shall within sixty (60) days of becoming eligible for annexation file a petition for annexation of the Property.

5. New Development. Owner agrees that during the term of this Agreement all new development or construction on the Property shall be in accordance with the requirements of the Salida Municipal Code. When eligible, the Owner also agrees to annex into the City, should there be any further or future development, construction or subdivision of the Property, other than replacing the single-family residence within its current footprint, and the Owner further agrees to all applicable required Inclusionary Housing, Open Space and Fair Contributions for Public School Sites.

6. Existing Uses. The Property is currently zoned residential within unincorporated Chaffee County and the Owner intends to continue to use it for that purpose.

7. Payment of Impact Fees. Owner agrees to pay at the time of annexation all applicable fees for the Property in the amounts set forth pursuant to the Salida Municipal Code, or as hereafter amended, and any other fees prescribed by Resolution or Ordinance as may apply to annexations.

8. Termination Upon Annexation. This Agreement shall terminate automatically on the effective date of the annexation to the City of the Property; provided, however, that nothing in this paragraph shall limit any other rights of termination provided in this Agreement.

9. Failure or Refusal to Annex. In the event the Owner fails to annex their Property to the City as required by this Agreement, the City may, at its sole option and without otherwise limiting its legal rights, bring an action at law or equity, including an action for specific performance, to enforce the terms of this Agreement or treat this Agreement as a petition for annexation and annex the Property without consent after thirty (30) days' written notice to Owner.

The rights and remedies under this paragraph shall be cumulative. To the extent permitted by law, the Owner hereby appoints the City Clerk as their attorney-in-fact to execute and deliver all documents necessary to annex Owner's Property to the City, should the Owner fail or refuse to annex as required under this Agreement. If the City proceeds to annex the Owner's Property as permitted under this paragraph, it may advance all fees and costs related to the annexation, and shall be entitled to recover the same as a personal obligation of the Owner. Such fees and costs shall also constitute a lien against the Owner's Property, which may be foreclosed as provided by law.

10. Lien Rights. The City shall be entitled to prepare and record a lien against the Owner's Property for the amount of any costs, fees, and other expenses which it has advanced or which the Owner is required to be pay pursuant to this Agreement and/or the Salida Municipal Code.

11. Miscellaneous. The parties agree time is of the essence in the implementation of this Agreement. All of the terms and conditions of this Agreement shall bind the heirs, successors, assigns, or personal representatives of the parties hereto. This Agreement constitutes a covenant which runs with the real Property. This Agreement sets forth the entire understanding between the parties, and any previous agreements, promises, or understandings have been included in this Agreement.

12. Recording; Benefit; Fees. The City shall record this Agreement upon execution with the Chaffee County Clerk and Recorder. The Owner shall simultaneously with the execution of this Agreement tender to the City the actual amount of recording fees (Checks shall be payable to the Chaffee County Clerk and Recorder). This Pre-Annexation Agreement shall run with the land, and shall obligate, be binding upon and shall inure to the benefit of the Parties and up and to their respective successors, grantees and assigns, until terminated upon Annexation of the Property.

WITNESS WHEREOF, the parties have executed this Agreement on the day and year first written above.



Elin Kelley
City Clerk/Deputy City Clerk

By Dan Shore
CITY OF SALIDA, COLORADO
Dan Shore, Mayor

491241

Item 8.

491241
5 of 6

1/8/2024 11:51 AM
RESC R\$38.00 D\$0.00

Lori A Mitchell
Chaffee County Clerk



Just off the River Inc.
Maggie Gallen Barnard

STATE OF Colorado)
) ss.
COUNTY OF Chaffee)

Acknowledged, subscribed, and sworn to before me this 7th day of January, 2024, by
Maggie Gallen Barnard, as Manager of Just off the River Inc.

WITNESS my hand and official seal.

My Commission expires: April 15, 2025.



Notary Public

KRISTI A. JEFFERSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20094011745
MY COMMISSION EXPIRES APRIL 15, 2025

EXHIBIT B

A tract of land in the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 4, Township 49 North, Range 9 East of the New Mexico Principal Meridian N.M.P.M., being described as follows:

Commencing in the NW Corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 4; thence South 579 feet, thence East 189 feet to the point of beginning of the tract herein described;

thence East 90 feet; thence North 84 feet; thence East 243.7 feet; thence South 153 feet; thence West 333.7 feet; thence North 69 feet to the point of beginning.

EXCEPTING

A tract of land in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 4, Township 49 North, Range 9 East of the N.M.P.M., being described as follows, Commencing at the Northwest corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 4; thence South 579 feet; thence East 279 feet; thence North 84 feet and thence East 106.0 feet to the point of beginning of the tract herein described; thence continuing East 137.7 feet; thence South 153 feet; thence West 137.7 feet; thence North 153 feet to the point of beginning.

BEING MORE CORRECTLY DESCRIBED AS FOLLOWS,

A tract of land in the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 4, Township 49 North, Range 9 East of the N.M.P.M., being more particularly described as follows,

Commencing at the Northwest corner (2 1/2" aluminum capped monument) of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 4; thence South 00°04'03" East along the west boundary of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 579.0 feet; thence South 89°47' East parallel with the south boundary of Tract 4 of the Lowry-Cooper Boundary Line Adjustment (Reception No. 335781) a distance of 189.0 feet to the point of beginning; thence proceeding around said tract, South 89°47' East 90.0 feet; thence North 00°04'03" West parallel with the said west boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 84.0 feet to the south boundary of said Tract 4 of the Lowry-Cooper Boundary Line Adjustment; thence South 89°47' East along said south tract boundary 106.0 feet to the northwest corner of the Cooper Tract as shown on the filed plat of the said Lowry-Cooper Boundary Line Adjustment (Reception No. 335781); thence South 00°23' West along the westerly most boundary of said Cooper Tract, 162.99 feet to an axle on the north boundary of a lane conveyed to Chaffee County in Book 286 at page 185; thence North 89°35'21" West along the north boundary of said lane, 195.59 feet; thence North 00°04'03" West parallel with the said west boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 78.33 feet to the point of beginning.

Also known by street address as: 1030 Illinois Avenue, Salida, CO 81201
And assessor's schedule or parcel number: 380704300009



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Bill Almquist - Community Development Director	January 16, 2024

ITEM

Resolution 2024-11: A Resolution of the City Council of the City of Salida, Colorado, Supporting an Application for State Grant Funds to Assist in the Implementation of Affordable Housing Efforts in Compliance with the Requirements of State of Colorado Proposition 123 and Committing Local Matching Funds

BACKGROUND

In May of 2023, the City of Salida committed to increasing its supply of legally-restricted affordable housing by a minimum of 3% per year over the next 3 years (equaling a minimum of 33 units), per the funding eligibility conditions of Colorado Proposition 123. Amongst the conditions is a requirement that the City create a “fast track” process for development review, permitting, and zoning for affordable housing projects that provide a minimum of 50% of the units legally-restricted affordable. This process must be effective by January 1, 2026 in order for the City to continue to be eligible for Prop 123 funding.

Creating such a process requires a significant amount of updating of the land use code, applications, processes, and the systems the public uses including the City’s website. Additionally, there is considerable need for assistance with our inclusionary housing program, including interaction with the Chaffee Housing Authority regarding implementation of deed-restrictions, expenditure of the affordable housing fund and, in some cases, project management of various aspects of housing developments that the City itself is initiating (e.g. South Ark Neighborhood, 1st & D Apartments, Senior Housing, etc.).

The Local Planning Capacity (LPC) Grant provided through the Colorado Department of Local Affairs (DOLA) will assist with funding of those additional roles which are expected to be carried out by existing staff (whose current roles will eventually be backfilled by a new Assistant Planner). We anticipate that approximately 55% of the modified position will be focused on housing-related duties, all of which can be funded through the LPC grant. The grant will fund the salary to cover housing-related duties for up to two years. With a total annual position cost (inc. benefits) of approximately \$100K, we will be asking for \$55K for two years, for a total of \$110K. We will easily be able to meet the required match of 20% via the remaining budgeted funds for the position (approx. \$45K per year for two years). Should we receive the grant, the overall cost savings would be equal to the grant amount (\$110K). Official City Council support is a requirement of the grant request.

SUGGESTED MOTION



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Bill Almquist - Community Development Director	January 16, 2024

A council person should make the motion to “approve Resolution 2024-11 A Resolution of the City Council of the City of Salida, Colorado, Supporting an Application for State Grant Funds to Assist in the Implementation of Affordable Housing Efforts in Compliance With the Requirements of State of Colorado Proposition 123 and Committing Local Matching Funds”

Attachments: Resolution 2024-11

**CITY OF SALIDA, COLORADO
RESOLUTION NO. 11
(Series of 2024)**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, SUPPORTING AN APPLICATION FOR STATE GRANT FUNDS TO ASSIST IN THE IMPLEMENTATION OF AFFORDABLE HOUSING EFFORTS IN COMPLIANCE WITH THE REQUIREMENTS OF STATE OF COLORADO PROPOSITION 123 AND COMMITTING LOCAL MATCHING FUNDS.

WHEREAS, housing, and especially affordable housing, is of paramount need to the community and the local Chaffee County workforce; and

WHEREAS, the City of Salida has committed to increasing the affordable housing supply by a minimum of 3% per year over three years, in compliance with the requirements of Proposition 123; and

WHEREAS, Proposition 123 requires a “fast track” process via the expediting of development review, permitting, and zoning for affordable housing projects providing a minimum of 50% affordable housing, to be implemented by 2026; and

WHEREAS, current Community Development Department staffing levels and workload pose challenges to meeting such requirements; and

WHEREAS, Community Development Department staff desires to revise the responsibilities of an existing Planner position to focus on implementation of the above requirements and efforts (approximately 55% of the time) and intends to backfill the existing position with a new employee; and

WHEREAS, the Local Planning Capacity Grant requested would provide approximately \$55,000 over the next two years (\$110,000 overall) for such revision of responsibilities; and

WHEREAS, local matching fund requirements equal twenty percent (20%) of project/staffing costs for the Local Planning Capacity Grant and those local matching funds are estimated to be approximately \$45,000 over the next two years (approximately \$90,000 overall) to help fund a position costing approximately \$100,000 per year, including benefits.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO AUTHORIZING THE APPLICATION FOR STATE FUNDS TO SUPPORT THE IMPLEMENTATION OF AFFORDABLE HOUSING EFFORTS IN COMPLIANCE WITH THE REQUIREMENTS OF STATE OF COLORADO PROPOSITION 123 AND COMMITTING LOCAL MATCHING FUNDS.

RESOLVED, APPROVED AND ADOPTED this 16th day of January, 2024.

CITY OF SALIDA, COLORADO

Dan Shore, Mayor

[SEAL]

ATTEST:

City Clerk/Deputy City Clerk



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Administration	Sara Law - Sustainability Coordinator/PIO	January 16, 2024

ITEM

Resolution 2024-12 Citizen Appointments to the Tree Board

BACKGROUND

In accordance with Section 2-12-10 of the Salida Municipal Code, the City Council shall select and appoint person(s) to serve as members of the City of Salida Tree Board. The Tree Board shall consist of a minimum of three members. The term of appointed members shall be two years.

Applicants

Wendy Weiner

Kris Chestasky

Recently, staff advertised for Board vacancies in the Mountain Mail. At the January 16, 2024 work session, Council reviewed the applications and interviewed the applicants that were present.

STAFF RECOMMENDATION

Staff is recommending Council appoint two more candidates to the Tree Board.

SUGGESTED MOTION

A Council person should make a motion "to approve Resolution 2024-12, a resolution of the City Council for the City of Salida, Colorado approving the following appointments to the Tree Board:

1. The City Council hereby appoints _____ as a two year member of the Salida Tree Board; term to expire January 2, 2026.
2. The City Council hereby appoints _____ as a two year member of the Salida Tree Board; term to expire January 2, 2026.

CITY OF SALIDA, COLORADO
RESOLUTION NO. 12
(Series of 2024)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, APPROVING CITIZEN APPOINTMENTS TO THE TREE BOARD PURSUANT TO SECTION 2-12-10 OF THE SALIDA MUNICIPAL CODE.

WHEREAS, in accordance with Section 2-12-10 of the Salida Municipal Code (“SMC”), the City Council shall select and appoint person(s) to serve as members of the City of Salida Sustainability Committee and

WHEREAS, The Tree Board shall consist of a minimum of three (3) members. The term of appointed members shall be two (2) years. In the event that a vacancy shall occur during the term of any member, a successor shall be appointed for the unexpired portion of the term; and

WHEREAS, the City Council appreciates the service these members of the community have devoted to bettering Salida through participation on the Tree Board; and

WHEREAS, in accordance with Section 2-12-10 of the Salida Municipal Code (“SMC”), the City Council shall confirm the appointments by majority vote.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO THAT:

1. The City Council hereby appoints _____ as a two year member of the Salida Tree Board: term to expire January 2, 2026.
2. The City Council hereby appoints _____ as a two year member of the Salida Tree Board: term to expire January 2, 2026.

RESOLVED, APPROVED, AND ADOPTED this 16th day of January, 2024.

CITY OF SALIDA, COLORADO

By _____
 Mayor Dan Shore

[SEAL]
 ATTEST:

 City Clerk/Deputy City Clerk



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Administration	Christy Doon - City Administrator	January 2, 2024

ITEM

Ordinance 2024-02, **AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO, APPROVING THE MANAGEMENT AGREEMENT WITH INTERSTATE PARKING MANAGEMENT. FIRST READING AND SETTING A PUBLIC HEARING**

BACKGROUND

The City of Salida is interested in establishing a parking management program in the downtown. Understanding that the program requires substantial set up, monitoring and on-going operational maintenance, the City is interested in contracting with a third-party to manage the program.

Per the contract, Interstate Parking will employ a sufficient number of personnel capable of managing and maintaining the parking facilities.

Interstate Parking will work with City staff and residents to ensure vehicles are properly registered, based on residency and/or employment, and will assist the City in education and community engagement.

FISCAL NOTE

Per the contract, the City will compensate Interstate Parking fifty percent (50%) of all net revenue, on a monthly basis based upon the prior month's Net Revenue.

STAFF RECOMMENDATION

Staff recommends that the City Council approve Ordinance 2024-02.

SUGGESTED MOTION

A City Councilmember should state, "I move to approve Ordinance 2024-02 An Ordinance of the City Council for the City of Salida, Colorado, Approving the Management Agreement with Interstate Parking Management on First Reading and Setting a Public Hearing for February 6, 2024" followed by a second and a roll call vote.

**CITY OF SALIDA, COLORADO
ORDINANCE NO. 2
(Series of 2024)**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA,
COLORADO, APPROVING THE MANAGEMENT AGREEMENT WITH
INTERSTATE PARKING MANAGEMENT**

WHEREAS, the City of Salida, Colorado (“City”) is a statutory city, duly organized and existing under the laws of the state of Colorado; and

WHEREAS, Interstate Parking provides municipalities with parking services, including infrastructure, employees, and parking enforcement; and

WHEREAS, the City will benefit from hiring an outside company to manage and enforce parking within the City to free the Police Department to deal with other calls and ordinance enforcement; and

WHEREAS, the City recognizes that activities in its downtown necessitate public parking and having reliable enforcement of parking restrictions would benefit the residents, local businesses, customers, and tourists alike; and

WHEREAS, the Salida City Council now approves the execution of the Management Agreement between the City of Salida and Interstate Parking, attached hereto as **Exhibit A**.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO, THAT:

Section 1. The City Council incorporates the foregoing recitals as conclusions, facts, determinations and findings by the City Council.

Section 2. The Salida City Council hereby approves the City to enter into the Management Agreement, attached hereto as **Exhibit A**.

Section 3. The Salida City Council hereby approves and authorizes the City to enter into the Management Agreement attached hereto as **Exhibit A**.

INTRODUCED ON FIRST READING on this 2nd day of January, 2024, ADOPTED and ORDERED PUBLISHED IN FULL in a newspaper of general circulation by the City Council on this ___ day of _____, 2024, and set for second reading and public hearing on the ___ day of _____, 2024.

INTRODUCED, ON SECOND READING FINALLY ADOPTED AND ORDERED PUBLISHED IN FULL by the City Council this ___ day of _____, 2024.

CITY OF SALIDA

By: _____
Mayor Dan Shore

ATTEST:

(SEAL)

By: _____
City Clerk Erin Kelley

Exhibit A

Management Agreement between the City of Salida and Interstate Parking Services

PARKING MANAGEMENT AGREEMENT FOR THE CITY OF SALIDA

This MANAGEMENT AGREEMENT is executed on December 29th, 2023 by **INTERSTATE PARKING COMPANY OF COLORADO LLC** (herein called "Interstate"), and **CITY OF SALIDA** (herein called "Owner").

WHEREAS, Owner owns the parking Facilities are located in the City of Salida, in Chaffee County, Colorado containing approximately 750 parking spaces (hereinafter referred to as the "Parking Facilities");

AND WHEREAS, Owner desires to engage Interstate to manage the Parking Facilities and Interstate desires to manage the Parking Facilities.

NOW, THEREFORE, Owner and Interstate agree as follows:

1 Engagement

- 1.1 Owner hereby engages Interstate, and Interstate hereby accepts engagement by Owner, to manage and maintain the Parking Facilities in a first-class manner in accordance with the terms and conditions hereinafter set forth.

2 Term and Termination

- 2.1 The term of this Agreement will commence April 1st, 2024 (the "Commencement Date") and continue for a period of three (3) years thereafter through March 30th, 2027 (the "Initial Term") subject to annual appropriation. Upon expiration of the Initial Term, this agreement shall automatically renew for subsequent one (1) year periods (each year an "Extended Term") unless either party provides advance written notice to the other at least thirty (30) days prior to the end of the then current Extended Term. As used hereinafter, the Initial Term and Extended Term shall be referred to as the "Term." Each twelve (12) month period following the Commencement Date shall be referred to as an "Operating Year" hereinafter.
- 2.2 Either party will have the right to terminate this Agreement in the event the other party has failed to perform any of the terms and conditions specified herein, if said failure has been called to the attention of the responsible party in writing via certified mail and that party has not corrected said failure within fifteen days (15), or such additional time as is reasonably necessary, of its receipt of written notice. Both parties agree that if a mutually agreed upon resolution cannot be reached the matter will be taken to a binding arbitrator agreed to by both Parties.
- 2.3 If the whole or any portion of the Parking Facilities is:
- (a) appropriated or taken under the power of eminent domain by any public or quasi-public authority;
 - (b) damaged or destroyed; or
 - (c) is otherwise rendered unusable as Parking Facilities because the

City of Salida implements or creates ordinances, restrictions, laws, zoning regulations or any denial of permits or licenses to operate the parking Facilities over which neither party can repeal;

either party may, at its option, terminate this Agreement by giving written notice to the other within 30 days after the effective date of such taking, destruction or other event and this Agreement will terminate as of the date of such taking, destruction or other event. If only a portion of the Premises is effected by such taking, destruction or other event and neither party exercises its option to terminate this Agreement, this Agreement shall not terminate but shall continue in full force and effect for the remaining portion of the Parking Facilities.

- 2.4 If: (a) any law, or amendment of an existing law, ordinance, regulation, or zoning change comes into force, whether federal, state or municipal (including, without limitation, new tax legislation); or

- (b) there exists any restrictive condition (including, without limitation, gasoline rationing, gasoline shortages, construction, road work, parking reduction regulations, pandemic, price control or air quality regulations);

and in the reasonable opinion of Interstate or Owner, hinders either party from carrying on its duties under this Agreement or negatively affects either party's profitability in a material way, then either party may, by written notice to the other party, request that the Management Fee under this Agreement be modified in an equitable manner by agreement between the parties. Failing agreement within 30 days of such notice either party may, without penalty, terminate this Agreement upon a further 30 days written notice to the other party. If either party does not so terminate, this Agreement will continue in full force and effect.

- 2.5 Upon the expiration or termination of the Term of this Agreement, including any extension under Section 2.1, all compensation due Interstate shall be promptly paid to Interstate in conjunction with a complete and final accounting being made to Owner by Interstate relating to all matters set forth in Section 3.2 through 3.4 hereof.
- 2.6 Interstate shall have the right of first refusal for the continued operation of the Parking Facilities upon the expiration of the Term, provided however the Owner continues the use of the Parking Facilities for the purpose of public commercial paid parking.

3 Management Fee

- 3.1 As compensation for the services rendered by Interstate, Owner will pay Interstate a percentage management fee equal to fifty percent (50%) of all Net Revenue as is defined hereinafter (the "Management Fee"). The Management Fee shall be calculated and paid to Interstate on a monthly basis based upon the prior month's Net Revenue for each calendar month during the Operating Year.

- 3.2 On or before the 15th day of each month, Interstate will give Owner a statement for the preceding calendar month setting out the Net Revenue and calculation of the Management Fee for such month (the "Statement"), together with a check for the Balance of Revenue.

In this Agreement:

- (a) "Gross Revenue" means all revenue, excluding violation notice revenue, whether hourly, daily or monthly, collected by the Owner or Interstate in connection with the operation of the Parking Facilities, will be retained by Interstate, and the value of all Gratis Parking (as defined in Section 6.2), from the parking of vehicles in the Parking Facilities and other income approved by Owner. Any Gross Revenue, if any, collected directly by Owner will be accurately reported to Interstate.
 - (b) "Credit Card Fees" means all transaction fees charged by a credit card processing institution for processing payments of Gross Revenue by a credit card.
 - (c) "Taxes" means all transaction value, sales and any other taxes, rates, charges or assessments levied, rated, charged or assessed or required to be collected or paid (or both collected and paid) in the operation of the Parking Facilities .
 - (d) "Net Revenue" means Gross Revenue minus Credit Card Fees, the Convenience Fee charged by the Payment Programmer to the Customer for Each Transaction, Taxes and any online sales commissions and fees from parking aggregators and applications in connection with Gross Revenue.
 - (e) "Operating Expenses" means those expenses paid by Interstate without reimbursement from Owner as listed in Schedule A. All other costs in connection with the Parking Facilities are specifically excluded from the definition of Operating Expenses for the purpose of this Agreement and will be borne directly by the Owner.
 - (f) "Balance of Revenue" means Net Revenue less Management Fee.
- 3.3 Taxes, if any, separately stated as required by law, will be collected by Interstate from customers and transmitted to the taxing authority as required.
- 3.4 If this Agreement commences on any date other than the first of the month, then the parties will adjust all revenues, expenses, deposits and accounts receivable as of midnight the evening before the Commencement Date.
- 4 Staff
- 4.1 Interstate will employ at, or in respect of, the Parking Facilities a sufficient number of personnel capable of managing and maintaining the Parking Facilities in accordance with the terms and conditions hereof such that the Parking Facilities will be operated in a first class manner similar to other first class Parking Facilities of similar type in the area. Personnel will be screened by Interstate before hiring and will be employed, disciplined,

discharged, promoted and directed in the performance of their duties by Interstate. Interstate will provide all necessary executive and supervisory personnel who are not stationed at the Parking Facilities but are required for the proper management of the Parking Facilities.

- 4.2 The number of persons employed at, or in respect of, the Parking Facilities will be satisfactory to Owner and will be increased or decreased as mutually agreed to by the Owner and Interstate. All personnel will wear neat and clean uniforms. Interstate will negotiate and obtain any necessary labor agreement if applicable. Owner will have the right to require the removal from the Parking Facilities of any employee whose conduct will not reasonably satisfy Owner.

5 Complaints

- 5.1 Interstate agrees to handle and record in a prompt and courteous manner all complaints by patrons of the Parking Facilities.

6 Hours of Operation, Rates and Gratis Parking

- 6.1 Subject to any laws applicable to the Parking Facilities, the Parking Facilities will be open for business and operated by Interstate under the terms and conditions of this Agreement which may be modified at any time upon mutual written agreement between Owner and Interstate, during each calendar year of the Term.
- 6.2 Owner, in its sole discretion, may direct Interstate to provide free or discounted parking at the Parking Facilities (the "Gratis Parking"). The value of such Gratis Parking shall be included in the definition of Gross Revenue and the calculation of the Management Fee pursuant to Sections 3.1 and 3.2 (a) as if such Gross Revenue was collected by Interstate.
- 6.3 Rate structures can be recommended and changed at any time by Interstate or the Owner and will be mutually agreed to by Interstate and the Owner in advance.
- 6.4 The parking Facilities will operate 24/7, 365 days a year.

7 Compliance With Laws

- 7.1 Interstate will comply with all federal, state and municipal laws, ordinances and regulations pertaining to the Parking Facilities or the business conducted therein by Interstate including, without limitation, laws relating to equal opportunity employment and federal, state and municipal tax withholding laws. Any reasonable expense incurred by Interstate by reason of this section will be included as an Operating Expense.

8 Maintenance and Operations

- 8.1 Interstate shall pay all Operating Expenses, as is defined herein, without reimbursement from Owner and will maintain its signage and the Interstate Equipment in good working order, all in a manner comparable to other first-class Parking Facilities within Chafee County.

- 8.2 Owner agrees to pay all other expenses, excluding those included as Operating Expenses, and maintain the sidewalks and curb cuts adjacent to the Parking Facilities in accordance with applicable municipal statutes. Owner agrees to perform all snow and all litter removal. Neither party is responsible for ice control and annual sweeping of the Parking Facilities including adjacent sidewalks and driveways. Owner will also be responsible for all Parking Facilities repairs of a structural nature, including, but not limited to: electrical, plumbing, pavement repair, painting, replacement of lighting tubes and ballasts, repairs to the Parking Facilities, sinkholes, and all other maintenance. Any structural, mechanical, electrical or other installations or any alterations required by statutes or regulations pertaining to air quality, environmental protection, provisions for persons with disabilities or other similar governmental requirements will be the sole responsibility of Owner. It is agreed that any actions, costs, claims, losses, expenses, and/or damages resulting from design or structural faults or defects are the responsibility of Owner. If for any reason Chafee County establishes that the use of the Parking Facilities can only be continued by requiring Owner to perform an act of improvement to the property under or adjacent to the Parking Facilities that the Owner deems is unsatisfactory then Owner, at Owner's sole discretion, may terminate this agreement per guidelines outlined in section 2.2. Under this provision the Parking Facilities will no longer be operated for the purpose of parking vehicles.
- 8.3 Interstate agrees to develop and maintain, at Interstate's cost, a community parking system brand and website, known as "ParkSalida.com" with the features listed in Schedule C which is attached hereto, and to include the Parking Facilities within such community parking system brand and website and Owner agrees to allow Interstate to include the Parking Facilities within such marketing brand and website.
- 8.4 Interstate and the Owner will agree before towing any vehicle. Interstate will make the phone call to the towing company with the exception of between 6 pm and 8 am when the plowing company will make the call.

9 Gross Revenue, Cash Deposits and Disbursements and Controls

- 9.1 Interstate will install and maintain an accurate and efficient accounting system for Gross Revenue of the Parking Facilities. All records pertaining to Gross Revenue including, without limitation, parking tickets, monthly parking records, coupon and validation stamp sales and redemption records, cash register tapes, cashier reports, daily reports and deposit slips will be available for examination and audit to Owner and its authorized representatives upon five days written notice by Owner to Interstate.

10 Insurance

- 10.1 Interstate will obtain and maintain the following types of insurance in not less than the indicated amounts with companies authorized to do business in the state where the Parking Facilities is located:

- (a) Commercial General Liability
\$1,000,000 combined single limit
each occurrence and \$2,000,000
aggregate for bodily injury and
property damage.
- (b) Umbrella Excess Coverage. \$5,000,000
- (c) Crime Policy Limits \$250,000 employee dishonesty
\$20,000 broad form money inside
\$20,000 broad form money
outside
- (d) Worker's Compensation Policy Limits Coverage A – Statutory
Coverage B - \$100,000
- (e) Garage Keepers Coverage. If Interstate offers valet services in the Parking
Facilities it will carry Garage keepers Legal Liability insurance in coverage limits
of not less than \$500,000 per occurrence.
- (f) With respect to the Commercial General Liability and Umbrella Excess Coverage,
Owner shall be named as an additional insured. A copy of the endorsement shall
be forwarded to Owner.

10.2 Owner shall maintain all-perils property damage (fire and casualty) insurance coverage on the Parking Facilities in amounts to cover the replacement value of the Parking Facilities .

11 Indemnities

11.1 Interstate will defend, indemnify and hold Owner harmless from and against any and all actions, costs, claims, losses, expenses and/or damages sustained by Owner attributable to the recklessness, carelessness or negligence of Interstate or any of its agents, servants, or employees from any cause, including, without limitation by specification, property damage and/or injury or death to any person or persons.

11.2 The indemnity set out in this section will survive the expiration or earlier termination of this Agreement.

12 Security

Owner expressly acknowledges that Interstate's obligations in connection with the management, operation and promotion of the Parking Facilities and employment of persons in connection therewith, do not include the rendition of service, supervision, or furnishing of personnel in connection with the personal safety and security of employees, tenants, customers, or other persons within and about the Parking Facilities. Interstate does not have knowledge or expertise as a guard or security service, and does not employ personnel for that purpose, nor do Interstate's employees undertake the obligation to guard or protect customers against the intentional acts of

third parties. Owner will determine, at Owner's discretion, whether and to what extent any precautionary warnings, security devices, or security services may be required to protect patrons in and about the Parking Facilities.

13 Assignment

- 13.1 Interstate will not assign its rights or delegate its duties hereunder without the prior consent of Owner which consent may withheld in Owner's sole discretion.

14 Permits and Licenses

- 14.1 The Owner represents and warrants that the Parking Facilities may be used for the operation and management of the Parking Facilities. Owner will apply for and secure, in its own name, all municipal permits and licenses required for the Parking Facilities and carry out the responsibility under all such permits and licenses to the public and to the agencies having jurisdiction. Any expenses incurred by Owner in discharging its responsibilities under this Section will be borne by Owner.

15 Attorney Fees

- 15.1 If a party defaults in the performance of its obligations herein described, the other party may seek appropriate legal relief and in connection therewith the prevailing party will be entitled to recover, in addition to any other remedy available to it, its reasonable attorneys' fees and costs, including, but not limited to, its reasonable collection fees and costs.

16 No Hiring of Employees

- 16.1 Owner agrees that neither it nor any of its affiliates or subsidiaries will employ, in any capacity, any person that Interstate has employed as a Supervisor, Manager or Assistant Manager during the term of this Agreement. This provision will survive the expiration or other termination of this Agreement for a period of one year.

17 Notices

- 17.1 Any notice required or permitted to be given pursuant to this Agreement shall be valid only if in writing or e mail. Any person required to give notice pursuant to this Agreement shall have the burden of proving the validity of the notice. All notices or other communications made pursuant hereto shall be deemed properly delivered, given or served when (a) one day after the date such notice is sent by Federal Express or similar one-day private carrier service, or (b) faxed to the following addresses and/or facsimile numbers or e mailed to the following e mail addresses:

If to Owner:

Attn:

Telephone No.: _____

E-mail: _____

With a copy to: Nina P. Williams, City Attorney
Wilson Williams LLP
1314 Main Street, Unit 101
Louisville, CO 80027

If to Interstate:

Interstate Parking Company of Colorado LLC
Attn: Gareth James Lloyd
1610 Wynkoop Street, Suite 600
Denver, Colorado
80202
Telephone No.: 720-646-0261

Email: glloyd@interstateparking.com

With a copy to:

Interstate Parking Company of Colorado LLC
Attn: Tony Janowiec
710 N. Plankinton Avenue, Suite 700
Milwaukee, WI 53203
Telephone No.: (414) 274-2861
Facsimile No.: (414) 431-6555
Email: tjanowiec@interstateparking.com

18 Equipment

- 18.1 Owner and Interstate acknowledge and agree that Interstate has installed or will install at the Parking Facilities the technology and signage, belonging to Interstate during and after the Term of this Agreement, set forth on Schedule B with such signage and technology installed at Interstate's expense (the "Interstate Equipment").
- 18.2 Interstate shall not place, make any alterations, additions or improvements to the Premises, or install or cause to be installed any exterior signs or lighting without the prior written approval of Owner or allowed by this Agreement. Interstate shall present to Owner a site plan for the Premises and plans and specifications for such work at the time approval is sought. Interstate shall be responsible for and shall pay all costs, fees, and charges of every kind due or resulting from any alterations, additions, or improvements to the Premises, and shall indemnify and hold Landlord harmless from and against any liability or damages in connection with any such alterations, additions or improvements.

18.3 Upon termination of this Agreement, Interstate shall remove the payment technology and all signage, sign posts and equipment used in conjunction with Interstate business and any improvements installed by Interstate and, if Interstate fails or refuses to do so, Owner may remove all of such items and store them, and, if Interstate does not claim them within fifteen (15) days, dispose of such items, without any liability for loss or damage to same.

19 Modification

19.1 This Agreement will constitute the entire agreement between the parties hereto, and it may not be amended except in a written document signed by each party.

20 Severability

20.1 In the event that any one or more of the provisions contained herein shall, for any reason, be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions of this agreement, but this Agreement will be construed as if such invalid, illegal or unenforceable provisions had never been contained herein, unless the deletion of such provision or provisions would result in such a material change so as to cause completion of the transactions contemplated herein to be unreasonable.

21 Benefits and Burdens

21.1 The terms and conditions hereof will be binding upon and will inure to the benefit of Owner, Interstate and their respective successors and assigns.

22 Independent Contractor

22.1 Interstate is an independent contractor; nothing herein will be construed to create a fiduciary relationship, partnership, joint venture or other business relationship between the parties.

23 No Agency

23.1 This Agreement does not constitute a lease, a partnership or an agency and nothing contained in this Agreement is to be construed as constituting one party the agent of the other or to limit in any manner, either party in the carrying out of its own respective business or activities.

24 Governing Law and Venue

- 24.1 This Agreement will be governed by and construed in accordance with the laws of the state of Colorado, and venue for any action instituted pursuant to this Agreement shall be in the County of Chaffee, State of Colorado.

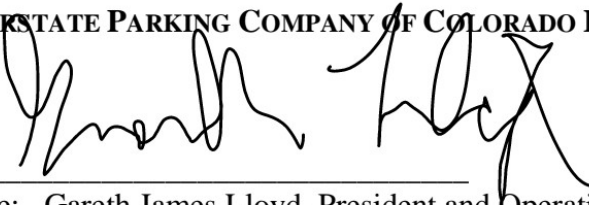
IN WITNESS WHEREOF, Owner and Interstate have caused this Agreement to be executed as of the date first set forth above.

OWNER:

By: _____

INTERSTATE:

INTERSTATE PARKING COMPANY OF COLORADO LLC,

By: 

Name: Gareth James Lloyd, President and Operating Partner

SCHEDULE A

LIST OF OPERATING EXPENSES

- (i) Wages of personnel assigned to the Parking Facilities, supervisors, attendants, cashiers, patrollers, maintenance, clerical and audit staff including worker's compensation insurance, unemployment insurance, social security tax, and health insurance
- (ii) All costs of Interstate's license plate recognition-based enforcement system including hardware, software, licensing fees and costs of processing and collections
- (iii) Interstate's costs of its owned or rented vehicles
- (iv) Cost of development and maintenance of "ParkSalida.com" website
- (v) Ticket supply, cards and decals
- (vi) Marketing and advertising
- (vii) Postage and invoicing
- (viii) Project management, ongoing monitoring and programming of the ParkSalida app and Tap n Explore
- (ix) Uniforms
- (x) Data processing
- (xi) Accounting, including costs of internal audits, if applicable
- (xii) Bank fees
- (xiii) Employee costs including recruitment, hiring, training and background checks
- (xiv) Cost of the Interstate Equipment/Technology including maintenance, repairs and replacements as needed
- (xv) Monthly software and cellular fees for the online processing of credit cards and communicating alarms from our technology

SCHEDULE B

INTERSTATE EQUIPMENT

- Wayfinding, pricing and other parking related signage
- All related costs of installation
- All payment technology
- Kiosks
- Vehicle
- License Plate Recognition Technology

If Interstate installs additional equipment or other property owned by Interstate during the Term of this Agreement, Interstate shall notify Owner in writing and such additional property belonging to Interstate shall be added to this Schedule B.

SCHEDULE C

PARKSALIDA BRANDING AND WEBSITE FEATURES

ParkSalida branding to be included in signage, uniforms and marketing material:

Website Basic Features to Include:

- Interactive Map n Park
- Information pages including information pertaining to on and off-street public and privately owned parking
- Integrated email for online communication between customers and Interstate staff
- Customizable contact forms for residential, service and construction and monthly contract parking permit application
- Link to online violation payment website
- Integration of Survey Monkey (or comparable web-based survey program) survey forms as may be created for customer surveys by Interstate
- Capability to host compatible informational videos, notices, advertisements and presentations as may be created by Interstate
- Listing of special event parking information including event information and links to event websites, if applicable
- Designed with basic SEO maximization features
- Link or integration with online prepaid parking platforms



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Administration	Christy Doon - City Administrator	January 16, 2024

ITEM

Ordinance 2024-03, An Ordinance of the City Council for the City of Salida, Colorado Amending Section 4-6-10 of the Salida Municipal Code to Modify the Short-Term Rental Tax Rate, First Reading and Setting a Public Hearing

BACKGROUND

A general election was held in Salida on November 8, 2022 in which two ballot measures referred to the voters by the Salida City Council were approved. Ballot measures 2A and 2B (which would impose an annual \$1,000 tax on STR permits and impose a nightly rate for STR rentals of \$15 per bedroom or sleeping area, respectively) were approved by the voters and certified by the Clerk.

Ordinance 2022-24 implemented those changes by amending Sections 4-6-10 and 4-6-20 of the Salida Municipal Code to identify the Occupational Tax as well as where the revenues would be directed and how they would be used. Specifically, the Ordinance notes that the revenues will be used to promote affordable housing in the City and shall be deposited in the City's Housing Fund that was created by Ordinance 2018-14. Monies in that fund can only be used for affordable housing purposes and all expenditures are tracked accordingly. This Occupation Tax commenced on January 1, 2023.

A group of citizens submitted a petition on June 20, 2023, to repeal and replace the taxes approved in November of 2022 – to a \$540 license tax on out-of-County license holders and to \$5 per night per bedroom on all STRs. On June 29th the City Clerk sent the Letter of Initial Sufficiency to the petitioners. On August 9, 2023, after the 40-day protest period, the City Clerk sent the Final Determination letter. The petition and Citizen's Ordinance (2023-12) to repeal and replace the taxes approved in November of 2022 was submitted to Council on August 15, 2023. This question was rejected by Salida voters by a margin of 65%yes/35% no, thus not effecting the current taxing structure.

Staff has identified three primary affordable housing projects, listed below, where the funds could be used over the next several years–

1. 1st and D Workforce Housing – estimated to cost approximately \$8m
2. South Arkansas Neighborhood – infrastructure and housing approximately \$14m
3. Potential Low-income Tax Credit/Senior Living Project – purchase of land approximately \$350,000

The current rate structure collected \$717,356 in the first three quarters of 2023 (4th quarter will be available at the end of January).

Post-election discussions generated interest from members of City Council to reduce the per room per night tax.

FISCAL NOTE

City staff has estimated that revenues from the proposed change would generate approximately \$707,000 annually, a reduction of approximately \$174,000 from the current structure.

STAFF RECOMMENDATION

Two Council members requested this ordinance be drafted and it is therefore attached for your discussion and consideration.



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Administration	Christy Doon - City Administrator	January 16, 2024

SUGGESTED MOTION

A City Councilmember would state, "I move to approve Ordinance 2024-03, An Ordinance of the City Council for the City of Salida, Colorado Amending Section 4-6-10 of the Salida Municipal Code to Modify the Short-Term Rental Tax Rate, on First Reading and Setting a Public Hearing for February 6, 2024" followed by a second and a roll call vote.

CITY OF SALIDA, COLORADO
ORDINANCE NO. 03
(Series of 2024)

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA,
 COLORADO AMENDING SECTION 4-6-10 OF THE SALIDA MUNICIPAL CODE
 TO MODIFY THE SHORT TERM RENTAL TAX RATE**

WHEREAS, at a City election held on November 8, 2022, the electors of the City of Salida approved imposition of an annual occupation tax of one-thousand dollars and a tax of fifteen dollars per bedroom per night that a short-term rental unit is occupied, on the business of leasing or renting short term rental units in the City; and

WHEREAS, the City Council previously codified this rental tax in Section 4-6-10 of the Salida Municipal code; and

WHEREAS, since the institution of the tax, it has been brought to the Council's attention that the current per-bedroom tax rate has had a negative impact on short term rentals within the community and the Council wishes to lower the rate so as to decrease the tax burden on these businesses; and

WHEREAS, pursuant to Colorado's TABOR Amendment, while increases in taxes must be voted on by the electors, decreases in taxes do not require such a vote.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE
 CITY OF SALIDA, COLORADO AS FOLLOWS:**

Section 1. The foregoing recitals are hereby incorporated as conclusions, facts, determinations, and findings by the City Council.

Section 2. Salida Municipal Code Section 4-6-10, concerning Tax levied, is amended by to read as follows:

Sec. 4-6-10. - Tax levied.

(a) There is hereby levied an occupation tax on the business of leasing or renting of rooms or other accommodations within the City of Salida for less than thirty (30) consecutive days at the rate of four dollars and eighty-two cents (\$4.82) per night per occupied room. The person or entity furnishing such short-term accommodations shall pay the tax to the City. All sums of money due pursuant to this Section shall be and remain public money and the property of the City held in trust for the sole use and benefit of the City.

(b) Commencing January 1, 2023, pursuant to C.R.S. 31-15-501(1)(c), there is levied an occupation tax on the business of leasing or renting short-term rental units, as that term is defined in Sec. 6-6-10 of this Code, within the City of Salida, in lieu of the tax imposed by subsection (a) of this Section, as follows:

- i. An annual payment of one-thousand dollars (\$1000.00), to be collected at the time of permit issuance or renewal, and
- ii. A tax of fifteen dollars (\$15.00) per bedroom, as that term is defined in Sec. 16-1-80 of this

Code, in the short-term rental unit, for each night that the short-term rental unit is occupied, to be collected pursuant to Section 4-6-30. **For rentals on or after July 1, 2024, the tax otherwise imposed by this paragraph (ii) shall be reduced to ten dollars (\$10.00) per bedroom.**

The person or entity furnishing such short-term rental unit shall pay the tax to the City. All sums of money due pursuant to this subsection (b) shall be and remain public money and the property of the City. As directed by City voters at an election held on November 8, 2022, the proceeds of the tax levied in this subsection (b) shall be used to promote affordable housing in the City, as further described in Section 4-6-20(b).

Section 3. Severability. The provisions of this ordinance are severable and the invalidity of any section, phrase, clause, or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of this ordinance.

INTRODUCED ON FIRST READING on this 16th day of January, 2024, ADOPTED and ORDERED PUBLISHED IN FULL in a newspaper of general circulation by the City Council on this ____ day of _____, 2024, and set for second reading and public hearing on the 6th day of February, 2024.

INTRODUCED ON SECOND READING FINALLY ADOPTED and ORDERED PUBLISHED BY TITLE ONLY, by the City Council on this 6th day of February 2024.

City of Salida

Mayor Dan Shore

ATTEST:

City Clerk/Deputy City Clerk



STAFF REPORTS

DEPARTMENT	PRESENTED BY	DATE
Administration	Christy Doon - City Administrator	January 16, 2024

Administration and Human Resources

- Conducting resume evaluations for the Fire Chief position.
- Continue to support Department Heads through the new performance management process.

Arts and Culture

- The exhibit that debuted in the Paquette Gallery featured the works from local artist Emily Moody. The artist was recognized at the reception held during the monthly Creative Mixer, which was attended by (75) people and featured local musician Joan Lobeck.
- The 3rd annual Holiday Art Pop-up took place over two days in the SteamPlant Ballroom. The Arts & Culture department organized (20) local and regional vendors to set up booths presenting a variety of artist offerings from jewelry and sculpture to wall art and cards, just in time for the holidays! The two-day event was attended by (510) people.
- The performance highlights of the month were from local and touring musical groups, including Grammy-nominated David Arkenstone, The Noteables, Ark Valley Children's Chorus, Poetry Consorts of CO, Salida Circus Camp and Sventastik Productions. The six (6) performances were attended by (620) people.
- The SteamPlant and Scout Hut played host venues to many municipal, county, educational, business and non-profit groups, including Foodshed Alliance, High Country Bank, City of Salida, Colorado Water Trust, Chaffee County Economic Development Corporation, HRRMC, Chaffee County Dept of Human Services, United States Air Force, Pinon Real Estate, Solvista Health and Chaffee County Public Health. All total the LISTED events/meetings were attended throughout the month by (667).
- TOTAL GUESTS Attending (41) Events/Meetings for December = 2,948
 - Number of free arts and culture events/no admission = 13
 - Number of attendees at free events = 1,650
 - Number of events paying rental fees = 25
 - Number of entities using the facilities = 23

City Clerk

- No report available

Community Development

- Building Permits: In 2023, there were a total of 248 building permits, inc. 172 new residential units. In 2022, we reviewed 169 total permits, inc. 113 new residential units. In 2021, we reviewed 253 total permits, inc. 175 new residential units. Thus far in 2024, we have seen 5 total building permits, including 2 new residential units.
- South Ark Neighborhood Master Plan and Phase I Infrastructure: Now that the PD modification/master plan has been approved, the focus is on amassing funding to implement design and development of the first phase of mainline infrastructure throughout the site (anticipated total of approximately \$7.1 million). As reported before, both Chaffee County's Board of Commissioners and Colorado Mountain College's Board of Trustees approved the City's partnership/funding request (each for up to \$1 million towards Phase I). We also received notice from DOLA that we have been officially invited to apply for the Strong Communities Infrastructure grant (application due Feb. 2), which is competitive but with a much smaller pool of applicants and a max award of ~\$4 million.



STAFF REPORTS

DEPARTMENT	PRESENTED BY	DATE
Administration	Christy Doon - City Administrator	January 16, 2024

This is in addition to the More Housing Now grant that we have applied for (max. award of \$2 million). We probably will not find out about an award until March, however. Right now, the hope is to receive at least a total of \$4 million in funding from one or both of the grants. We will continue to look at other funding opportunities to potentially supplement the partnership and grant funds, as needed.

- 1st and D Apartments Project: The architects and engineers for the project continue to work on massing models and more detailed components of the project, taking in feedback from the fall open houses and online survey. They will also be utilizing the services of a local surveyor and geotech services in the coming weeks, so you may see folks doing some work on site to establish some more baseline data for the architects and engineers to use. We are still on schedule to have final designs by Spring/early summer 2024, with potential construction beginning at the end of 2024/beginning of 2025, provided affordable housing funds, grants, and potentially other loans can be compiled in the coming year.
- Land Use Code update: Staff is finishing up final review of Installment 2 of the Land Use Code update (districts, dimensional standards, and uses, etc.) and beginning review of Installment 3 (design standards). This new installment is expected to be made public for review and feedback in the next couple of months prior to a consolidated draft code being created.
- Local Planning Capacity Grant: This would help fund a position to help with housing-related work and specifically to help meet the requirements of Proposition 123 commitments, in addition to the deluge of applications, permits, and inquiries that we now deal with on a daily basis. Application is due Feb. 15 with notification due in March.

Finance

- The 2024 Budget Document is under final review and will be submitted to GFOA and the State on time.
- Year-end work and planning for the annual audit has begun.

Fire

- Annual flow testing on the department's Self-Contained Breathing Apparatus was completed on January 5, 2024. This process highlighted some much-needed repairs. Most repairs could be accomplished by the on-site technician.
- We ended 2023 with 1,132 calls for service. This is up 82 calls from 2022 (8% increase). 46% of calls were fire related calls, while 54% were EMS. Please see attached report.
- The trucks that were in repair in December are back in service. While we were repairing the ladder truck multiple maintenance issues arose that we will need to repair for safety.
- The new fire station foundations are being poured. The outline of the building is visible now with the footers dug out. Next step will be going vertical, after foundations are in place.

Parks and Recreation

- Aquatics – Please reference previous communications regarding the incident at the pool on 1/8/24.
- Recreation
 - Youth basketball began on 1/9/24 with 115 players and 42 volunteer coaches.
 - Youth Learn to Kayak classes, a P&R and FIBArk collaboration, filled in minutes with a waitlist that will fill the next session.



STAFF REPORTS

DEPARTMENT	PRESENTED BY	DATE
Administration	Christy Doon - City Administrator	January 16, 2024

- The ski bus started its season this week.
- Facilities
 - The P&R team met with the Outdoor Soaking pool builders (Aqua Builders) onsite 12/20/23
- Parks – Please find details of the Tenderfoot Mountain Reforestation Project attached.

Police

- No report available

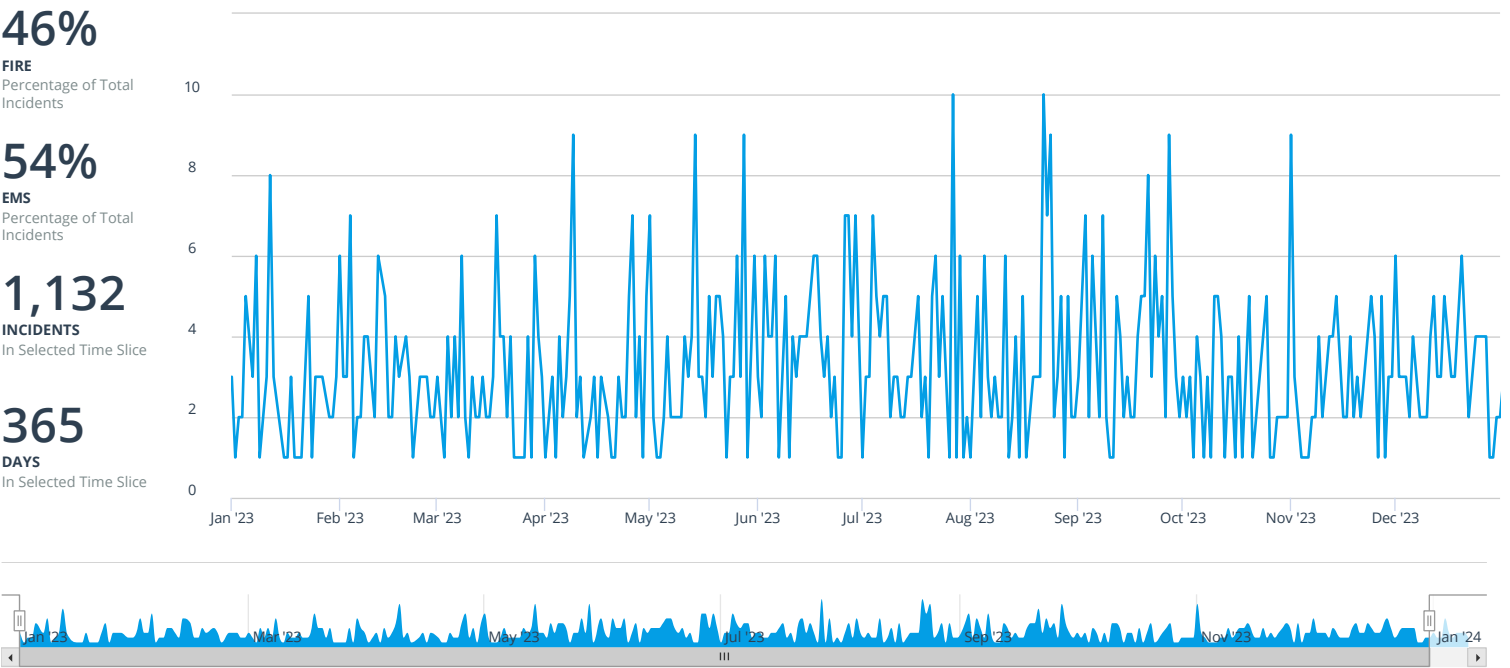
Public Works

- No report available



S-Mtn Reforestation Project Outline

- **Background of S-Mtn trees**
 - Provide pictures
 - In the 1880's and early 1890's S-Mtn was filled with trees
 - Why are the trees gone?
 - easy firewood with no restrictions tree cutting
 - vandals
 - The smelter plant operating in 1902-1920 and the noxious gases it blew out did not help the cause
- **Why put trees back?**
 - Landscape restoration
 - Better soils
 - Health of the ecosystem
 - Flood and erosion control
 - Slowly and surely reverse the erosion on S-Mtn and revive a landscape that every local or visitor downtown looks at every day!
 - Multiyear process
 - Continually to plant trees every spring
 - Knowing a majority of them will die
 - Picture 10,20,30 years from now the hillside covered in healthy native trees
 - The future of Salida will thank us
- **How to do it?**
 - Creating rock water bars in convenient locations to slow down rainwater to capture more water and sediment too re-saturate soils to create better growing conditions
 - Planting 200-300 saplings every year?
 - \$2.50/plant-
 - Watering?
 - Volunteer event- many hands
 - Large PR push and education
- **What kind of trees?**
 - Junipers
 - Pinon pines
 - Pondo pines
 - Sage brush?
- **Who can be involved?**
 - Central Colorado conservancy
 - Colorado state forest service
 - GARNA
 - SPOT
 - SMT
 - Tree board
 - SWCC
 - School age kids



Counts % Rows % Columns % All

	Jan '23	Feb '23	Mar '23	Apr '23	May '23	Jun '23	Jul '23	Aug '23	Sep '23	Oct '23	Nov '23	Dec '23	Jan '24	Total
(11) Structure Fire	1	1	1					1		1				5
(12) Fire in mobile property used as a fixed structure						1								1
(13) Mobile property (vehicle) fire	2			1	1			1	2					7
(14) Natural vegetation fire			1	1										2
(15) Outside rubbish fire	1		1		1		1	1			1			6
(31) Medical assist	10	12	19	17	11	14	12	20	21	7	19	13		175
(32) Emergency medical service (EMS) incident	28	32	37	25	42	46	39	38	44	35	26	37		429
(34) Search for lost person						1								1
(35) Extrication, rescue		1												1
(36) Water or ice-related rescue						1	4							5
(38) Rescue or EMS standby		2	2		3				1		2			10
(41) Combustible/f... spills & leaks	2	6		2	1	5	2	1	2	3	2			26
(42) Chemical release, reaction, or toxic condition			1	1	3						1			6
(44) Electrical wiring/equipm. problem				3	2	1	2	1		1				10
(45) Biological hazard											1			1

	Jan '23	Feb '23	Mar '23	Apr '23	May '23	Jun '23	Jul '23	Aug '23	Sep '23	Oct '23	Nov '23	Dec '23	Jan '24	Total
(46) Accident, potential accident			1			2		2			2	1	Item 13.	
(48) Attempted burning, illegal action									1					1
(52) Water problem	1													1
(54) Animal problem or rescue						1								1
(55) Public service assistance	16	10	6	18	10	21	23	19	20	16	11	20		190
(56) Unauthorized burning		1		1			2							4
(61) Dispatched and canceled en route	4	6	7	6	13	7	8	8	12	6	6	4		87
(62) Wrong location, no emergency found	2	5	4		8	8	6	7	7	3	7	7		64
(63) Controlled burning						1	1		1					3
(65) Steam, other gas mistaken for smoke	2	1	1	1	1	1	4			2	1	1		15
(66) EMS call where party has been transported									1	1				2
(67) HazMat release investigation w/no HazMat			1			1			1			1		4
(70) False alarm and false call, other					1									1
(71) Malicious, mischievous false alarm				1										1
(73) System or detector malfunction		1	1	1	2	4	1		5	2	1	1		19
(74) Unintentional system/detect... operation (no fire)	3	1	4	2	8	4	2	6		2	4	5		41
(91) Citizen complaint		1						1	1			1		4
UNK							1							1
Total	72	80	87	80	107	118	109	106	119	79	84	91		1,132