

**TOWN OF SILT
REGULAR BOARD OF TRUSTEES AGENDA
MONDAY, MAY 22, 2023 – 7:00 P.M.
MUNICIPAL COUNCIL CHAMBERS**

ESTIMATED TIME	AGENDA ITEM	PUBLIC HEARING or ACTION ITEM	STAFF PRESENTOR
	Agenda		Tab A
7:00	Call to order		Mayor Richel
	Roll call		
	Pledge of Allegiance and Moment of Silence		
7:05	Public Comments - Persons desiring to make public comment on items not on the agenda shall activate the “raise hand” function in the meeting program. For persons who will participate in the meeting by telephone, they should send an email by 5:00 p.m. on the day of the meeting to sheila@townofsilt.org indicating their desire to make public comment. For those attending in person, a “Sign in Sheet” is available in the Council Chambers. Each speaker will limit comments to no more than three (3) minutes, with a total time of 30 minutes allotted to public comments, pursuant to Section 2.28.020 of the Silt Municipal Code		
7:20 5 min	Consent agenda – 1. Minutes of the May 8, 2023 Board of Trustees meeting 2. Amendment to Mountain Waste & Recycling, Inc. for Waste Removal and Recycling Services Agreement 3. Good2Go Stores - Approving renewal of Fermented Malt Beverage and Wine license	Action Item	Tab B Mayor Richel
	Conflicts of Interest		
7:25	Agenda Changes		
7:25 10 min	Interview for Board of Trustee Vacancy – • Andreia Poston	Action Item	Tab C Town Clerk McIntyre
7:35 10 min	Resolution No. 15, Series 2023 , A RESOLUTION OF THE BOARD OF TRUSTEES APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH SUSTAINABLE STRATEGIES FOR MANAGEMENT AND GRANT SERVICES FOR THE TOWN OF SILT, COLORADO	Action Item	Tab D Administrator Layman
7:45 10 min	River Trace – Lot 3 at Painted Pastures Development Agreement	Action Item	Tab E Planner Chain
7:55 45 min	Resolution No. 16, Series 2023 , A RESOLUTION OF THE TOWN OF SILT, COLORADO, APPROVING THE MAJOR SUBDIVISION PRELIMINARY PLAN FOR PROPERTY FORMERLY KNOWN AS DIVIDE CREEK CENTER AND NOW COMMONLY KNOWN AS RISLENDE PLANNED UNIT DEVELOPMENT	Public Hearing	Tab F Planner Chain

8:40 10 min	Appointments to various committees: <ul style="list-style-type: none"> • Regional Detox Service Center • Water/Wastewater/Irrigation Master Plan • OHV • Parks/Recreation/Culture Master Plan • Code Enforcement 	Action Item	Tab G Administrator Layman
8:50 5 min	Garfield County Transportation Improvement Subcommittee: CDoT Letter Review and Approval	Action Item	Tab H Administrator Layman
8:55 5 min	Second reading of Ordinance No. 5, Series 2023 , AN ORDINANCE OF THE TOWN OF SILT, COLORADO, AMENDING AND REENACTING TITLE 15 OF THE SILT MUNICIPAL CODE IN REFERENCE TO THE FOLLOWING 2015 INTERNATIONAL CODES: BUILDING CODE, RESIDENTIAL CODE, FIRE CODE, MECHANICAL CODE, PLUMBING CODE, PROPERTY MAINTENANCE CODE, EXISTING BUILDING CODE AND FUEL GAS CODE; ADOPTING BY REFERENCE THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE; REPEALING AND REPLACING THE NATIONAL ELECTRIC CODE AND NATIONAL ELECTRIC SAFETY CODE AND REPEALING ALL ORDINANCES OF THE TOWN OF SILT, IN CONFLICT OR INCONSISTENT HEREWITH	Public Hearing	Tab I Comm Dev Mgr Centeno
9:00 30 min	Water Treatment Plant Update – Jim Mann and Patrick Radabaugh	Info Item	Tab J Administrator Layman
9:30 5 min	April 2023 Financial Report	Info Item	Tab K Treasurer Tucker
9:35 5 min	Administrator and Staff Comments	Info Item	Tab L Administrator Layman
9:40 10 min	Updates from Board / Board Comments		
9:50	Adjournment		
The next regularly scheduled meeting of the Silt Board of Trustees is Monday, June 12, 2023. Items on the agenda are approximate and intended as a guide for the Board of Trustees. “Estimated Time” is subject to change, as is the order of the agenda. For deadlines and information required to schedule an item on the agenda, please contact the Silt Town Clerk at 876-2353.			

Tentative upcoming work sessions:

June 26, 2023 – Planning & Zoning Commission

**TOWN OF SILT
REGULAR BOARD OF TRUSTEES MEETING
MAY 8, 2023 – 7:00 P.M.**

The Silt Board of Trustees held their regularly scheduled meeting on Monday, May 8, 2023. Mayor Richel called the meeting to order at 7:00 p.m.

Roll call	Present	Mayor Keith Richel
		Mayor Pro-tem Derek Hanrahan
		Trustee Justin Brintnall
		Trustee Chris Classen
		Trustee Samuel Flores
		Trustee Jerry Seifert
	Absent	Vacancy

Also present were Town Administrator Jeff Layman, Town Clerk Sheila McIntyre, Public Works Director Trey Fonner, Chief of Police Mike Kite, Town Attorney James Neu and members of the public.

Pledge of Allegiance and Moment of Silence

Public Comments – There were no public comments.

Consent Agenda

1. Minutes of the April 24, 2023 Board of Trustees meeting
2. **Resolution No. 14, Series 2023**, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO, AUTHORIZING SIGNATURES ON THE TOWN'S BANK ACCOUNTS

Town Clerk McIntyre stated for the record that per the banks request that it be noted in the minutes that past Mayor Pro-tem Knott was being removed from the list of signers on the town's bank accounts and being replaced with the new Mayor Pro-tem, Derek Hanrahan.

Trustee Seifert made a motion to approve the consent agenda with a statement that Kyle Knott is being replaced by Mayor Pro-tem Hanrahan as a signer on the bank accounts. Trustee Classen seconded the motion, and the motion carried unanimously.

Conflicts of Interest – There were no conflicts of interest.

Agenda Changes – Administrator Layman stated that he had a comment to make during board reports

First reading of **Ordinance No. 5, Series 2023**, AN ORDINANCE OF THE TOWN OF THE TOWN OF SILT, COLORADO, AMENDING AND REENACTING TITLE 15 OF THE SILT MUNICIPAL CODE IN REFERENCE TO THE FOLLOWING 2015 INTERNATIONAL CODES: BUILDING CODE,

RESIDENTIAL CODE, FIRE CODE, MECHANICAL CODE, PLUMBING CODE, PROPERTY MAINTENANCE CODE, EXISTING BUILDING CODE AND FUEL GAS CODE; ADOPTING BY REFERENCE THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE; REPEALING AND REPLACING THE NATIONAL ELECTRIC CODE AND NATIONAL ELECTRIC SAFETY CODE AND REPEALING ALL ORDINANCES OF THE TOWN OF SILT, IN CONFLICT OR INCONSISTENT HERewith

Community Development Manager Centeno went through her staff report explaining that HB 22-1362 requires municipalities to adopt and implement the 2018 Energy Conservation Code by July 1, 2023 otherwise all future adoptions would trigger the requirement to adopt the most recent Energy Code. She stated that the town has decided to keep the current adoption of certain 2015 codes and would maintain compliance by adopting the 2018 International Energy Conservation Code which would be in effect by the deadline. Ms. Centeno added that the entire Title 15 was amended in an effort to make it more user friendly.

There was discussion regarding the energy code and Mayor Richel stated he wasn't pleased with being forced to adopt the energy code with no ability to amend it.

The public hearing was opened at 7:17 p.m. There were no public comments and the hearing was closed at 7:17 p.m.

Trustee Brintnall made a motion to approve first reading of Ordinance No. 5, Series 2023, AN ORDINANCE OF THE TOWN OF THE TOWN OF SILT, COLORADO, AMENDING AND REENACTING TITLE 15 OF THE SILT MUNICIPAL CODE IN REFERENCE TO THE FOLLOWING 2015 INTERNATIONAL CODES: BUILDING CODE, RESIDENTIAL CODE, FIRE CODE, MECHANICAL CODE, PLUMBING CODE, PROPERTY MAINTENANCE CODE, EXISTING BUILDING CODE AND FUEL GAS CODE; ADOPTING BY REFERENCE THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE; REPEALING AND REPLACING THE NATIONAL ELECTRIC CODE AND NATIONAL ELECTRIC SAFETY CODE AND REPEALING ALL ORDINANCES OF THE TOWN OF SILT, IN CONFLICT OR INCONSISTENT HERewith. Trustee Hanrahan seconded the motion, and the motion carried with Mayor Richel voting nay.

Second reading of **Ordinance No. 4, Series 2023, AN ORDINANCE OF THE TOWN OF SILT, COLORADO AMENDING TITLE 3 OF THE SILT MUNICIPAL CODE TO PROVIDE FOR THE CLARIFICATION OF THE REMITTANCE SCHEDULE OF THE BAG FEE IMPOSED BY THE STATE OF COLORADO**

Administrator Layman stated that no changes have been made to this ordinance since first reading.

The public hearing was opened at 7:20 p.m. There were no comments and the hearing was closed at 7:21 p.m.

Trustee Classen made a motion to approve second reading of Ordinance No. 4, Series 2023, AN ORDINANCE OF THE TOWN OF SILT, COLORADO AMENDING TITLE 3 OF THE SILT MUNICIPAL CODE TO PROVIDE FOR THE CLARIFICATION OF THE REMITTANCE SCHEDULE OF THE BAG FEE IMPOSED BY THE STATE OF COLORADO. Trustee Seifert seconded the motion, and the motion carried unanimously.

Administrator and Staff Reports

Administrator Layman stated that Rislende had approached the town and fire department about burning brush on their property and that a permit was issued with rules and regulations to follow. He stated that he had received a note from a concerned citizen about the burning. Upon further review Administrator Layman stated that he didn't have the authority to allow the burning on private property and that a note has been sent to the group revoking their ability to burn.

Town Clerk McIntyre reminded everyone of the Board vacancy adding that applications would be accepted until May 17. Director Fonner reminded everyone that the town still has two seasonal positions open, that the town had a sanitary survey of which the town could possibly see three violations out of and that the renovations at Eagles View Park should hopefully be completed by the end of next week.

Updates from Board / Board Comments

The Board commented about the following:

- Thanked staff for their work on the code rewrite and for all of their hard work,
- Conversations about HB 213 that takes development out of the hands of the town,
- DMV2GO that would be back in town on May 17,
- How does the Fire Marshal fit into the government of Silt,
- Status of the code enforcement position,
- Does the town still have a radar trailer,
- The filling of the openings on committees once held by Kyle Knott,
- The possibility of requiring irrigation on future phases of Iron Horse,
- To please slow down on the Interstate with the construction that is taking place right now,
- Update on the Garfield County Mass Transit sub-committee meeting,
- Slow down in town and watch for kids, and
- To make sure your trees and shrubs are trimmed back so that people can use the sidewalks and not the streets.

Adjournment

Trustee Brintnall made a motion to adjourn. Trustee Seifert seconded the motion, and the motion carried unanimously. Mayor Richel adjourned the meeting at 7:54 p.m.

Respectfully submitted,

Approved by the Board of Trustees

Sheila M. McIntyre
Town Clerk, CMC

Keith B. Richel
Mayor

AMENDMENT TO MOUNTAIN WASTE AND RECYCLING, INC. FOR WASTE
REMOVAL AND RECYCLING SERVICES AGREEMENT

THIS SECOND AMENDMENT TO MOUNTAIN WASTE AND RECYCLING, INC. FOR WASTE REMOVAL AND RECYCLING SERVICES AGREEMENT effective as of the 1st day of August, 2023 ("Effective Date"), by and between the TOWN OF SILT ("The Town") AND MOUNTAIN ROLL-OFF, INC., D/B/A MOUNTAIN WASTE & RECYCLING, A WASTE CONNECTIONS COMPANY, a Colorado corporation ("Mountain Waste").

RECITALS

WHEREAS, the Parties entered into a professional services agreement dated August 1, 2018, subject to a First Amendment on August 1, 2021 (collectively and as amended the "Agreement"); and a Second Amendment on August 1, 2023; and

WHEREAS, pursuant to the Agreement, the Town shall exercise a two year right of renewal of the Initial Term of the Agreement providing for a renewal period that expires on July 31, 2025; and

WHEREAS, the parties desire to renew the Agreement subject to additional amendments as set forth below.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. TERM OF AGREEMENT. The Agreement is hereby renewed for an Additional Term from August 1, 2023 through July 31, 2025, subject to annual budgeting and appropriation by the Town Council as required by the Colorado Constitution. The Town shall have the option of renewing the Agreement for one additional consecutive two-year period ("Renewal Periods") pursuant to the notice provisions in Section 5.1 of the Agreement.

2. RATES. Beginning on the Effective Date, the rate charged by Mountain Waste shall be billed to the Town at the general rates provided by the Agreement, as amended by Appendix A (Rate Table) of the Agreement is amended to provide that the annual rate increase, if applicable, shall be based upon the Consumer Price Index for all urban consumers (CPI-U) or (CPI-T) whichever is greater and shall not exceed 5% over the prior year.

3. EFFECTIVE DATE. This Amendment shall be in effect as of the Effective Date of August 1, 2023, notwithstanding the date it is signed and approved by both parties.

4. CORPORATE NAME CHANGE. Mountain Waste's name for notices and all other purposes is: Mountain Roll-Off, Inc. d/b/a Mountain Waste & Recycling – A Waste Connections Company.

5. **REMAINDER UNCHANGED.** All parts of the Agreement not specifically amended herein remain unchanged and shall continue in full force and effect.

SO AGREED and made effective as of the Effective Date.

TOWN OF SILT:

By: _____
Keith Richel, Mayor

ATTEST:

Jeff Layman, Town Administrator

MOUNTAIN WASTE AND RECYCLING

By: _____
Bill Cira, District Manager

Submit to Local Licensing Authority

GOOD 2 GO STORES #701
902 Main Street
Silt CO 81652

Fees Due	
Renewal Fee	146.25
Storage Permit \$100 X _____	\$
Sidewalk Service Area \$75.00	\$
Additional Optional Premise Hotel & Restaurant \$100 X _____	\$
Related Facility - Campus Liquor Complex \$160.00 per facility	\$
Amount Due/Paid	\$

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

Retail Liquor License Renewal Application

Please verify & update all information below

Return to city or county licensing authority by due date

Licensee Name GOOD 2 GO STORES, LLC		Doing Business As Name (DBA) GOOD 2 GO STORES #701	
Liquor License # 04-01682	License Type Fermented Malt Beverage and Wine (city)		
Sales Tax License Number 29825773	Expiration Date 06/08/2023	Due Date 04/24/2023	
Business Address 902 Main Street Silt CO 81652			Phone Number 2085355901
Mailing Address 902 Main Street Silt CO 81652		Email licensing@good2gostores.com	
Operating Manager	Date of Birth	Home Address	Phone Number
1. Do you have legal possession of the premises at the street address above? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Are the premises owned or rented? <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Rented* *If rented, expiration date of lease <u>DEC. 2031</u>			
2. Are you renewing a storage permit, additional optional premises, sidewalk service area, or related facility? If yes, please see the table in upper right hand corner and include all fees due. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3a. Are you renewing a takeout and/or delivery permit? (Note: must hold a qualifying license type and be authorized for takeout and/or delivery license privileges) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3b. If so, which are you renewing? <input type="checkbox"/> Delivery <input type="checkbox"/> Takeout <input type="checkbox"/> Both Takeout and Delivery			
4a. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
4b. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
5. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
6. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

7. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. ☐ Yes ☒ No

8. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. ☒ Yes ☐ No

WE HAVE 2 OTHER GAS STATIONS IN CORTIZ THAT HAVE LIQUOR LICENSES

Affirmation & Consent

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business Logan Hall	Title MEMBER
Signature 	Date 5/2/2023

Report & Approval of City or County Licensing Authority

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 44, Articles 4 and 3, C.R.S., and Liquor Rules.

Therefore this application is approved.

Local Licensing Authority For		Date
Signature	Title	Attest

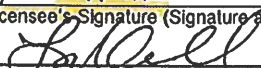
Tax Check Authorization, Waiver, and Request to Release Information

I, Logan Hall am signing this Tax Check Authorization, Waiver and Request to Release Information (hereinafter "Waiver") on behalf of Good 2 Go STORES, LLC (the "Applicant/Licensee") to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documentation that may otherwise be confidential, as provided below. If I am signing this Waiver for someone other than myself, including on behalf of a business entity, I certify that I have the authority to execute this Waiver on behalf of the Applicant/Licensee.

The Executive Director of the Colorado Department of Revenue is the State Licensing Authority, and oversees the Colorado Liquor Enforcement Division as his or her agents, clerks, and employees. The information and documentation obtained pursuant to this Waiver may be used in connection with the Applicant/Licensee's liquor license application and ongoing licensure by the state and local licensing authorities. The Colorado Liquor Code, section 44-3-101, et seq. ("Liquor Code"), and the Colorado Liquor Rules, 1 CCR 203-2 ("Liquor Rules"), require compliance with certain tax obligations, and set forth the investigative, disciplinary and licensure actions the state and local licensing authorities may take for violations of the Liquor Code and Liquor Rules, including failure to meet tax reporting and payment obligations.

The Waiver is made pursuant to section 39-21-113(4), C.R.S., and any other law, regulation, resolution or ordinance concerning the confidentiality of tax information, or any document, report or return filed in connection with state or local taxes. This Waiver shall be valid until the expiration or revocation of a license, or until both the state and local licensing authorities take final action to approve or deny any application(s) for the renewal of the license, whichever is later. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license, if requested.

By signing below, Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority or agency in the possession of tax documents or information, release information and documentation to the Colorado Liquor Enforcement Division, and is duly authorized employees, to act as the Applicant's/Licensee's duly authorized representative under section 39-21-113(4), C.R.S., solely to allow the state and local licensing authorities, and their duly authorized employees, to investigate compliance with the Liquor Code and Liquor Rules. Applicant/Licensee authorizes the state and local licensing authorities, their duly authorized employees, and their legal representatives, to use the information and documentation obtained using this Waiver in any administrative or judicial action regarding the application or license.

Name (Individual/Business) <u>Good 2 Go STORES, LLC</u>		Social Security Number/Tax Identification Number <u>30-0751561</u>	
Address <u>PO BOX 50430</u>			
City <u>Idaho Falls,</u>		State <u>ID</u>	Zip <u>83405</u>
Home Phone Number		Business/Work Phone Number <u>208-535-5920</u>	
Printed name of person signing on behalf of the Applicant/Licensee <u>Logan Hall</u>			
Applicant/Licensee's Signature (Signature authorizing the disclosure of confidential tax information) 			Date signed <u>5/2/2023</u>


Privacy Act Statement

Providing your Social Security Number is voluntary and no right, benefit or privilege provided by law will be denied as a result of refusal to disclose it. § 7 of Privacy Act, 5 USCS § 552a (note).

**CONVENIENCE STORE LEASE AGREEMENT
SUMMARY OF BASIC LEASE INFORMATION**

The parties hereto agree to the following terms of this Summary of Basic Lease Information (this "Summary"). In the event of a conflict between the terms of this Summary and the Convenience Store Lease Agreement, the terms of the Convenience Store Lease Agreement shall prevail. Any capitalized terms used herein and not otherwise defined herein shall have the meaning as set forth in the Convenience Store Lease Agreement.

SUMMARY TERMS OF LEASE

1. Effective Date: December 8, 2021
2. Landlord: Main Silt Property, LLC,
an Idaho limited liability company
3. Address of Landlord: P.O. Box 50620
Idaho Falls, ID 83405
4. Tenant: Good 2 Go Stores, LLC,
an Idaho limited liability company
5. Address of Tenant: P.O. Box 50430
Idaho Falls, Idaho 83405
Attention: John Pearson, President
6. Premises: 902 Main St, Silt, Colorado, and including all improvements located thereon
G2G #701
7. Lease Term: 120 months. If the Lease Commencement Date (as defined below) occurs on a day other than the first day of a month, then the foregoing time period shall be measured from the first day of the next full calendar month.
8. Lease Commencement Date: December 8, 2021
9. Rent: Rent shall include Base Rent and Additional Rent (each as defined below).
10. Base Rent: 
11. Additional Rent: This is a true triple net lease. Tenant shall be responsible for Base Rent and Additional Rent, which shall include all Operating Expenses, Insurance Expenses, Utility Expenses, and Tax Expenses (each as defined below in the Convenience Store Lease Agreement) associated with the Premises and use thereof.
12. Prepaid Base Rent; Security Deposit: None.

**TOWN OF SILT
BOARD OF TRUSTEES REGULAR MEETING
May 22, 2023**

AGENDA ITEM SUMMARY

SUBJECT: Interview for Board of Trustee vacancy

PROCEDURE: (Public Hearing, Action item, Information Item) Action item

RECOMMENDATION: Staff asks that the board interview candidate Andreia Poston who has completed and returned an application for the advertised vacancy.

SUMMARY AND BACKGROUND OF SUBJECT MATTER: Per Section 2.04.020 of the SMC, in the event of a vacancy the board shall appoint a qualified person to fill the vacancy until the next regular municipal election. According to the Home Rule Charter, Section 2-6(c), whenever a vacancy occurs more than 90 days prior to the next regular Town election, the Board of Trustees shall solicit the general public for applications to fill the vacancy. Within 60 days following the occurrence of a vacancy, the board of Trustees shall either appoint a replacement or call a special election to replace such person. If the Board of Trustees fails to appoint a replacement within 60 days following the occurrence of a vacancy, then the Board of Trustees may schedule a special election to be held within 180 days after such failure, unless a general election is already scheduled within that time period.

ORDINANCE FIRST READING DATE: N/A

ORDINANCE SECOND READING DATE: N/A

ORIGINATED BY:

PRESENTED BY: Town Clerk Sheila McIntyre

DOCUMENTS ATTACHED: Application from Andreia Poston

TOWN ATTORNEY REVIEW ☐ YES ☒ NO **INITIALS** _____

SUBMITTED BY:



Sheila M. McIntyre, Town Clerk

REVIEWED BY:



Jeff Layman, Town Administrator



Application for Commission or Board Appointment

On which of the Commissions or Boards are you interested in serving on?

_____ Planning & Zoning Commission

_____ VALE Board

☒ Board of Trustees

Is this a reappointment request? _____ If yes, how long have you served? _____

NAME: Andreia B. Poston
ADDRESS: 542 Ballard Ave, Silt, CO 81652
MAILING ADDRESS: 542 Ballard Ave, Silt, CO 81652
CONTACT PHONE: 970 618 8754 WORK PHONE: _____
EMAIL ADDRESS: andreiaposton@gmail.com
HOW LONG HAVE YOU LIVED IN SILT? 8 yrs OCCUPATION: Commercial Banking Support Specialist

I hereby certify and affirm that all the information contained in this application is true, complete and correct. I understand that false or misleading statements or the omission of important information made on this application or any time during the process may disqualify me from serving for this position. I understand that the Board of Trustees must appoint members to all Boards and Commissions.


Applicant's Signature

05/03/2023
Date



Town of Silt Board of Trustee Vacancy

The Silt Board of Trustees is looking for a resident to serve out a Trustee term until April 2024. The board meets the 2nd and 4th Mondays of each month, and additional committee work could be expected.

Qualifications:

- Minimum 18 years of age;
- Town of Silt resident for no less than 12 months;
- Registered voter; and
- All other requirements as stated in the Silt Municipal Code and Home Rule Charter

If interested in being part of a decision-making board for the Town of Silt, please complete an application and return it to the Town Clerk, PO Box 70, Silt, CO., 81652 or deliver to 231 N. 7th Street, or email to: sheila@townofsilt.org. Applications can be picked up at Town Hall, downloaded from the Town of Silt website at: townofsilt.org or by calling the Town of Silt at 876-2353 ext. 102. Applications must be received by 5:00 p.m. May 17, 2023.

1. Tell us briefly about yourself, why you are interested in being appointed and what experience or education would you bring to this Commission or Board?

I am a local resident of the town of Silt since February of 2015. I am interested in being appointed to the Board because I want to be part of the discussions and sound decision making process that impact us all as Silt residents. I currently work for Alpine Bank on their Commercial Support Team, prior to adopting this position I worked with consumers, I have a wide experience understanding the needs of both sectors, I have a lot of respect for all the current board members and for the entire town staff. I am hoping I can be an asset to the town and use my abilities to serve.

2. Why do you wish to be appointed/reappointed to this Commission or Board?

As I have mentioned above, I would like to be part of the discussions and decision making process for our town.

3. Are you aware of the time commitment and do you have the personal time to devote to this Commission or Board?

Yes, I have recently been transferred from the Carbondale branch to the South Rifle location a lot closer from home, I have more flexibility with my time, also.

4. The Board of Trustees strives to keep a balance of knowledge and new opinions and ideas on all boards. What makes you a good candidate for reappointment rather than bringing in a new person? (for those seeking reappointment only)

It would be great to return to the Board, I believe I am able to contribute by bringing balance opinions and I can communicate them effectively with the purpose of finding solutions beneficial to the town.

5. What other Boards have you served on? *N/A*

QUESTIONS FOR PLANNING & ZONING AND BOARD OF TRUSTEE CANDIDATES ONLY

6. If appointed, what would you like to accomplish on the Commission or Board while you're involved?

7. What do you believe could be a concern or issue facing this Commission or Board?

8. What do you think the Town's responsibility is in overseeing and regulating residential and commercial development?

Thank you for your interest and time commitment in serving your community.



231 N 7th Street
Silt, CO
970-876-2353
www.townofsilt.org

Application for Board Appointment

Attached is information about serving for the Town of Silt on the Planning & Zoning Commission, the VALE Board or the Board of Trustees (as an appointed position only between elections).

Each member serving on a commission or board must reside in the Town of Silt.

If you are interested in serving on a commission or board, please complete the application and questionnaire and return it to the Town Clerk at the address above.

Planning & Zoning Commission

Number of members:	5 members and 2 alternates
Length of term:	4 years
Meeting date & time:	1 st Tuesday of each month at 6:30 p.m.
Residency requirement:	Must reside in the Town of Silt

VALE Board

Number of members:	6 members and 1 alternate
Length of term:	4 years
Meeting date & time:	3 rd Monday of each month at 5:30 p.m.
Residency requirement:	Must reside in the Town of Silt

Board of Trustees (appointments to fill a vacancy only)

Number of members:	7 members
Length of term:	Until the next election in April of even numbered years
Meeting date & time:	2 nd & 4 th Monday of each month at 7:00 p.m.
Residency requirement:	Must have resided in the Town of Silt for at least one year, be 18 years of age and a registered elector in the Town of Silt

BOARD OF TRUSTEES REGULAR MEETING

May 22, 2023

AGENDA ITEM SUMMARY

SUBJECT: Resolution Approving Agreement with Sustainable Strategies

PROCEDURE: Action Item

SUMMARY AND BACKGROUND OF SUBJECT MATTER: As you know, over the last year, we have been working with our contract Operator in Responsible Charge (ORC) Tony Zancanella, PE, to bring our water plant up to some acceptable level of operation to allow a reliable assessment of its capabilities and limitations to be completed. At the same time, we were concerned with the levels of TTHM and manganese in the produced water, made worse by the mudslide in Glenwood Canyon.

Under Tony's guidance, the staff has performed literally hundreds of clean-ups, repairs and replacements in the plants. The most important changes made in the water plant, which will make it possible to better assess its capabilities include the installation of a new meter measuring produced water leaving the plant, improved metering of raw water entering the plant, a new chlorinator, replacement of many pumps, valves, actuators, relays, meters and breakers in the skids (and elsewhere in the plant), increased hydrant flushing, not to mention the increased attention to replacing inefficient and non-functional meters in homes around Town.

This work has gotten us to the point where we can now have confidence to go forward with an analysis of the plant's ability to meet CDPHE regulations and provide the appropriate treatment to address concerning levels of turbidity, manganese and TTHM.

Zancanella and Associates has engaged Dewberry Engineers, Inc. of Denver, a firm chosen for another of Zancanella's clients, the Town of Gypsum, to conduct a technical study of the Silt W/WW plants and produce master plans to be used to develop costs for implementing improvements. Attached please find two proposals: 1. Town of Silt Water Treatment Plant Master Plan Scope of Services Proposed Agreement and 2. Town of Silt Wastewater Treatment Facility Master Plan Scope of Services Proposed Agreement, both submitted by Dewberry. Zancanella brought Dewberry in as consulting engineers to provide technical analysis and short- and long-term recommendations. This work is critical to getting the grants and loans necessary to improve the plants by completing the "Project Needs Assessment" (PNA) for the State of Colorado by their June 30, 2022 deadline.

"Sole Sourcing" Alternative: Staff is recommending that the Board contract with Dewberry immediately on the water plant proposal and to consider doing the same with the wastewater plant proposal.

The Town's Charter is silent on the use of "sole sourcing" contractors, that is, to select contractors without using a bid process to compare and contrast bidders. The Charter's only direction on competitive bidding is at 8-22 and directs that the Board must establish procedures that ensure "fair and competitive" bidding practices. The Town's Financial Policies, adopted last year, at 4.1.4 (II) (a) address a sole source process by allowing "procurements.....without

competition when the Purchasing Agent reasonably determines, after conducting a good faith review of available sources, that there is only one (1) viable source within the relevant supply area for the requiredservice....” and 4.1.4 (III) (f) allow for the Town to “waive the request for proposal requirement” when one vendor “clearly has exceptional expertise in the required service area”.

I have spoken to the Town Manager and Assistant Town Manager in Gypsum about Dewberry’s capabilities and heard about the rigorous selection process (a weighted scoring decision matrix) they used to select Dewberry, Patrick Radabaugh, PE, Dewberry’s Senior Associate about the approach they plan to use and Tony Zancanella, principal at Zancanella and Associates and the Town’s current ORC about the necessity to hire a quality consulting engineering firm to complete the work in time for a PNA to be completed by June 30.

RECOMMENDATION: After this “good faith review of available sources”, I suggest we contract with Dewberry for \$99,835 for the Town of Silt Water Treatment Plant Master Plan-Scope of Services Proposed Agreement and consider contracting with them for \$99,855 for the Town of Silt Wastewater Treatment Plant Master Plan-Scope of Services Agreement. The most pressing of the two is the water treatment plant master planning process.

We have budgeted \$300,000 in “Engineer Fees” in the Water/Wastewater Fund, water account for this project in 2022 and nothing in the wastewater account. Should the Board decide to contract with Dewberry for both water and wastewater studies, funds would be moved from the water account to the wastewater account for both engineering projects.

ORIGINATED BY:
PRESENTED BY:

Jeff Layman
Jeff Layman/Trey Fonner/Tony
Zancanella/Patrick Radabaugh

TOWN ATTORNEY REVIEW: / X / Yes / / No

DOCUMENTS ATTACHED:

Town of Silt Water and Wastewater
Treatment Plant Master Plans-
Scopes of Services Proposed
Agreements

SUBMITTED BY:

Jeff Layman
Jeff Layman, Town Administrator

REVIEWED BY:

Sheila M. McIntyre
Sheila M. McIntyre, Town Clerk

**TOWN OF SILT
RESOLUTION NO. 15
SERIES 2023**

**A RESOLUTION OF THE BOARD OF TRUSTEES APPROVING AN
AGREEMENT FOR PROFESSIONAL SERVICES WITH SUSTAINABLE
STRATEGIES FOR MANAGEMENT AND GRANT SERVICES FOR THE TOWN
OF SILT, COLORADO**

WHEREAS, the Board of Trustees ("Board") of the Town of Silt ("Town"), Colorado, has the authority to approve agreements in accordance with the Home Rule Charter and Silt Municipal Code; and

WHEREAS, the Town recognizes that it must meet the demand of the public for quality drinking water; and

WHEREAS, the Board recognizes the town's limited resources and the potential cost to build a new water treatment plant; and

WHEREAS, Sustainable Strategies is prepared to provide guidance on federal and state programs to assist Silt with projects to upgrade and support its Water and Sewer Utility; and

WHEREAS, the Board desires to sign an agreement with Sustainable Strategies to provide for their management and grant services to the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO, that

1. The above recitals are hereby incorporated as findings by the Town of Silt.
2. The Board hereby authorizes Town Administrator, Jeff Layman to sign an agreement with Sustainable Strategies that provides for management and grant services to the Town.
3. The Board hereby approves the agreement in the form attached hereto as Exhibit A, as it may be amended from time to time.

INTRODUCED, APPROVED AND ADOPTED at a regular meeting of the Board of Trustees of the Town of Silt on the 22nd day of May 2023.

TOWN OF SILT

Mayor Keith B. Richel

ATTEST:

Town Clerk Sheila M. McIntyre, CMC

CONTRACT FOR GRANT-WRITING & ADVOCACY SERVICES BETWEEN THE TOWN OF SILT AND SUSTAINABLE STRATEGIES DC

This Contract ("Contract") is entered into this 22nd day of May 2023 by and between the Town of Silt (hereinafter referred to as "the Town"), whose mailing address is 231 N. 7th Street, PO Box 70, Silt, CO 81652 and Sustainable Strategies DC, a District of Columbia company (hereinafter referred to as "Contractor"), whose mailing address is 200 Massachusetts Avenue, NW, Suite 380, Washington, DC 20001.

SCOPE OF WORK

The Contractor will provide the Town with retainer services, including the development of a "resource roadmap," a written strategic plan to identify the best approaches for securing funding and other assistance from federal, state, and philanthropic sources to help fill the gap in financing for the Town's key water and sewer utility priorities, strategic management, and grant-writing services for 4 funding opportunities. Grant writing services will include the provision of strategic advice, stakeholder support, full-service grant-writing, grant review, and grant submission. In addition, the retainer relationship will include monthly conference calls and as needed communications with the Town team to provide updates on grant development and connect the Town team with appropriate federal and state officials to advocate for pending funding proposals. This Contract shall serve as a master agreement outlining the general terms and conditions of the Contractor-Town relationship but work to apply for other federal programs or engage in strategic consulting services may be defined in separate, written Task Orders that further define the scope of work.

TERMS AND CONDITIONS

Term. The initial term of this Contract shall be for twelve (12) months. This term may be modified by mutual written agreement of the parties.

Termination.

The Town may terminate this Agreement without cause if it determines that such termination is in the Town's best interest. The Town shall effect such termination by giving written notice of termination to Contractor, specifying the effective date of termination, at least thirty (30) calendar days prior to the effective date of termination. In the event of such termination by the Town, the Town shall be liable to pay Contractor for Services performed as of the effective date of termination, but shall not be liable to Contractor for anticipated profits. Contractor shall not perform any additional Services following receipt of the notice of termination unless otherwise instructed in writing by the Town.

Contractor may terminate this Agreement without cause if it determines that such termination is in Contractor's best interest. Contractor shall effect such termination by giving written notice of termination to the Town, specifying the effective date of termination, at least sixty (60) calendar days prior to the effective date of termination.

Payment for Services. The Contractor will provide the inclusive scope of work above on an ongoing basis for the set monthly retainer fee of \$5,000 (\$60,000 over the 12-month term) and limited out-of-pocket costs associated with our services, which include reasonable travel costs. The Town will pay all invoices within thirty (30) days after receipt. If the Town has any valid reason for disputing any portion of the invoice, the Town will notify the Contractor within fifteen (15) days of receipt of the invoice. The portion of the invoice that is not in dispute will be paid in accordance with the procedures outlined herein.

Project Administrators. The Town designates the Town Administrator as Project Administrator for this Contract. As such, they will be responsible for the coordination of all activities under this Contract, for directing ongoing federal advocacy services, for initiating and approving the Task Order, and for approving payments.

Independent Contractor. Contractor acknowledges that services rendered under this Contract shall be performed as an independent contractor. Contractor is responsible for the payment of all federal, state and local income taxes related to fees for service.

Performance Standard. The Contractor will perform the services required of this agreement with the highest standards of professional and ethical competence and integrity and consistent with applicable industry standards. No other representation, express or implied, and no warranty or guarantee are included or intended in this Contract, or in any report, opinion, deliverable, work product, document, or otherwise.

Confidentiality. The Contractor shall not, during the term of this Contract, and within one year after its expiration, disclose any proprietary or confidential information related to the services provided pursuant to this agreement. Notwithstanding this requirement for the Contractor, the Town is still obligated to release information about any of the activities of the Contractor that may be required by law.

Ownership of the Material. Any studies, applications, reports, software or other materials, prepared by the Contractor for the Town under the Contract, shall belong to and remain the property of the Town.

Contractor Not to be Engaged in Certain Activities. The Contractor agrees, that during the term of this agreement, the Contractor shall disclose to the Project Administrator any conflicts of interest that may arise as a result of their work performed under any Task Order and shall immediately cease to provide any additional work to the Town related to that Task Order. The Contractor shall be compensated for any work completed up until the point the conflict emerges.

Insurance. The Contractor will be responsible for maintaining appropriate insurance coverage during the term of this agreement and shall provide the Town with a copy of their insurance policy.

Indemnification. The Contractor shall indemnify and save harmless the Town, its officers, employees, and agents against all suits, actions and damages, or costs of every kind and

description, including attorneys' fees, arising directly or indirectly out of the performance of this Contract, whether caused by the negligent or intentional act or omission on the part of the Contractor, its agents, servants, employees, and subcontractors.

Assignment. The Contract is not assignable or transferable by the Town. This Contract is not assignable or transferable by the Contractor without the written consent of the Town, which consent shall not be unreasonably withheld or delayed.

Governing Law. This Contract shall be governed by the laws of the State of Colorado.

Dispute Resolution. The Town and Contractor acknowledge that disputes arising under this Contract are best resolved between the parties. Failing resolution of conflicts at the organizational level, the parties agree that any remaining conflicts arising out of or relating to this Contract shall be submitted to nonbinding mediation unless otherwise mutually agreed. If the dispute is not resolved through nonbinding mediation, then the parties may take other appropriate action subject to the other terms of this Contract.

Termination for Convenience. The performance of work or delivery of services under this Contract may be terminated in whole or in part at any time with sixty (60) days' notice by either party when it is determined that termination is in its best interest. The Town will be liable only for labor, materials, goods, and services furnished prior to the effective date of such termination.

Force Majeure. The Contractor shall not be responsible for delays or failures if such delay arises out of causes beyond its control. Such causes may include, but are not limited to, acts of God or of the public enemy, fires, floods, epidemics, riots, quarantine restrictions, strikes, freight embargoes, earthquakes, electrical outages, severe weather, and acts or omissions of third parties.

Severability. Should any part of this Contract for any reason be declared invalid, such decision shall not affect the validity or any remaining provisions, which remaining provisions shall remain in full force and effect as if this Contract had been executed with the invalid portion thereof eliminated, and it is hereby declared the intention of the parties that they would have executed the remaining portion of this Contract without including any such part, parts, or portions, which may, for any reason, be hereafter declared invalid. Any provision shall nevertheless remain in full force and effect in all other circumstances.

Entire Contract. The foregoing constitutes the entire Contract between the parties and may only be modified if agreed to in writing by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this Contract as of the day and year first written above.

Town of Silt

Sustainable Strategies DC

Signature: _____



Print Name: Jeffrey Layman

Print Name: Ashley Badesch

Title: Town Administrator

Title: Partner

MEMORANDUM

TO: The Town of Silt Board of Trustees

FROM: Mark Chain, Planner *MC*

DATE: May 18, 2023

RE: Lot 3 Village at Painted Pastures Development Agreement

The purpose of this agenda item is to let you know that there is a Development Agreement that the Town should sign related to the improvements for Lot 3 of the Village at Painted Pastures. This of course is the property located South of the new roundabout on the east end of town.

The Village at Painted Pastures was annexed to the Town on May 26, 2020 with the adoption of Ordinance 3 – Series of 2020. There was a minor subdivision for the property and it was split into three lots. The first phase was essentially construction of the roundabout and the portion of the infrastructure. Lot 2 was the first site plan that went through the approval process and that was were 96 multifamily units. A few of these buildings are under construction as we speak.

The Village at Painted Pastures had a development agreement approved in March 2021 by the adoption of Resolution 8 – 2021.

Lot 3 had a site plan for a small self-storage facility that was approved by the Planning Commission in January 2022. This particular lot has only modest public infrastructure. There will be some electricity as well as lighting at the right in/right out intersection at the far east end of town. There's also a water line being put in. The self storage project is formally called Safe storage at Lot 3 – BelleVista. The owners have rebranded the Village of Painted Pastors as BelleVista but the legal description is still Village at Painted Pastures.

Planning Staff does not think you need a resolution or an ordinance approving this development agreement. We just want you to know that the Town will be a party to it and wanted to bring it to you or the mayor's signature at this meeting. All the exhibits are attached.

DEVELOPMENT AGREEMENT

LOT 3, VILLAGE AT PAINTED PASTURES SITE PLAN

THIS DEVELOPMENT AGREEMENT (“Agreement”) is made and entered into this ____ day of _____, 2023, by and between the TOWN OF SILT, COLORADO, a Colorado municipal corporation (hereinafter “Town”), and Raley Ranch Project, LLC, a Colorado limited liability company, its successors, assigns, and its legal or other representatives (hereinafter collectively “Owner”).

RECITALS

WHEREAS, on November 9, 2020, the Town of Silt approved the Minor Subdivision Final Plat of Painted Pastures Subdivision, which was recorded December 15, 2020 as Reception No. 947086, hereinafter known as the “Subdivision;” and

WHEREAS, on November 9, 2020, the Town of Silt also approved the Subdivision Improvements Agreement associated with the Subdivision, recorded as Reception No. 947084 in the records of Garfield County Colorado (“SIA”); and

WHEREAS, the SIA contemplates that public improvements associated with future site plan applications for Lots 1, 2, or 3 within the Subdivision will be the subject to a future Development Agreement; and

WHEREAS, Raley Ranch Project, LLC (hereinafter referred to as “Owner”), 150 Paularino Ave., Bldg C., Costa Mesa CA 92626, is the owner of Lot 3 of the Subdivision (Lot 3 hereinafter the “Subject Property”); and

WHEREAS, on January 11, 2022, the Planning & Zoning Commission (“Commission”) conducted a public hearing and approved the Site Plan for Lot 3 (“Site Plan”) of the Subject Property; and

WHEREAS, the Town and Owner desire to enter into this Agreement to set forth their agreements in writing concerning the terms and conditions for development of the Subject Property.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Town and Owner agree as follows:

ARTICLE 1. CONSTRUCTION OF PUBLIC IMPROVEMENTS

1.01 **Construction.** The public improvements associated with the approved Site Plan for the Subject Property includes those public improvements identified on the Construction Plans, attached hereto as **Exhibit A** (“Improvements”). The Improvements shall be constructed in according to the schedules set forth in Section 1.03 below.

1.02 Owner's Performance. Owner hereby agrees, at Owner's sole expense, to furnish all labor and materials necessary to complete the construction and installation, in a good and workmanlike manner, of the Improvements, according to the schedules set forth in Sections 1.03-1.05 below. Construction and installation of said Improvements shall be in accordance with all applicable laws, regulations and standards of the Town, the State of Colorado, the United States of America, and the various agencies of such entities, including affected special districts and utility companies providing utility services. All Improvements shall also be completed as described in, or in accordance with, the Construction Plans that comprise **Exhibit A** hereof (or as the same shall be supplemented or modified and thereafter approved by the Town. The Town agrees that, provided the Improvements are installed in accordance with this Agreement, Owner shall be deemed to have satisfied all terms and conditions of the zoning and subdivision laws, resolutions and regulations of the Town of Silt, Colorado.

A. As-Built Plans & Drawings. Within 60 days following completion of the Improvements and acceptance by the Town, Owner will furnish the Town, at no cost to the Town, one (1) copy of "as-built" plans of all public improvements, sized twenty-four by thirty-six inches, and stamped by the applicant's professional engineer, and certified true as to the actual installation of infrastructure, one (1) mylar of the plans of all public improvements, and one (1) PDF on a flash drive with no file reduction of the "as-built" drawings, and a CAD file on Town Datum. Owner shall pay the cost incurred by the Town for any outside consultants for transferring and posting the as-built drawings to the Town's records. If needed due to revisions, an amended Site Plan showing all Improvements as existing shall be submitted within three (3) months of completion of the as-built drawings of the Improvements.

B. Materials and Workmanship. Unless otherwise specified, all materials used for the Improvements shall be new, and both workmanship and materials shall be of good quality. Prior to procurement, Owner shall furnish the Town for the Town's approval, the name of the manufacturer of equipment and materials that it contemplates incorporating into the Improvements. Owner shall also furnish information on capacities, efficiencies, sizes and the like as the Town may require. Samples shall be submitted for approval when requested. Equipment, materials and articles installed or used without the Town's approval shall be at the risk of subsequent rejection.

C. Permits and Easements. Owner shall furnish all land boundary surveys, permits, licenses, and easements of a temporary nature, if any, necessary for the construction of the Improvements.

D. Protection. Owner, at Owner's expense, shall continuously maintain adequate protection of all Improvements from damage prior to acceptance by the Town and shall protect the Town's property from injury and loss arising in connection with construction of Improvements under this Agreement. Owner shall adequately protect from damage adjacent property and shall provide and maintain all passageways, guard fences, lights and other facilities for protection as required by public authority or local conditions. Owner shall, at all times, whether or not specifically directed by the Town, take all reasonable precautions to ensure the protection of the public health and safety. Owner shall furnish, erect, provide, and maintain, at Owner's expense, all necessary barricades, suitable and sufficient lights, watchmen, and construction signs, and take all reasonable precautions for the protection of the work and safety of the public through or around Owner's construction operations as Owner and the Town shall deem reasonably necessary.

1.03 Construction Schedule for Public Improvements. The construction and installation of the Improvements associated with the approved Site Plan for Lot 3 will be completed according to the estimated construction schedule described in **Exhibit B**, attached hereto and incorporated herein by this reference.

1.04. Winter Completion. Notwithstanding the foregoing, in the event construction and installation of any Improvements is completed in July or later in a calendar year, the installation of landscaping, irrigation, associated with such Improvements may be completed by June 30 of the following year so long as the Town maintains adequate Security for installation of the same in accordance with Article 4 below, in which case the Town may issue a certificate of occupancy for any structure so long as all water, sewer, utility, storm drainage, sidewalks, and roadway improvements necessary to serve such structure have been completed and accepted by the Town.

1.05 Limitation upon Conveyance of Lot. Lot 3 shall not be conveyed to a third party other than an entity owned more than 50% by Owner, until this Agreement has been recorded with the Garfield County Clerk and Recorder.

1.06 Revegetation. All revegetation and restoration work done on the Subject Property for disturbed areas and soil stockpiles that remain for periods of six (6) months or longer shall meet the standards for seed-mix and application rate and successful establishment as identified in the Town Code and Landscaping attached to the SIA and dated November 4, 2020.

ARTICLE 2. INSPECTIONS

2.01 Inspections by Town Engineer. The Town Engineer or other inspector designated by the Town (hereinafter “Inspector”) shall exercise authority on the Town’s behalf under this Agreement. The Inspector may, for substantial cause and without cost or claim against the Town, issue notice to the Owner to suspend work being carried out by Owner under this Agreement.

A. Inspections for Benefit of Town. All inspections by the Inspector or other Town personnel are performed for the Town’s sole benefit. Owner may not rely on such inspections conducted by Town to determine the adequacy of the Improvements, but shall retain Owner’s own inspector for such inspections. Although the Town engineer or other Town staff may undertake to advise Owner about problems with design, construction, installation or other elements of the Improvements which may arise, the Town intends and accepts no liability or responsibility to Owner as a result of such advice or inspections. Failure of the Town to advise of any deficiencies at any stage of construction shall not give rise to Town or Town engineer liability, and no action or inaction by the Town shall affect or waive the rights of the Town to enforce against Owner all requirements and specifications of construction and all provisions of this Agreement. Further, no third party beneficiary relationship shall be intended or created by virtue of the Town’s inspections or advice concerning the Improvements. Unless expressly stated to the contrary, the approval of Owner’s or Owner’s engineer’s plans or drawings by the Town does not waive, and is not intended to waive, applicable specifications or general requirements for good engineering practice.

B. Observation of Day-to-Day Activities. The Inspector shall observe day-to-day activities of the contractor engaged by Owner to construct the Improvements and the progress of the

Improvements. In the event the Inspector determines, and the Town Engineer concurs, that deviations or variances from the project drawings, specifications or Town standards are necessary to protect the health and safety of potential residents, the Town engineer and applicant may agree to said changes. Once accepted by the Owner, all such decisions of the Town Engineer shall be final and binding on the Town. In the event that the Owner or Town Engineer do not agree as to the necessity for said deviations, that matter may be reviewed by the Town Board.

C. Cooperation by Owner. The Inspector shall have free access to the Improvements at all reasonable times, and Owner shall furnish the Inspector with the opportunity to ascertain whether the work being performed, or the work which has been completed, is in accordance with the requirements of this Agreement. To assist the Inspector, Owner shall make available for inspection any records kept by Owner concerning work performed in connection with construction of the Improvements.

D. Scope of Inspections and Authority. Inspections may extend to all or any part of the work and to the preparations and manufacturer of the materials to be used. The Inspector will not be authorized to alter the provisions of this Agreement or any specifications or to act as foreman for Owner. The Inspector will have authority to reject defective material and to suspend any work that is being done improperly.

E. Limitation of Responsibility. The Inspector will in no way be responsible for how the work is performed, safety in, on or about the work site, methods of performance, or timeliness in the performance of the work.

F. Remedies of Inspector. In the event that the Inspector determines that any suspension of work, or other adverse action, is warranted, or in the event that Owner or Town Engineer determine that alterations or deviations are necessary but they cannot mutually agree, Inspector shall first notify Owner in writing of his decision, the reasons therefore, and the corrective action necessary to remedy the problem. Except as necessary to protect the immediate health and safety of the public, in which case the Inspector shall have the authority to order an immediate suspension of work, Owner shall have 5 days to respond to said notice and shall either accept or object to said corrective action, Owner shall file its objection in writing to the Town Administrator, Town Board or Town Attorney, and the Town Board shall as soon as reasonably possible thereafter review the position of the Inspector and the Owner and make a determination. Nothing herein shall allow the Town to order that any final document, including the final specifications for the Improvements, can be altered or varied.

2.02 Quality of Work. If substandard material, not conforming to the requirements of the plans, drawings, and specifications as approved by the Town (the "Applicable Standards"), has been delivered to the work site, or has been incorporated into the work, or if work not conforming to Applicable Standards is performed, then such material or work shall be considered defective and shall be removed and replaced as directed by the Inspector at the expense of Owner. In order to ensure that all material and work meets the Applicable Standards, the following provisions shall apply:

- (1) All materials and workmanship shall be subject to examination and testing at any time during the work or before such materials have been incorporated into the Improvements. If Owner fails to replace

rejected materials, the Town may replace them, or correct defective work and charge the cost thereof to Owner. Any failure by the Inspector to detect defective material or workmanship prior to completion of the Improvements shall not impair the Town's right to final, completed Improvements that meet Applicable Standards.

- (2) If any Improvements or portion thereof should be covered up without approval or consent of the Inspector, such Improvements must, if required by the Inspector, be uncovered for examination at Owner's expense.
- (3) If the Applicable Standards, the Inspector's instructions, or laws of any public authority require any work to be specifically tested or approved, Owner shall give the Inspector timely notice of such inspection and provide the Inspector with the opportunity to observe such inspection.
- (4) Re-examination of work or materials that have been previously inspected and installed may be ordered by the Inspector and, if so ordered, the work or materials must be uncovered by Owner. If such work or materials are found in accordance with this Agreement and the Applicable Standards, the Town shall pay all costs associated with such re-examination, replacement, and restoration of the site. If such work or materials are found not in accordance with this Agreement and the Applicable Standards, the Owner shall pay such costs.
- (5) The Inspector may order Owner to suspend work that may be damaged or endangered by climatic conditions. When adverse climatic conditions are unusual and extensive, an extension of time may be granted Owner by the Inspector to complete the work.

ARTICLE 3. FEES

3.01 Fees and Charges. Pursuant to Silt Municipal Code and the annual Board resolution to adopt fees, Owner shall pay in full to the Town all reasonable fees incurred by the Town relating to the site plan approval process, platting, or the construction and installation of Improvements, including engineering, surveying, legal, observation, inspection, filing or recording fees, and related expenses incurred in connection with the site plan (hereinafter the "Town's Fees"). Further, to the extent that the Town incurs attorney fees and court costs in connection with the implementation or enforcement of this Agreement, said fees shall be included in the Town's Fees. The Town's Fees shall not exceed the actual and reasonable costs incurred by the Town for the above services, subject to additional fees and "review supervision" expenses of the Town, as defined in said Section.

3.02 Billing and Payment. The Town's fees, including fees for outside engineering, legal and other consultant services, shall be calculated and billed to the Owner monthly. Owner's payment of the Town's fees shall be due within thirty (30) days after the Owner's receipt of the Town's invoice therefor. Owner has the right to request statements detailing the expenses or costs invoiced by the

Town, which detailed statements shall be provided within three (3) days of request. The parties hereby agree that inspection fees to be billed to and paid by Owner under this Agreement shall not exceed fees for more than a weekly average of twenty (20) hours of inspection service for each week of actual work on Improvements, billed at the current billing rate for field inspection services of the current Town engineer, except for circumstances requiring analysis and decision on the Town's behalf by a Registered Professional Engineer (RPE). Said fees shall be billed at the current billing rate of the RPE assigned to the analysis. Both the inspection rates and the RPE rates may be amended from time to time as approved by the Board.

ARTICLE 4. SECURITY FOR PUBLIC IMPROVEMENTS

4.01 Obligation to Post Security. It is understood by the parties that, for purposes of this Agreement, the anticipated costs of Improvements associated with the Subject Property are contained in **Exhibit C** to this Agreement. Upon determination of the appropriate amount of Security for the Improvements, the provisions of this Article IV shall apply to the posting and release of such Security.

A. Form of Security. In order to secure Owner's obligation to complete the Improvements in accordance with this Agreement, Owner shall provide the Town with adequate collateral and a performance guarantee by letter of credit or other form reasonably acceptable to the Town (hereinafter and hereinafter "Security"), and thereafter, in the event of expiration of such Security prior to completion and acceptance of the Improvements, shall provide acceptable substitute Security no later than 30 days prior to the expiration of the Security.

B. Amount of Security. The amount of Security shall be equal to the sum of one hundred ten percent (110%) of the total expected cost of the Improvements as set forth in **Exhibit C**. In the event the proposed Improvements provided hereunder are modified in the future to ensure consistency of the Improvements with the Applicable Standards, the amount of the Security may also be modified to reflect the revised cost of such Improvements. The parties further recognize and agree that Owner shall not have to provide Security for any portion of the Improvements which are to be constructed and installed by a utility company (e.g., electric utility, natural gas utility, and the like) for which Owner has already paid and provides the Town proof of such payment in accordance with Section 7.01 hereof.

4.02 Default.

A. Events of Default. The following events shall be determined to be defaults by Owner:

(1) The failure by Owner to make any payment herein required to be made by Owner in connection with work performed to construct the Improvements; or

(2) The failure of Owner to complete any of the Improvements or otherwise perform hereunder within the time periods set forth herein.

B. Failure to Cure. Upon Owner's default, and following a reasonable period of time, not to exceed 30 days, for Owner to cure said default after Owner receives written notice from the Town (provided, however, if the nature of the Owner's default is such that more than thirty (30)

days are reasonably required for a cure of such default, then the Owner shall not be deemed to be in default if Owner commences such cure within said thirty (30) day period and thereafter diligently prosecutes such cure to completion), the Town may complete any such performance on behalf of Owner within a reasonable time and in such manner, by contract with or without public letting, or otherwise, as it may deem advisable, and issuer shall disburse out of said fund, upon the Town's request, and after reasonable written notice to Owner, the necessary money to pay for such performance or to make such required payments, including interest thereon, if charged by the payee in connection with such performance; provided, however, that in no event shall issuer be obligated to pay to the Town more than the total amount of the money ever held by it in said fund (less those amounts previously disbursed upon approval by the Town) by reason of the default of Owner in performance of the terms, covenants and conditions contained in this Agreement.

C. Successive Defaults. The procedures for performance by the Town, in the event of default by Owner under this Agreement, and payment of costs therefor, shall apply whether there be one or more defaults, or a succession of defaults on the part of the Owner in performing the terms, covenants and conditions contained in this Agreement.

4.03 Posting and Release of Security. Owner shall post or deposit Security in the amount required by Section 4.01, above, before commencing work on any Improvements. The Town shall not issue any certificate of occupancy for any structure on the Subject Property until all water, sewer, utility, storm drainage, sidewalks, and roadway improvements necessary to serve such structure have been completed and have been accepted by the Town, except that certificates of occupancy may be issued prior to completion and acceptance of the landscaping and irrigation given the nature of these improvements cannot occur until the building and other site improvements are finalized. Upon completion of the Improvements, Owner shall provide the Town with a Certificate of Completion signed and stamped by a professional engineer licensed in the State of Colorado (the "Owner's Engineer") certifying that the Improvements have been constructed in accordance with the requirements of this Agreement. Upon the Town's receipt of a Certificate from the Owner's Engineer that the Improvements are acceptable, the Town shall return to Owner within thirty (30) days from the date of receipt of said Certification the Security marked "Satisfied in Full", and shall otherwise release the Security; provided, however, (i) that the Town may inspect said Improvements and submit a notice of deficiencies as provided in Section 4.06 hereof, and (ii) that the Owner has submitted to the Town the Warranty Security as required by Section 4.07 below. The Town shall not unreasonably withhold Acceptance of Improvements.

4.04 Partial Releases of Security. The Owner may apply to the Town for a partial release of the Security upon completion and acceptance of any Improvements. Upon application for a partial release, the Town shall have the opportunity to inspect the completed Improvements in accordance with Section 4.06 hereof. If such Improvements are approved after inspection, the Town shall release to the Owner ninety percent (90%) of the Security allocated to the completion of the inspected Improvements. Such partial release of Security shall not alter or diminish the Town's right to make a final inspection of all Improvements as provided for in Section 4.06.

4.05 Substitution of Security. The Town may, at the Town's option, permit Owner to substitute other collateral acceptable to the Town for the collateral originally given by Owner to secure

the completion of Improvements as hereinabove provided or reduce the amount of the Security instrument.

4.06 Acceptance Process. Upon completion of all of the Improvements for each individual phase, Owner shall provide Town with a written certification of completion from Owner's Engineer that the Improvements have been completed in accordance with the approved plans and specifications. Thereafter:

- (1) The Town shall be entitled to make a final inspection of the Improvements and shall not unreasonably refuse to accept the Improvements;
- (2) If the Town determines that the Improvements, or any portion thereof, are not constructed in compliance with the approved plans and specifications, the Town shall furnish a letter of potential deficiencies to Owner within thirty (30) days from the date of the Town's receipt of the certification of completion by Owner's Engineer;
- (3) If the Town does not submit a letter of potential deficiencies to Owner within said thirty (30) days, all Improvements certified as complete by Owner's Engineer shall be deemed accepted, and the Town shall release the Security as provided above;
- (4) If the Town furnishes a letter of potential deficiencies to Owner within said thirty (30) day period, the Town shall have sixty (60) days to complete the Town's investigation and provide a written confirmation of the deficiencies to the Owner;
- (5) Upon receipt of a confirmation of the deficiencies, Owner shall then have a reasonable time, not to exceed ninety (90) days, unless the Town extends due to circumstances beyond Owner's control, to remedy the confirmed deficiencies. Upon Owner's remedy and the Town's confirmation that the deficiencies are cured, the Town shall deem the Improvements accepted and release the Security as provided above;
- (6) Upon acceptance as set forth above of all or each phase of the Improvements, the Town shall thereafter own and assume responsibility for the operation and maintenance of the Improvements subject to Owner's warranty as set forth below;
- (7) The Owner's warranty period addressed in Section 4.07 of this Agreement for each phase of Improvements shall begin on the date on which the Town finally inspects and accepts each phase or portion of the Improvements.

4.07 Warranty. Owner warrants that upon the "Date of Completion" of the Improvements for each phase, such Improvement(s) will be free of defects in design, materials, and construction for

a period of two years following such date. The “Date of Completion” for each specific Improvement shall be the date on which such particular Improvement was accepted by the Town, whether such acceptance was of all or a portion of the Improvements in accordance with the terms of the above Section 4.06. g

A. Posting of Warranty Bond. During the two-year period following the Date of Completion, Owner, at its sole cost and expense, (i) shall post a letter of credit, warranty bond, or other form of security acceptable to the Town in the amount of the sum of 10% of the cost estimate for the Improvements shown on **Exhibit C** for that particular phase (the “Warranty Security”), and (ii) shall make all needed and necessary repairs and replacements due to defective materials, design or workmanship, breach of contract or failure to abide by the Applicable Standards (the “Warranty Repairs”).

B. Obligation for Necessary Repairs. If, after thirty (30) days from mailing of a written notice from the Town to Owner requesting Warranty Repairs, which thirty (30) days shall be extended for weather conditions preventing such work, Owner shall not have undertaken with due diligence to make such repairs, then the Town may make the same at Owner’s expense. In the case of emergency, as determined in the sole discretion of the Town, such thirty (30) day period is waived.

C. Release of Warranty Security to Town. The Warranty Security shall be drawable by the Town without the consent of the Owner, and, upon the Town conducting Warranty Repairs pursuant to the provisions of this Section 4.07, Town may draw on such Warranty Security as reasonably required to reimburse the Town for the costs of such repairs. The Town shall accept the Improvements for maintenance and repair upon the expiration of the 2-year warranty period.

ARTICLE 5. DEDICATION OF PUBLIC IMPROVEMENTS

5.01 Dedication. If necessary, Owner shall obtain, at Owner’s expense, all rights of way and easements required to effect construction of the Improvements. Owner agrees to dedicate to the public and to convey or assign to the Town such interests in the Subject Property as required by the ADA, in such form as may be required by the ADA.

5.02 Open Space. Owner submitted and the Town approved the Lot 3 Conceptual Landscape Plan dated December 6, 2021 for the Subject Property attached hereto as **Exhibit D**. The Town acknowledges this document is consistent with the requirements in the Landscaping and Parkland Guidelines attached to the SIA as Exhibit E.

Owner shall execute and deliver a special warranty easement deed or other documentation required to the property owners’ association, which documentation shall transfer to the association an easement for open space purposes only. Such deed shall except from the warranties therein, all easements, restrictions, covenants and conditions presently of record or existing and in place.

ARTICLE 6. LOT SALES AND PERMITTING

6.01 Sale of Subject Property. Owner may convey the Subject Property, provided, however, that such right shall not include the right to issuance of certificates of occupancy, except as set forth below.

6.02 Building Permits. Upon Owner's delivery of the appropriate Security for the Improvements, the Town may issue building permits for improvements on the Subject Property. The Town's issuance of a building permit does not raise a presumption of the availability of a Certificate of Occupancy, the issuance of which is governed by Section 6.03 and the Town's adopted building codes.

6.03 Issuance of Certificates of Occupancy. In accordance with Paragraphs 1.03-1.05 above, the Town may issue a certificate of occupancy for any structure upon completion of all water, sewer, utility, storm drainage, sidewalks, and roadway improvements necessary to serve such structure and such improvements have been accepted by the Town.

ARTICLE 7. OTHER OWNER OBLIGATIONS.

7.01 Other Utilities. The parties understand and agree that in accordance with standard operating procedures of certain public utility companies which will be providing service to the Subject Property (e.g., electric utility, natural gas utility and not including water and wastewater), Owner will be responsible for advance payment of one hundred percent (100%) of the cost of installing such utilities to the utility company for that phase of development then under construction. Thereafter, the applicable utility company will install such utility services to the Subject Property. The plans and specifications for all such utilities shall be subject to prior approval of the Town and the affected utility company. Upon proof of payment by Owner, the portion of the cost of installing such utility that Owner pays in advance to the affected utility company shall not be included within the costs for which Owner must provide Security under this Agreement. Notwithstanding the foregoing, Owner shall arrange for, be responsible for, and pay any and all amounts necessary to extend all such utilities to the Subject Property in accordance with the schedule set forth in Section 1.03, above. All such utilities shall be underground. Street Improvements required by this Agreement to be completed by Owner will not be deemed complete until all main utility lines that are designed to be constructed under streets have been completely installed and until all service lines to individual lots from such main lines have been installed. Owner shall ensure that any above-ground utility infrastructure and facilities do not interfere with rights-of-way or other easements dedicated to the Town.

7.02 Dust and Erosion Control. Owner shall maintain all streets and surrounding areas during construction of the Improvements by employing techniques acceptable to the Town for dust, mud and erosion control.

7.03 Street Names and Traffic Control Signs. All public street name, parking and traffic control signs within the Subject Property shall be supplied at the Owner's expense. All signs shall conform to the Town's requirements. Owner shall install said signs within the Subject Property at the time other Improvements are completed, at locations directed by the Town and at no cost to the Town. Said signs shall be replaced if damaged at any time prior to termination of the Warranty Period.

contemplated by Section 4.07 above; provided, however, that in the event the Town identifies the third party responsible for such damage, the Town shall seek replacement from such third party.

7.04 Water Rights Dedication and Water System Connection.

A. Water Rights. Owner has complied with the ADA regarding dedication of water rights for irrigation, and will pay a fee in lieu for domestic water fees at the time of building permit as set forth in the ADA.

B. Connection to Water and Wastewater Facilities. Connection of the Subject Property's domestic water and wastewater facilities to the Town's water and wastewater systems shall be done in accordance with the approved engineering plans and drawings.

C. Irrigation Facilities. A raw water irrigation system has been constructed to serve the Subdivision, which will serve the Subject Property.

7.05 Dogs Prohibited During Construction. Owner shall prohibit its contractors and subcontractors from bringing dogs onto the Property, even if such dogs are to be kept inside motor vehicles. Violation of this provision shall result in immediate eviction of the dog(s) and the dog(s) owner or harbinger from the Property by the Owner or the Town. In the event of a second violation by the same dog(s) and/or dog owner or harbinger, the dog and such owner or harbinger shall be evicted from the Property immediately by the Owner or the Town, and the Owner or the Town shall prohibit the offending owner or harbinger from entering or working within or on the Property for the following six (6) calendar months.

ARTICLE 8. GENERAL PROVISIONS

8.01 Incorporation of Recitals. The Recitals contained in this Agreement, and the introductory paragraph preceding the Recitals, are hereby incorporated into this Agreement as if fully set forth herein.

8.02 Other Necessary Acts. Each party shall execute and deliver to the other all such further instruments and documents as may be reasonably necessary to carry out the provisions and intent of this Agreement.

8.03 Indemnification. To the extent allowed by law, Owner agrees to indemnify and hold the Town harmless for claims which may arise as a result of Owner's installation of Improvements pursuant to this Agreement, including those Improvements installed by Owner prior to the execution of this Agreement; provided, however, Owner does not indemnify the Town for claims made asserting that those standards imposed by the Town on Owner are improper for the cause of the injury asserted. The Town shall be required to notify Owner of receipt of a notice of claim or notice of intent to sue and shall afford Owner the option of defending any such claim or action. Failure to notify and provide such option to Owner shall extinguish the Town's rights under this Section. Nothing herein shall be interpreted to require Owner to indemnify the Town for claims that may arise from the grossly negligent acts or omissions of the Town.

8.04 Breach.

A. Breach by Owner, Town's Remedies. In the event of any default or breach by Owner of any term, condition, covenant or obligation under this Agreement, the Town may take such action as it deems necessary to protect the public health, safety, and welfare, to protect lot buyers and builders, and to protect the citizens of the Town from hardship. The Town's remedies include all those provided under the Security, and the following:

- (1) The refusal to issue to Owner any building permit or certificate of occupancy; provided, however, that this remedy shall not be available to the Town until after the affidavit described in subparagraph (2) below has been recorded. This remedy shall not be applied to bona fide purchasers;
- (2) The recording with the Garfield County Clerk and Recorder of an affidavit, approved in writing by the Town Attorney and signed by the Town Administrator or his or her designee, stating that the terms and conditions of this Agreement have been breached by Owner. At the next scheduled Board meeting following execution of the affidavit by the Town Administrator, the Board shall either approve the filing of said affidavit or direct the Town Administrator to file an affidavit stating that the breach, or default, has been cured. The execution of an affidavit by the Town Administrator or his or her designee and approved by the Board stating that the default has been cured shall remove this restriction;
- (3) A demand that the security given for the completion of the public improvements be paid or honored;
- (4) The right to file a lien against the Property to prevent the future sale of lots;
- (5) The refusal to consider further development plans within the Property; and/or
- (6) Any other remedy available by law.

Unless necessary to protect the immediate health, safety and welfare of the Town of Town residents, the Town shall provide Owner ten (10) days written notice of the alleged breach and its intent to take any action under this Section during which ten-day period Owner may cure the breach described in said notice and, upon agreement by Town that such breach has been cured, prevent further action by the Town. Furthermore, unless an affidavit as described in this Section has been recorded with the Garfield County Clerk and Recorder, any person having business dealings with Owner shall be entitled to assume that no default by Owner has occurred hereunder unless a notice of breach has been served upon Owner as described above, in which event Owner shall be expressly responsible for informing any such third party of the claimed default by the Town.

B. Breach by Town: Owner's Remedies. A "breach" or "default" by the Town under this Agreement shall be defined as:

- (1) Any zoning or land use action by the Town which would alter, impair, prevent, diminish, impose a moratorium on development or unreasonably delay the development plan, as vested by the ADA, and specifically excluding any non-discriminatory regulatory actions or circumstances beyond the reasonable control of the Town.
- (2) The Town's failure to fulfill or perform any material obligation of the Town contained in this Agreement.
- (3) If any default by the Town under this Agreement is not cured as described herein, Owner shall have the right to pursue the defaulting party's remedies allowable by Colorado law, subject to the limitations herein. Although C.R.S. Sections 24-68-101 et seq., as amended, may allow for certain monetary damages (reimbursement to Owner) or other remedies in the event of Town breach or default, Owner's sole remedies hereunder shall be to enforce the Town's obligations under this Agreement by an action for any available equitable remedy, including, without limitation, specific performance or mandatory or prohibitory injunction.. Each remedy provided for in this Agreement is cumulative and is in addition to every other remedy provided for in this Agreement.

8.05 Notices. All notices required under this Agreement shall be in writing and shall be hand-delivered or sent by facsimile transmission or registered or certified mail, return receipt requested, postage prepaid, to the addresses of the parties herein set forth. All notices by hand delivery shall be effective upon receipt. All facsimile transmissions shall be effective upon transmission receipt, provided that such transmissions received after 5 p.m. on any business day or at any time on a holiday or weekend shall be deemed received on the following business day. All notices by mail, if sent to the proper address as set forth below, shall be considered effective upon the date stamped on the return receipt. Either party, by notice so given, may change the address or facsimile number to which future notices shall be sent.

Notice to Town:

Town of Silt
Attn: Town Administrator
231 N. 7th Street
P.O. Box 70
Silt, CO 81652
(970) 876-2937 FAX

With copy to:

Karp, Neu, Hanlon P.C.
201 14th Street, Suite 200
P.O. Drawer 2030
Glenwood Springs, CO 81602
(970) 945-7336 FAX

Notice to Owner:

Raley Ranch Project, LLC
c/o John Tallichet

8191 East Kaiser Blvd.
Anaheim, CA 92808

With copy to:

Johnston Van Arsdale Martin, PLLC
c/o Chad J. Lee, Esq.
P.O. Box 878
Glenwood Springs, CO 81602
With copy by email to
chad@jvamlaw.com

8.07 Amendment. This Agreement may be amended and restated from time to time, provided that any such amendment and restatement be in writing and signed by all parties hereto.

8.08 Binding Effect. This Agreement shall be a covenant running with the title to the Subject Property, and shall be enforceable against the Owner, the Owner's successors, heirs, legal representatives, and assigns. In the event the approved Site Plan is rescinded, amended, or revoked this Agreement shall be automatically terminated and shall no longer burden the Subject Property.

8.09 Attorneys' Fees: Survival. Should this Agreement become the subject of litigation between the Town and Owner, the prevailing party shall be entitled to attorneys' fees and costs of suit actually incurred, including expert witness fees. All rights concerning remedies and/or attorneys' fees shall survive any termination of this Agreement.

8.10 Governing Law. This Agreement shall be governed by and construed and enforced in accordance with the laws of the State of Colorado.

8.11 Other Miscellaneous Terms. The singular shall include the plural; the masculine gender shall include the feminine; "shall" is mandatory; "may" is permissive. If there is more than one signer of this Agreement, the signer obligations are joint and several.

8.12 No Agency, Joint Venture or Partnership. It is specifically understood and agreed to by and between the parties hereto that: (i) the subject development is a private development; (ii) the Town has no interest or responsibilities for, or duty to, third parties concerning any Improvements until such time, and only until such time, that Town accepts the same pursuant to the provisions of this Agreement; and (iii) the Town and Owner hereby renounce the existence of any form of agency relationship, joint venture or partnership between Town and Owner and agree that nothing contained herein or in any document executed in connection herewith shall be construed as creating any such relationship between Town and Owner.

8.13 Force Majeure. Performance by either party of its obligations hereunder (other than for payment of money or other financial obligations) shall be excused during any period of "Permitted Delay" as hereinafter defined. For purposes hereof, Permitted Delay shall mean delay beyond the reasonable control of the party claiming the delay, including, but not limited to (i) acts of God, including but not limited to earthquakes, floods, fire, pandemics, weather conditions that are abnormal for the period of time and could not have been reasonably anticipated, and other natural calamities; (ii) civil commotion; (iii) riots; (iv) strikes, picketing or other labor disputes; (v) shortages of materials or supplies; (vi) damage to work in progress by reason of fire, floods, or other casualties; (vii) failure,

delay or inability of the other party to act, provided, however, that Town's failure to take a discretionary action shall not be a Permitted Delay for Owner; (viii) vandalism; or (ix) delay caused by restrictions imposed or mandated by government entities other than the Town.

8.14 Waiver of Defects. By executing this Agreement, Owner waives all objections it may have concerning defects, if any, in the formalities whereby it is executed, or concerning the procedure, substance, and form of the ordinances or resolutions adopting this Agreement.

8.15 Invalid Provisions. If any provision of this Agreement shall be determined to be void by any court of competent jurisdiction, then such determination shall not affect any other provision hereof, all of which other provisions shall remain in full force and effect. It is the intention of the parties hereto that, if any provision of this Agreement is capable of two constructions, one of which would render the provision void, and the other of which would render the provision valid, then the provision shall have the meaning which renders it valid.

8.16 Final Agreement. This Agreement supersedes and controls all prior written and oral agreements and representations of the parties and is the total integrated agreement between the Town and Owner.

8.17 Assignment. This Agreement may be assigned by the Owner hereto in whole or in part and in the event of assignment, the Owner shall provide the Town with notice of the name and address of the Assignee.

8.18 Authority. Each person signing this Agreement represents and warrants that he, she or they is/are fully authorized to enter into and execute this Agreement, and to bind the party represented to the terms and conditions hereof.

8.19 Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, and all of which, when taken together, shall be deemed one and the same instrument.

WHEREFORE, the parties hereto have executed duplicate originals of this Agreement on the day and year first written above.

TOWN OF SILT, COLORADO

BY: _____
Mayor Keith B. Richel

ATTEST:

Town Clerk Sheila M. McIntyre, CMC

RALEY RANCH PROJECT, LLC

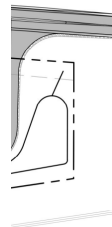
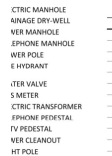
By: _____
John Tallichet, Manager

Exhibit A
Approved Construction Plans of Improvements


Civil plan set with stamped date 11/11/2022

CIVIL PLAN INDEX

C1.0	OVERALL SITE PLAN
C1.1	EXISTING CONDITIONS
C1.2	LOT 3 SITE PLAN
C1.3	SNOW STORAGE PLAN
C2.0	LOT 3 GRADING PLAN
C2.0A	31029-SITE-Rev-Container-Layout-10-17-22.pdf
C2.1	ROAD PLAN AND PROFILES
C2.2	STORM PLAN AND PROFILES
C3.0	UTILITY PLAN
C4.0	SITE DETAILS
C4.1	STORM DETAILS
C5.0	TRUCK TURNING MOVEMENTS
C5.1	TRUCK TURNING MOVEMENTS
C5.2	TRUCK TURNING MOVEMENTS

	CIVIL PLAN INDEX C1.0 OVERALL SITE PLAN C1.1 EXISTING CONDITIONS C1.2 LOT 3 SITE PLAN C1.3 SNOW STORAGE PLAN C2.0 LOT 3 GRADING PLAN C2.1 ROAD PLAN AND PROFILES C2.2 STORM PLAN AND PROFILES C3.0 UTILITY PLAN C4.0 SITE DETAILS C4.1 STORM DETAILS C5.0 TRUCK TURNING MOVEMENTS C5.1 TRUCK TURNING MOVEMENTS C5.2 TRUCK TURNING MOVEMENTS
	PROPOSED LEGEND CTRIC MANHOLE AINAGE DRY-WELL VER MANHOLE EPHONE MANHOLE WER POLE E HYDRANT ETER VALVE S METER CTRIC TRANSFORMER EPHONE PEDISTAL TV PEDISTAL WER CLEANDOUT HT POLE PROPOSED CONTOUR PROPOSED CONTOUR INTERNAL PROPOSED 8" WATER MAIN PROPOSED 8" SANITARY SEWER MAIN PROPOSED ELEC. TELE. CABLE GAS PROPOSED ELEC. TELE. CABLE PROPOSED GAS PROPOSED TELEPHONE PROPOSED UNDERGROUND ELECTRIC PROPOSED OVERHEAD ELECTRIC PROPOSED CABLE PROPOSED FIBER OPTIC PROPOSED IRRIGATION PIPE

SOPRIS ENGINEERING, LLC
CIVIL CONSULTANTS
302 MAIN STREET
CARBONDALE, CO 81623
(970) 704-0511
FAX: (970) 704-0513



DESIGNED BY	ADD	02/07/22
DRAWN BY	ADD	02/07/22
CHECKED BY	CHC	02/07/22
DATE:	12-09-2021	
JOB NO.	31029 02	

THE VILLAGES AT BELLE VISTA
LOT 3
SILT, COLORADO
SITE PLAN SUBMITTAL

Including Light design Sheets: (dated 3/16/22)

EL - 1 Lighting Legend

EL – 2 Lighting Plan

EL – 3 Lighting Calculations

Exhibit B

Completion Schedule

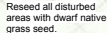
Development Improvement Agreement

Lot 3, The Village at BelleVista

	Begin Date	End Date
Traffic Control (as needed)	3/15/23	12/15/23
Water Lines and Hydrants	7/15/23	10/15/23
Electrical	8/15/23	11/15/23
Completion		12/15/23

Exhibit C

Engineers Cost Estimate (2023 CONSTRUCTION SEASON)					
Painted Pastures Village Lot 3 DIA COST ESTIMATE					Date Prepared 01/30/2023
SE PROJECT # 31029					
Item No.	Description of Work	Unit	Estimated Quantity	Unit Price	Total Price
Overall Site					
OS1	Mobilization/Demobilization:	LS	1	\$ 7,000.00	\$ 7,000.00
OS2	Traffic Control:	LS	1	\$ 2,000.00	\$ 2,000.00
SUBTOTAL OF ITEMS OS1-OS2:					\$ 9,000.00
Shallow Utility Improvements:					
SHU1	Electric conduit and Light Poles for intersection	LS	1	\$ 49,000.00	\$ 49,000.00
SUBTOTAL OF ITEM SHU1:					\$ 49,000.00
Water Main					
WM1	Connect to existing 8" stub	EA	1	\$ 1,000.00	\$ 1,000.00
WM2	6" Water Main	LF	582	\$ 60.00	\$ 34,920.00
WM3	6" Water Valves	EA	2	\$ 1,500.00	\$ 3,000.00
WM4	Fire Hydrant Assembly	EA	2	\$ 6,500.00	\$ 13,000.00
SUBTOTAL OF ITEMS WM1-WM4:					\$ 51,920.00
Misc. Item					
M1	Erosion Control	LS	1	\$ 3,500.00	\$ 3,500.00
M2	Survey, CA, Testing and As-Builts	LS	1	\$ 25,000.00	\$ 25,000.00
M3	Reseeding	LS	1	\$ 3,500.00	\$ 3,500.00
SUBTOTAL OF ITEMS M1-M3:					\$ 32,000.00
				Subtotal Construction Costs	\$ 141,920.00
				10% Contingency	\$ 14,192.00
				Total	\$ 156,112.00



Reseed all disturbed areas with dwarf native grass seed.

Total Trees	<u>39</u>
-------------	-----------

1. Crushed Granite, tan in color. Provide a one-pound sample of tan material for review and approval.
2. Warranty plants and trees for one year after final acceptance. Replace dead or dying materials not in vigorous, thriving condition as soon as weather permits.
3. Determine locations of underground utilities and perform work in a manner which will avoid possible damage.
4. Plants shall be specimen quality, typical of their species or variety.
5. Plant trees and shrubs in pits 12" larger than tree ball, backfill with a mix of 2 parts topsoil, 1 part Nutri-Mulch.
6. Cut and remove top 1/3 of burlap from root ball.
7. Install "Weed Restrictor Fabric" between soil and crushed granite or cobble.
8. All plant materials in rock or cobble to be irrigated with an underground drip zone system, all soil and newly seeded areas to be irrigated with a sprinkler system utilizing rotating sprinkler nozzles.
9. Seeded areas to be considered as successful revegetation when 75% germination has been achieved.
10. Reseeded areas to be maintained in a predominantly weed free condition.



**Know what's below.
Call before you dig.**

CALL 8 BUSINESS DAYS IN ADVANCE
BEFORE YOU DIG, BORROW, OR EXCAVATE
FOR THE WORKS OF UNDERGROUND

DRAWING NO. L 1

TOWN OF SILT

RESOLUTION No. 6 SERIES OF 2023

A RESOLUTION OF THE TOWN OF SILT, COLORADO, Approving The Major Subdivision Preliminary Plan For Property Formerly Known AS DIVIDE CREEK CENTER AND NOW COMMONLY KNOWN AS RISLENDE PLANNED UNIT DEVELOPMENT

WHEREAS, the Town approved Ordinance No. 8, Series of 2007, on July 9, 2007, annexing the Dixon Annexation #1 parcel into the Town; and

WHEREAS, the Town approved Ordinance No. 21, Series of 2007, on July 9, 2007, annexing the Dixon Annexation #2 parcel into the Town; and

WHEREAS, the Town approved Ordinance No. 18, Series of 2007, on July 9, 2007, approving B-2 Highway Business District zoning for the property; and

WHEREAS, the Town approved a subdivision exemption for a portion of the Dixon Annexation property pursuant to Town of Silt Resolution 51-2007 to be used as a government office building and Owner has sold the same to a third-party, which parcel is not affected by this Ordinance; and

WHEREAS, Rislende Planned Unit Development constitutes the Dixon Annexation property, less the property subdivided for a government building, which property is described as Exhibit A and which property is the subject of this Ordinance (referred to as the "Property"); and

WHEREAS, the Town received an application from Applicant on or about August 15, 2013, requesting to amend the Dixon Annexation B-2 Highway Business District zoning ; and

WHEREAS, on or about August 15, 2013, Applicant has also submitted a request to amend the Annexation and Development Agreement for the Dixon Annexation, which Agreement was entered into on July 9, 2007, by and between the Estate of Roger McFarland Dixon and the Town of Silt; and

WHEREAS, the Town approved Ordinance No. 9, 2013, on October 14, 2013 approving PUD Zoning for the Divide Creek Center; and

WHEREAS, the Town approved Resolution No.18, Series of 2013 on October 14, 2013 approving an Amended and Restated Annexation and Development Agreement for the Divide Creek Center; and,

WHEREAS, the Town approved the PUD zoning for the Rislende the Planned Unit Development by adoption of Ordinance No. 13 -series of 2022 on September 12, 2022; and

WHEREAS, the Town of Silt approved the Second Amended and Restated Annexation and Development Agreement for the Dixon Annexation now known as the Rislende Planned Unit Development by adoption of Resolution No. 16- Series of 2022 on September 22nd, 2022; and

WHEREAS, on or about February 8, 2022 August Group, LLC applied for a Major Subdivision Preliminary Plan for the Rislende the Planned Unit development; and

WHEREAS, the Town of Silt Planning and Zoning Commission considered the Major Subdivision Preliminary Plan for the property at a duly noticed public hearing on April 4, 2023 and reviewed various staff memoranda, and recommended to the Board approval of the Major Subdivision Preliminary Plan application; and

WHEREAS, the Town of Silt Board of Trustees held a duly noticed public hearing on May 22, 2023 where they reviewed various staff reports memoranda related documents; and

WHEREAS, at its May 22, 2023 meeting, the Board determined that the Major Subdivision Preliminary Plan for the Rislende the Planned Unit Development should be approved with conditions; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO, THAT the Major Subdivision Preliminary Plan for the Rislende the Planned Unit development should be approved with the following conditions:

1. Any representations in writing or made at public hearings in front of the Planning Commission or the Board of Trustee's are considered conditions of approval.
2. That the applicant update all information as directed by the Town Engineer, were in good faith with the town engineer to resolve these issues and have these updates prepared for the submittal of the Final Plat.
3. That no development will occur until there is an approved Site Plan Review for each individual tract.
4. That a plat note or other Approval condition be added to require individuals storm water management and pollution treatment for each individual tract upon development/site plan review.
5. That the applicant may provide a sidewalk 6 - foot in width as indicated on the Loop Road right-of-way. 10 foot wide sidewalks will be considered at time of each Site Plan Review for each parcel and decisions made at that time.

Introduced, read and approved on First Reading on the 22nd day of May, 202.

Town of Silt

Mayor Keith B. Richel

Attest:

Town Clerk Sheila M. McIntyre, CMC

EXHIBIT A LEGAL DESCRIPTION

A TRACT OF LAND SITUATED IN THE EV/2 OF SECTION 10 AND W1/2 OF SECTION 11. TOWNSHIP & SOUTH, RANGE 9Z WEST OF THE 6TH P. M., COUNTY OF GARFIELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAD SECTION 11. THENCE S. 00 DEGREES 35'02" E. ALONG THE WESTERLY BOUNDARY OF SAID SECTION 11 A DISTANCE OF 1,901.80 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY BOUNDARY OF INTERSTATE 70. THE POINT OF BEGINNING:

THENCE ALONG SAD SOUTHERLY RIGHT-OF-WAY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 10,028.50 FEET AND A CENTRAL ANGLE OF 09 DEGREES 25'58", A DISTANCE OF 1,651.00 FEET, (CHORD BEARS N. 86 DEGREES 18'16" E. A DISTANCE OF 1,649.14 FEET); THENCE LEAVING SAD RIGHT-OF-WAY S. 07 DEGREES 56'11" E. A DISTANCE OF 504.51 FEET; THENCE N. 47 DEGREES 27'23" E. A DISTANCE OF 246.25 FEET; THENCE N. 36 DEGREES 34'25" E. A DISTANCE OF 415.01 FEET; THENCE N. 08 DEGREES 48'32" W. A DISTANCE OF 75.97 FEET TO A POINT ON SAD RIGHT-OF-WAY; THENCE N. 81 DEGREES 11'28" E. ALONG SAD RIGHT-OF-WAY A DISTANCE OF 550.00 FEET TO A POINT ON THE NORTH-SOUTH CENTERLINE OF SAD SECTION 11 (WHENCE A REBAR AND CAP L.S. #15710 BEARS N. 00 DEGREES 02'16" E. A DISTANCE OF 39.95 FEET); THENCE LEAVING SAID RIGHT-OF-WAY S. 00 DEGREES 02'16" W. ALONG SAID NORTH-SOUTH CENTERLINE A DISTANCE OF 124.28 FEET TO A POINT IN THE CENTERLINE OF THE COLORADO RIVER; THENCE LEAVING SAID NORTH-SOUTH CENTERLINE S. 71 DEGREES 19'19" E. ALONG THE CENTERLINE OF THE COLORADO RIVER A DISTANCE OF 144.32 FEET THENCE CONTINUING ALONG THE CENTERLINE OF THE COLORADO RIVER S. 46 DEGREES 55'17" W. A DISTANCE OF 664.55 FEET; THENCE CONTINUING ALONG SAD CENTERLINE S. 48 DEGREES 11'32" W. A DISTANCE OF 491.93 FEET; THENCE CONTINUING ALONG SAD CENTERLINE S. 67 DEGREES 52'10" W. A DISTANCE OF 731.09 FEET; THENCE CONTINUING ALONG SAD CENTERLINE N. 8 DEGREES 54'33" W. A DISTANCE OF 370.16 FEET; THENCE CONTINUING ALONG SAD CENTERLINE N. 83 DEGREES 50'18" W. A DISTANCE OF 563.90 FEET; THENCE CONTINUING ALONG SAID CENTERLINE N. 63 DEGREES 04'31" W. A DISTANCE OF 705.68 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF COUNTY ROAD NO. 311; THENCE LEAVING SAD CENTERLINE N. 10 DEGREES 04'18" W. ALONG SAID EASTERLY RIGHT-OF-WAY A DISTANCE OF 598.18 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF INTERSTATE 70, A REBAR AND CAP L.S. #15710 IN PLACE; THENCE LEAVING SAD EASTERLY RIGHT-OF-WAY ALONG SAID SOUTHERLY RIGHT-OF-WAY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF

11,634.21 FEET AND A CENTRAL ANGLE OF 02 DEGREES 27'03" A DISTANCE OF 197.66 FEET (CHORD BEARS S. 87 DEGREES 26'49" E. A DISTANCE OF 497.63 FEET) TO A REBAR AND ILLEGIBLE CAP IN PLACE; THENCE CONTINUING ALONG SAD SOUTHERLY RIGHT-OF-WAY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 10,028.50 FEET AND A CENTRAL ANGLE OF 00 DEGREES 18'24", A DISTANCE OF 53.70 FEET (CHORD BEARS S. 85 DEGREES 19'32" E. A DISTANCE OF 53.70 FEET) TO THE POINT OF BEGINNING.

Town of Silt Board of Trustee Meeting
Monday, May 22, 2023 7:00 PM
Rislende PUD Preliminary Subdivision Plan
Planners Staff Report

5/17/2023

Name of Project	Rislende – Major Subdivision Preliminary Plan
Applicant	August Group LLC, DBA Rislende Mitchell Weimer, Cole Buerger 121 Polo Rd. Glenwood Springs, CO 81601 202.215.1576
Owner	Silt 70 LLC 10106 W San Juna Way, Ste 205 Littleton, CO 80127
Owner Representative/ Land Planner	The Land Studio, Inc. Doug & Julie Pratte 365 River Bend Way Glenwood Springs, CO 81601 970.927.3690
Civil Engineer	High Country Engineering 1517 Lake Avenue, Suite 101 Carbondale, CO 81623 970.945.8676
Project Attorney	JVAM Chad Lee, Esq. PO Box 878 Glenwood Springs, CO 81602
Project Architect	NA
Water Engineer	NA
Property Location	West of BLM regional office South of I 70 East of County Road 311 (Divide Creek Road)
Existing Zoning	PUD
Surrounding Land Uses	West – commercial (Holiday Inn)– Light Industrial, North – I-70, South – River and agate/rural uses East – Government Offices
Surrounding Zoning	North –R2, East – Unincorporated Garfield County, South – Unincorporated Garfield County, West – Commercial PUD
Proposed Use	Event center, multifamily residential, accommodations, mixed-use

Area of Parcel Subject to application	51.131 acres
Existing Use	Vacant
Silt Comprehensive Plan	Service and Commercial Support
Parcel & Reception Numbers	217911200007
Legal Description	Parcel Letter a of the BLM exemption plat, recorded at reception # 741836

I. Major Subdivision preliminary Plan/plat

Before you tonight is a public hearing for the Major Subdivision Preliminary Plan for the Rislende PUD. Relevant code sections are Sections 16.04.090 through 16.04.190 of the Silt Municipal Code. This is a subdivision action, and the great majority of relevant regulatory information is contained in Title 16 – subdivision regulations. Preliminary Subdivision Plans are reviewed first by the Planning Commission at a public hearing. The Planning Commission makes recommendation to the Board of Trustees. The Board of Trustees is the final decision-making body for the Preliminary Plan/plat.

A layman’s explanation of the Preliminary plan/plat stage is to provide the necessary information to staff, the commission and the board that shows that all potential planning or engineering details are taken care of and that the property is suitable for final subdivision. Specifically, the purpose as outlined in Section 16.04.090 which is included below:

16.04.090 Major subdivision preliminary plan/plat—Purpose.

The purpose of the major subdivision preliminary plan and preliminary plat is to provide the necessary information to permit the town staff, the commission, the board and the public to properly review the proposal and to resolve potential planning or engineering details that may arise before the major subdivision final plan and final plat are prepared. The major subdivision preliminary plan and preliminary plat therefore require extensive information and engineering studies.

In the case of Rislende, the preliminary plan/plat is essentially an infrastructure exercise. The Town previously reviewed a lot of the technical, zoning and engineering related information as part of the approval of the PUD Zoning and the Subdivision Sketch Plan. In essence, the Town is now examining the main loop road that goes through the property as well as sizing of various utilities stub outs to the individual parcels with the exception of Parcel 4. Grading and drainage details as well as road sections etc. are also considered. The heavy lifting of a site-specific plan will actually be done when there is a Site Plan review for the individual parcels. As I understand it, assuming approval of the Preliminary plan/plat; the applicant will be coming to the Town for a Final Plat approval of the entire project plus a site plan review for Parcel 1 – the multifamily housing project which will be adjacent to the BLM headquarters.

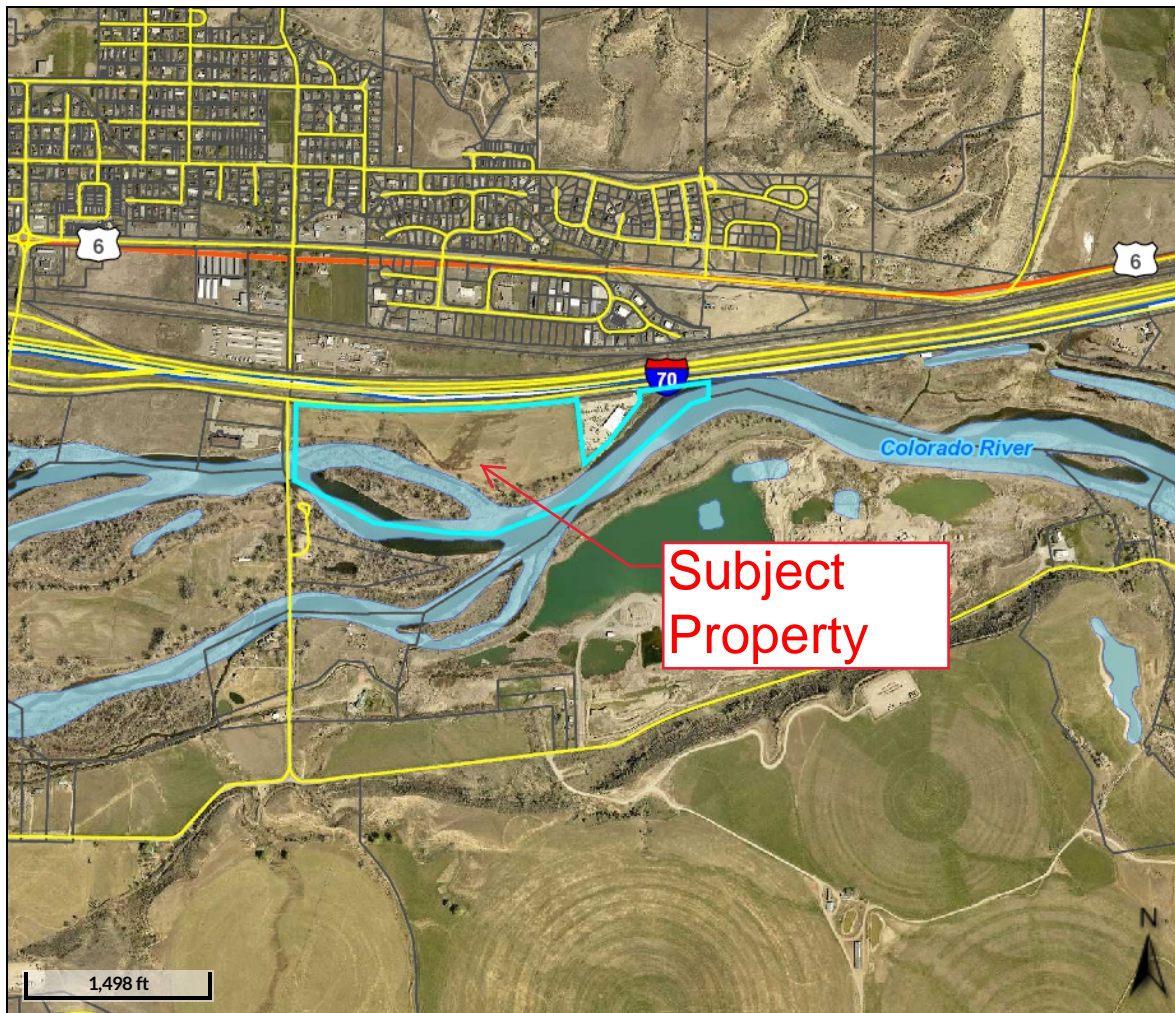
II. The Property

The subject property is slightly more than 51 acres in size and is a remnants of the old Stillwater Project. The Town approved the PUD zoning of the property with the adoption of Ordinance 13 – series of 2022. The town also approved the Second Amended and Restated To annexation and Development

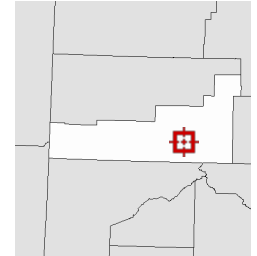
Location Map

Rislende








Created by: Chain



Overview



Legend

-  Parcels
-  Roads
- Parcel/Account Numbers
- Highways
 -  Limited Access
 -  Highway
 -  Major Road
 -  Local Road
 -  Minor Road
 -  Other Road
 -  Ramp
 -  Ferry
 -  Pedestrian Way
- Owner Name
-  Lakes & Rivers
-  County Boundary Line

Account Number	R044679	Physical Address	54 311 COUNTY RD	2019 Total Actual Value	\$23,570	Last 2 Sales
Parcel Number	217911200007	Address	SILT	81652		Date Price
Acres	51	Owner Address	SILT 70 LLC			1/6/2015 \$0
Land SqFt	0		10106 W SAN JUNA WAY SUITE			1/6/2015 \$0
Tax Area	035		205			
2019 Mill Levy	83.6550		LITTLETON CO 80127			

Date created: 4/27/2022

Last Data Uploaded: 4/27/2022 2:12:05 AM

Developed by 

Agreement by adoption of Ordinance 16 – series of 2022. Both of these documents have been recorded and they are included in the application packet as Exhibit D.

To refresh your memory, I am reinserting into the staff report the proposed development Schedule proposed by the applicant as well as a quick summary of some of the features of the PUD zoning.

PHASING/DEVELOPMENT SCHEDULE

Building / District Development	Year 1	Year 2	Year 3	Year 4	Years 5+
Tract 3 'The Beacon' Gathering Spot	Developed				
Tract 1 Multi-Family Residential	Started	Developed			
Tract 6 'Rislenle Place' Events Center	Started	Developed			
Tracts 2,3,4 Commercial/Residential Mixed-Use*		Evaluated	Planned	Started	Ongoing
Tracts 5,7 Single-Family Residential*		Evaluated	Started	Ongoing	Ongoing

Quick Summary Bullet Point Information

Below is a quick summary of some of the zoning and development details.

Maximum Residential Development Potential. This also appeared acceptable. The potential was:

- 160 total residential units
- 72 at northeast corner by BLM – 50 right now are proposed to be tax supported rental units
- 16 single-family units in central portion of the project.
- 72 residential units as part of mixed-use buildings along frontage Road.

Maximum nonresidential potential

- Events Center District - 20,000 ft.² per acre
- maximum lot coverage at 70% in both Event Center and mixed-use districts (same as in town code – consists of land under building footprint, not total impervious surface which would include parking).
- Maximum building size and Mixed-Use District – 30,000 ft.².

Building Height.

- 25 feet in Lodging District.
- Event's center District commercial/residential mixed-use – 40 feet.
- 35 feet in multifamily residential district

Landscaping.

- 18%; minimum landscaped area as a percentage of total disturbed lot area.

Open space and Parkland

- 25% in open space and/or Parkland of total project acreage
- Parkland dedication according to proposing credit for private recreational facilities across the subdivision in lieu of public dedication. Allowed by Section 16.04.540 (specifics will need to be worked out by agreement). 3.6 acres proposed – 2.5 of active/1.2 of passive Parkland.

III. Relevant Sections of Municipal Code

The subdivision process is contained in Title 16 – Subdivisions of the Silt Municipal Code. Relevant sections of the review for the elementary plan for major subdivisions are in section 16.04.100 through 16.04.180.

As you can see, there is a lot of information in the application packet and this is where the majority of the technical details reside. Some of this information was vetted previously with the previous Stillwater application – especially some of the floodplain, water rights and water supply issues. And the general concept of interior circulation and the network of perimeter paths was examined at the time of Sketch Plan and PUD Zoning. You'll see a number of studies provided including

- preliminary geotechnical Study and Geologic Site Assessment
- Noxious Weed Analysis
- Civil engineering report
- Grading and drainage report
- Traffic Impact study
- and historical water use affidavit
- Wetland Delineation report
- Landscape Plan
- Outline of Covenants, Conditions and Restrictions

IV. Large Scale Development Concept

Nothing has really changed related to this review when compared to what was reviewed and approved as part of the Sketch Plan. Primary access comes from the Frontage Road. There will end up being 3 access points along the frontage Road. Two of these access points will include right-hand deceleration lanes. No traffic signals are required. Main water and wastewater mains are located in the frontage Road (and they actually extend out to the high school). The main interior Road is a loop road called Rislende Loop and a sub loop called Rippling Way. This road extends from the frontage Road and heads south between Tracts 3 and tract 2. It provides access also to Tract 5 Tract 6 and tract 7. The loop includes a north-south connection also between Tract 1 and Tract 2. Tract 1 is the 3.7 acre project which will include Multifamily residential and be part of the initial development site.

V. Technical Issues

Grading and Drainage

- Some culverts may need to be added to provide more “freeboard” and prevent potential overtopping
- there is a location or two where drainage flows may exceed capacity of single curb inlet.
- Approval condition needs to be added to require individuals storm water management and pollution treatment for each individual tract upon development/site plan review.
- Stormwater Velocities in some cases indicate that bank erosion could occur in a few places. Scour protection should be provided.
- Town Engineer requires additional analysis to be completed and provided with Final Plat.
- FEMA should be asked to review and approve the berm between detention pond and the river as a flood control dike (**Note: Project Engineer states that FEMA saw this as part of the CLOMR. Town Engineer is more concerned with structural integrity of the berm).**

Miscellaneous and utility details

- When development occurs, all mains should be surveyed and located at top of pipe for the as built's.
- There should be 4 foot separation between parallel irrigation storm and sanitary lines.
- Tract 5 may require greater diameter water line for lodging facility
- Insulate sewer service lines under culverts to prevent freezing
- taper of deceleration Lane inclusive of taper may be a bit short and should be reviewed

VI. Compliance with other relevant code sections

Section 17.42.070 F.1 - public sidewalks

Planner Comment: Public sidewalks are required to be 6 foot wide on residential properties and 10 foot wide for commercial uses unless the town determines another width is more desirable. Applicant is showing 6 foot in width on one side of the loop road elements. This should be discussed. 6 foot width is probably required in the multifamily area. It is hard to make a final judgment for required width in some of the more mixed-use and commercial areas. (**Note: this was discussed in detail at the Planning Commission Meeting. Their recommendation is that the 6 foot width is satisfactory what is presently being proposed. Pedestrian ways/sidewalk should be examined with each Site Plan Review because some areas will probably require up to 10 foot width**)

VII. Landscape plan

The landscape Plan is focused on the frontage Road. That would seem appropriate as there is a separate site plan review for each of the tracks as they get developed. The landscape plan as shown indicates 52 deciduous trees being planted along the frontage Road. The trees indicated are noted as suggested trees for the Town or are a closely related subspecies. The official Street in shrub tree list for the town is taken from Resolution 16 – Series of 2019.

VIII. Other comments

- With the Final Plat and first Site Plan Review detailed covenants will need to be reviewed.

- I have not had time to check your review the streetlight details and their specific locational on the frontage road. They will have to be checked for any potential conflicts.

IX. Staff Findings

The Preliminary Plan/Plat submittal is consistent with the sketch plan approvals that were obtained in the fall of 2022. Applicant has made a complete application and town staff and appropriate review agencies for this time have reviewed the submittal.

X. Planning Commission Action

The Planning Commission held a public hearing on April 4 and they unanimously recommend approval with the following conditions:

1. Any representations in writing or made at public hearings in front of the Planning Commission or the Board of Trustee's are considered conditions of approval.
2. That the applicant update all information as directed by the Town Engineer, were in good faith with the town engineer to resolve these issues and have these updates prepared for the submittal of the Final Plat.
3. That no development will occur until there is an approved Site Plan Review for each individual tract.
4. That a plat note or other Approval condition be added to require individuals storm water management and pollution treatment for each individual tract upon development/site plan review.
5. That the applicant can provide a sidewalk 6 - foot in width as indicated on the Loop Road right-of-way. 10 foot wide sidewalks will be considered at time of each Site Plan Review for each parcel and decisions made at that time.

XI. Staff recommendation

Staff recommends that the Planning Commission recommends approval of the Rislende the PUD Major Subdivision Preliminary Plan/Plat with the same conditions as noted above.

6. Any representations in writing or made at public hearings in front of the Planning Commission or
Recommended Motion:

"I move to recommend that the Board of Trustees **approve** the Rislende they Preliminary Plat/Plan as presented with the conditions noted in the staff report/Planning Commission motion at their April 4 meeting (modifier add conditions if changed during the discussion).

Exhibit M
Landscape Plan

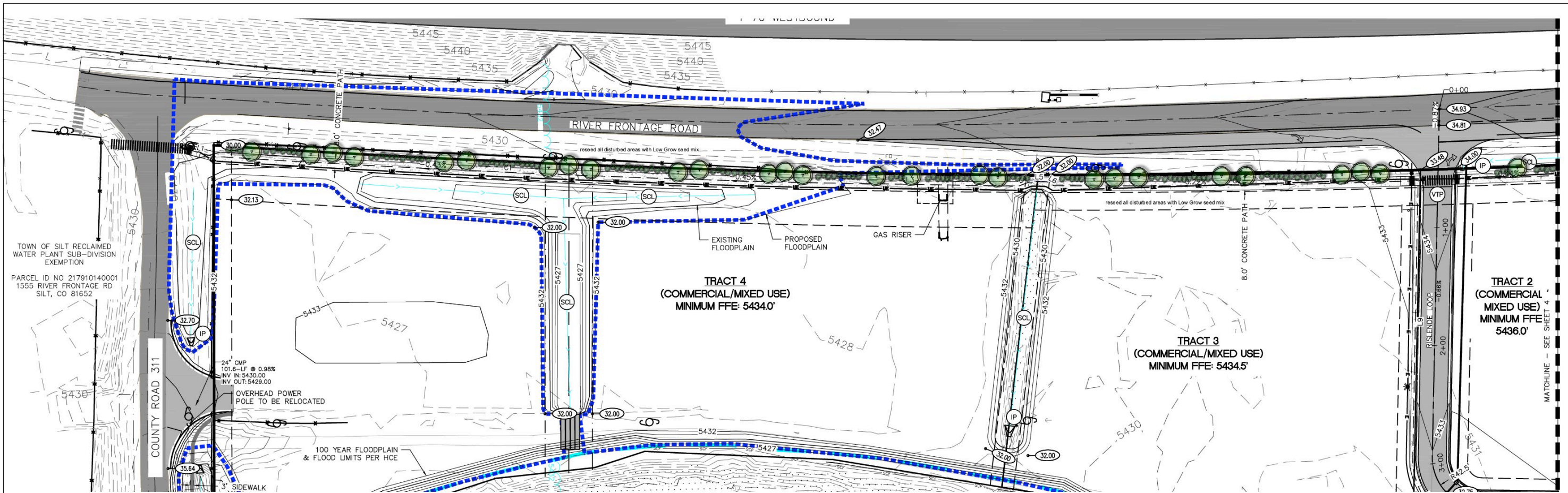


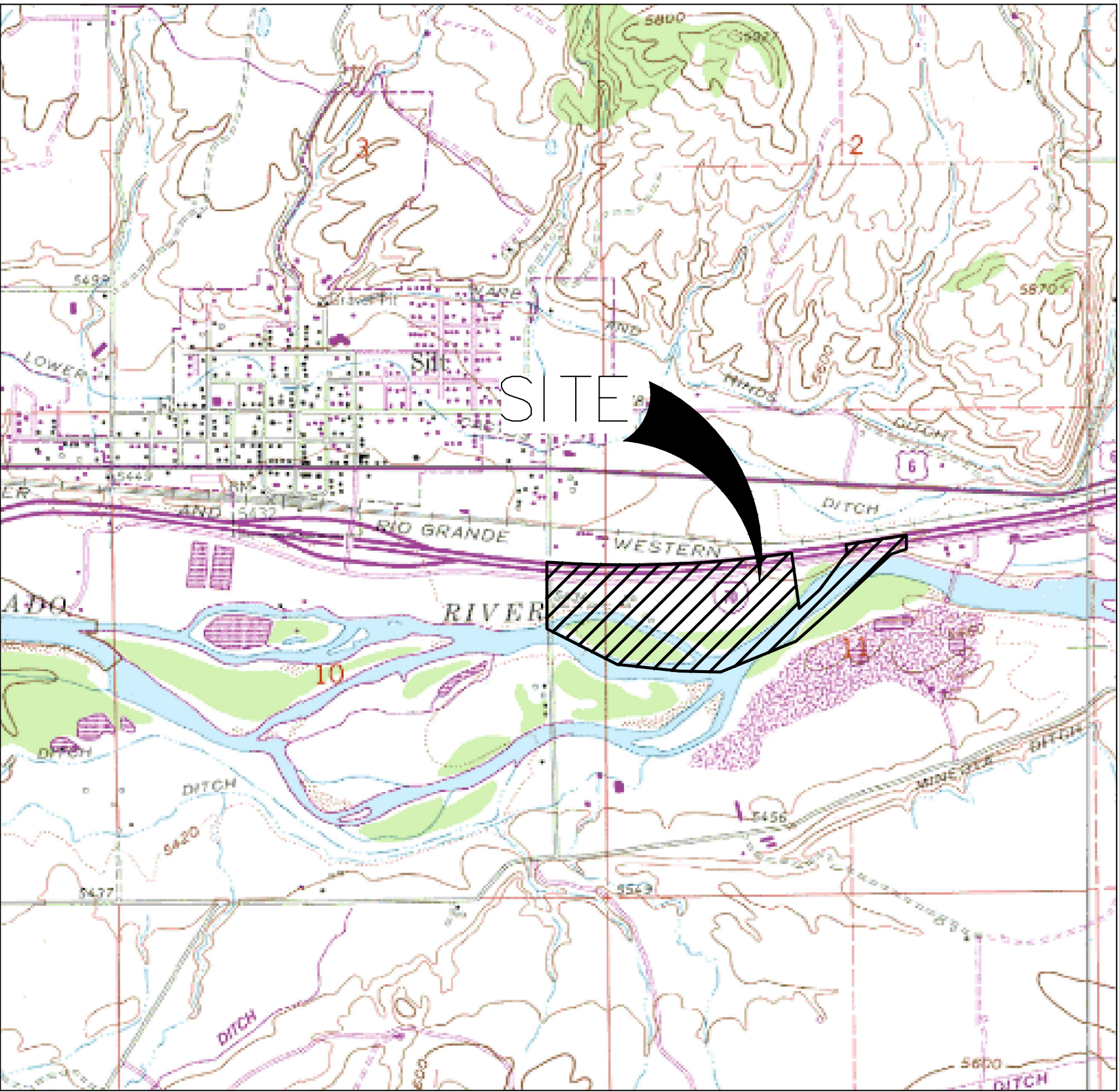
Exhibit E
Major Subdivision Preliminary Plat and Civil Engineering Plans

RISLENDE PLANNED UNIT DEVELOPMENT

A PARCEL OF LAND SITUATED IN THE E HALF OF SECTION 10 AND WEST HALF OF SECTION 11, T. 6S., R.92W. OF THE 6TH P.M., TOWN OF SILT, COUNTY OF GARFIELD, STATE OF COLORADO



SHEET LIST TABLE	
Sheet Number	Sheet Title
1	TITLE SHEET
2	NOTES
3	PRELIMINARY PLAT
4	PRELIMINARY PLAT
5	PRELIMINARY PLAT
6	OVERALL SITE PLAN
7	DEMO PLAN
8	GRADING PLAN
9	GRADING PLAN
10	UTILITY PLAN
11	UTILITY PLAN
12	ROAD P&P
13	ROAD P&P
14	ROAD P&P
15	SIGN AND STRIPING
16	SIGN AND STRIPING
17	FLOOD P&P
18	FLOOD P&P
19	FLOOD P&P
20	FLOOD P&P
21	DETAILS
22	DETAILS
23	DETAILS
24	DETAILS



VICINITY MAP
SCALE: 1" = 1000'

AGENCY CONTACT LIST

CONTRACT PURCHASER:
AUGUST GROUP, LLC
1211 POLO RD
GLENWOOD SPRINGS, CO 81601
ATTN: MITCHELL WEIMER

CIVIL ENGINEER AND SURVEYOR:
HIGH COUNTRY ENGINEERING, INC
1517 BLAKE AVEUE, SUITE 101
GLENWOOD SPRINGS, CO 81601
ATTN: ROGER D. NEAL, P.E.

GOVERNING AUTHORITY:
TOWN OF SILT
PUBLIC WORKS DEPARTMENT
231 N 7TH STREET
SILT, CO 81652
ATTN: TREY FONNER

BURNING MT. FIRE PROTECTION DISTRICT:
611 MAIN STREET
SILT, CO 81652
ATTN: ORRIN MOON

ELECTRIC UTILITY:
EXCEL ENGERGY
2538 BLICHMANN AVENUE
GRAND JUNCTION, CO 81505
(970)244-2695
ATTN: SAMANTHA WAKEFIELD

NATURAL GAS UTILITY:
EXCEL ENGERGY
2538 BLICHMANN AVENUE
GRAND JUNCTION, CO 81505
(970)244-2695
ATTN: TILLMON MCSCHOOLER

TELEPHONE UTILITY:
LUMEN
401 SWATCH ROAD
EAGLE, CO 81631
ATTN: JASON SHARPE

CABLE UTILITY:
COMCAST
1605 GRAND AVENUE
GLENWOOD SPRINGS, CO 81601
(970)945-7292 (O)
(970)930-4713 (M)
ATTN: BRETT WESTFALL



ENGINEER'S CERTIFICATION
PREPARED UNDER MY SUPERVISION

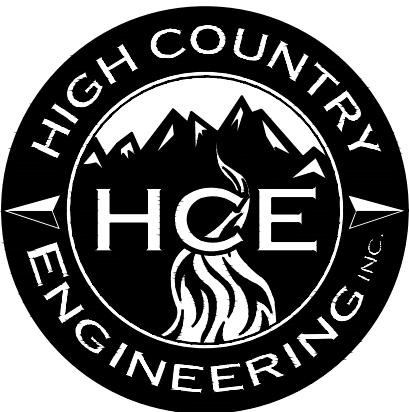
ROGER D. NEAL, P.E. _____ DATE _____
COLORADO NO. 29975
FOR AND BEHALF OF HIGH COUNTRY ENGINEERING, INC.



UNCC
CALL BEFORE
YOU DIG
1-800-922-1987
Utility Notification
Center of Colorado
Administrative Office 303.232.1991
12800 W. Colfax Ave., Suite B-310
Lakewood, CO 80215
CALL 2-BUSINESS DAYS IN ADVANCE
BEFORE YOU DIG, GRADE, OR EXCAVATE
FOR THE MARKING OF UNDERGROUND
MEMBER UTILITIES.

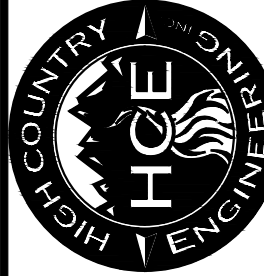
OWNER:
SILT 70, LLC
10106 WEST SAN JUAN WAY,
SUITE 210
LITTLETON, COLORADO 80127
(303)973-3344

ENGINEER:
HIGH COUNTRY ENGINEERING
1517 BLAKE AVENUE, SUITE 101
GLENWOOD SPRINGS, COLORADO 81601
(970)945-8676



BASIS OF BEARING
BASIS OF BEARINGS FOR THIS PROJECT IS A BEARING OF S00°32'02"E
BETWEEN THE NORTHWEST CORNER OF SECTION 11 AND THE SOUTHWEST
CORNER OF SECTION 11, BOTH A 2 1/2" GARFIELD COUNTY BRASS CAPS
FOUND IN PLACE.
PROJECT BENCH MARK
NORTHWEST SECTION CORNER OF SECTION 10T. 6 S., R. 92 W. OF THE 6TH
P.M. NAVD 1929 ELEVATION = 5463.66'
NGS BENCH MARK
DESIGNATION: ANTLERS
NAD 83: 39°32'35.929" N
107°43'42.566" W
NAVD 1929 ELEVATION = 5387'

HIGH COUNTRY ENGINEERING, INC.
1517 BLAKE AVENUE, STE 101,
GLENWOOD SPRINGS, CO 81601
PHONE (970) 945-8676 • FAX (970) 945-2555
WWW.HCENG.COM



SILT 70 LLC
RISLENDE PLANNED UNIT DEVELOPMENT
DIVIDE CREEK CENTER
TITLE SHEET
GARFIELD COUNTY, COLORADO

PROJECT NO.
2211047

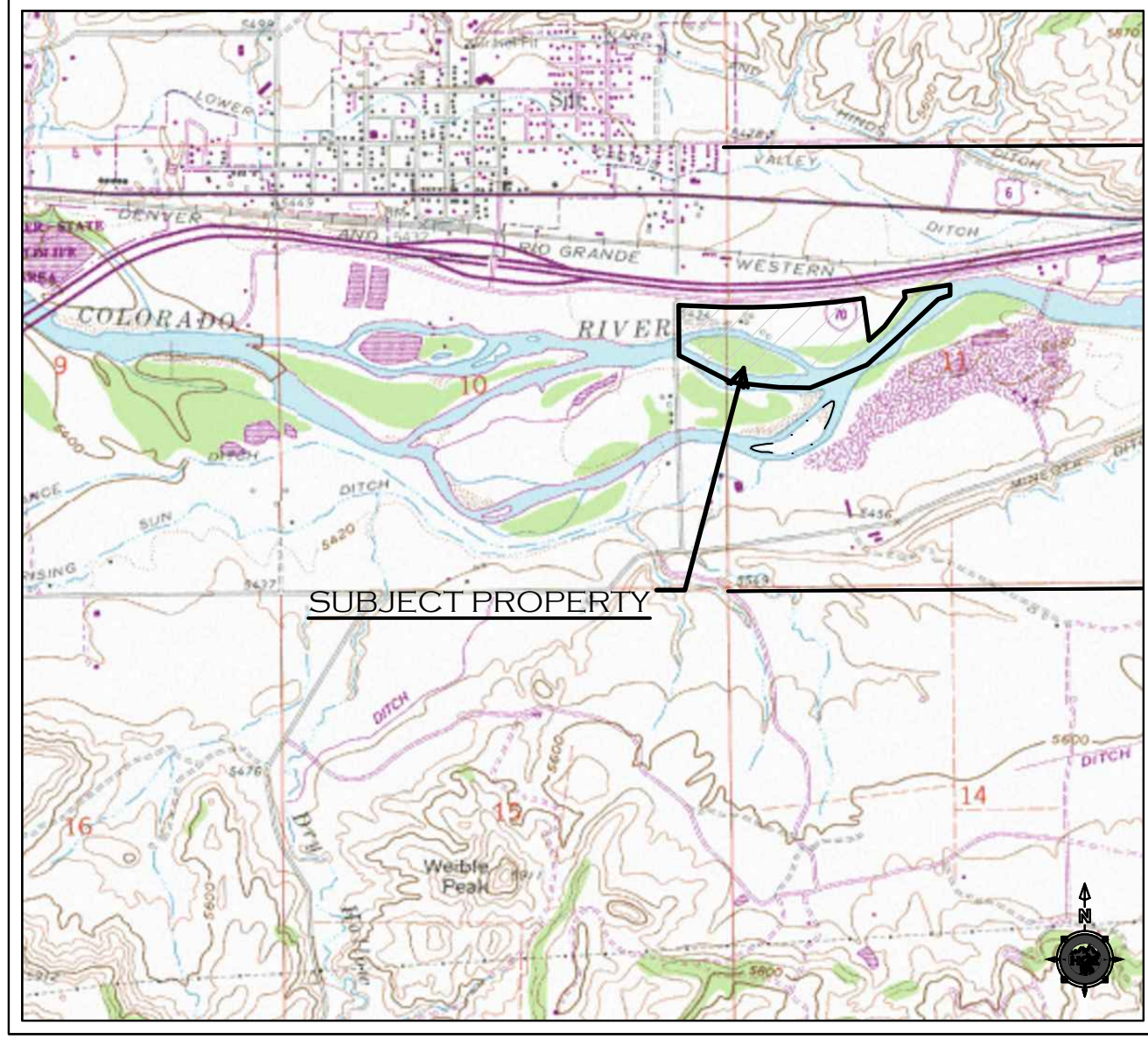
PRELIMINARY PLAT

RISLENDE PLANNED UNIT DEVELOPMENT

A PARCEL OF LAND SITUATED IN E1/2 OF SECTION 10 AND THE W1/2 OF SECTION 11
TOWNSHIP 6 SOUTH, RANGE 92 WEST, OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF GARFIELD, STATE OF COLORADO

PLAT NOTES

1. BASIS OF BEARINGS FOR THIS SURVEY IS A BEARING OF N00°34'13"W BETWEEN A FOUND 3/4in REBAR WITH 3.25in ALUMINUM CAP LS NO. 36572 (40" WITNESS CORNER) NORTHWEST CORNER OF SECTION 11 AND A FOUND 3/4in REBAR WITH 3.25in BRASS CAP LS NO. 19698 (REF POINT) AT THE SOUTHWEST CORNER OF SECTION 10.
2. THIS PLAT IS BASED ON THE BLM EXEMPTION PLAT, RECEPTION NO. 741836 PREPARED BY HIGH COUNTRY ENGINEERING, INC., AND CORNERS FOUND IN PLACE.
3. THIS PROPERTY IS SUBJECT TO RESERVATIONS, RESTRICTIONS AND COVENANTS OF RECORD OR IN PLACE AND EXCEPTIONS TO TITLE SHOWN IN THE TITLE COMMITMENT PREPARED BY LAND TITLE GUARANTEE COMPANY DATED EFFECTIVE NOVEMBER 18, 2022 (ORDER NO. GW63017116-3).
4. DATE OF SURVEY BY HIGH COUNTRY ENGINEERING, INC. WAS SEPTEMBER 2022.
6. AS A CONDITION OF APPROVAL OF THIS PLAT BY THE BOARD OF TRUSTEES OF THE TOWN OF SILT, AND TO MEET THE REQUIREMENTS OF THE SILT MUNICIPAL CODE SECTION 16.04.280, AS AMENDED, NO CONSTRUCTION ON THE PUBLIC IMPROVEMENTS WITHIN THE SUBDIVISION AND NO CONVEYANCE OR TRANSFER OF TITLE OF ANY LOT, LOTS, TRACT OR TRACTS OF LAND WITHIN THE SUBDIVISION SHALL BE MADE UNTIL THE TOWN HAS GRANTED A CERTIFICATE OF COMPLIANCE CERTIFYING THAT THE OWNER HAS DEPOSITED AND THE TOWN HAS ACCEPTED MONETARY SECURITY EQUAL TO ONE HUNDRED AND TEN PERCENT (110%) OF THE ESTIMATED COSTS OF COMPLETION FOR THE PUBLIC IMPROVEMENTS WHICH CERTIFICATE OF COMPLIANCE HAS BEEN DULY RECORDED BY THE CLERK AND RECORDER OF GARFIELD COUNTY.
7. UNDERGROUND OR ABOVE GROUND UTILITY INFRASTRUCTURE SHALL BE MAINTAINED BY THE RESPECTIVE UTILITY OR RESPONSIBLE PARTY, DRAINAGE, TRAIL, AND ROAD FACILITIES LOCATED IN TOWN EASEMENTS SHALL BE MAINTAINED BY THE TOWN.
8. THIS PROPERTY IS SUBJECT TO, WITHOUT LIMITATION, THE MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR RISLENDE P.U.D. AS RECORDED IN THE RECORDS OF THE GARFIELD COUNTY CLERK AND RECORDERS OFFICE AT RECEPTION NUMBER _____.
9. WETLANDS IN RISLENDE PUD WERE DELINEATED BY BIRCH ECOLOGY, LLC AND DAVID BUSCHER A CERTIFIED SOIL SCIENTIST ON MAY 16, 2022, WITH CONFIRMATION BY THE U.S. ARMY CORPS OF ENGINEERS NUMBER SPA-2022-00348 DATED DECEMBER 8, 2022.
10. NOXIOUS WEEDS. IT IS THE INDIVIDUAL LOT OWNER'S RESPONSIBILITY, ACCORDING TO THE COLORADO NOXIOUS WEED ACT AND THE TOWN OF SILT ORDINANCES, TO MANAGE ANY NOXIOUS WEEDS ON THE LOT OWNER'S PROPERTY.
12. ALL SIDEWALK, TRAIL AND PEDESTRIAN EASEMENTS ARE FOR NON-MOTORIZED USE BY THE PUBLIC, WITH THE EXCEPTION OF EMERGENCY USE AND/OR MAINTENANCE PURPOSES.



VICINITY MAP
SCALE: 1" = 2000'

LEGEND

U = UTILITY EASEMENT
D = DRAINAGE EASEMENT
A = ACCESS EASEMENT
R = ROAD MAINTENANCE EASEMENT
P = PEDESTRIAN ACCESS EASEMENT
T = TRAIL ACCESS EASEMENT
SQ. FT. = SQUARE FEET

LAND USE SUMMARY

TRACT #	ACRES	ADDRESS	LAND USE
TRACT 1	3.7	0001 RIVER FRONTAGE ROAD	PUD-MFR (MULTI-FAMILY RESIDENTIAL)
TRACT 2	3.8	0002 RIVER FRONTAGE ROAD	PUD-CMU (COMMERCIAL/MIXED USE)
TRACT 3	2.2	0003 RIVER FRONTAGE ROAD	PUD-CMU (COMMERCIAL/MIXED USE)
TRACT 4	4.3	0004 RIVER FRONTAGE ROAD	PUD-CMU (COMMERCIAL/MIXED USE)
TRACT 5	2.0	0005 RISLENDE LOOP	PUD-LRM (LODGING/RESIDENTIAL MIXED USE)
TRACT 6	3.9	0001 RISLENDE LOOP	PUD-EVC (EVENTS CENTER)
TRACT 7	2.2	0002 RISLENDE LOOP	PUD-LRM (LODGING/RESIDENTIAL MIXED USE)
TRACT 8	15.8		PUD-ISL (ISLAND AREA)
TRACT 9	12.2		PUD-RIV (RIVER)
TRACT 10	0.2	RIPPLING WAY	
TRACT 11	0.7	RISLENDE LOOP	
TOTAL	51.1		

TITLE INSURANCE COMPANY OR ATTORNEYS CERTIFICATE

_____ DOES HEREBY CERTIFY THAT _____ HAS EXAMINED THE TITLE TO ALL LANDS HEREIN DEDICATED AND SHOWN UPON THIS PLAT AND TITLE TO SUCH LAND IS IN THE DEDICATOR FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES, EXCEPT AS FOLLOWS:

Signature and Title _____ Date _____

SURVEYOR'S CERTIFICATE

I, _____ DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR LICENSED UNDER THE LAWS OF THE STATE OF COLORADO, THAT THIS PLAT IS A TRUE, CORRECT AND COMPLETE PLAT OF THE (SUBDIVISION OR CONDOMINIUM PROJECT NAME) AS LAID OUT, PLATTED, DEDICATED AND SHOWN HEREON, THAT SUCH PLAT WAS MADE FROM AN ACCURATE SURVEY OF SAID PROPERTY BY ME OR UNDER MY SUPERVISION AND CORRECTLY SHOWS THE LOCATION AND DIMENSIONS OF THE LOTS, EASEMENTS AND STREETS OF SAID SUBDIVISION AS THE SAME ARE STAKED UPON THE GROUND IN COMPLIANCE WITH APPLICABLE REGULATIONS GOVERNING THE SUBDIVISION OF LAND.

BILL W.A. BAKER, COLORADO PROFESSIONAL LAND SURVEYOR #23875
CERTIFIED FEDERAL SURVEYOR #1699

UTILITY COMPANIES CERTIFICATE

BY THE SIGNING OF THIS PLAT, EACH UTILITY COMPANY AGREES AND ACKNOWLEDGES ANY AND ALL ACCESS AND UTILITY EASEMENTS DEDICATED TO THE TOWN AND EACH UTILITY COMPANY HEREBY WARRANTS THAT NO ABOVE GROUND VAULT, SPLICE BOX, TRANSFORMER, PEDESTAL OR OTHER ABOVE GROUND OR BELOW GROUND FACILITY WILL DIMINISH OR ALTER TOWN EASEMENTS.

CENTURYLINK

XCEL ENERGY

COMCAST CABLE

CLERK AND RECORDER'S CERTIFICATE

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF GARFIELD COUNTY, COLORADO, AT _____ O'CLOCK _____ M., THIS _____ DAY OF _____, 20_____, IN BOOK _____, AT PAGE _____, RECEPTION NO. _____.

BOARD OF TRUSTEES CERTIFICATE

THIS PLAT APPROVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO THIS _____ DAY OF _____, A.D. 20_____, FOR FILING WITH THE CLERK AND RECORDER OF GARFIELD COUNTY, COLORADO AND FOR CONVEYANCE TO THE TOWN OF SILT FOR THE PUBLIC DEDICATIONS SHOWN HEREON, SUBJECT TO THE PROVISION THAT APPROVAL IN NO WAY OBLIGATES THE TOWN OF SILT FOR FINANCING OR CONSTRUCTION OF IMPROVEMENTS ON LANDS, STREETS OR EASEMENTS DEDICATED TO THE PUBLIC EXCEPT AS SPECIFICALLY AGREED TO BY THE BOARD OF TRUSTEES AND FURTHER THAT SAID APPROVAL SHALL IN NO WAY OBLIGATE THE TOWN OF SILT FOR MAINTENANCE OF STREETS AND UTILITIES DEDICATED TO THE PUBLIC UNTIL CONSTRUCTION OF IMPROVEMENTS THEREON HAVE BEEN COMPLETED TO THE SATISFACTION OF THE BOARD OF TRUSTEES, AND THE APPLICABLE WARRANTY PERIOD HAS ENDED.

TOWN OF SILT

BY: _____

MAYOR

WITNESS MY HAND AND SEAL OF THE TOWN OF SILT, COLORADO

ATTEST: _____

TOWN CLERK

CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT SILT 70 LLC, BEING SOLE OWNER IN FEE SIMPLE OF ALL THAT REAL PROPERTY DESCRIBED AS FOLLOWS: A TRACT OF LAND SITUATED IN THE EAST HALF OF SECTION 10 AND THE WEST HALF OF SECTION 11, TOWNSHIP 6 SOUTH, RANGE 89 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GARFIELD, STATE OF COLORADO, TO WIT:

A TRACT OF LAND SITUATED IN THE EAST HALF OF SECTION 10 AND THE WEST HALF OF SECTION 11, TOWNSHIP 6 SOUTH, RANGE 89 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GARFIELD, STATE OF COLORADO, TO WIT:

COMMENCING AT THE NORTHWEST CORNER OF THE SAID SECTION 11, MONUMENTED S 00°00'42" W, 40.00 FEET BY A FOUND 3/4IN. IRON PIN WITH 3.25IN. ALLOY CAP MARKED "WC" LS 36572; THENCE, ALONG THE WESTERLY BOUNDARY LINE OF THE NORTHWEST QUARTER OF THE SAID SECTION 11, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO, S 00°34'13" E, A DISTANCE OF 1902.59 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE 60-FOOT-WIDE FRONTAGE ROAD ADJOINING INTERSTATE HIGHWAY 170, AS DELINEATED ON THAT COLORADO DEPARTMENT OF HIGHWAYS RIGHT-OF-WAY MAP OF THE FEDERAL AID PROJECT NO. 1-70-1(12)89 SEC. 1 & 1-70-1(12)89 SEC. 2 (SHEET 14), DATED 24 APRIL, 1972, FROM WHENCE THE SOUTHWEST CORNER OF THE SAID SECTION 11 BEARS S 00°34'13" E, 3381.22 FEET DISTANT, THE SAID CORNER MONUMENTED BY A FOUND 2.5IN. IRON PIPE WITH 3IN. BRASS CAP MARKED GARFIELD COUNTY SURVEYOR (1972), THE SAID POINT OF INTERSECTION OF THE SAID WESTERLY BOUNDARY LINE OF THE SAID SECTION 11 AND THE SOUTHERLY RIGHT-OF-WAY OF THE SAID FRONTAGE ROAD IS REFERENCED 0.41 FEET NORTH AND 0.51 FEET WEST BY A FOUND 5/8IN. IRON PIN WITH YELLOW PLASTIC CAP MARKED LS 15710, THE SAID POINT OF INTERSECTION BEING THE TRUE POINT OF BEGINNING;

THENCE, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE SAID FRONTAGE ROAD, 1650.44 FEET ALONG THE ARC OF A CIRCULAR CURVE, TURNING TO THE LEFT, WHOSE RADIUS IS 10028.50 FEET, (LONG CHORD BEARS N 88°16'44" E, 1648.58 FEET) TO THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN THAT INSTRUMENT RECORDED UNDER RECEPTION NUMBER 871298 IN THE PUBLIC RECORDS OF THE SAID COUNTY, THE SAID CORNER MONUMENTED BY A SET 5/8IN. IRON PIN WITH YELLOW PLASTIC CAP MARKED PLS 23875;

THENCE, DEPARTING FROM THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF THE SAID FRONTAGE ROAD AND ALONG THE WESTERLY BOUNDARY LINE OF THE SAID TRACT OF LAND (RECEPTION NUMBER 871298), S 07°56'11" E, A DISTANCE OF 504.89 FEET TO THE SOUTHWEST CORNER THEREOF, THE SAID CORNER MONUMENTED N 07°56'11" W, 20.00 FEET DISTANT BY A SET 5/8IN. IRON PIN WITH ALLOY CAP MARKED "WC" PLS 23875;

THENCE, DEPARTING FROM THE AFORESAID COURSE AND ALONG THE SOUTHEASTERLY BOUNDARY LINE OF THE SAID TRACT OF LAND (RECEPTION NUMBER 871298), N 47°27'23" E, A DISTANCE OF 246.25 FEET, THE SAID CORNER MONUMENTED BY A SET 5/8IN. IRON PIN WITH YELLOW PLASTIC CAP MARKED PLS 23875;

THENCE, DEPARTING FROM THE AFORESAID COURSE AND ALONG THE SOUTHEASTERLY BOUNDARY LINE OF THE SAID TRACT OF LAND (RECEPTION NUMBER 871298), N 36°34'25" E, A DISTANCE OF 415.01 FEET, THE SAID CORNER MONUMENTED BY A SET 5/8IN. IRON PIN WITH YELLOW PLASTIC CAP MARKED PLS 23875;

THENCE, DEPARTING FROM THE AFORESAID COURSE AND ALONG THE EASTERLY BOUNDARY LINE OF THE SAID TRACT OF LAND (RECEPTION NUMBER 871298), N 08°48'32" W, A DISTANCE OF 76.53 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE SAID FRONTAGE ROAD, THE SAID CORNER MONUMENTED BY A SET 5/8IN. IRON PIN WITH YELLOW PLASTIC CAP MARKED PLS 23875;

THENCE, DEPARTING FROM THE AFORESAID COURSE AND ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE SAID FRONTAGE ROAD, N 81°10'10" E, A DISTANCE OF 550.81 FEET TO ITS INTERSECTION WITH THE EASTERLY BOUNDARY LINE OF THE NORTHEAST QUARTER OF THE SAID SECTION 11, FROM WHENCE THE NORTH QUARTER CORNER THEREOF BEARS N 00°02'50" E, 1647.82 FEET DISTANT, THE SAID QUARTER CORNER THEREOF BEING MONUMENTED BY A SET 3/4IN. IRON PIN WITH 2.5IN. ALLOY CAP MARKED PLS 23875, THE SAID POINT OF INTERSECTION BEING MONUMENTED N 00°02'50" E, 39.08 FEET DISTANT BY A FOUND 5/8IN. IRON PIN WITH ALLOY CAP MARKED "WC" LS 15710;

THENCE, DEPARTING FROM THE AFORESAID COURSE AND ALONG THE EASTERLY BOUNDARY LINE OF THE SAID NORTHWEST QUARTER OF THE SAID SECTION 11, S 00°02'50" W, A DISTANCE OF 124.98 FEET TO THE CENTERLINE OF THE COLORADO RIVER FROM WHENCE THE SOUTH QUARTER CORNER OF THE SAID SECTION 11 BEARS S 00°02'50" W, 3504.03 FEET DISTANT, THE SAID QUARTER CORNER MONUMENTED BY A SET 3/4IN. IRON PIN WITH 2.5IN. ALLOY CAP MARKED PLS 23875;

THENCE, DEPARTING FROM THE AFORESAID COURSE AND ALONG THE CENTERLINE OF THE COLORADO RIVER THE FOLLOWING SEVEN (7) COURSES:

1. S 71°19'19" W, A DISTANCE OF 144.81 FEET;
2. S 46°55'17" W, A DISTANCE OF 664.55 FEET;
3. S 48°11'32" W, A DISTANCE OF 491.93 FEET;
4. S 67°52'10" W, A DISTANCE OF 731.09 FEET;
5. N 88°54'33" W, A DISTANCE OF 370.16 FEET;
6. N 83°50'18" W, A DISTANCE OF 563.90 FEET;
7. N 63°04'31" W, A DISTANCE OF 705.68 FEET TO A POINT ON THE SOUTHERLY EXTENSION OF THE EASTERLY RIGHT-OF-WAY LINE OF GARFIELD COUNTY ROAD NUMBER 311, THE SAID POINT MONUMENTED N 00°04'28" W, 237.15 FEET DISTANT BY A SET 5/8IN. IRON PIN WITH ALLOY CAP MARKED "WC" PLS 23875;

THENCE, DEPARTING FROM THE AFORESAID COURSE AND ALONG THE EASTERLY RIGHT-OF-WAY LINE OF GARFIELD COUNTY ROAD NUMBER 311, N 00°04'28" W, A DISTANCE OF 598.19 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE AFORESAID SAID FRONTAGE ROAD, THE SAID POINT MONUMENTED BY A FOUND 5/8IN. IRON PIN WITH YELLOW PLASTIC CAP MARKED LS 15710;

THENCE, DEPARTING FROM THE AFORESAID COURSE AND ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE AFORESAID SAID FRONTAGE ROAD, 497.51 FEET ALONG THE ARC OF A CIRCULAR CURVE, TURNING TO THE LEFT, WHOSE RADIUS IS 11634.21 FEET, (LONG CHORD BEARS S 87°24'24" E, 497.47 FEET) TO A POINT OF COMPOUND CURVATURE, THE SAID POINT MONUMENTED BY A FOUND 5/8IN. IRON PIN WITH YELLOW PLASTIC CAP (ILLEGIBLE);

THENCE, DEPARTING FROM THE AFORESAID COURSE AND ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE AFORESAID SAID FRONTAGE ROAD, 54.45 FEET ALONG THE ARC OF A CIRCULAR CURVE, TURNING TO THE LEFT, WHOSE RADIUS IS 10028.50 FEET, (LONG CHORD BEARS S 88°5'103" E, 54.45 FEET) TO THE POINT OF BEGINNING.

THE SAID TRACT OF LAND IS COMPRISED OF 2,227,694 SQUARE FEET, (51.14 ACRES), MORE OR LESS.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO TRACTS, AS SHOWN HEREON AND DESIGNATE THE SAME AS RISLENDE PLANNED UNIT DEVELOPMENT, IN THE TOWN OF SILT, COUNTY OF COLORADO, AND DO HEREBY GRANT TO THE TOWN OF SILT, COLORADO, FOR PUBLIC USE THE STREETS SHOWN HEREON INCLUDING LOOPS, DRIVES AND LANES, THE PUBLIC LANDS SHOWN HEREON FOR THEIR INDICATED PUBLIC USE, IF ANY, AND THE UTILITY AND DRAINAGE EASEMENTS SHOWN HEREON FOR UTILITY AND DRAINAGE PURPOSES ONLY; TRAIL AND PEDESTRIAN EASEMENTS SHOWN HEREON FOR PEDESTRIAN AND TRAIL PURPOSES; AND DO FURTHER STATE THAT THIS PUD SHALL BE SUBJECT TO THE PROTECTIVE COVENANTS FILED AND RECORDED FOR THIS PUD IN THE OFFICE OF THE CLERK AND RECORDER OF GARFIELD COUNTY, COLORADO AS RECEPTION NO. _____.

EXECUTED THIS _____ DAY OF _____, A.D., 20_____.

OWNER SILT 70 LLC

STATE OF COLORADO)

COUNTY OF GARFIELD) §§

THE FOREGOING CERTIFICATE OF DEDICATION AND OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, A.D., 20_____, BY _____.

MY COMMISSION EXPIRES: _____

WITNESS MY HAND AND SEAL _____
NOTARY PUBLIC

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.



SILT 70 LLC,
RISLENDE PLANNED UNIT DEVELOPMENT
TOWN OF SILT,
GARFIELD COUNTY
COLORADO

HIGH COUNTRY ENGINEERING, INC.
1517 BLAKE AVENUE, STE 101,
GLENWOOD SPRINGS, CO 81601
PHONE (970) 945-8676 FAX (970) 945-2555
WWW.HCENG.COM

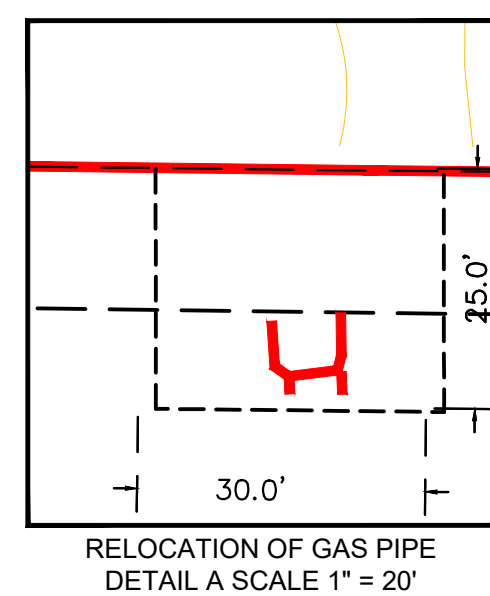
PROJECT NO.
2211047

SHEET NUMBER
3

S - 10-11
T - 6S
R - 92W
C - GARFIELD

REVISION	BY	DATE	NO.

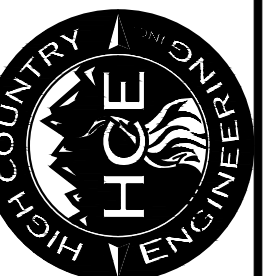
DRAWN BY: DMC	CHECKED BY: BB
DATE: 01/30/2023	FILE: RISLENDEPUD



A PARCEL OF LAND SITUATED IN E1/2 OF SECTION 10 AND THE W1/2 OF SECTION 11
TOWNSHIP 6 SOUTH, RANGE 92 WEST, OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF GARFIELD, STATE OF COLORADO

NO.	DATE	REVISION	BY	S- 10-11
				T- 6S
				R- 92W
				C- GARFIELD

HIGH COUNTRY ENGINEERING, INC.
1517 BLAKE AVENUE, STE 101,
GLENNWOOD SPRINGS, CO. 81601
PHONE (970) 945-8676 • FAX (970) 945-2555
WWW.HCENG.COM



SILT 70 LLC:
RISLENDE PLANNED UNIT DEVELOPMENT
TOWN OF SILT,
GARFIELD COUNTY
COLORADO

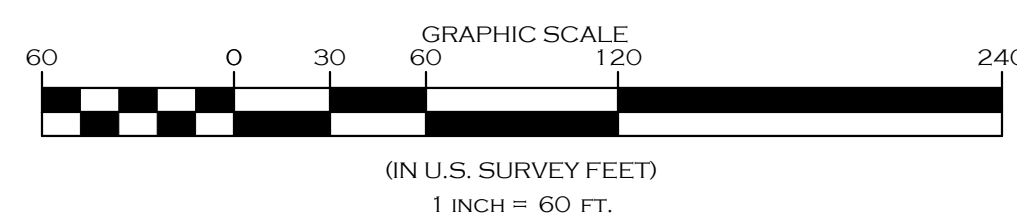
PROJECT NO.
2211047

SHEET NUMBER
4

ASPHALT PAVING C
RECLAIMED WATER
PLANT SUB-DIV
EXEMPTION
PARCEL ID.
NO. 217910400110
241 311 COUNTY RD, S
CO 81652

U = UTILITY EASEMENT
D = DRAINAGE EASEMENT
P = PEDESTRIAN ACCESS EASEMENT
T = TRAIL ACCESS EASEMENT
SQ. FT. = SQUARE FEET

- ✚ FOUND PLSS MONUMENT AS NOTED
- ☆ SET 5/8in IRON PIN WITH 2.0 in. ALLOY CAP STAMPED " WC" LS#23875
- ◆ SET 5/8in IRON PIN WITH 1.25in YELLOW PLASTIC CAP LS#23875
- FOUND 3/4in. IRON PIN 3.25in. ALLOY CAP LS 36572 MARKED "40WC"
- FOUND 5/8in IRON PIN WITH 1.25in YELLOW PLASTIC CAP LS#15710
- FOUND 5/8in IRON PIN WITH 1.25in YELLOW PLASTIC CAP LS 23875
- FOUND 5/8in IRON PIN WITH 1.25in YELLOW PLASTIC CAP (ILLEGIBLE)
- ◆ NO MONUMENT FOUND OR SET



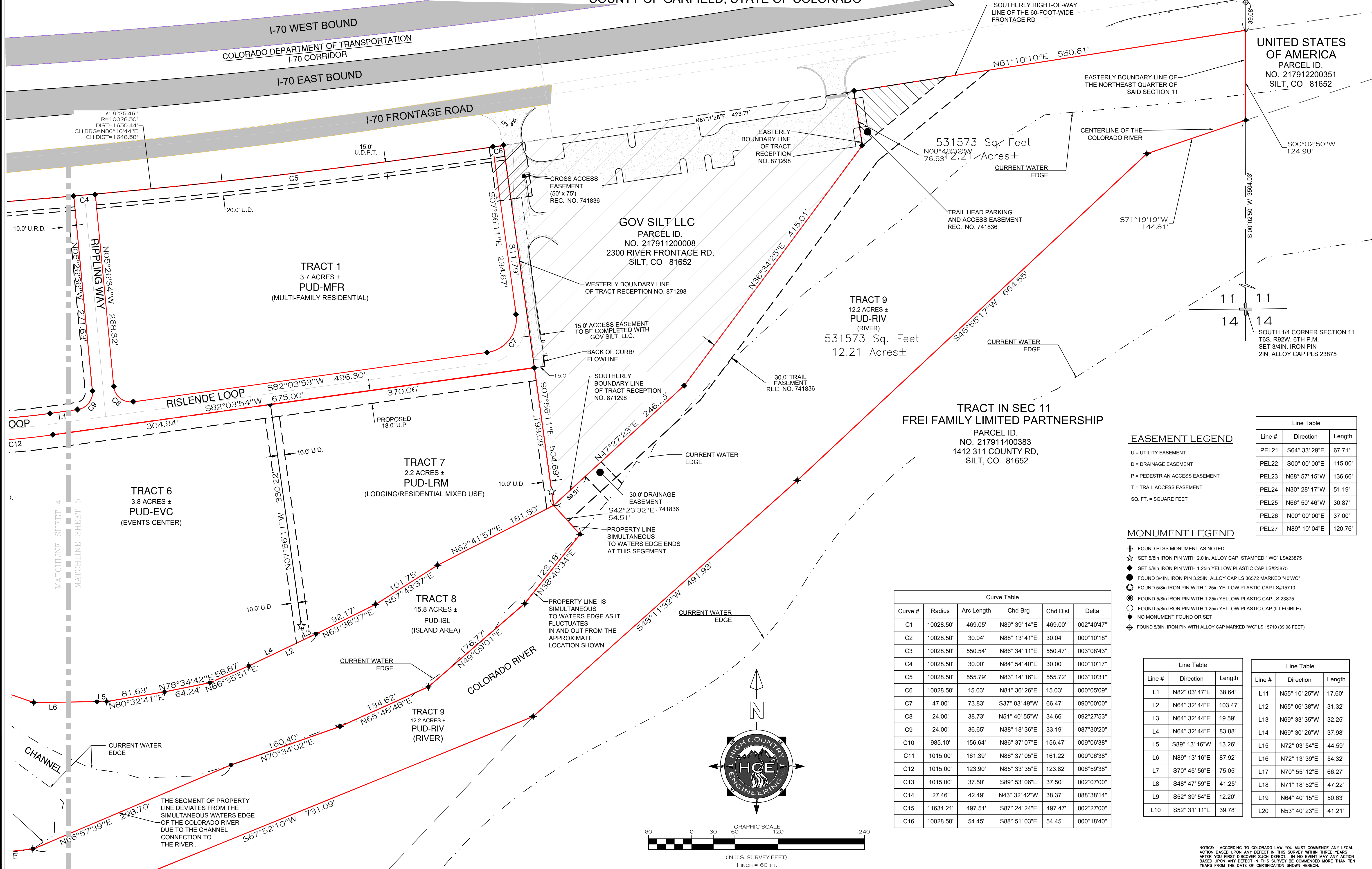
NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

SOUTHWEST CORNER
SECTION 11
T6S, R92W 6TH P.M.
FOUND 2.5IN. IRON PIPE
3IN. BRASS CAP GARCO (1972)

SOUTHWEST CORNER
SECTION 11
T6S, R92W 6TH P.M.
FOUND 2.5IN. IRON PIPE
3IN. BRASS CAP GARCO (1972)

PRELIMINARY PLAT RISLENDE PLANNED UNIT DEVELOPMENT

A PARCEL OF LAND SITUATED IN E1/2 OF SECTION 10 AND THE W1/2 OF SECTION 11
TOWNSHIP 6 SOUTH, RANGE 92 WEST, OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF GARFIELD, STATE OF COLORADO



EASEMENT LEGEND

U = UTILITY EASEMENT
D = DRAINAGE EASEMENT
P = PEDESTRIAN ACCESS EASEMENT
T = TRAIL ACCESS EASEMENT
SQ. FT. = SQUARE FEET

MONUMENT LEGEND

★ FOUND PLSS MONUMENT AS NOTED
★ SET 5/8in IRON PIN WITH 2.0 in. ALLOY CAP STAMPED "WC" LS#23875
◆ SET 5/8in IRON PIN WITH 1.25in YELLOW PLASTIC CAP LS#23875
● FOUND 3/4in. IRON PIN 3.25in. ALLOY CAP LS 38572 MARKED "40"WC"
○ FOUND 5/8in IRON PIN WITH 1.25in YELLOW PLASTIC CAP LS#15710
○ FOUND 5/8in IRON PIN WITH 1.25in YELLOW PLASTIC CAP LS 23875
○ FOUND 5/8in IRON PIN WITH 1.25in YELLOW PLASTIC CAP (ILLEGIBLE)
◆ NO MONUMENT FOUND OR SET
◆ FOUND 5/8in. IRON PIN WITH ALLOY CAP MARKED "WC" LS 15710 (39.08 FEET)

Line Table		
Line #	Direction	Length
PEL21	S64° 33' 29"E	67.71'
PEL22	S00° 00' 00"E	115.00'
PEL23	N68° 57' 15"W	136.66'
PEL24	N30° 28' 17"W	51.19'
PEL25	N66° 50' 46"W	30.87'
PEL26	N00° 00' 00"E	37.00'
PEL27	N89° 10' 04"E	120.76'

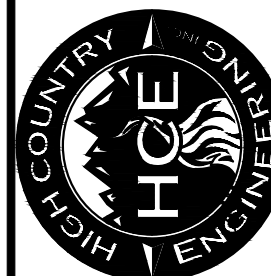
Curve Table					
Curve #	Radius	Arc Length	Chd Brg	Chd Dist	Delta
C1	10028.50'	469.05'	N89° 39' 14"E	469.00'	002°40'47"
C2	10028.50'	30.04'	N88° 13' 41"E	30.04'	000°10'18"
C3	10028.50'	550.54'	N86° 34' 11"E	550.47'	003°08'43"
C4	10028.50'	30.00'	N84° 54' 40"E	30.00'	000°10'17"
C5	10028.50'	555.79'	N83° 14' 16"E	555.72'	003°10'31"
C6	10028.50'	15.03'	N81° 36' 26"E	15.03'	000°05'09"
C7	47.00'	73.83'	S37° 03' 49"W	66.47'	090°00'00"
C8	24.00'	38.73'	N51° 40' 55"W	34.66'	092°27'53"
C9	24.00'	36.65'	N38° 18' 36"E	33.19'	087°30'20"
C10	985.10'	156.64'	N86° 37' 07"E	156.47'	009°06'38"
C11	1015.00'	161.39'	N86° 37' 05"E	161.22'	009°06'38"
C12	1015.00'	123.90'	N85° 33' 35"E	123.82'	006°59'38"
C13	1015.00'	37.50'	S89° 53' 06"E	37.50'	002°07'00"
C14	27.46'	42.49'	N43° 32' 42"W	38.37'	088°38'14"
C15	11634.21'	497.51'	S87° 24' 24"E	497.47'	002°27'00"
C16	10028.50'	54.45'	S88° 51' 03"E	54.45'	000°18'40"

Line Table		
Line #	Direction	Length
L1	N82° 03' 47"E	38.64'
L2	N64° 32' 44"E	103.47'
L3	N64° 32' 44"E	19.59'
L4	N64° 32' 44"E	83.88'
L5	S89° 13' 16"W	13.26'
L6	N89° 13' 16"E	87.92'
L7	S70° 45' 56"E	75.05'
L8	S48° 47' 59"E	41.25'
L9	S52° 39' 54"E	12.20'
L10	S52° 31' 11"E	39.78'

Line Table		
Line #	Direction	Length
L11	N55° 10' 25"W	17.60'
L12	N65° 06' 38"W	31.32'
L13	N69° 33' 35"W	32.25'
L14	N69° 30' 26"W	37.98'
L15	N72° 03' 54"E	44.59'
L16	N72° 13' 39"E	54.32'
L17	N70° 55' 12"E	66.27'
L18	N71° 18' 52"E	47.22'
L19	N64° 40' 15"E	50.63'
L20	N53° 40' 23"E	41.21'

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

HIGH COUNTRY ENGINEERING, INC.
1517 BLAKE AVENUE, STE 101,
GLENWOOD SPRINGS, CO 81601
PHONE (970) 945-8676 FAX (970) 945-2555
WWW.HCENG.COM



SILT 70 LLC,
RISLENDE PLANNED UNIT DEVELOPMENT
TOWN OF SILT,
GARFIELD COUNTY
COLORADO

PROJECT NO.
2211047

SHEET NUMBER
5

BY	REVISION	NO.	DATE
S-10-11			
T-65			
R-92W			
C-GARFIELD			
DRAWN BY	DMC	CHECKED BY	BB
DATE	01/30/2023	FILE	RISLENDEPUD

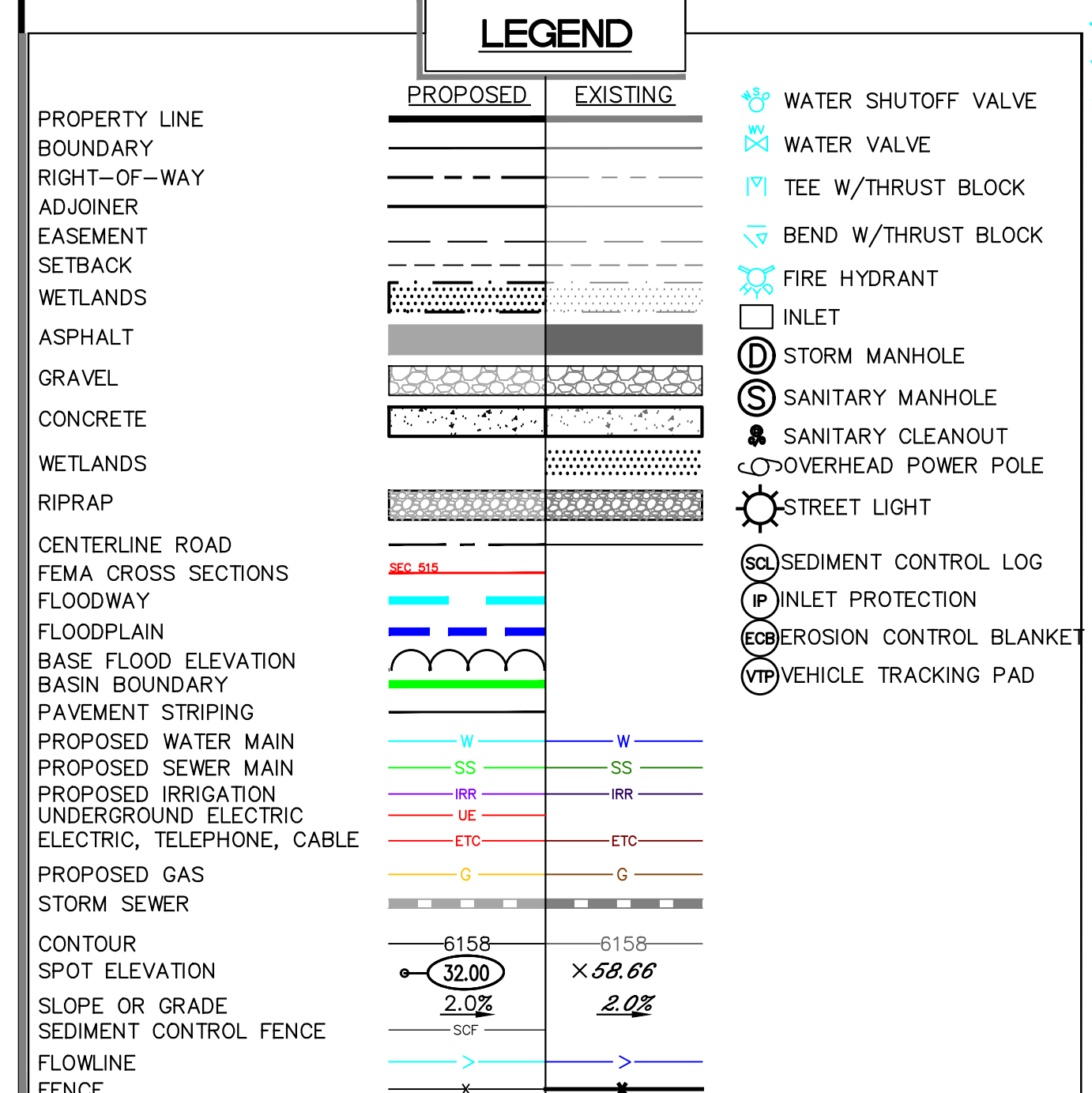
GRAPHIC SCALE

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(IN FEET)

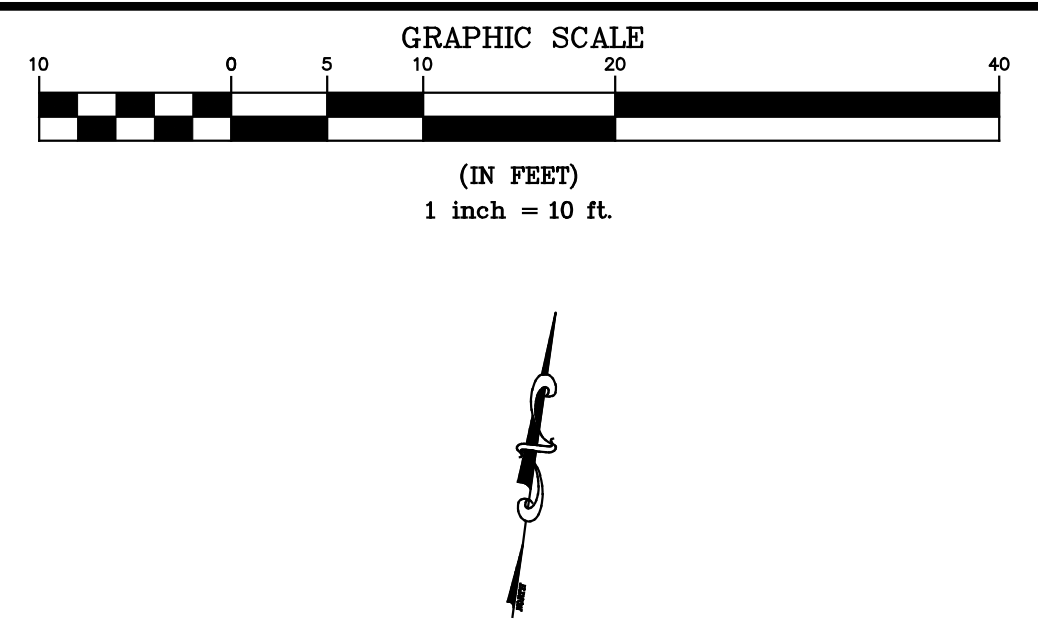
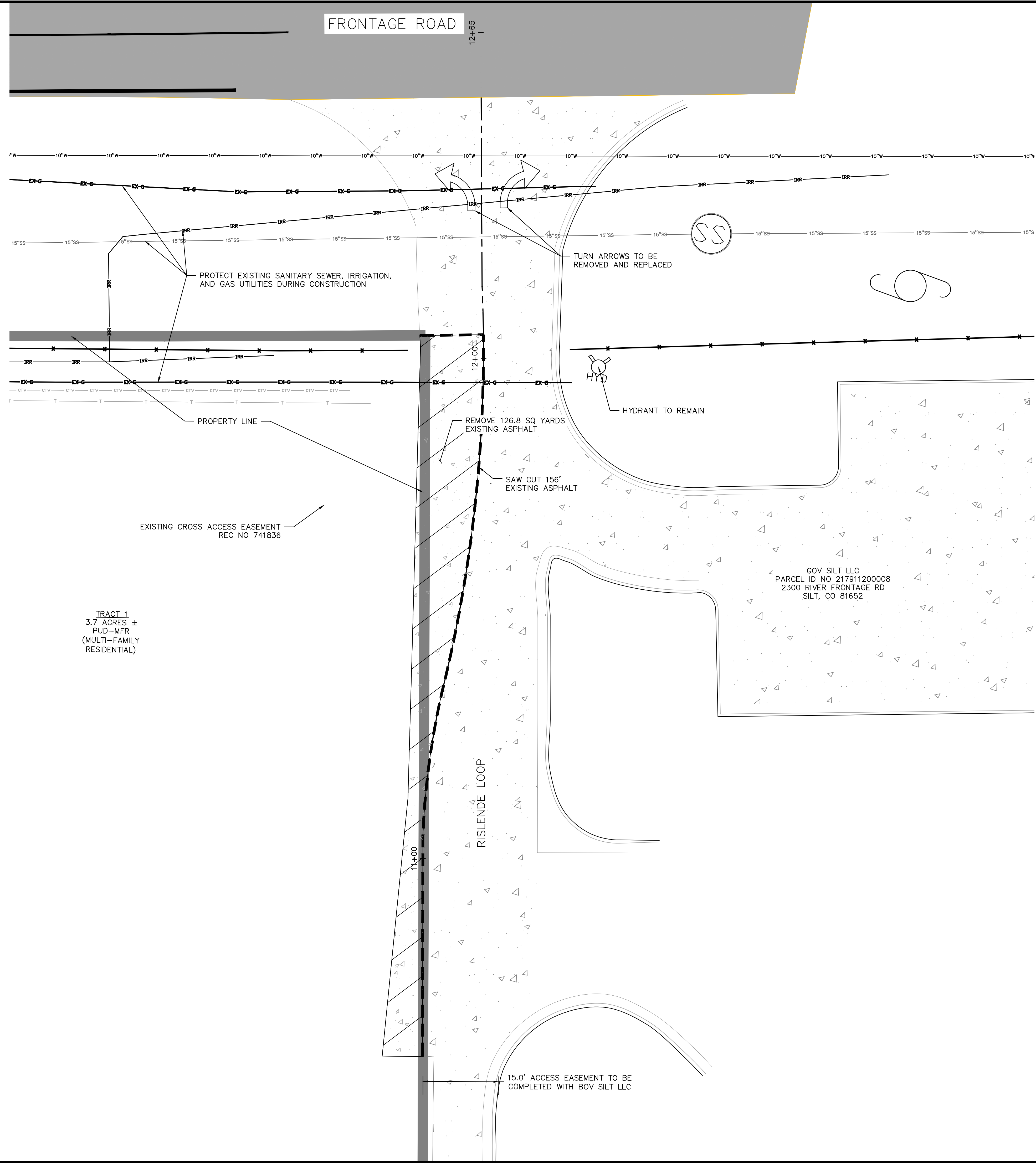
1 inch = 100 ft.

FOR PRELIMINARY REVIEW



ABBREVIATIONS:

1. UDPT = UTILITY, DRAINAGE, PEDESTRIAN (SIDEWALK) & TRAIL (BIKE PATH)
2. AUD = ACCESS, UTILITY, & DRAINAGE
3. UD = UTILITY & DRAINAGE
4. URP = UTILITY, ROAD MAINTENANCE, & PEDESTRIAN (SIDEWALK)



TRACT 1
3.7 ACRES ±
PUD-MFR
(MULTI-FAMILY
RESIDENTIAL)

EXISTING CROSS ACCESS EASEMENT
REC NO 741836

RISLENDE LOOP

GOV SILT LLC
PARCEL ID NO 2179112000008
2300 RIVER FRONTAGE RD
SILT, CO 81652

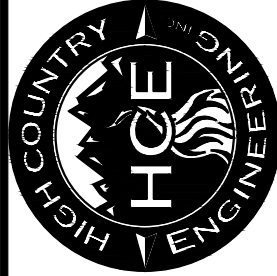
15.0' ACCESS EASEMENT TO BE
COMPLETED WITH BOV SILT LLC



NO.	DATE	REVISION	BY

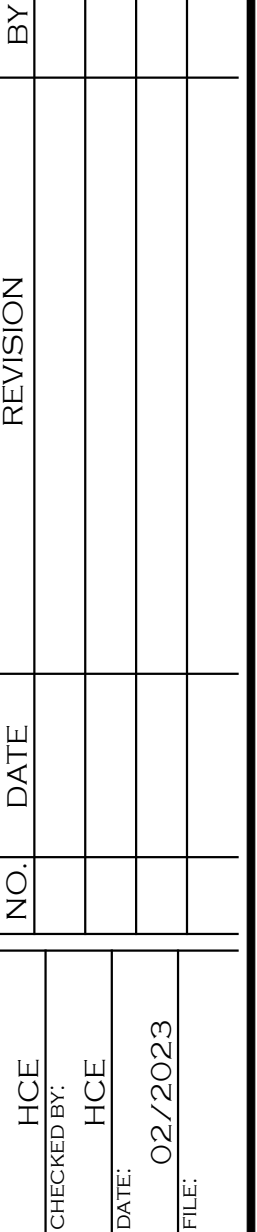
DRAWN BY: HCE	CHECKED BY: HCE
DATE: 01/2023	FILE:

HIGH COUNTRY ENGINEERING, INC.
1517 BLAKE AVENUE, STE 101,
GLENWOOD SPRINGS, CO 81601
PHONE (970) 945-8676 • FAX (970) 945-2555
WWW.HCENG.COM

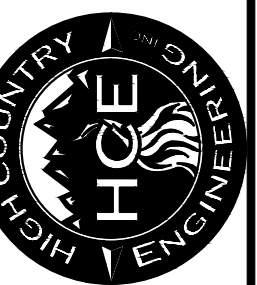


SILT 70 LLC
RISLENDE PLANNED UNIT DEVELOPMENT
**DIVIDE CREEK CENTER
DEMOLITION PLAN**
GARFIELD COUNTY, COLORADO

PROJECT NO.
2211047


















HIGH COUNTRY ENGINEERING, INC.
1517 BLAKE AVENUE, STE. 101,
GLENWOOD SPRINGS, CO. 81601
PHONE (970) 945-8676 • FAX (970) 945-2555
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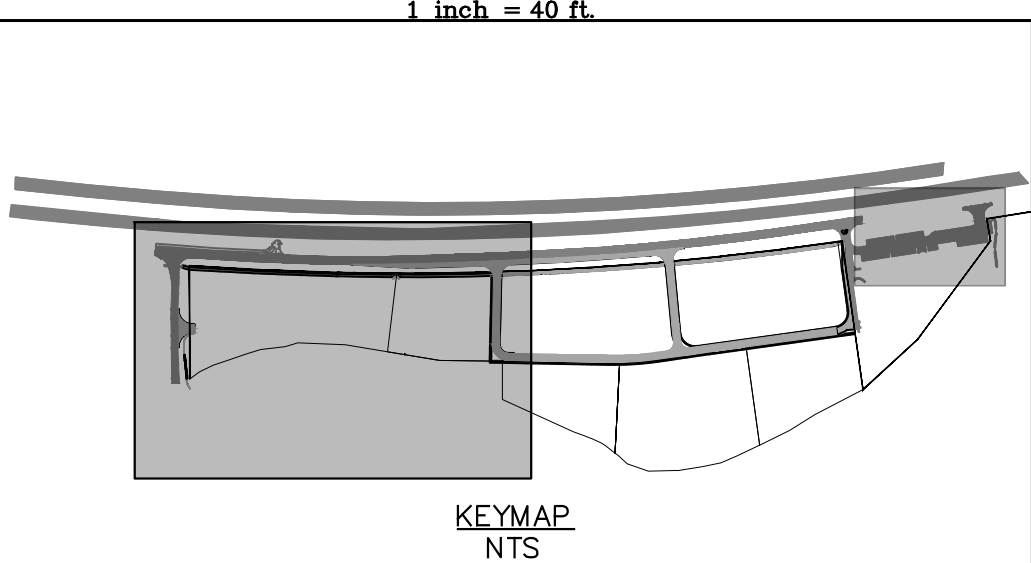
PROJECT NO.
2211047

LEGEND


-  WATER SHUTOFF VALVE
-  WATER VALVE
-  TEE W/THRUST BLOCK
-  BEND W/THRUST BLOCK
-  FIRE HYDRANT
-  INLET
-  STORM MANHOLE
-  SANITARY MANHOLE
-  SANITARY CLEANOUT
-  OVERHEAD POWER POLE
-  STREET LIGHT
-  SEDIMENT CONTROL LOG
-  INLET PROTECTION
-  EROSION CONTROL BLANKET
-  VEHICLE TRACKING PAD

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.



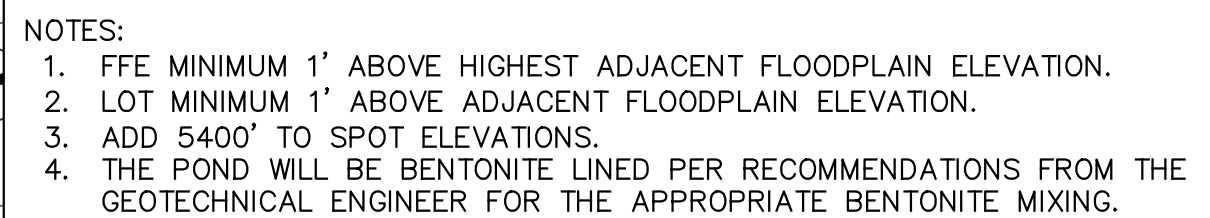
GRAPHIC SCALE



(IN FEET)

1 inch = 40 ft.

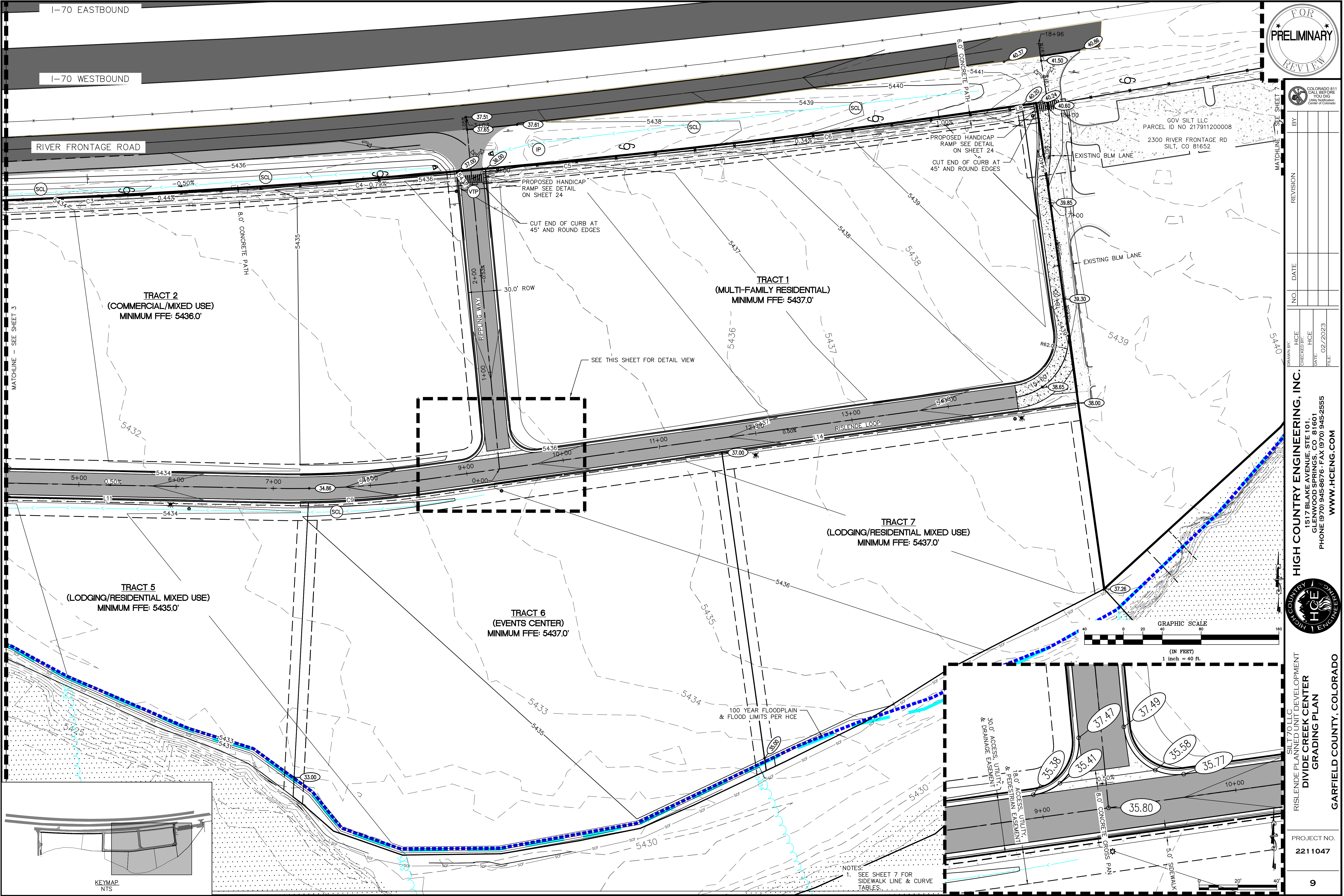
KEYMAP
NTS



SIDEWALK CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	498.64	13186.59	2.17	S87° 27' 08"E	498.61
C2	310.23	6570.87	2.71	N89° 12' 18"E	310.20
C3	349.03	13099.05	1.53	N87° 12' 30"E	349.02
C4	206.63	6019.74	1.97	N85° 45' 02"E	206.62
C5	174.74	9476.19	1.06	N84° 24' 21"E	174.74
C6	364.95	9476.19	2.21	N82° 46' 27"E	364.93
C8	92.14	58.66	90.00	S44° 08' 33"E	82.96
C9	161.80	1017.50	9.11	N86° 37' 04"E	161.63

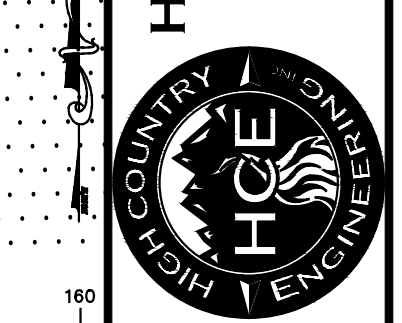
SIDEWALK LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	24.42	S74° 46' 15.29"E
L3	182.80	S89° 02' 26.52"E
L4	11.67	N69° 22' 01.81"E
L5	13.60	S88° 30' 11.03"E
L6	6.53	S59° 36' 53.10"E
L8	33.92	N74° 14' 29.61"E
L9	230.93	S1° 05' 55.08"W
L11	338.38	S88° 54' 22.03"E
L14	532.90	N82° 03' 55.89"E

PRISLENDE PLANNED UNIT DE



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DATE: 02/20/23	
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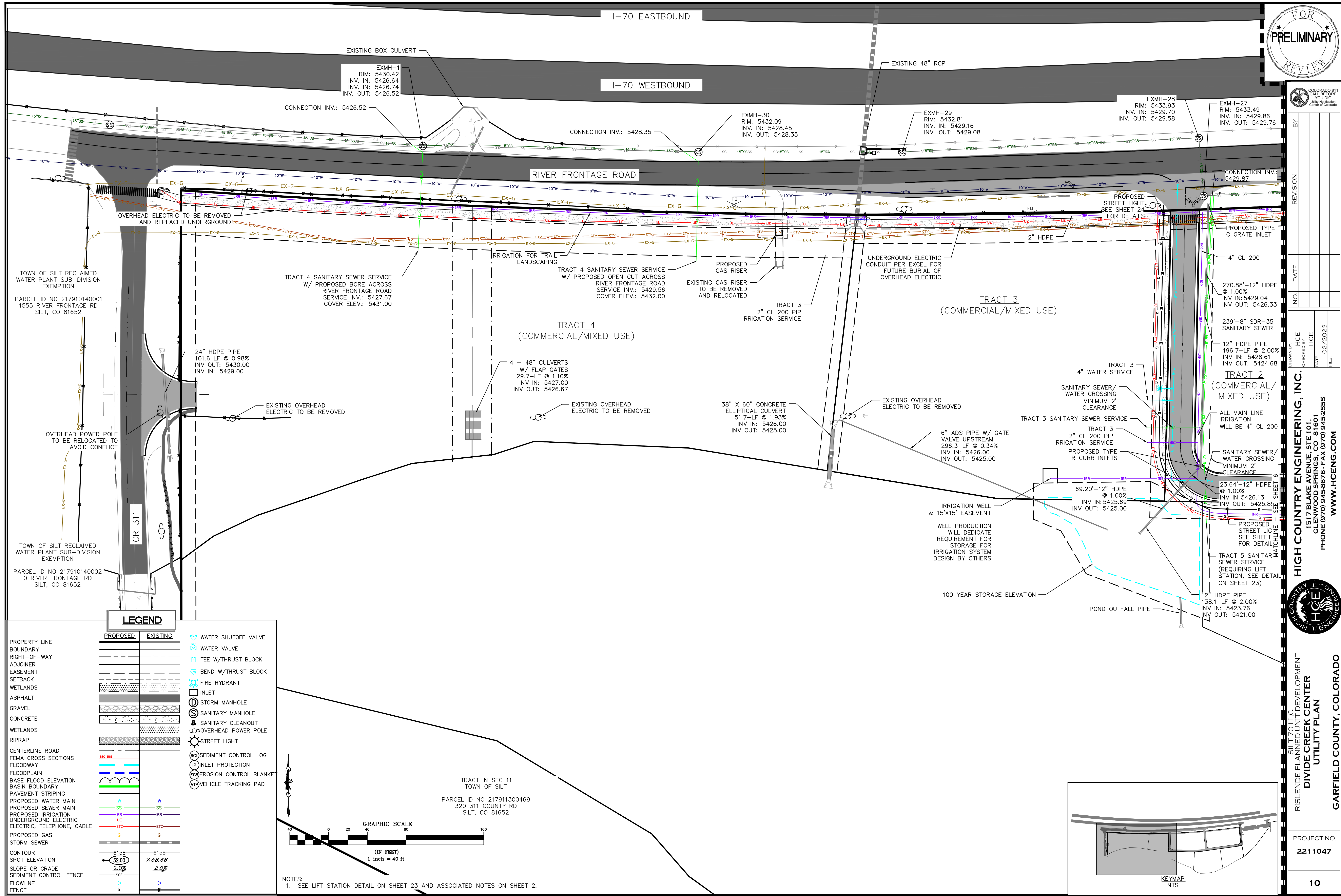
HIGH COUNTRY ENGINEERING, INC.
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GLENWOOD SPRINGS, CO 81601
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SILT 70 LLC
RISLENDE PLANNED UNIT DEVELOPMENT
DIVIDE CREEK CENTER
GRADING PLAN
GARFIELD COUNTY, COLORADO

PROJECT NO.
2211047

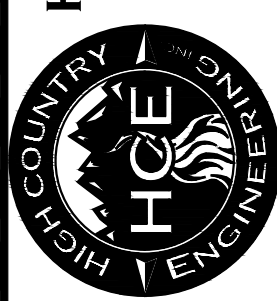
9



COLORADO 811
CALL BEFORE
YOU DIG
Utility Notification
Certificate of Compliance

BY	REVISION	DATE	NO.	DATE

HIGH COUNTRY ENGINEERING, INC.
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PHONE (970) 945-8676 • FAX (970) 945-2555
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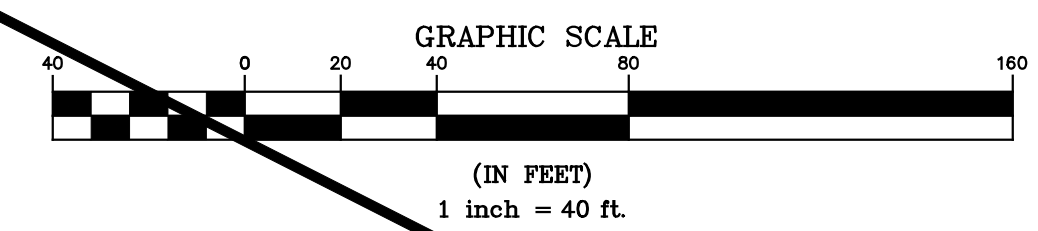


RISLENDE PLANNED UNIT DEVELOPMENT
DIVIDE CREEK CENTER
UTILITY PLAN
GARFIELD COUNTY, COLORADO

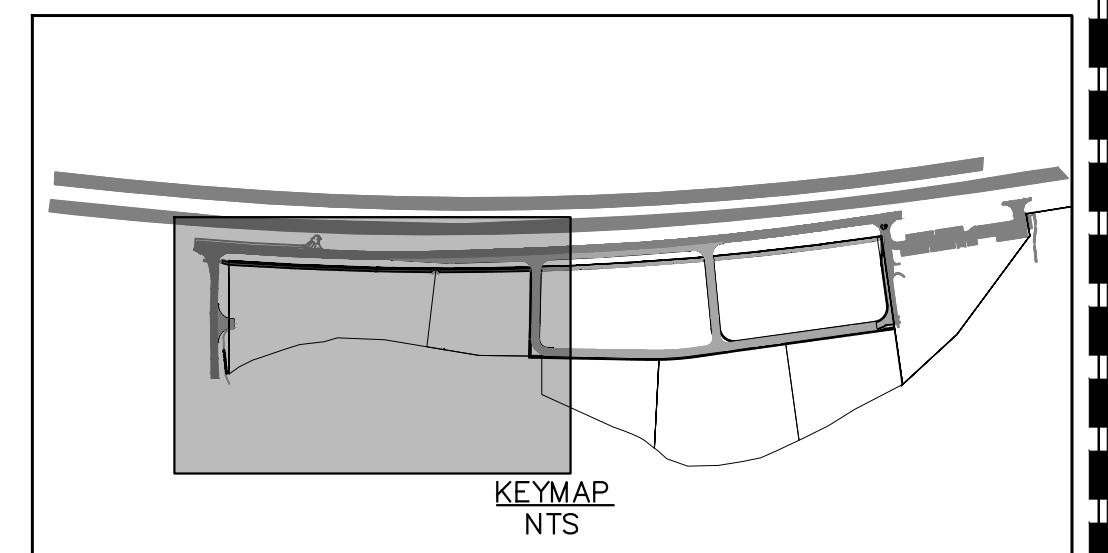
PROJECT NO.
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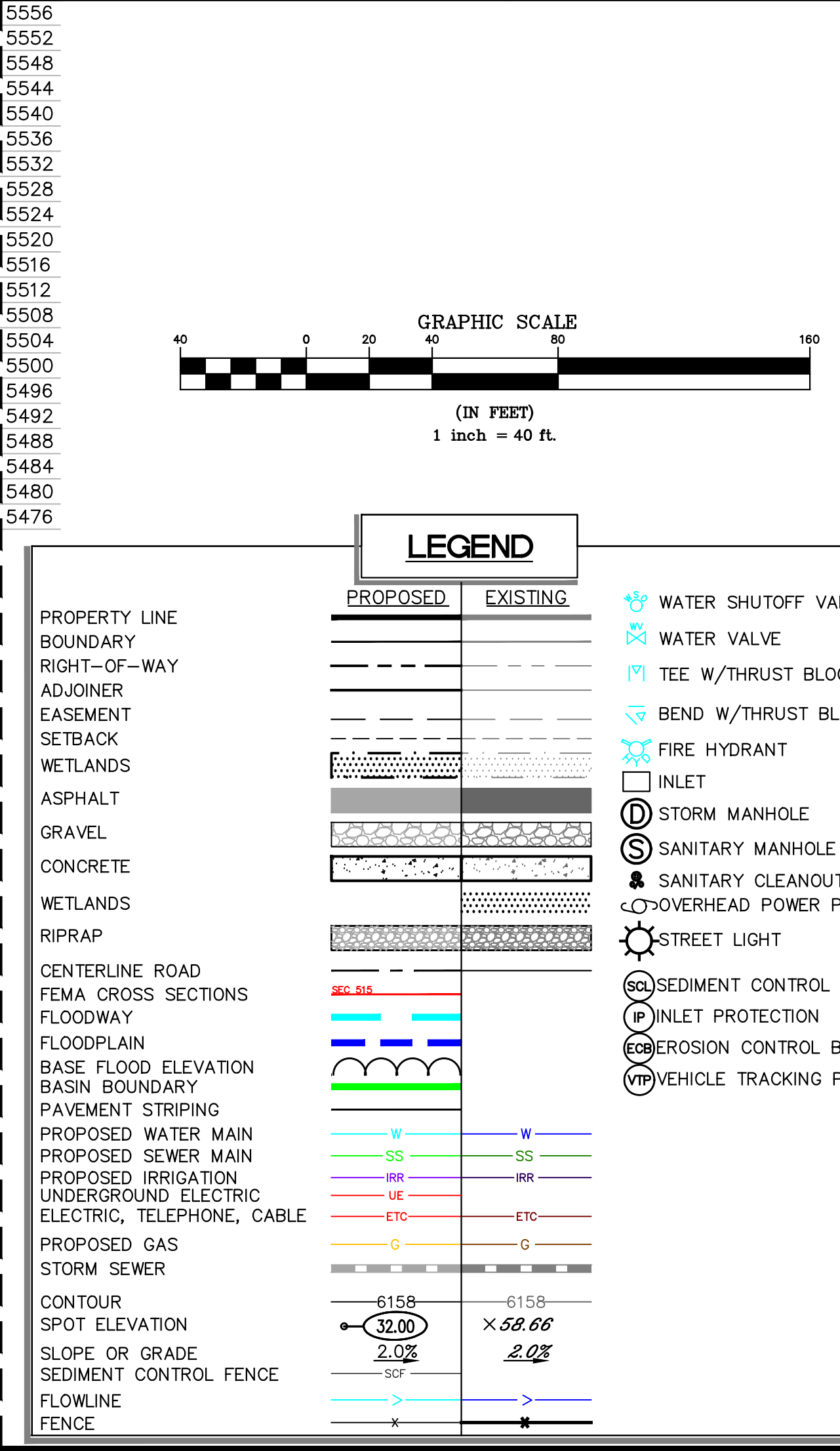
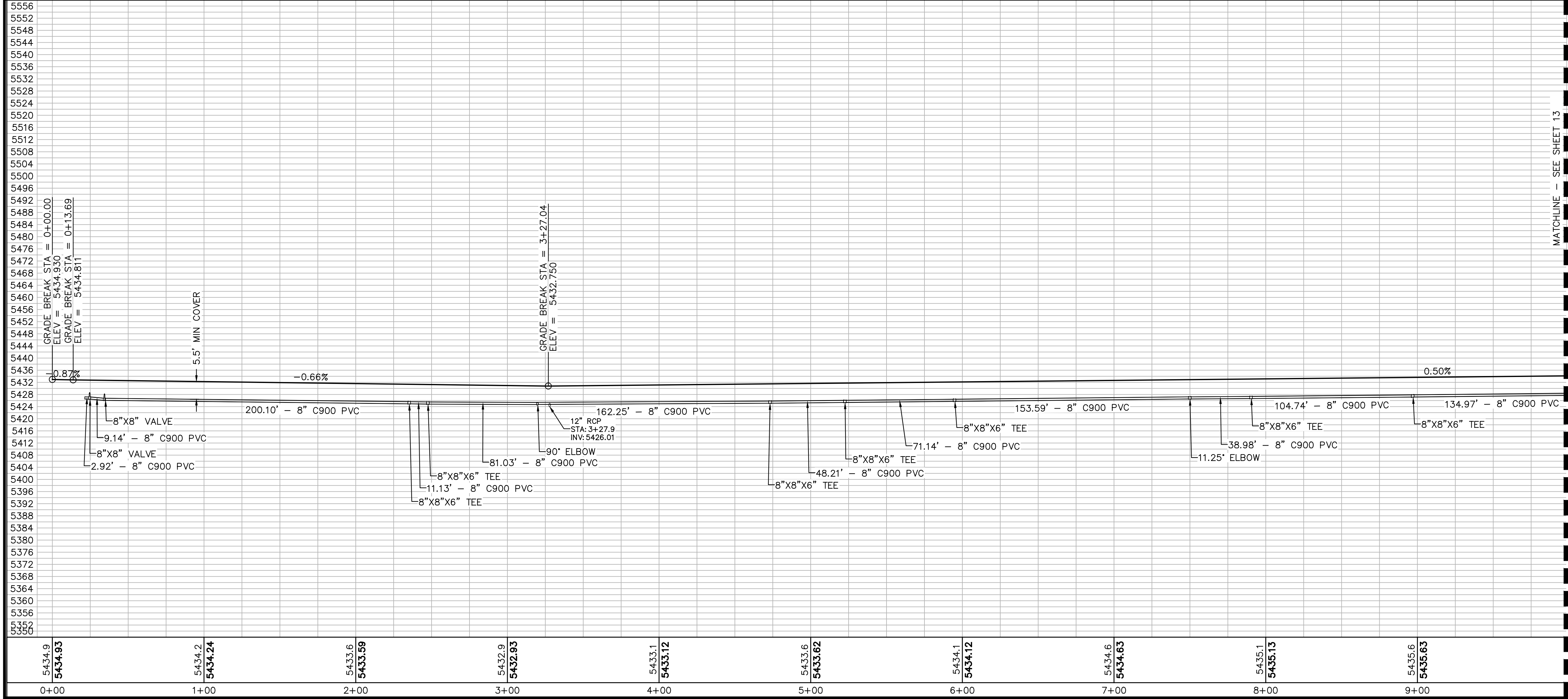
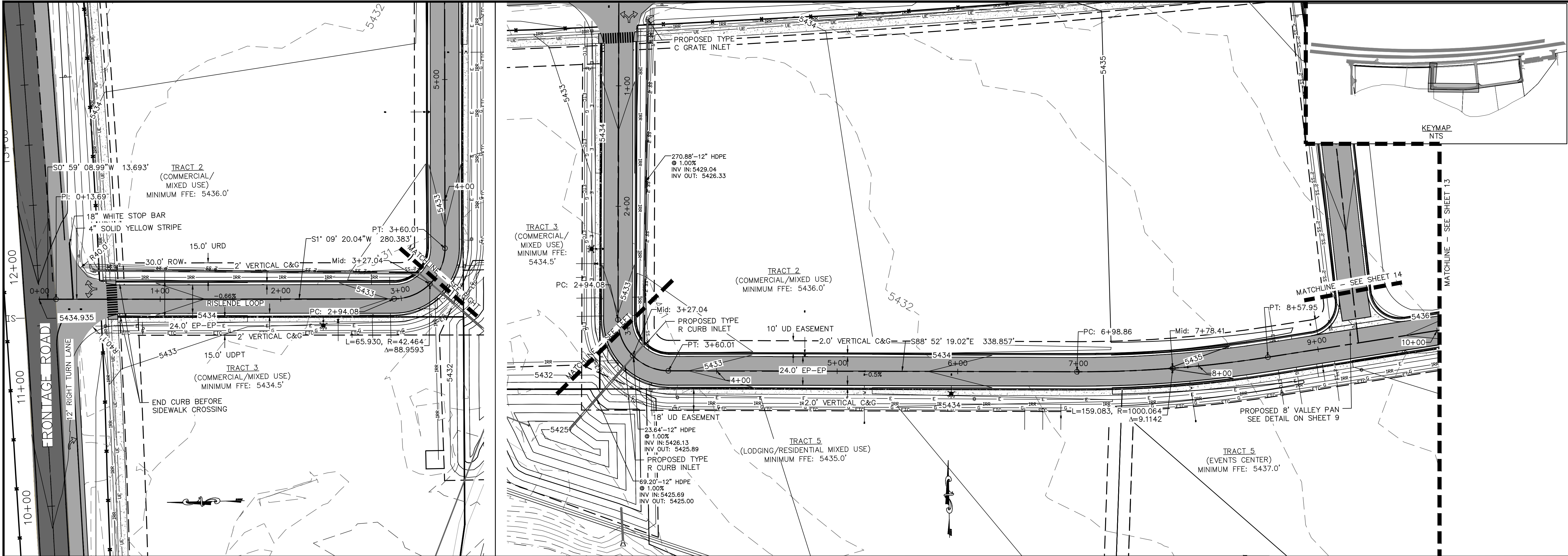
LEGEND

PROPOSED	EXISTING	
PROPERTY LINE		WATER SHUTOFF VALVE
BOUNDARY		WATER VALVE
RIGHT-OF-WAY		TEE W/THRUST BLOCK
ADJOINER		BEND W/THRUST BLOCK
EASEMENT		FIRE HYDRANT
SETBACK		INLET
WETLANDS		STORM MANHOLE
ASPHALT		SANITARY MANHOLE
GRAVEL		SANITARY CLEANOUT
CONCRETE		OVERHEAD POWER POLE
WETLANDS		STREET LIGHT
RIPRAP		SEDIMENT CONTROL LOG
CENTERLINE ROAD		INLET PROTECTION
FEMA CROSS SECTIONS		EROSION CONTROL BLANKET
FLOODWAY		VEHICLE TRACKING PAD
FLOODPLAIN		
BASE FLOOD ELEVATION		
BASIN BOUNDARY		
PAVEMENT STRIPING		
PROPOSED WATER MAIN		
PROPOSED SEWER MAIN		
PROPOSED IRRIGATION		
UNDERGROUND ELECTRIC		
ELECTRIC, TELEPHONE, CABLE		
PROPOSED GAS		
STORM SEWER		
CONTOUR		
SPOT ELEVATION		
SLOPE OR GRADE		
SEDIMENT CONTROL FENCE		
FLOWLINE		
FENCE		



NOTES:
1. SEE LIFT STATION DETAIL ON SHEET 23 AND ASSOCIATED NOTES ON SHEET 2.





FOR PRELIMINARY REVIEW

DRAWN BY: HCE

CHECKED BY: HCE

DATE: 01/2023

FILE:

BY:

REVISION:

NO.

DATE:

COLORADO 811

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Utility Notification

County of Colorado

HIGH COUNTRY ENGINEERING, INC.

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GLENWOOD SPRINGS, CO 81601

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SILT 70 LLC

RISLENDE PLANNED UNIT DEVELOPMENT

DIVIDE CREEK CENTER

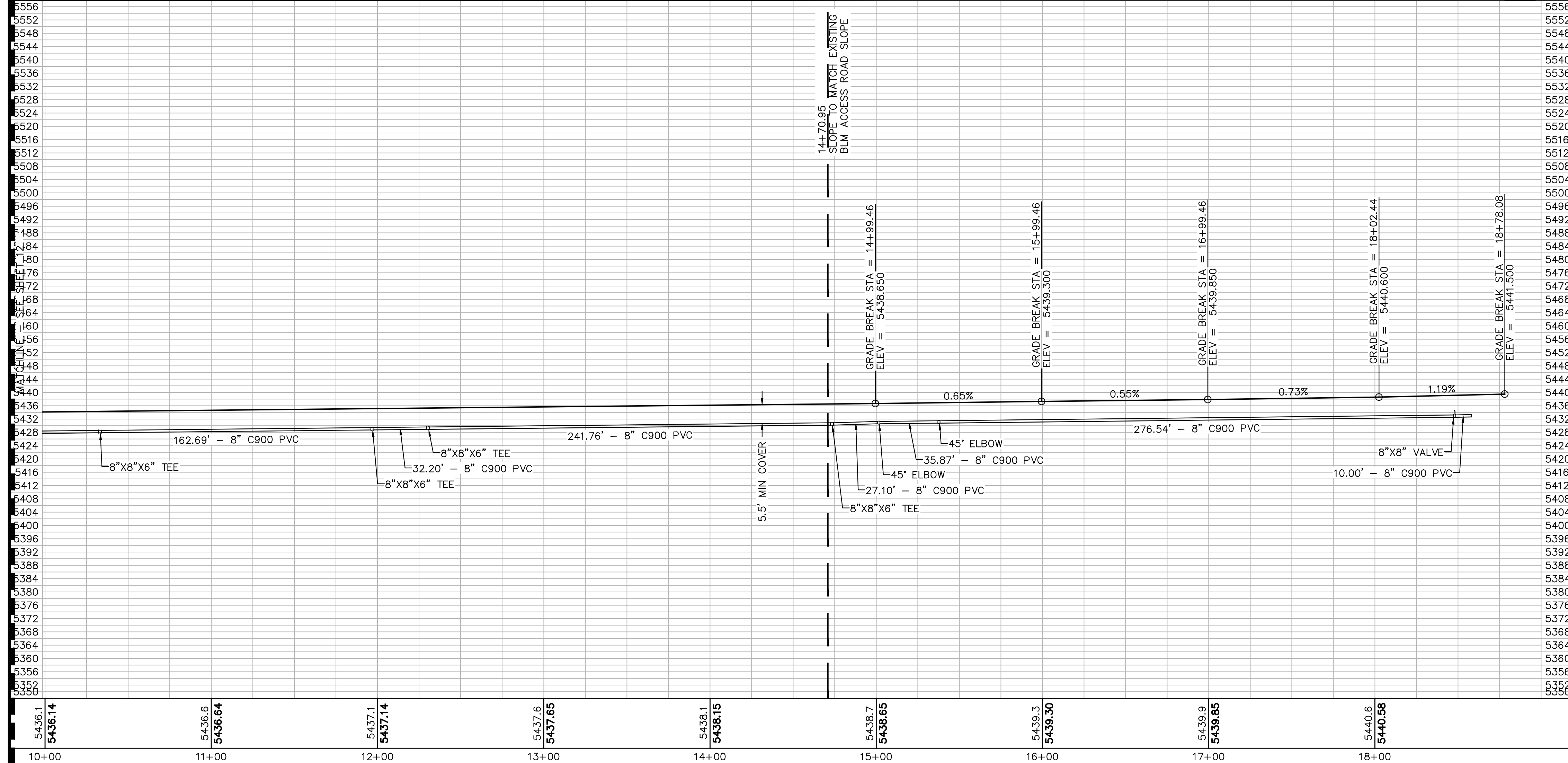
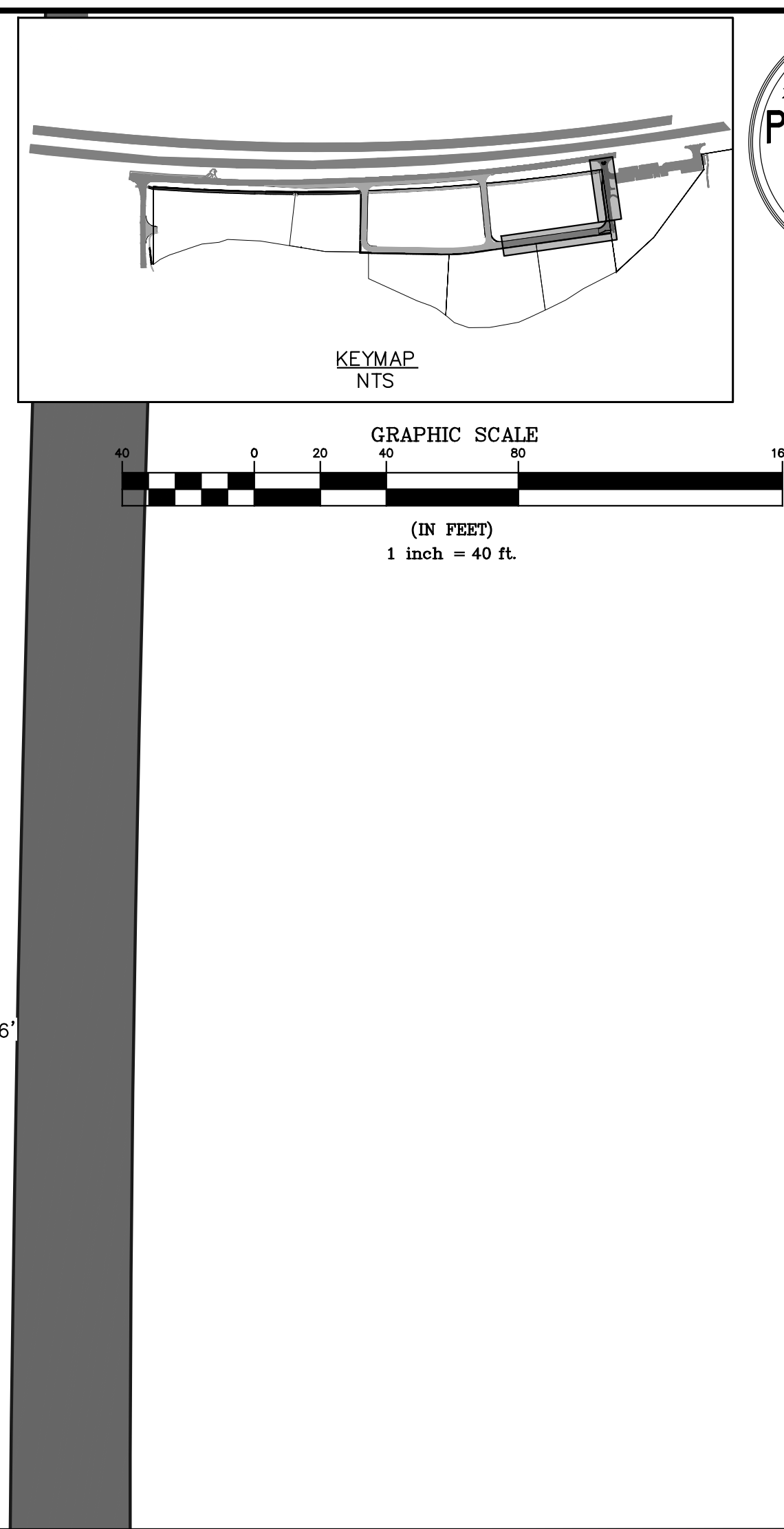
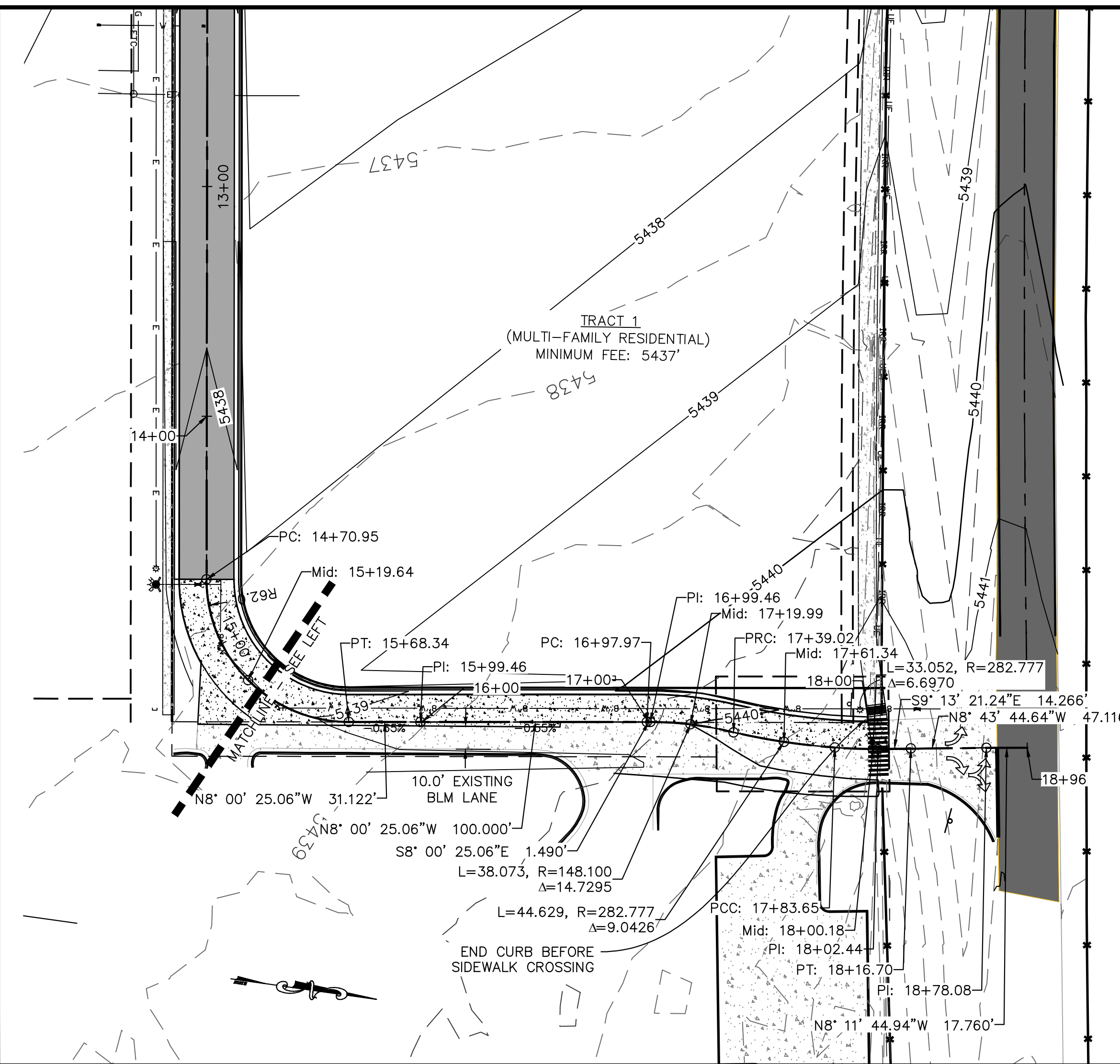
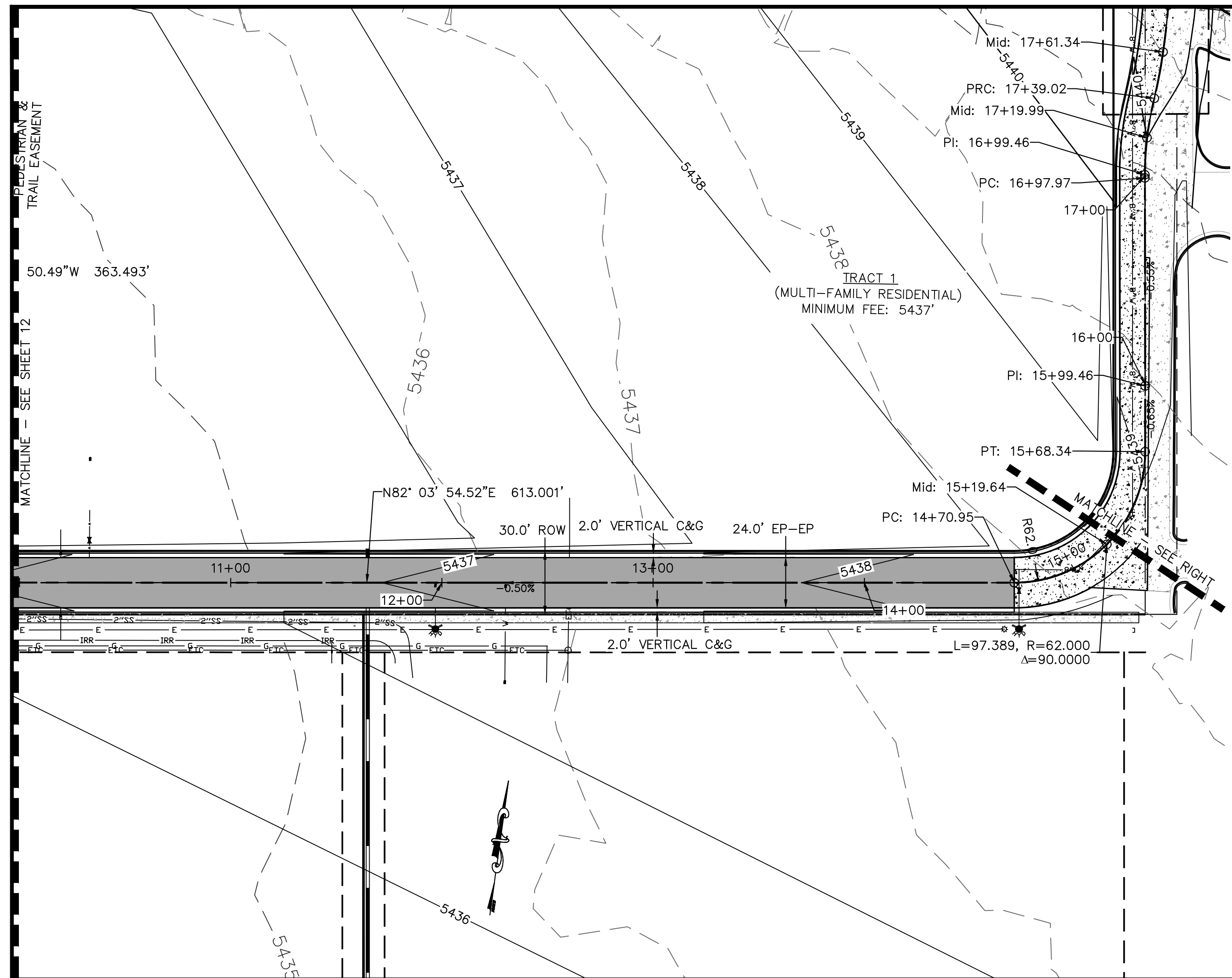
ROAD PLAN & PROFILE

GARFIELD COUNTY, COLORADO

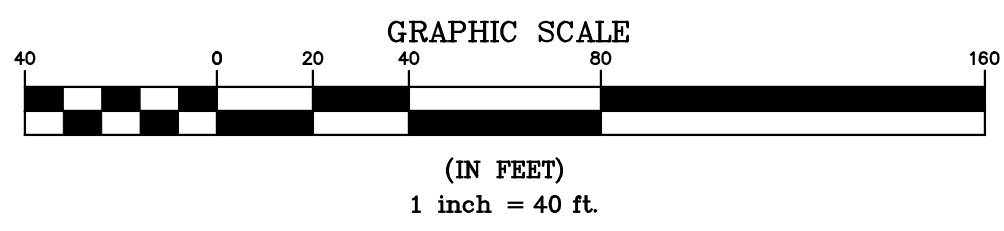
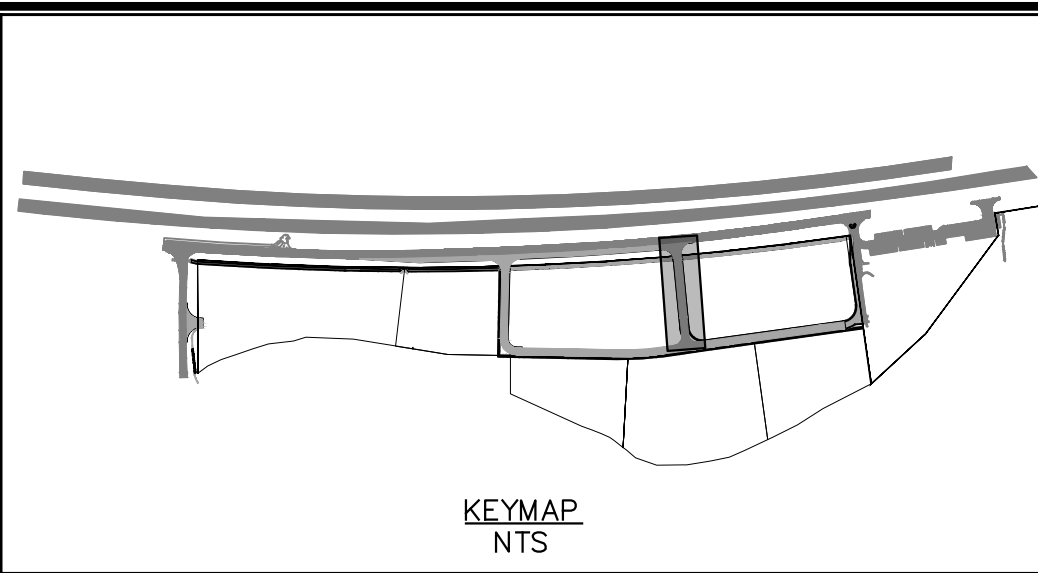
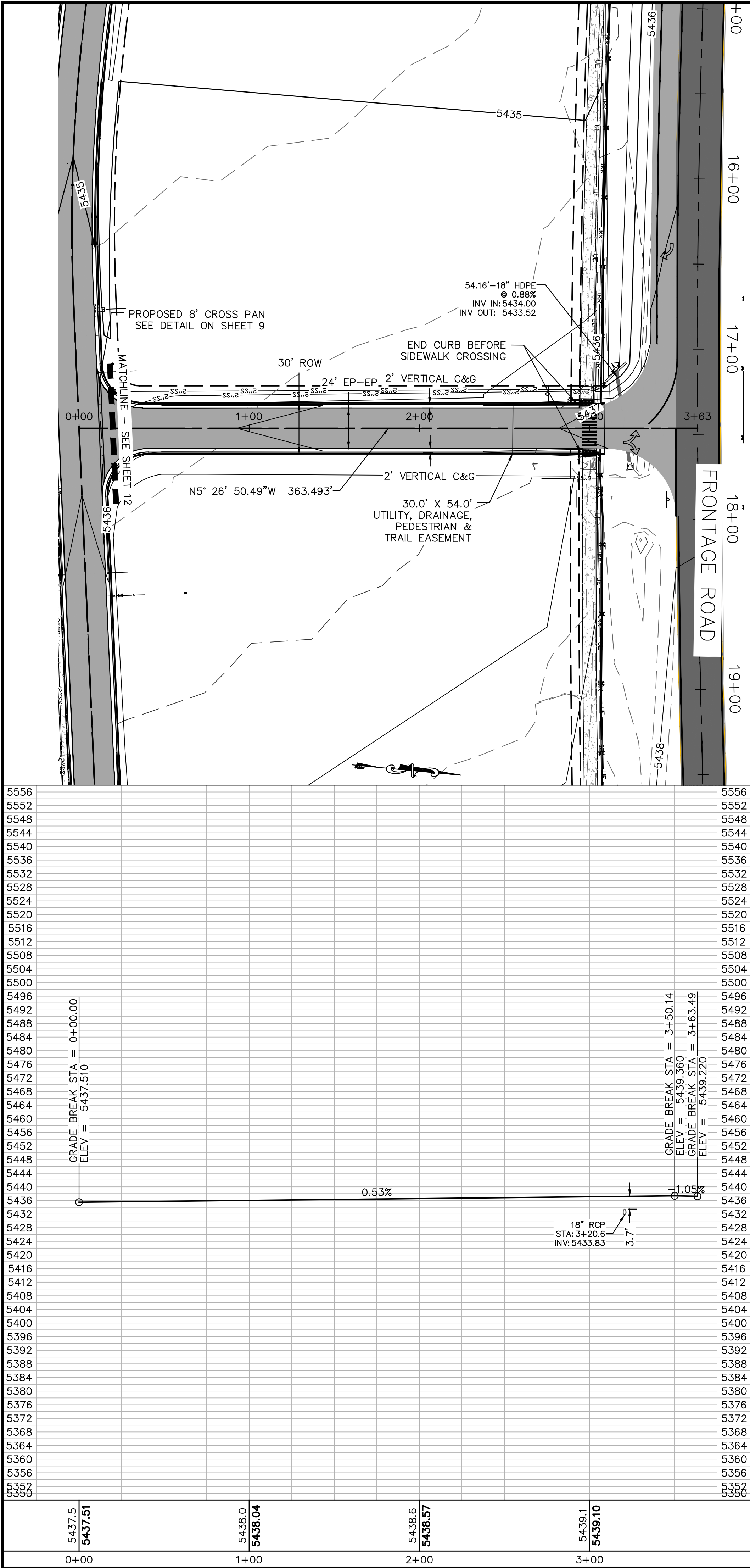
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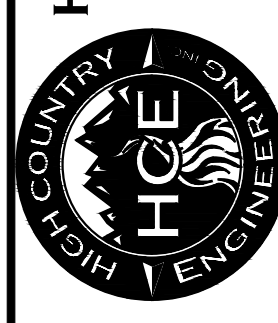
	PROPOSED	EXISTING	
PROPERTY LINE	---	---	🔌 WATER SHUTOFF VALVE
BOUNDARY	---	---	🔌 WATER VALVE
RIGHT-OF-WAY	---	---	🔌 TEE W/THRUST BLOCK
ADJOINER	---	---	🔌 BEND W/THRUST BLOCK
EASEMENT	---	---	🔌 FIRE HYDRANT
SETBACK	---	---	☐ INLET
WETLANDS			Ⓢ STORM MANHOLE
ASPHALT			Ⓢ SANITARY MANHOLE
GRAVEL			🧑 SANITARY CLEANOUT
CONCRETE			⚡ OVERHEAD POWER POLE
WETLANDS			☀ STREET LIGHT
RIPRAP			Ⓢ SEDIMENT CONTROL LOG
CENTERLINE ROAD	---	---	Ⓢ INLET PROTECTION
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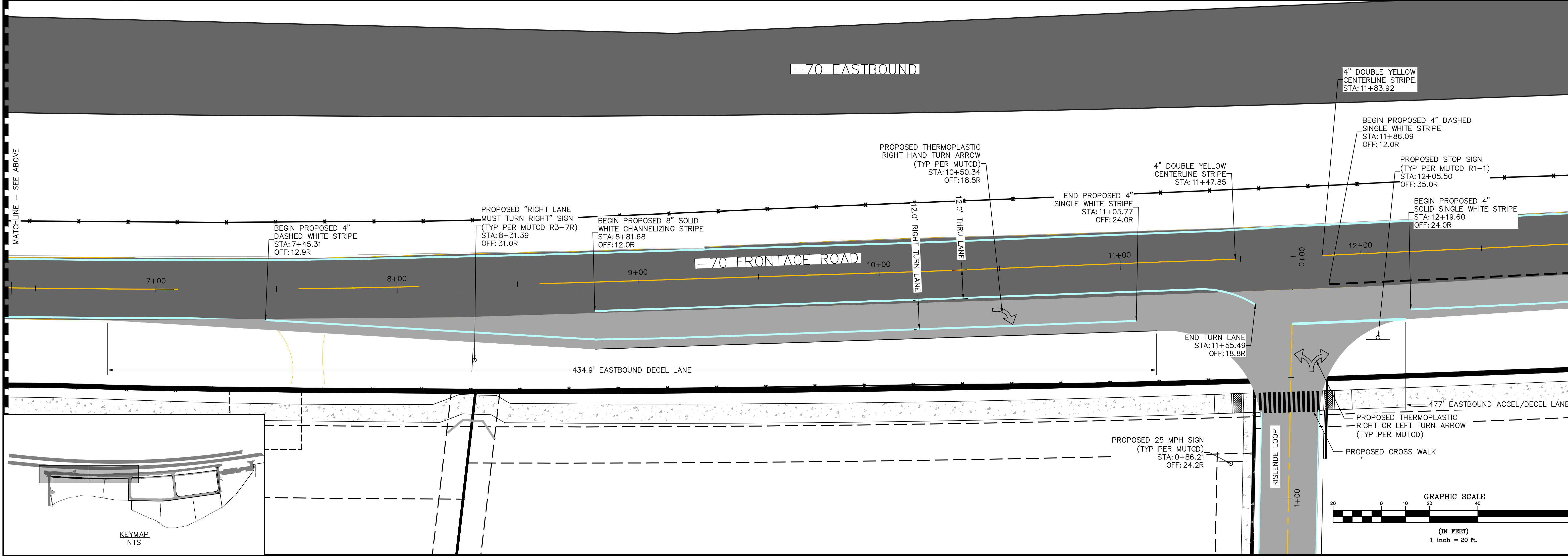
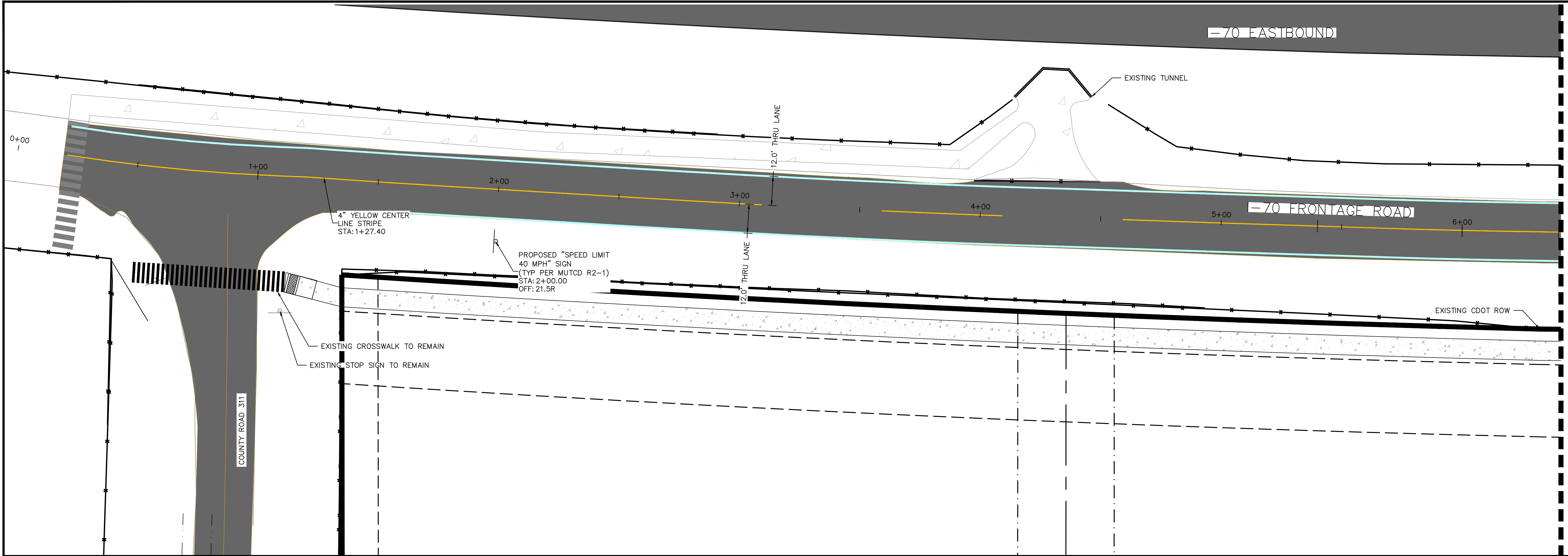
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DRAWN BY: HCE	FILE: 01/2023
CHECKED BY: HCE	
DATE: 01/2023	

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DIVIDE CREEK CENTER
ROAD PLAN & PROFILE
GARFIELD COUNTY, COLORADO



FOR PRELIMINARY REVIEW

BY

REVISION

NO.

DATE

DRAWN BY: HCE

CHECKED BY: HCE

DATE: 01/2023

FILE:

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DATE: 01/2023

FILE:

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HIGH COUNTRY ENGINEERING

SILT 70 LLC

RISLENDE PLANNED UNIT DEVELOPMENT

DIVIDE CREEK CENTER

SIGNING AND STRIPING PLAN

GARFIELD COUNTY, COLORADO

PROJECT NO.

2211047

15

**TOWN OF SILT
BOARD OF TRUSTEES REGULAR MEETING
May 22, 2023**

AGENDA ITEM SUMMARY

SUBJECT: Nomination of a Town Representative to various committee vacancies

PROCEDURE: (Public Hearing, Action item, Information Item) Action item

RECOMMENDATION: Staff asks that the board select a representative to fill the following vacancies left by Kyle Knott's resignation last month.

- Regional Detox Service Center
- Water/Wastewater/Irrigation Master Plan
- OHV
- Parks/Recreation/Culture Master Plan
- Code Enforcement

SUMMARY AND BACKGROUND OF SUBJECT MATTER: Past Mayor Pro-tem Kyle Knott represented the Town on the above committees during his tenure on the Board. Staff asks that the Board have discussions to determine who would like to step into these vacancies.

ORDINANCE FIRST READING DATE: N/A

ORDINANCE SECOND READING DATE: N/A

ORIGINATED BY: N/A


PRESENTED BY: Town Administrator Layman

DOCUMENTS ATTACHED: N/A

TOWN ATTORNEY REVIEW ☐ YES ☒ NO **INITIALS** _____

SUBMITTED BY:

REVIEWED BY:



Sheila M. McIntyre, Town Clerk



Jeff Layman, Town Administrator

Committee List - 2019 and on							
Board	Meeting site	Address	Meeting dates	Time	Current member	Alternate	Date appointed
GarCo Energy Advisory Board	GarCo Rifle Admin Bldg	195 W 14th Street 2nd floor, Rifle	1st Thursday of each month	5:30 - 8:30 p.m. dinner included	Jerry Seifert		05/29/18
Garfield Clean Energy Board	Between GWS and Rifle		Alternating months - 2nd Friday Jan, March, May, July, Sept, Nov, Dec	1:00 - 3:00 p.m.	Keith Richel		05/29/18
Garfield County Weed Board	GarCo Rifle Admin Bldg as well as other locations	195 W 14th Street	Quarterly - 3 meetings and one field trip	11:00 a.m. - 2:00 p.m. lunch included	Justin Brintnall		term ends 1/2020 3 year terms
GarCo Senior Programs Advisory Board	New Castle Comm Ctr	423 W Main New Castle	4th Friday of each month except in Dec	9:00 - 10:30 a.m.	Amie Tucker	Jeff Layman	
AGNC	Roaming		Various Wednesdays Every month except Jan and Dec	9:00 a.m. - 1:30 p.m.	Jeff Layman	Sheila McIntyre	
VALE Board	Silt Town Hall	231 N 7th Street	3rd Monday of each month (when necessary)	5:30 - 6:30 p.m.	Justin Brintnall		
Regional Detox Service Center				Jeff Layman	Kyle Knott		04/13/20
Silt Housing Authority Chair					Derek Hanrahan		
Detox Services	Remotely			quarterly	Derek Hanrahan		
Sub-committees				Staff members	Board members		
Water/Wastewater/Irri Master Plan				Jeff Layman	Trustee Knott		02/25/19

				Trey Fonner	Trustee Poston		02/25/19
OHV				Jeff Layman	Mayor Richel		06/10/19
				Mike Kite	Trustee Knott		06/10/19
				Trey Fonner			
Parks/Recreation/Culture Master Plan				Jeff Layman	Trustee Poston		05/28/19
			Mondays or Fridays	Trey Fonner	MPT Knott		02/22/21
			Mondays or Fridays		Trustee Brintnall	(alternate)	02/22/21
Human Resources				Jeff Layman	Mayor Richel		07/22/19
				Sheila McIntyre	Trustee Seifert		07/22/19
				Mike Kite			
				Amie Tucker			
Metro District				Jeff Layman	Kyle Knott		12/09/19
					Jerry Seifert		12/09/19
Watershed					Jerry Seifert		02/08/21
Code enforcement Committee				Jeff Layman	Lindsey Williams		05/04/21
					Marcia Eastlund		05/04/21
					Kyle Knott		05/10/21

BOARD OF TRUSTEES REGULAR MEETING

May 22, 2023

AGENDA ITEM SUMMARY

SUBJECT: Garfield County Transportation Planning: CDOT Letter Review and Approval

PROCEDURE: Action Item

SUMMARY AND BACKGROUND OF SUBJECT MATTER: As discussed at our last meeting, the Town of Silt, through Mayor Pro Tem Derek Hanrahan and selected Town Staff has been participating in a conversation with other communities up and down the valley on long-term transportation planning.

The one thing everyone agrees on is that, with growth, the roads will only become busier. It is also generally agreed that all should try to work together to address the impacts. There will be many opinions on whether or how to address it. To this end, the group has agreed that CDOT should be at the table and has prepared the attached letter for Executive Director Shoshana Lew inviting their participation and asked all municipalities to endorse it.

The purpose of this agenda item is to secure the Silt Board of Trustee's approval for the Mayor to sign the letter.

RECOMMENDATION: Trustees should review the attached letter and discuss the value of asking the Mayor to sign the letter.

ORIGINATED BY: Jeff Layman

PRESENTED BY: Jeff Layman

TOWN ATTORNEY REVIEW: / / Yes / / No

DOCUMENTS ATTACHED: Letter to CDOT Executive Director Shoshana Lew

SUBMITTED BY:

Jeff Layman
Jeff Layman, Town Administrator

REVIEWED BY:

Sheila M. McIntyre
Sheila M. McIntyre, Town Clerk

Tom Jankovsky, Chair Pro Tem
District 1

John Martin, Chair
District 2

Mike Samson
District 3



May 8, 2023

Shoshana Lew, Executive Director
Colorado Department of Transportation
2829 W. Howard Place
Denver, CO 80204

Dear Director Lew:

Over the next 20-30 years, communities in Garfield County, particularly along the I-70 corridor, are expected to experience robust population and employment growth. According to population and employment forecasts, Garfield County's population is estimated to grow by 40%, from 62,000 residents in 2020, to 86,000 in 2040. Similarly, the number of jobs in Garfield County will increase by 40% over the same time period, from an estimated 36,000 jobs to 51,000.

The forecasted growth in Garfield County will create significant demands upon the transportation system, particularly along the Interstate 70 (I-70) and State Highway 82 (SH82) corridors within the County. Residents are already experiencing increasing traffic congestion on I-70 and SH82, coupled with frequent and unpredictable delays associated with accidents, weather-related hazards, and closures.

Due to forecasted population and employment growth, increasing traffic congestion, and growing concerns about travel safety and reliability, now is the time for Garfield County communities to begin discussing and developing a future vision and plans for a safer, more efficient, and reliable multi-modal transportation system for the I-70 and SH82 corridors. While these discussions might eventually evolve to include other stakeholders in the region, we believe they should initially begin with jurisdictions in Garfield County.

In 2022, Colorado Department of Transportation (CDOT) demonstrated its leadership and vision surrounding the development of multimodal transportation services in the I-70 corridor, when it orchestrated and submitted the Westward Three MOVE Grant application to the US Department of Transportation. CDOT's advocacy on behalf of the MOVE: W3 project netted approximately \$24 million in RAISE grant funding, a significant portion of which will make Mobility Hubs in Rifle and Glenwood Springs possible.

For this reason, it seems vital to us that CDOT, the most important transportation stakeholder in our region and the State, to be involved in and, ideally, to facilitate a series of transportation

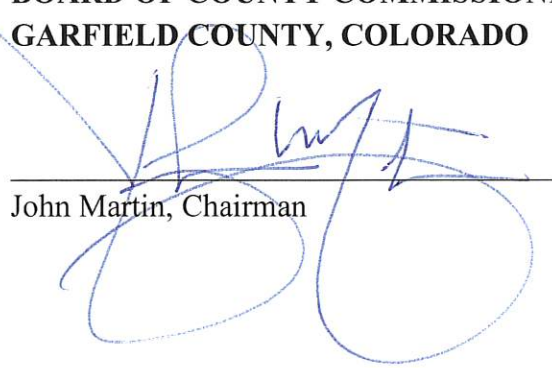
roundtable meetings for local governments within Garfield County. The goal of this effort would be to identify short- and long-term strategies, as well as opportunities for collaboration, that the partners could pursue to preserve, if not increase, roadway capacity on I-70 and SH 82 within Garfield County.

The signatories to this letter, including Garfield County, Parachute, Rifle, Silt, New Castle, Glenwood Springs, and Carbondale, respectfully, but eagerly, request that CDOT agree to initiate and facilitate this process. Please know as well that we stand ready to support this effort in any way necessary.

Thank you for your consideration of this request!

Sincerely,

**BOARD OF COUNTY COMMISSIONERS
GARFIELD COUNTY, COLORADO**



John Martin, Chairman

May 8, 2023

Shoshana Lew, Executive Director
Colorado Department of Transportation
2829 W. Howard Place
Denver, CO 80204

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Thank you for your consideration of this request!

Sincerely,

The Undersigned Garfield County Jurisdictions

**BOARD OF COUNTY COMMISSIONERS
GARFIELD COUNTY, COLORADO**

By: _____
John Martin, Chairman

TOWN OF PARACHUTE, COLORADO

By: _____
Tom Rugaard, Mayor

CITY OF RIFLE , COLORADO

By: _____
Ed Green, Mayor

TOWN OF SILT, COLORADO

By: _____
Keith Richel, Mayor

TOWN OF NEW CASTLE, COLORADO

By: _____
Art Riddile, Mayor

CITY OF GLENWOOD SPRINGS, COLORADO

By: _____
Ingrid Wussow, Mayor

TOWN OF CARBONDALE, COLORADO

By: _____
Ben Bohmfalk, Mayor



Community Development Department

MEMORANDUM

TO: Honorable Mayor and Board of Trustee Members
FROM: Nicole Centeno, Community Development Manager
DATE: May 18, 2023
RE: Title 15- Building Code Adoptions and Amendments

As Town Staff presents the second reading of Ordinance NO. 5, Series 2023, a redline of Exhibit A, as well as a newly proposed Phased Implementation for the 2018 IECC adoption are also included for your consideration.

The Department of Regulatory Agencies is requiring, through House Bill 22-1362, that Colorado Municipalities adopt and implement the 2018 Energy Conservation Code by July 1, 2023, otherwise, all future adoptions will trigger the requirement to adopt the most recent Energy Code.

Give the time restraints and additional costs to builders/developers, The Town of Silt has decided to keep our current adoption of the 2015 International Building Code, International Residential Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Existing Building Code, International Property Maintenance Code, and International Fire Code. The Town will maintain compliance by adopting the 2018 International Energy Conservation Code, which will be in effect by the deadline of July 1, 2023.

After review, Town Staff determined that a whole Title 15 revision is necessary. Given the extreme time restraints, Town Staff has been working diligently to revise Title 15, however, there is still a little work to do. The required code adoptions and amendments, being top priority, are reviewed and ready to implement. The re-ordering of the code sections, to be more user friendly, are also complete. There are several sections, not affecting the house bill requirement, in the remainder of Title 15 that can be approved within this adoption, and amended in the future, if necessary.

Town Staff looks forward to answering any questions or concerns, regarding the adoption and amendments!

Phased Implementation Policy for the 2018 International Energy Conservation Code (IECC)

A. First Phase (Starting July 1, 2023)

1. Education For Builder's/Contractor's & Staff on the 2018 IECC Requirement and Phased Implementation Policy

B. Second Phase (Starting January 1, 2024)

1. Water Resistive Barriers and Flashing Application
 - a. Flashing details must be provided for windows and roof areas, per Sections 104.4 IBC and 703.4 IRC.
 - b. Water resistive barrier and window flashing will be required and inspected per Sections 104.4 IBC and 703.4 IRC.
2. Air Barrier/Sealing- Residential (Table 402.4.1.1 IECC)
 - a. Air barrier and sealing plan details must be submitted to and approved by the Town, per Table 402.4.1.1 IECC
 - b. Inspections will be based on approved plans and Table 402.4.1.1
3. Air Barrier/Sealing- Commercial (Sections C402.5.1 and C402.5.1.2 (2018 IECC))
 - a. Provide the Town with a list of materials being used as a barrier and note how joints and seams are to be sealed.
 - b. Inspections on air barrier/seal, as well as joints and seams will be inspected.
4. Thermal Envelope- Residential and Commercial (Section C303.1.3 (2018 IECC))
 - a. Energy Compliance Path must be indicated on submittal, along with the energy report, per said path.
 - b. Submittal must also include the R-Values, U-Factor for windows and doors, SHGC for windows and doors with glass and thermal envelop location on plans.
 - c. Inspections will include, but not be limited to:
 - i. R-Values for Insulation (Certificate must be provided)
 - ii. U-Factor on all windows and doors (Stickers must remain visible)
 - iii. Commercial windows and doors with glass require the NFRC document
5. Whole House Mechanical Ventilation
 - a. Plans must include and will be inspected on the method of ventilation indicated and approved by the Town.
6. Manual J, S and D (Sections 1401.3 and 1601.1 (2015 IRC))
 - a. Plans must include and projects will be inspected on the approved load calculations from ACCA (Manual J), sizing of cooling and such equipment (Manual S) and duct layout and report (Manual D).
7. Compliance Certificates for Mechanical, Interior Lighting and Exterior Lighting will be required for all commercial projects.

C. Third Phase (Starting January 1, 2026)

1. Blower Door Testing will be required to not exceed 3 air exchanges per hour (ACH).
2. Test results will be required for ductwork located outside of the thermal envelope, per section R403.3.3 and R403.3.4 (2015 IRC)

The Town withholds the right to add or remove elements of the Phased Implementation, as deemed necessary. The dates indicated in the policy can change, however, the Town will be at full implementation of the 2018 IECC no later than January 1, 2026.

Title 15

BUILDINGS AND CONSTRUCTION

Chapter 15.01 ADOPTION AND AMENDMENTS OF BUILDING CODES

15.01.010 2015 International Building Code (IBC) adopted.

- A. For purposes of regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures in the town, pursuant to the authority conferred by Section 1-11 of the Town of Silt Home Rule Charter and by Section 31-16-207 of the Colorado Revised Statutes ("C.R.S."), the town has adopted by reference as its building code the 2015 International Building Code.
- B. 2015 International Building Code Appendices adopted.

Appendix	Title
Appendix B	Board of Appeals
Appendix G	Flood Resistant Construction
Appendix H	Signs
Appendix I	Patio Covers
Appendix J	Grading

- C. Only the appendices contained within these chapters, as specifically listed herein, are adopted.
- D. All International Building Code Standards, which are referred to in the various parts of the International Building Code, as adopted in this section, are hereby adopted.
- E. Any person, firm or corporation violating any of the provisions of the International Codes, as adopted in this section, shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished in accordance with Title 1 of the Silt Municipal Code.
- F. Unless indicated otherwise, all references in the Municipal Code to the International Building Codes shall be deemed to include the International Building Code, the International Building Code Appendices and the International Building Code Standards as referred to in this title and as adopted in this section.
- G. The commentary to the 2015 International Building Code and the 2015 International Building Code Application Guides, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795 are hereby adopted as enforcement guides.
- H. If the provisions of the International Building Code, as adopted in this article, conflict with any other provisions of the municipal code, then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

15.01.020 Amendments to the adoption of the 2015 International Building Code (IBC).

Amendments to the International Codes that are included in this title shall supersede any such provisions within the International Codes.

A. Appendix B and Section 113 IBC

Amended to state that the Board of Trustees will be the governing Board of Appeals.

B. Appendix H

All signs require an approved permit, prior to installation. Permit applications will be reviewed for Silt Municipal Code compliance, as well as any pertinent requirements that the Building Official or designee determine is relevant from Appendix H.

C. Appendix J

Whichever provision is more restrictive, between Appendix J and the Silt Municipal Code, will be applicable.

D. Energy Code (101.4.6 IBC)

The Town has adopted the 2018 Energy Code, therefore any references to energy requirements in the 2015 IBC, will be irrelevant and the 2018 IECC will be referenced for code compliance.

E. Flood Hazard (101.10.1 IBC)

Whichever is more restrictive of 101.10.1 IBC, Section 1612 IBC or Silt Municipal Code Section 15.16 will be applicable.

F. Permits (Section 105 IBC)

The Board of Trustees, Town Building Official or designee will evaluate and determine work exempt from permits, on an annual basis, within the confines of the ICC Code adoptions. All other permit requirements, or the more restrictive of, in the Silt Municipal Code and ICC adoptions will be applicable.

G. Construction Document Submittal (Section 107 IBC)

Submittal documents are to include manufacturer installation guides and specifications. The Building Official or designee have the authority to request additional documentation, prior to, during or after construction or as deemed necessary throughout the construction process.

H. Established Fees (Section 109 IBC)

The Board of Trustees will establish and adopt, by resolution, an annual fee schedule.

I. Inspections (Section 110 IBC)

Inspections are to include, but are not limited to, the provisions of Section 110 IBC. The Building Official or designee may add additional inspections on the Inspection Record card, or request additional inspections during construction.

J. Detached Building (Section 202 IBC)

A detached building will need to meet a minimum 5-foot fire separation from any other structures. The occupancy of all structures will be a determining factor in final fire separation requirements. The building official or designee will make the final decision on minimum fire separation.

K. Climatic and geographic design criteria (Table R301.2(1)).

The following local amendments are hereby added to IRC Table R301.2(1):

Ground Snow Load (e)		Wind		Subject to Damage From				Winter Design Temp (f)	Ice Barrier Underlayment Required (i)	Firm Flood Hazards (h)	Air Freezing Index (j)	Mean Annual Temp (k)
		Design		Seismic Design Category (g)	Weathering (a)	Frost Line Depth (b)	Termite (c)					
	Speed(d) mph	Topographic Effects (k)	Special Wind Region (l)									
40 psf	90 mph	No	1500	C	Severe	36"	Slight/mod	0° F	Yes	5-31- 2005	2000	48F

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s

- Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible" "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C216, or C652.
- The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- The jurisdiction shall fill in this part of the table with "very heavy," "moderate to heavy," "slight to moderate," or "none to slight" in accordance with Figure R301.2(6) depending on whether there has been a history of local damage.
- The jurisdiction shall fill in this part of the table with "moderate to severe," "slight to moderate," or "none to slight" in accordance with Figure R301.2(7) depending on whether there has been a history of local damage.
- The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2 (4)]. Wind exposure category shall be determined on a site-specific basis in accordance with R301.2.1.4.
- The outdoor design dry-bulb temperature shall be selected from the columns of 97% percent values for winter from Appendix D of the International Plumbing Code. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
- The jurisdiction shall fill in this part of the table with the Seismic Design Category determined from Section R301.2.2.1.
- The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood insurance Program date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the currently effective FIRM or RBRM, or other flood hazard map adopted by the community, as may be amended.
- In accordance with Sections R905.2.7.1, R905.4.3, R905.5.3, R905.6.3, R905.7.3, and R905.8.3, for areas where the average daily temperature in January is 25°F (-4°C) or less, or where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."

j. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value of the National Climatic Data Center data table "Air Freezing Index—USA Method (Base 32°F)" at www.nedc.noaa.gov/gpsf.html .

k. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index—USA Method (Base 32°F)" at www.nedc.noaa.gov/gpsf.html.

L. Ground snow loads (§ 1608 (IBC) Table R301.2 (6) (IRC)).

1. The minimum ground snow load for buildings or structures within the town shall be 40 pounds per square foot (psf).
2. Potential accumulation of snow at valleys, parapets, roof structures and offsets in roofs of uneven configuration shall be considered. Roof venting pipe requirements will be found in the International Plumbing Code Adoptions in the Silt Municipal Code.

M. Heating equipment room occupancy separation (Table 509 IBC)

Additional to table 509, in R-3 occupancies, rooms containing a boiler, central heating plant or hot water supply boiler in excess of 400,000 btu per hour input shall be separated from the rest of the building by not less than: one-hour construction on the room side of the heating equipment, with a 20-minute rated door, smoke sealed and self-closing.

N. Basic wind speed (in addition to Section 1609 (IBC)).

The minimum wind speed for determining design wind pressures for the town shall be 90 miles per hour (mph) 3-Second Gust.

O. Retaining walls (Section 1807 (IBC)).

1. Retaining walls shall be designed to ensure stability against overturning, sliding, excessive foundation pressure and water uplift.
2. Retaining walls shall be designed for a minimum safety factor of 1.5 against lateral sliding and overturning.
3. Retaining walls four feet or more in height shall be engineered by a professional engineer licensed in the State of Colorado.
4. The Building Official, or designee, has the authority to require that retaining wall inspections be performed by a special inspector, and the applicant shall pay those special inspection fees, at actual cost, prior to the inspection.

P. Frost protection (Section 1809.5.1 (IBC)).

To meet frost protection in the Town of Silt, the frost line must meet or extend below the required 36 inches from grade.

15.02.010 2015 International Residential Code adopted.

- A. For purposes of regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height in the Town of Silt, pursuant to the authority conferred by Section 1-11 of the Town of Silt Home Rule Charter and by Section 31-16-207 of the C.R.S., the town has adopted by reference as its residential code the 2018 International Residential Code, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, is hereby adopted except as it is amended in this title.
- B. 2015 International Residential Code Appendices adopted.

Appendix	Title
Appendix B	Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category 1 Appliances and Appliances with Type B Vents
Appendix G	Swimming Pools, Spas and Hot Tubs
Appendix H	Patio Covers
Appendix J	Existing Buildings and Structures
Appendix M	Home Day Care—R-3 Occupancy

- C. Only the appendices contained within these chapters, as specifically listed herein, are adopted.
- D. All International Residential Code Standards, which are referred to in the various parts of the International Residential Code, as adopted in this section, are hereby adopted.
- E. Any person, firm or corporation violating any of the provisions of the International Residential Code, as adopted in this section, shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished in accordance with the provisions of Title 1 of the Silt Municipal Code.
- F. Unless indicated otherwise, all references in the Municipal Code to the International Residential Code shall be deemed to include the International Residential Code, the International Residential Code Appendices and the International Residential Code Standards as referred to in this title and as adopted in this section.
- G. If the provisions of the International Residential Code, as adopted in this article, conflict with any other provisions of the municipal code, then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- H. The commentary to the 2015 International Residential Code and the 2015 International Residential Code Application Guides, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795 are hereby adopted as enforcement guides.

15.02.020 Amendments to the adoption of the 2015 International Residential Code (IRC).

Amendments to the International Codes that are included in this title shall supersede any such provisions within the International Codes.

- A. Appendix J (Section AJ301)

Amended to delete Section AJ301 ~~1, in its entirety, from the Appendix J adoption~~

B. Appendix M (Section AM103.3.3)

Section AM103.3.3 will be deleted from the Appendix M adoption

C. Construction Document Submittal (Section R106)

Submittal documents are to include manufacturer installation guides and specifications. The Building Official or designee has the authority to request additional documentation, prior to, during or after construction or as deemed necessary throughout the construction process.

D. Established Fees (Section 108 IRC)

The Board of Trustees will establish and adopt, by resolution, an annual fee schedule.

E. Inspections (Section 109 IRC)

Inspections are to include, but are not limited to, the provisions of Section 109 IRC. The Building Official or designee may add additional inspections on the Inspection Record eCard, or request additional inspections during construction.

F. Board of Appeals (Section R112)

Amended to state that the Board of Trustees will be the governing Board of Appeals.

G. Climatic and geographic design criteria (Table R301.2(1))

The following local amendments are hereby added to IRC Table R301.2(1):

Ground Snow Load (e)		Wind Design		Subject to Damage From				Winter Design Temp (f)	Ice Barrier Underlayment Required (i)	Firm Flood Hazards (h)	Air Freezing Index (j)	Mean Annual Temp (k)
				Seismic Design Category (g)	Weathering (a)	Frost Line Depth (b)	Termite (c)					
	Speed(d) mph	Topographic Effects (k)	Special Wind Region (l)									
40 psf	90 mph	No	1500	C	Severe	36"	Slight/mod	0° F	Yes	5-31- 2005	2000	48F

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s

a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible" "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C216, or C652.

b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.

c. The jurisdiction shall fill in this part of the table with "very heavy," "moderate to heavy," "slight to moderate," or "none to slight" in accordance with Figure R301.2(6) depending on whether there has been a history of local damage.

d. The jurisdiction shall fill in this part of the table with "moderate to severe," "slight to moderate," or "none to slight" in accordance with Figure R301.2(7) depending on whether there has been a history of local damage.

e. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map (Figure R301.2 (4)). Wind exposure category shall be determined on a site-specific basis in accordance with R301.2.1.4.

f. The outdoor design dry-bulb temperature shall be selected from the columns of 97½ percent values for winter from Appendix D of the International Plumbing Code. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.

g. The jurisdiction shall fill in this part of the table with the Seismic Design Category determined from Section R301.2.2.1.

h. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the currently effective FIRM or RBRM, or other flood hazard map adopted by the community, as may be amended.

i. In accordance with Sections R905.2.7.1, R905.4.3, R905.5.3, R905.6.3, R905.7.3, and R905.8.3, for areas where the average daily temperature in January is 25°F (-4°C) or less, or where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."

j. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value of the National Climatic Data Center data table "Air Freezing Index—USA Method (Base 32°F)" at www.nedc.noaa.gov/gpsf.html.

k. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index—USA Method (Base 32°F)" at www.nedc.noaa.gov/gpsf.html.

H. Ground snow loads (Section 1608 (IBC) Table R301.2 (6) (IRC).

1. The minimum ground snow load for buildings or structures within the town shall be 40 pounds per square foot (psf).

2. Potential accumulation of snow at valleys, parapets, roof structures and offsets in roofs of uneven configuration shall be considered. Roof venting pipe requirements will be found in the International Plumbing Code Adoptions in the Silt Municipal Code.

I. Basic Wind Speed (Table R301.2 (IRC))

The minimum wind speed for determining design wind pressures for the town shall be 90 miles per hour (mph) 3-Second Gust.

J. Flood Hazard Provisions (R104.10.1, Section R322)

Flood Hazard Provisions will be determined by the stricter of Section 15.16 of the Silt Municipal Code and regulations of the IRC. If the Building Official or designee determines that additional restrictions are warranted, said restrictions will apply.

K. Work Exempt from Building Permits (R105.2)

1. All one-story attached or detached accessory structures will require a permit, regardless of size, including but not limited to sheds. "Detached" structures will need to have a minimum fire separation of five (5) feet from other structures.

a. Zoning Review Only- Must Meet All Requirements

i. Structure is less than 200 square feet

ii. Structure does not contain utility hook-ups

- iii. Structure is detached, meeting the minimum fire separation
 - b. Building Review and Zoning Review Required
 - i. If the structure does not meet all of the above requirements to exempt a building plan review, the permit application will be subject to both a building and zoning review.
 - 2. No fence shall exceed six (6) feet in height. Required permits, size and specifications must conform with section 15.13 of the Silt Municipal Code.
 - 3. Retaining walls require a permit and must meet the specifications in section 15.13 of the Silt Municipal Code.
 - 4. Sidewalks and driveways require a permit.
 - 5. Replacement of windows and doors, where there is no structural change in the size of the opening, will not require a permit. It is the property owner's responsibility to ensure that the windows and doors being installed meet the minimum energy requirements adopted by the Town. The replacement of windows and doors that require the existing opening to change (larger or smaller), in order to fit the windows or doors being installed, requires a Miscellaneous Permit.
 - 6. All decks require a permit.
 - a. Zoning Review Only- Must Meet All
 - i. Decks is less than 200 square feet
 - ii. Deck is not attached to a structure- must be detached/free standing
 - iii. Deck is less than 30" above grade at any point
 - iv. Deck does not serve the exit door, required by Section R311.4 (2015 IRC)
 - b. Building Review and Zoning Review Required
 - i. If the deck does not meet all of the above requirements to exempt a building plan review, the permit application will be subject to both a building and zoning review.
 - 7. Electrical work exemptions will be at the discretion of the State of Colorado Electrical Board.
 - 8. The Board of Trustees, Town Building Official or designee will evaluate and determine work exempt from permits, on an annual basis, within the confines of the ICC Code adoptions. All other permit requirements, or the more restrictive of, in the Silt Municipal Code and ICC adoptions will be applicable.
- L. Fire Resistant Exterior Walls (Section R302.1 (IRC))
Exceptions 2, 3 & 4, from section R302.1 ~~are hereby~~ will be deleted from adoption
- M. Two family dwelling units intended for subdivision (Section R302.2 (IRC)).
Two family dwelling units intended for subdivision shall be built to town home standards in the Silt Municipal Code and Sections R302, R302.2 and Table R302.1 (IRC)). Projection of roof eaves over the property line between the dwelling units in two family dwellings shall have not less than one hour fire resistive construction on the underside and approved maintenance easements and agreements shall be provided.
- N. Fire Sprinklers in Townhomes and One- or Two-Family Dwellings
Section R313 will be deleted from adoption

O. Residential automatic fire sprinkler systems (Section P2904.1.1 (IRC)).

No residential automatic fire sprinkler systems shall be required for one-family, two-family ~~and three-family residential~~ dwellings; however, if a residential automatic fire sprinkler system is proposed or required, such a system shall be designed in accordance with Section P2904 (IRC) or NFPA 13D.

P. Flood -Resistant Construction (R322 (2015 IRC))

The Town withholds the right to require additional flood- restraint construction standards, as deemed necessary by the Building Official or designee.

Q. Swimming Pools, Spas and Hot Tubs (Section R326 (2015 IRC))

Section R326 will be deleted from adoption.

R. Energy Efficiency

Amended to delete Chapter 11, ~~in its entirety~~. The Town has adopted the 2018 Energy Code, therefore any references to energy requirements in the 2015 ~~IRBC~~, will be irrelevant and the 2018 IECC will be referenced for code compliance.

S. Unvented Room Heaters, Unvented Gas Log Heaters and Log Lighters (R1004.4; Exception 3 and 4 of G2406.2; Exception 7 of G2425.8; G2433.1; G2445 and G2445.1 (2015 IRC))

Unvented room heaters, unvented gas log heaters and log lighters are all prohibited in the Town of Silt.

T. Sewer Depth (P2063.5.1 (2015 IRC))

Building sewers are required to be a minimum of 36 inches below grade.

U. Climate Zone

The Town of Silt is in Climate Zone 5B. For purposes of determining factors, see the Energy Code Adoption.

V. Frost protection (Section R403.1.4.1 (IRC)).

To meet frost protection in the Town of Silt, the frost line must meet or extend below the required 36 inches from grade.

W. Test pressure (Section G2417.4.1 (IRC)).

The test pressure to be used shall be not less than one and one-half times the proposed maximum working pressure, but not less than ten psig, irrespective of design pressure. Where the test pressure exceeds 125 psig, the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

X. Roof extension (Section 3103.1 (IRC)).

All open vent pipes which extend through a roof shall be terminated at least 12 inches above the roof except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least seven feet above the roof.

15.03.010 2015 International Plumbing Code (IPC) adopted.

- A. For purposes of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operating and maintenance of plumbing fixtures, pursuant to the authority conferred in Section 1-11 of the Town of Silt Home Rule Charter and by Section 31-16-207 of the C.R.S., the Town has adopted by reference as its plumbing code the 2015 International Plumbing Code, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, which is incorporated herein as if set forth verbatim, except as it is amended in this title.
- B. Unless indicated otherwise, all references in the Municipal Code to the International Plumbing Codes shall be deemed to include the International Plumbing Code, the International Plumbing Code Appendices and the International Plumbing Code Standards as referred to in this title and as adopted in this section.
- C. Any person, firm, or corporation violating any of the provisions of the International Plumbing Code adopted in this section shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished in accordance with the provisions of Title 1 of the Silt Municipal Code.
- D. If the provisions of the International Plumbing Code, as adopted in this article, conflict with any other provisions of the Municipal Code, then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- E. The 2015 International Plumbing Code Commentary, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, is hereby adopted as a guide.

15.03.020 Amendments to the adoption of the 2015 International Plumbing Code (IPC).

Amendments to the International Codes that are included in this title shall supersede any such provisions within the International Codes.

A. Code Official (Section 104 (2015 IPC))

The Building Official or designee will act in the capacity of the Code Official

B. Permits (Section 106 IPC)

The Board of Trustees, Town Building Official or designee will evaluate and determine work exempt from permits, on an annual basis, within the confines of the ICC Code adoptions. All other permit requirements, or the more restrictive of, in the Silt Municipal Code and ICC adoptions will be applicable.

C. Construction Document Submittal (Section 106.3.1 IPC)

Submittal documents are to include manufacturer installation guides and specifications. The Building Official or designee have the authority to request additional documentation, prior to, during or after construction or as deemed necessary throughout the construction process.

D. Established Fees (Section 106.6 IPC)

The Board of Trustees will establish and adopt, by resolution, an annual fee schedule.

E. Inspections (Section 107 IPC)

Inspections are to include, but are not limited to, the provisions of Section 107 IPC. The Building Official or designee may add additional inspections on the inspection card, or request additional inspections during construction.

F. Board of Appeals (Section 109 IPC)

Amended to state that the Board of Trustees will be the governing Board of Appeals.

G. Water supply and distribution (Section 608.1 General (IPC))

1. A potable water supply system shall be designed, installed and maintained in such a manner so as to prevent contamination from non-potable liquids, solids or gases being introduced into the potable supply through cross connections or any other piping connections to the system. Backflow preventer applications shall conform to table 608.1, except as specifically stated in Sections 608.2 through 608.16.10. Backflow preventers will be installed and tested, as per state regulations, or IPC regulations, whichever is stricter.

2. No person shall install any water operated equipment or mechanism or use any water treating chemical or substance if it is found that such equipment, mechanism, chemical or substance may cause pollution of the domestic water supply. Such equipment or mechanism may be permitted only when equipped with a Colorado Department of Health approved backflow prevention device. Whenever the use of an antifreeze compound becomes necessary, propylene glycol is recommended. Other antifreeze may be used after written approval by the building official or designee. The use of ethylene glycol is not permitted. In areas where the use of an approved antifreeze is necessary, a readily visible, durable sign shall be posted stated "ETHYLENE GLYCOL PROHIBITED." The sign shall be in letters not less than one inch high on a contrasting background.

H. Roof extension (Section 903 (IPC))

All open vent pipes which extend through a roof shall be terminated at least 12 inches above the roof except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least seven feet above the roof.

I. Combined sanitary and storm system (Section 1109.1 (IPC))

Combined sanitary and storm systems are prohibited.

J. Hydronic heating systems—License required.

All hydronic heating systems within the town limits must be installed by a plumber licensed within the State of Colorado.

15.04.010 State Electric Code Adoption

~~The Town defers to the State of Colorado, as the governing body for electric code enforcement, permits and inspections.~~

15.05.010 2015 International Fuel Gas Code adopted

- A. For purposes of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operating and maintenance of fuel gas fixtures, pursuant to the authority conferred in Section 1-11 of the Town of Silt Home Rule Charter and by Section 31-16-207 of the C.R.S., the Town has adopted by reference as its fuel gas code the 2015 International Fuel Gas Code, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, which is incorporated herein as if set forth verbatim, except as it is amended in this title.
- B. Unless indicated otherwise, all references in the Municipal Code to the International Fuel Gas Codes shall be deemed to include the International Fuel Gas Code, the International Fuel Gas Code Appendices and the International Fuel Gas Code Standards as referred to in this title and as adopted in this section.
- C. Any person, firm, or corporation violating any of the provisions of the International Fuel Gas Code adopted in this section shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished in accordance with the provisions of Title 1 of the Silt Municipal Code.
- D. If the provisions of the International Fuel Gas Code, as adopted in this article, conflict with any other provisions of the Municipal Code, then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- E. The 2015 Fuel Gas Code Commentary, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, is hereby adopted as a guide.

15.05.020 Amendments to the adoption of the 2015 International Fuel Gas Code (IFGC)

- A. Department of Inspection and Code Official (Section 103 (2015 IFGC))

The Building Official or designee will act in the capacity of the Code Official

- B. Permits (Section 106 IFGC)

The Board of Trustees, Town Building Official or designee will evaluate and determine work exempt from permits, on an annual basis, within the confines of the ICC Code adoptions. All other permit requirements, or the more restrictive of, in the Silt Municipal Code and ICC adoptions will be applicable.

C. Construction Document Submittal (Section 106.3.1 IFGC)

Submittal documents are to include manufacturer installation guides and specifications. The Building Official or designee have the authority to request additional documentation, prior to, during or after construction or as deemed necessary throughout the construction process.

D. Established Fees (Section 106.6 IFGC)

The Board of Trustees will establish and adopt, by resolution, an annual fee schedule.

E. Inspections (Section 107 IFGC)

Inspections are to include, but are not limited to, the provisions of Section 107 IPC. The Building Official or designee may add additional inspections on the inspection card, or request additional inspections during construction.

F. Board of Appeals (Section 109 IFGC)

Amended to state that the Board of Trustees will be the governing Board of Appeals.

G. Unvented Room Heaters, Unvented Gas Log Heaters and Log Lighters (501.8 and 603.1 (2015 IFGC))

Unvented room heaters, unvented gas log heaters and log lighters are all prohibited in the Town of Silt.

H. Test Pressure (406.4.1 (IFGC))

The test pressure to be used shall be no less than 1.5 times the proposed maximum working pressure, but not less than 10 psig, irrespective of design pressure. Where the test pressure exceeds 125 psig, the test pressure shall not exceed a value that produces a hoop stress in the piping great than 50 percent of the specified minimum yield strength of the pipe.

15.06.010 2015 International Mechanical Code Adopted

- A. For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operating and maintenance of heating, ventilating, cooling, refrigeration, incinerators and other miscellaneous heat-producing appliances, pursuant to the authority conferred in Section 1-11 of the Town of Silt Home Rule Charter and by Section 31-16-207 of the C.R.S, the town has adopted by reference as its mechanical code the 2015 International Mechanical Code, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, except as it is amended in this title
- B. Unless indicated otherwise, all references in the Municipal Code to the International Mechanical Codes shall be deemed to include the International Mechanical Code, the International Mechanical Code Appendices and the International Mechanical Code Standards as referred to in this title and as adopted in this section.

- C. Any person, firm, or corporation violating any of the provisions of the International Mechanical Code adopted in this section shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished in accordance with the provisions of Title 1 of the Silt Municipal Code.
- D. If the provisions of the International Mechanical Code, as adopted in this article, conflict with any other provisions of the Municipal Code, then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- E. The 2015 International Mechanical Code Commentary, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, is hereby adopted as a guide.
- F. It shall be unlawful for any person to erect, install, alter, repair, relocate, add to, replace, use or maintain heating, ventilating, cooling or refrigeration equipment in the town, or cause or permit the same to be done, contrary to or in violation of the provisions of the 2015 International Mechanical Code and Standards as adopted in this article. Maintenance of equipment which was unlawful at the time it was installed and which would be unlawful under the 2015 International Mechanical Code and Standards adopted in this article, if installed after the effective date thereof, shall constitute a continuing violation of said code and standards, at which point said violation would need to be brought to compliance of the 2015 International Mechanical Code.
- G. 2015 International Mechanical Code Appendices adopted

Appendix	Title
Appendix A	Chimney Connector Pass-Through

15.06.020 Amendments to the adoption of the 2015 International Mechanical Code (IMC)

Amendments to the International Codes that are included in this title shall supersede any such provisions within the International Codes.

A. Code Official (Section 104 (2015 IMC))

The Building Official or designee will act in the capacity of the Code Official

B. Permits (Section 106 IMC)

The Board of Trustees, Town Building Official or designee will evaluate and determine work exempt from permits, on an annual basis, within the confines of the ICC Code adoptions. All other permit requirements, or the more restrictive of, in the Silt Municipal Code and ICC adoptions will be applicable.

C. Construction Document Submittal (Section 106.3.1 IMC)

Submittal documents are to include manufacturer installation guides and specifications. The Building Official or designee have the authority to request additional documentation, prior to, during or after construction or as deemed necessary throughout the construction process.

D. Established Fees (Section 106.5 IMC)

The Board of Trustees will establish and adopt, by resolution, an annual fee schedule.

E. Inspections (Section 107 IMC)

Inspections are to include, but are not limited to, the provisions of Section 107 IMC. The Building Official or designee may add additional inspections on the inspection card, or request additional inspections during construction.

F. Board of Appeals (Section 109 IMC)

Amended to state that the Board of Trustees will be the governing Board of Appeals.

G. Unvented gas log heaters (Section 903.3 (IMC)).

Unvented gas log heaters are prohibited.

15.07.010 2015 International Property Maintenance Code adopted

- A. For the purpose of providing minimum standards for existing residential and nonresidential structures, equipment, and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance, pursuant to the authority conferred in Section 1-11 of the Town of Silt Home Rule Charter and by Section 31-16-207 of the C.R.S., the town has adopted by reference as its property maintenance code, the 2015 International Property Maintenance Code, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, except as it is amended in this title.
- B. Any person, firm or corporation violating any of the provisions of the 2015 International Property Maintenance Code, as adopted in this article, shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished in accordance with the provisions of Title 1 of the Silt Municipal Code.
- C. If the provisions of the 2015 International Property Maintenance Code, as adopted in this article, conflict with any other provisions of the municipal code, then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- D. The 2015 International Property Maintenance Code Commentary, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, is hereby adopted as a guide.

15.07.020 Amendments to the adoption of the 2015 International Property Maintenance Code (IPMC)

Amendments to the International Codes that are included in this title shall supersede any such provisions within the International Codes.

A. Inspections (Section 103 IPMC)

Inspections are to include, but are not limited to, the provisions of Section 109 IEBC. The Building Official or designee may add additional inspections on the inspection card, or request additional inspections during construction.

B. Code Official (Section 104 IPMC)

The Building Official or designee will act in the capacity of the Code Official

C. Board of Appeals (Section 111 IPMC)

Amended to state that the Board of Trustees will be the governing Board of Appeals.

15.08.010 2015 International Existing Building Code adopted

- A. For the purpose of providing minimum standards for existing residential and nonresidential structures, equipment, and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance, pursuant to the authority conferred in Section 1-11 of the Town of Silt Home Rule Charter and by Section 31-16-207 of the C.R.S., the town has adopted the 2015 International Existing Building Code, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, except as it is amended in this title.
- B. Any person, firm or corporation violating any of the provisions of the 2015 International Existing Building Code, as adopted in this article, shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished in accordance with the provisions of Title 1 of the Silt Municipal Code.
- C. If the provisions of the 2015 International Existing Building Code, as adopted in this article, conflict with any other provisions of the municipal code, then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- D. The 2015 International Existing Building Code Commentary, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, is hereby adopted as a guide.

15.08.020 Amendments to the adoption of the 2015 International Existing Building Code (IEBC)

Amendments to the International Codes that are included in this title shall supersede any such provisions within the International Codes.

A. Code Official (Section 104 (2015 IEBC))

The Building Official or designee will act in the capacity of the Code Official

B. Permits (Section 105 (2015 IEBC))

The Board of Trustees, Town Building Official or designee will evaluate and determine work exempt from permits, on an annual basis, within the confines of the ICC Code adoptions. All other permit requirements, or the more restrictive of, in the Silt Municipal Code and ICC adoptions will be applicable.

C. Construction Document Submittal (Section 106 IEBC)

Submittal documents are to include manufacturer installation guides and specifications. The Building Official or designee have the authority to request additional documentation, prior to, during or after construction or as deemed necessary throughout the construction process.

D. Established Fees (Section 108 IEBC)

The Board of Trustees will establish and adopt, by resolution, an annual fee schedule.

E. Inspections (Section 109 IEBC)

Inspections are to include, but are not limited to, the provisions of Section 109 IEBC. The Building Official or designee may add additional inspections on the inspection card, or request additional inspections during construction.

F. Board of Appeals (Section 112 IEBC)

Amended to state that the Board of Trustees will be the governing Board of Appeals.

15.09.010 2015 International Fire Code adopted

- A. For the purpose of providing minimum requirements for fire safety and fire rated construction, pursuant to the power and authority conferred by Section 1-11 of the Town of Silt Home Rule Charter and by Section 31-16-207 of the C.R.S., the town has adopted the 2015 International Fire Code, including the appendices, except Appendix A, but including the 2015 International Fire Code Commentary of such code published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795, all to have the same force and effect as though set forth herein in every particular, except as it is amended in this title.
- B. The 2015 International Fire Code Standards, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, are hereby adopted as enforcement guides only.
- C. Any person violating any of the provisions of the 2015 International Fire Code, as adopted in this section, shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished in accordance with the provisions of Title 1 of the Silt Municipal Code.
- D. If the provisions of the 2015 International Fire Code, as adopted, conflict with any other provisions of the municipal code, then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

15.09.020 Amendments to the adoption of the 2015 International Fire Code

A. Name of jurisdiction (Section 101.1 (2015 IFC)).

These regulations shall be known as the Fire Code of the Town of Silt, hereinafter referred to as "this code."

B. Fire code official (Section 103.2 (2015 IFC)).

The building official or designee will act as the Fire Code Official. The fire code official may consult with the local fire district on matters of mutual concern to both parties, but in all cases relative to this code and any adopted code, the town shall be the final arbiter.

C. Fire records (Section 104.6.3 (2015 IFC)).

The following sentence shall be added to Section 104.6.3: Copies of all such records shall be forwarded to the office of the fire code official or designee.

D. Construction documents submittals (Section 105.4.1 (IFC)).

1. Construction document submittals and supporting data shall be submitted in two or more sets with each application for a permit and in such form and detail as required by the Town. The construction documents shall be prepared by a NICET Level III or higher level in fire alarm design, and affixed to the plans shall be his certification seal and number, with the following exceptions.

A. Where the fire alarm system designer has the equivalent of NICET Level III training, all certificates and documentation shall be presented for compliance.

B. The town is authorized to waive the submission of construction documents and supporting data not required to be prepared by a registered design professional as described above, if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

E. LP-gas (Section 105.6.27 (IFC)).

LP-gas containers are not allowed, with the following exceptions:

1. Storage and use of LP-gas for outdoor, small household purposes (bbq grills, outside landscaping appliances) are allowed; however, no LP-gas containers are allowed indoors, or in excess of 100 gallons and/or for which the primary function of such containers is to provide a fuel source for the heating or cooling of the home, operation of a water heater or stove.
2. Operation of cargo tankers that transport LP-gas through the town, if such cargo tankers first obtain an operational permit from the local fire district.

F. Compliance with orders and notices (Section 109.3.2 (IFC)).

1. If the building or other premises is owned by one person and occupied by another, under lease or otherwise, and the notice of violation requires additions to or changes in the building or premises such as would be considered real estate and become the property of the owner, said notice and order shall be directed to such owner of the building or premises.

2. Every notice of violation pursuant to this chapter shall set forth a time by which compliance with the notice violation is required. The time specified shall be reasonable according to the circumstances of the particular hazards or condition to which the notice and order pertains. Immediate compliance may be required in any case which represents extreme or imminent danger to persons or property.
3. Except for cases where immediate compliance is required, violations pursuant to this chapter may be appealed as set for in Section 108 (IFC).
4. In cases where immediate compliance is required, the notice of violation so stating shall be final and conclusive.

G. Failure to comply (Section 111.4 (IFC)).

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to Chapter 1.12 of the Silt Municipal Code, general penalty provision.

H. Authorization—Open burning, recreational fires and portable outdoor fireplaces (§ 307.2.1 (IFC)).

A permit issued by the fire code official is for compliance with fire safety and control alone, and is not a permit to violate any existing federal, state or local laws, rules, regulations, or ordinances regarding fire, zoning, building, or air quality and pollution standards. The individual or entity issued the permit is responsible for obtaining any additional permits and/or clearances from any appropriate federal, state, and/or local agency and the local fire district or other official prior to beginning the burn.

I. Theatrical performances (Section 308.3.2 (IFC)).

The use of indoor pyrotechnic and open flame displays shall be prohibited, except that churches and places of worship may have altar candles and restaurants may have small table candles.

J. Obstructions to fire hydrants (Section 507.5.4 (IFC)).

Snow removal operations shall not prevent fire hydrants from being immediately discernible or hinder gaining immediate access.

K. Radio signal strength and emergency responder radio coverage in existing buildings (Sections 510.2 and 510.3 (IFC)).

Both Sections 510.2 and 510.3 of the IFC are hereby deleted.

L. Construction documents and shop drawings (Section 901.2 (IFC)).

The title of this section shall also be known as Construction Documents and Shop Drawings, and the following is hereby added:

1. Approval signature and documentation- Shop drawings for fire sprinklers must bear the seal and signature of a graduate Fire Protection Engineer or a qualified State of Colorado licensed engineer practicing in his/her respective field of expertise or a NICET Level III or higher certification in sprinkler system design.

2. A sealed set of these shop drawings, complete with review comments, shall be made available at all times at the work site for fire code official inspection. An identical set of shop drawings shall be given to the owner.

M. Automatic sprinkler systems (Section 903.2.8 (IFC)).

An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings containing a Group R fire area, with the following exceptions:

1. Group R-1 residential occupancies with three or fewer separate units;
2. Group R-2 residential occupancies (only apartment houses, boarding houses, convents, fraternities, monasteries and vacation timeshare properties) with three or fewer separate units, each having 1,000 square feet of floor area, or less, ~~and~~

~~3. Group R-3 residential occupancies up to and including three attached dwelling units~~

N. Fire alarm shop drawings (Section 907.1.2 (IFC)).

Section 907.1.2 Fire alarm shop drawings shall be amended to add the following:

1. Shop drawings for fire alarms must bear the seal and signature of a graduate Fire Protection Engineer or a qualified State of Colorado licensed engineer practicing in his/her respective field of expertise or a NICET Level III or higher certification in fire alarm design.
2. A sealed set of these shop drawings, complete with review comments, shall be made available at all times at the work site for fire code official inspection. An identical set of shop drawings shall be given to the owner.

O. Installation (Section 907.1.4 (IFC)).

All fire alarm systems installations shall be supervised by a NICET Level II or higher in fire alarm installations.

P. Exterior visual signals (Section 907.7.5.2 (IFC)).

Section 907.7.5.2 Exterior visual signals shall be amended to add the following:

1. The light used shall be of the strobe light producing at least 110-185 candela;
2. In systems with fire district connections, the light is to be located at least 12 feet above and as directly vertical to the fire district connection as possible. In systems without fire district connections, the light is to be located so as to be visible from the nearest street used for fire district access.
3. The light shall not replace the audible alarms, but shall be used in conjunction with the audible alarms.

Q. Motor fuel dispensing and operations (Section 2304.3 (IFC)).

A new sentence after the first sentence is hereby added to read: A safety plan and safety equipment technical data shall be submitted for review prior to approval. Unsupervised private dispensing shall be by permit only.

R. Explosives and fireworks (Section 5601.1.3 (IFC)).

The following exception is hereby added: Exception 5: The storage, sale, use and handling of toy caps, sparklers and smoke snakes shall be permitted.

S. Explosive materials, certification (Sections 5601.2.4.2 and 5608.2 (IFC)).

A new sentence is hereby added to the end of each of the aforementioned sections to read: The handling and firing of explosives shall only be performed by the person possessing a valid explosives certificate issued by the State of Colorado.

T. Fireworks display, indoor pyrotechnic displays (Section 3308.2.2 (IFC))

A new sentence is hereby added to read: The use of indoor pyrotechnic displays shall be prohibited.

U. Flammable and combustible liquids, special operations, permanent and temporary tanks (Section ~~5004-3406.2.4~~ (IFC))

The capacity of permanent above ground tanks containing Class I or II liquids shall not exceed 1,100 gallons (4,164 L). The capacity of temporary above-ground tanks containing Class I or II liquids shall not exceed 500 gallons (1,892 L), unless approved by the town by special permit. Tanks shall be of a single-compartment design. A permit shall be obtained from the town for the storage or keeping of volatile flammable and non-combustible fluids in excess of 25 gallons in any building and of 100 gallons on any premises. The building official or his designee is further authorized to issue temporary permits for the above ground storage of such fluids in tanks, which shall not exceed 1,000-gallon capacity for the purpose of providing fuel for heavy equipment used in building construction, earth moving, earth grading or similar operations and such permits may be issued only for sites where there are not close hazards. Such temporary permits shall be issued with the time limits set that shall conform to the reasonably necessary time for completion of the individual job for which the permit is issued. (Sections ~~3406.2.4.1 through 3406.2.4.3 remain.~~)

V. Construction requirements for existing buildings (Section 1101.1 (IFC))

The provisions of this chapter shall apply to existing buildings constructed prior to the original adoption of this code (IFC), if, in the collective opinions of the fire code official and the building official, there is justification for such application.

W. Atriums and covered malls (Section 1103.4.4 (IFC))

Section 1103.4.4 shall be amended to add the following exception:

1. Buildings having atriums or covered malls prior to the adoption of the 2015 International Fire Code are exempt from the provisions of this section, unless such atriums or covered malls are proposed for additions.

15.10.010 2018 International Energy Conservation Code adopted

- A. For the purpose of providing minimum energy conservation requirements for new buildings, to include heating and ventilating systems, light and power efficiency, and water distribution insulation, pursuant to the power and authority conferred by Section 1-11 of the Town of Silt

Home Rule Charter and by Section 31-16-207 of the C.R.S., the town has adopted the 2018 International Energy Conservation Code by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, except as it is amended in this title, per the Phased Implementation Policy.

- B. Any person, firm or corporation violating any of the provisions of the 2018 International Energy Conservation Code, as adopted in this chapter, shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished in accordance with the provisions of Title 1 of the Silt Municipal Code.
- C. If the provisions of the 2018 International Energy Conservation Code, as adopted in this chapter, conflict with any other provisions of the municipal code, then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- D. Unless indicated otherwise, all references in the Municipal Code, to the International Energy Conservation Code Codes, shall be deemed to include the International Energy Conservation Code, the International Energy Conservation Code Appendices and the International Energy Conservation Code Standards as referred to in this title and as adopted in this section.
- E. All International Building Code Standards, which are referred to in the various parts of the International Energy Conservation Code, as adopted in this section, are hereby adopted.
- F. The commentary to the 2018 International Energy Conservation Code and the 2018 International Energy Conservation Code Application Guides, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795 are hereby adopted as enforcement guides.

15.10.020 Amendments to the adoption of the 2018 International Energy Conservation Code (IECC)

Amendments to the International Codes that are included in this title shall supersede any such provisions within the International Codes.

A. Title (Section 101.1 IECC)

These regulations shall be known as the International Energy Conservation Code of the Town of Silt, hereinafter referred to as "this code." The Building Official or designee will act in the capacity of the Code Official.

B. Scope (Section 101.2 IECC)

This code applies to residential and commercial buildings.

C. Construction Document Submittal (Section C103 IECC)

Submittal documents are to include manufacturer installation guides and specifications. The Building Official or designee have the authority to request additional documentation, prior to, during or after construction or as deemed necessary throughout the construction process.

D. Established Fees (Section 104 IECC)

The Board of Trustees will establish and adopt, by resolution, an annual fee schedule.

E. Inspections (Section C105 IECC)

Inspections are to include, but are not limited to, the provisions of Section C105 IECC. The Building Official or designee may add additional inspections on the inspection card, or request additional inspections during construction.

F. Board of Appeals (Section C109 IECC)

Amended to state that the Board of Trustees will be the governing Board of Appeals.

G. Climate Zones (Section C301 IECC)

The Town of Silt is designated as a 5B Climate Zone.

Chapter 15.11 ADMINISTRATION AND GENERAL PROVISIONS

15.11.010 Applicability.

The provisions of this title shall regulate all construction, enlargement, alteration, moving, removal, demolition, occupancy, equipment, use, height, area, maintenance, reconstruction, repair, remodeling or other construction activity within the town. No building or other structure shall be constructed, enlarged, altered, moved, removed, demolished, occupied, equipped, used, maintained, reconstructed, repaired or remodeled, nor shall any excavation for any structure be commenced, until the town has issued an excavation permit and/or building permit for such work.

15.11.020 Compliance with laws.

All work performed pursuant to this title shall be in conformity with all applicable provisions of the Silt Municipal Code, ordinances of the town and state and federal statutes, codes, rules and regulations unless such state and federal statutes, codes, rules and regulations have been superseded by the provisions of this title.

15.11.030 No town liability.

- A. Nothing in this title shall be construed as imposing on the town or any town representative liability for injury or damage caused by the provisions of this title, including, but not limited to, the adoption of the various codes and the adherence to the requirements therein, the authorization of inspections or lack thereof by the town, the performance of inspections or lack thereof by the town, or the issuance or non-issuance of a certificate of occupancy or other similar document. Further, the town has no liability for the costs incurred by the applicant failing to adhere to the standards imposed by this title, whether the applicant received inspections or not;
- B. The building official or designee, charged with the enforcement of this code, acting in good faith and without malice in the discharge of their duties, shall not thereby render themselves personally liable for any damage that may accrue to persons and/or property as a result of any act or omission in the discharge of their duties.

- C. This code shall not be construed to relieve or lessen the responsibility of any person owning, operating or controlling any building or structure for any damage to persons or property caused by defects on or in such premises, nor shall the community development department, any employee, or the Town of Silt be held as assuming any such responsibility or liability by reason of the adoption of this code or by the exercise of inspections authorized and carried out thereunder, or by the issuance of any permits or certificates issued pursuant to this code

15.11.040 Copies of Codes.

One (1) copy of all codes adopted by reference in this title is on file in the office of the Town Clerk and may be viewed during regular business hours. In addition, copies of such codes are available for sale to the public at cost plus a fifteen (15) percent administrative fee, as well as the costs of shipping and handling.

15.11.050 Conflicts.

If the provisions of the codes adopted in this title conflict with any other provisions of the Silt Municipal Code, then the more restrictive of the two shall govern. Where there is conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

15.11.060 Violations.

Any person, firm or corporation violating any of the provisions of this title or any lawful rule, regulation or order of the town or its building official shall be punished in accordance with the provisions of Title 1 of the Silt Municipal Code.

15.11.070 Violation—Penalty.

The town may issue a citation to a violator of Chapter 15 (building code administration and general provisions) in accordance with Title 1 in the Silt Municipal Code.

15.12 BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY

15.12.010 Contractor's License Required.

It is unlawful for any contractor to engage in any work, without first securing a license from the Town and paying the annual license fee pursuant to Title 5, Chapter 12 of the Silt Municipal Code.

15.12.020 Building Permit Required.

- A. No building or other structure shall be erected, moved, extended, enlarged or structurally altered, nor shall any excavation of any building be commenced until the Community Development Department has issued a building permit for such work.
- B. A building permit shall also be required for installing individual manufactured homes in a mobile home park or subdivision, for tying down of a previously installed manufactured home and for the repair, alteration, or construction of accessory structures.
- C. The Building Official or designee shall in no case grant any permit for the construction, installation or alteration of any building, if the building, as proposed to be constructed, installed or altered, would be in violation of any of the provisions of the Silt Municipal Code.

15.12.030 Electrical work permits.

- A. No alterations or additions shall be made in the wiring of any building, nor shall any building be wired for electric lights, motors or heating/cooling devices, nor shall any electrical apparatus be installed, without first securing a permit from the Colorado State Electrical Board;
- B. All electrical work is applied for and permitted through the State of Colorado. The Town requires a permit for work being completed that coincides with electrical work, which will need to be applied for and permitted as such. If the work being completed is strictly electrical, no additional Town permitting will be required, however, this does not exempt any contractor from the requirement to obtain a Town of Silt Contractor's License prior to working.
- C. The permit fees and the administrative and appeal procedures for electrical work performed pursuant to this Article shall be as set forth in C.R.S. 12-23-101 et seq., as amended.
- D. The State Electrical Inspector shall serve as the electrical inspector for the town and all inspections need to be scheduled through the State Electric Board.

15.12.040 Work begun without a permit.

When any person, firm or corporation starts or proceeds with work for which a permit is required, prior to obtaining a permit, the permit fee specified shall be doubled, but the payment of such double fee shall not relieve any person, firm or corporation from complying with all requirements of this title in the execution of the work or from any other penalties described in the Silt Municipal Code.

Further, no work may be continued without submitting a complete application including adequate plans and documents requested by Town Staff, for the review and approval of the proposed work. Once approved, the Town will issue a permit, at which point work can commence.

If the work begun, without a permit, is not approved by Town staff, after reviewing the application, the completed work will be required to be removed and restored to the original condition.

15.12.050 Application for permit.

- A. To obtain a permit, the applicant shall first file a complete application, in writing, on a form provided by the community development department for said purpose. Such application will only be accepted by Town Staff, when deemed complete by including, but not limited to the follow:
 - 1. Identify and describe the work to be covered by the permit for which application is made;

2. Describe the land on which the proposed work is to be done; by legal description, street address or similar description that will readily identify the proposed area of construction;
 3. Indicate the use and occupancy for which the proposed work is intended;
 4. State the total valuation and material cost of the proposed work;
 5. The application is required to be signed by the applicant, and the property owner;
 6. Give such other data and information as required by the building department.
 7. Plan Check Fee deposit for a new Single-Family Dwelling or Commercial construction review is one thousand dollars (\$1,000) and will be collected at the permit application submittal.
 8. ADU's, additions, garages, basement finishes and other applications necessary of extensive plan reviews, will require a five-hundred-dollar (\$500) deposit.
 9. A one hundred fifty-dollar (\$150) deposit will be collected, at permit application submittal, for miscellaneous applications that require a building plan review.
 10. The application shall also include a soils report, site specific, at the time of submittal. An open hole's soils/compaction report will also be required ~~throughout the inspection process~~prior to rebar inspections.
- B. A survey of the building lot may be required by the building official or designee, to verify that the structure is located in accordance with the approved site plan(s);
1. A site development plan shall be submitted with any building permit application which involves the construction of a new building or the expansion of any existing building.
 2. The final approved site development plan shall be submitted in duplicate and digital, shall be drawn to scale, and shall show the actual dimensions of the lot to be built upon, the size of the building to be erected, the location of the building on the lot with reference to legally established property lines, easements and such other information as may be necessary to provide for the enforcement of the municipal code.
 3. Prior to issuance of a building permit, the building official or designee may require monumentation of property boundaries and corners in accordance with the standards set forth in C.R.S. 38-51-101 et seq., as amended, in order to fulfill the purposes of this section. A record of all site development plans and other survey information shall be retained by the Town, in accordance to the state retention schedule.
 4. Applicant shall, within seven (7) days of the footing inspection, complete and deliver to the town an improvement location certificate (ILC) or foundation location certificate (FLC) that indicates the foundation is in conformance with setback regulations.
 5. Prior to the final inspection or certificate of occupancy (C.O.), the Town requires that a post construction improvement location certificate (ILC) be performed, by a licensed survey company, and submitted to the Town for review and approval.
- C. A building permit shall also be required for installing individual manufactured homes in a mobile home park or subdivision, for tying down of a previously installed manufactured home and for the repair, alteration, or construction of accessory structures.
- D. The building official or designee shall in no case knowingly grant any permit for the construction, enlargement, alteration, moving, removal, demolition, occupancy, equipment, use, height, area, maintenance, reconstruction, repair, remodeling or other construction activity within the town which is in violation of any provision of the Silt Municipal Code.

15.12.060 Submittal documents.

The building official or designee shall not issue any permit unless the plans and specifications for such proposed construction, enlargement, alteration, moving, removal, demolition, occupancy, equipment, use, height, area, maintenance, reconstruction, repair, remodeling or other construction activity conform to the regulations and restrictions in the International Codes, as adopted. All plans and specifications for such proposed construction, enlargement, alteration, moving, removal, demolition, occupancy, equipment, use, height, area, maintenance, reconstruction, repair, remodeling or other construction activity shall bear the seal of an architect or engineer licensed by the State of Colorado, unless the preparation of plans and specifications is exempted by C.R.S. 12-25-303. Any applicant proposing a structure over 600 square feet shall submit to the town plans and specifications that indicate that the foundation bears the seal of an engineer licensed in the State of Colorado, referencing a site-specific soils study prepared by a geotechnical engineer licensed in the State of Colorado.

15.12.070 Plan review fee.

When documents are submitted in accordance with Town requirements, a plan review deposit of one thousand dollars (\$1,000) will be collected. This deposit will cover seven (7) hours of plan review time, at which point another five-hundred-dollar (\$500) deposit will be required for continued review time. The total plan review fee shall be sixty-five (65) percent of the building permit fee, unless the time spent on the review process exceeds the allotted sixty-five percent, with the remaining time billed at actual cost for contracted services or approved annual fee of Community Development Staff.

15.12.080 Building permit—Plans—Fee payment of board-fixed cost at application.

- A. All applications for building permits shall be accompanied by plans in duplicate and digital, drawn to scale, showing the actual dimensions of the lot to be built upon, the sizes and the location on the lot of any existing buildings or structures; the shape, size, use and the location on the lot of the building or structure proposed to be erected or altered, and such other information as may be necessary to provide for the enforcement of the provisions of this title.
- B. The cost of a building permit, including tap fees, shall be determined by the Board of Trustees annually, and payable to the town at the time the building permit is issued. New residential and commercial applications made after November 1st will be issued in January of the new calendar year and will incur the upcoming years permit fee adoption.

15.12.090 Schedule of permit fees by valuation.

A fee for each building permit shall be paid to the town based on a building valuation schedule and the permit fee schedule, each so approved by the board annually by resolution, or as often as necessary, in the board's sole discretion. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued. The building official or designee may waive the building permit and/or the building permit fee for any public entity when such entity is applying for a building permit for a governmental use or as deemed appropriate.

15.12.100 Determination of value.

The determination of building value or building valuation under any of the provisions of this Code shall be made by the building official or designee based on the building valuation schedule as set forth by the board by resolution.

15.12.110 Compliance with Cost Recovery Agreements

No building permit shall be issued until and unless the developer has complied with the terms and conditions of any cost recovery agreement entered into by the Town, affecting any or all of the property for which the building permit is requested.

15.12.120 Fee Refunds.

The building official or designee may authorize the refunding of any fee paid hereunder which was erroneously paid or collected, or for which the building official or designee determines that a portion of such fee should be returned to the applicant.

- A. The board shall set a refund processing fee by resolution annually, or more often as necessary.
- B. The building official or designee may authorize the refunding of not more than eighty (80) percent of the permit fee paid, only if no work has begun under said permit, nor any inspections performed; provided, however, that the time that town officials have dedicated to the application does not exceed twenty (20) percent of the total permit fee collected.
- C. The building official or designee may authorize the refunding of not more than eighty (80) percent of the plan review deposit that was collected when an application for a permit was submitted but was requested to be withdrawn or cancelled before any plan reviewing has been completed.
- D. No refunds will be issued if the pulled permit is expired.

15.12.130 Expiration and extension of permit.

- A. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within one hundred and eighty days (180) after its issuance.
 1. Every permit issued shall be become invalid if the work authorized on the site by such permit is suspended or abandoned for a period of one hundred and eighty (180) days after the time the work is commenced.
 2. The applicant shall request the extension of time in writing to the community development department at least thirty (30) days prior to the permit's expiration.
 3. The building official or designee is authorized to grant, in writing, one extension of time, for a period not to exceed one hundred and eighty (180) days for a miscellaneous permit or twelve (12) months for a building permit. Additional extensions can be requested, at which point the building official or designee will conduct a project review, to determine if an additional extension is warranted.
 4. The building official or designee shall issue a decision on the request for extension within ten (10) days of the receipt of the request.
- B. Determination of extension of permit.
 1. The building official or designee shall approve, approve with conditions, or deny the extension request based on the following factors, as well as other similar compliance factors that may apply on a case-by-

case basis. Reasons for denial of a building permit extension request include, but are not limited to the following:

- a. The applicant is not licensed by the town as a contractor at the time of request for extension of the building permit;
- b. The applicant has not provided the town proof of valid liability and/or workmen's compensation insurance in effect at the time of the request for extension of the building permit;
- c. The applicant owes a monetary balance to the town either related or not related to the building permit in question;
- d. The applicant has failed to request the necessary inspections in order to keep the building permit current and valid at the time of the request for extension of the building permit;
- e. The applicant has not remedied all life, health and safety concerns as detailed by the building official or his designee through the tenure of the building permit.

15.12.140 Permit extension fee.

- A. All permit extension fees will be collected in the amount of fifty (50) percent of the original permit fee.

15.12.150 Re-inspections.

- A. The town may assess a re-inspection fee, as set by the board of trustees by resolution annually, or more often as necessary, for each inspection or re-inspection when any element of the scheduled inspection is not complete or corrections are necessary in order to be approved that require the inspector to conduct an additional inspection, in accordance with this chapter:
 1. A re-inspect fee is intended to help off-set the additional cost of repeated inspections as well as curtail an applicant's request for inspections prior to being ready for such inspection or re-inspection, or failing to cancel scheduled inspection when work is not complete.
 2. The town may assess re-inspection fees when the inspection record card is not posted or otherwise available on the worksite, the approved plans are not readily available to the inspector, for failure to provide access on the date for which the inspection is requested, or for deviating from plans requiring the approval of the building official or designee.
 3. The town may assess a re-inspection fee for an applicant's failure to post a readily visible address on the job site.
 4. Re-Inspect fees will be billed monthly and must be paid, prior to new/additional inspections taking place. All re-inspect fees must be paid in full, prior to the issuance of the final C.O. or final inspection.

15.12.160 Revocation or suspension of permits.

The Town Building Official or designee may suspend or revoke a permit issued, under the provisions of this title, by notice in writing whenever the permit is issued in error, on the basis of incorrect information supplied by the applicant, or in violation of any ordinance, regulation or of any provision of the Silt Municipal Code. Work completed may be required to be removed, at the applicant's expense.

15.12.170 Use and occupancy.

- A. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the building official or designee has issued a new/revised certificate of occupancy therefore as provided herein;
- B. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the town.

15.12.180 Temporary certificates of occupancy, certificates of occupancy and certificates of completion.

- A. Certificates of Occupancy- The building official or designee shall make a final inspection of the construction, enlargement, alteration, moving, removal, demolition, occupancy, equipment, use, height, area, maintenance, reconstruction, repair, remodeling or other construction activity, and, if it is determined that all work has been completed as detailed in the construction plans and according to the architect's and/or engineer's specifications, a certificate of occupancy shall be issued, under the following conditions:
 - 1. Permittee must receive approval and printed Final C.O., by building official or designee, prior to occupying building or structure.
 - 2. Permittee shall request and schedule for a certificate of occupancy inspection, either for the whole structure or for a part of the structure, at the conclusion for such proposed construction, enlargement, alteration, moving, removal, demolition, occupancy, equipment, use, height, area, maintenance, reconstruction, repair, remodeling or other construction activity.
 - 3. The building official or designee shall not grant a certificate of occupancy until or unless such proposed construction, enlargement, alteration, moving, removal, demolition, occupancy, equipment, use, height, area, maintenance, reconstruction, repair, remodeling or other construction activity is in complete conformity with the provisions of this title, the Silt Municipal Code and adopted ICC Codes.
 - 4. The building official, or designee, shall not issue a temporary certificate of occupancy, certificate of occupancy or certificate of completion until permittee pays to the town all monies owed to the town related to such construction, enlargement, alteration, moving, removal, demolition, occupancy, equipment, use, height, area, maintenance, reconstruction, repair, remodeling or other construction activity, including any outstanding utility bills.
 - 5. The building official or designee shall not issue a temporary certificate of occupancy, certificate of occupancy or certificate of completion until permittee repairs any town property damaged as a result of the construction, enlargement, alteration, moving, removal, demolition, occupancy, equipment, use, height, area, maintenance, reconstruction, repair, remodeling or other construction activity.
 - 6. The building official or his designee shall not issue a temporary certificate of occupancy, certificate of occupancy or certificate of completion until permittee submits to the town an improvement location certificate (ILC) and all required documentation, in the building official's sole discretion.
- D. Certificates of Completion- The building official or designee shall make a final inspection of the construction, enlargement, alteration, moving, removal, demolition, occupancy, equipment, use, height, area, maintenance, reconstruction, repair, remodeling or other construction activity, and, if it is determined that all work has been completed as detailed in the construction plans, a certificate of completion may be issued.
- E. Record of Certificate of Occupancy- The Community Development Department shall keep a record of all certificates of occupancy;
- B. Temporary Certificates of Occupancy (TCO)- The building official or designee shall make an inspection of the construction, enlargement, alteration, moving, removal, demolition, occupancy, equipment, use, height, area, maintenance, reconstruction, repair, remodeling or other construction activity, and, if it is determined

that no health, life or safety corrections need to be made nor any special hazard will result from occupancy of such building or portion thereof before the same is completed, the building official or designee may issue a TCO for the use of a portion or portions of a building or structure, prior to the completion of the entire building or structure, under the following conditions:

1. The permittee shall submit a deposit equal to ten percent of the building permit fee originally charged, prior to issuance of TCO;
2. The building official or designee may issue a single extension to a TCO, for a total of 180 days;
3. The permittee shall pay all attorney fees and administrative costs incurred by the town in the event that the TCO expires and the town determines that enforcement proceedings or other related actions are necessary;
4. If the building official or designee has cause to revoke the TCO, the applicant/permittee and all occupants shall vacate the building until such time as the construction, enlargement, alteration, moving, removal, demolition, occupancy, equipment, use, height, area, maintenance, reconstruction, repair, remodeling or other construction activity is deemed complete and approved by the building official, resulting in the issuance of a Certificate of Occupancy;
5. The building official or designee shall investigate all instances where a building is occupied or used without the building official first granting approval for occupancy. Any persons occupying a building prior to, or outside of approved occupancy for said building will be punished in accordance with Title 1 of the Silt Municipal Code.

15.12.190 Certificate of occupancy—Required when.

A certificate of occupancy issued by the building official or designee is required in advance of, but not limited to the following requirements:

- A. Occupancy of a new building or structure
- B. Occupancy or certain alterations of an existing building or structure
- C. A change of occupancy or zoning use for any building or land.

15.12.200 Certificate of occupancy—Application and issuance timing.

A certificate of occupancy, either for the whole or a part of a building, shall be applied for coincident with the application for a building permit and shall be issued within ten days after the erection or structural alteration of such building or part has been completed in conformity with the provisions of this title.

15.12.210 Certificate of occupancy—Zoning conformance—Denial.

A certificate of occupancy shall not be issued unless the proposed use of a building or land conforms to the applicable provisions of this code. If a building is being used for an occupancy, outside of original approval, per the Silt Municipal Code, the Building Official or designee, holds the right to red tag the building, to prevent further non-conforming use. The Town may require that said building be brought to code and conforming occupancy, prior to regaining a certificate of occupancy. The Town may issue a citation to the violator and property owner, in accordance of Chapter 1.12 of this code.

15.12.220 Certificate of occupancy—Filing—Copies.

A record of all certificates shall be kept on file in the office of the ~~director of community development~~ department and copies shall be furnished, on request, to any persons having a proprietary or tenancy interest in the building or land involved.

15.12.230 Violation—Penalty.

The town may issue a citation to a violator of Chapter 15.05-12 (building permits and certificates of occupancy) in accordance with Chapter 1.12 of this code. Specifically, a violator is any person who has been found to have inhabited, or caused anyone else to inhabit, in any manner, a building prior to issuance of a certificate of occupancy or contrary to or in violation of any of the provisions of this chapter.

15.12.240 Property Numbering

- A. All developed property within the town limits shall be assigned a property number that is consistent with the adopted town standard. Numbers will be used for addressing and property identification. These numbers shall progress along streets in a logical, consecutive and clear manner. All attempts shall be made to reduce confusion for property identification purposes.
- B. All buildings within the town limits shall display a town-assigned number, placed on the building site at time of construction, then on the structure, prior to C.O. and maintained throughout the existence of the structure. All property previously maintaining a county-assigned address shall adopt a town-assigned number at the time of annexation to the town.
- C. The numbers shall be clear, legible, at least four inches in height and placed upon the building and/or at the driveway or curbside access point of the property as to designate the front entrance of the building. The address will be assigned by the Town and will be determined by the street in which the front door faces. If an applicant applies to face the entrance of the building away from the street and receives Town approval, the numbers shall be placed on the side of the building facing the street in which the address is assigned. The numbers shall be in a conspicuous place and not obscured so that they can be read easily from the center of the street in the daytime. In addition, numbers shall be contrasting color to the building, or a reflector-type material, in order to promote visibility at night.
- D. If the owner or lessee of any building shall fail, refuse or neglect to place the number, or replace it, when necessary, such owner or occupant shall be deemed guilty of a Class B misdemeanor offense. Such person shall have ten days to comply or otherwise shall be deemed guilty of a separate offense for each subsequent day that the violation is committed or continued. Said offense shall be deemed to be one of strict liability.

15.12.250 Building Site Cleanliness and Sanitation

All developers and/or contractors working on any building site within the Town of Silt shall provide all necessary large trash receptacles in order to maintain a clean, safe construction area and to provide a method of portable sanitation (port-a-potties), in a number sufficient to take care of the number of contractors, subcontractors and employees on the site. If at any time during construction, contractors, subcontractors and/or employees are denied access to portable sanitation facilities and/or a trash receptacle is not being used, the Town may issue a citation in accordance with Title I of the Silt Municipal Code. All developers and/or contractors shall also ensure that the town street, sidewalks and adjacent properties, in and around the job site, are kept free of dirt, mud and construction debris from the job site, and shall protect the town's street(s) and infrastructure from damage resulting from construction activity. All construction must remain on the lot being developed, including but not limited to trash, equipment and machinery, dirt and building materials.

15.12.060 Excavation/Grading

Due to the non-isolated nature of properties lying within the town boundaries, no excavation, grading or property elevation changes that increase or decrease by more than 12 vertical inches, exceeding a thirty-six (36) square foot area, shall be permitted anywhere within the town, without first obtaining an excavation permit. It shall be the obligation of the owner or person in charge of the property and the person(s) who will actually

perform the grading to jointly obtain a permit. Engineered grading plans shall be submitted unless waived by the building official or designee. All excavation taking place with machinery or equipment will require an excavation permit.

15.12.270 Paving of Driveways, Parking Areas and Sidewalks

All driveways, parking areas and sidewalks require the submittal and approval of a miscellaneous permit application. Once approved, the Town will issue a permit. The applicant will need to submit a site plan, indicating the locates of utilities and curb stop. Work completed without a permit will refer to Chapter 15.12.040 of this title.

15.12.280 Public Street, Road, Highway, Alley or Sidewalk Closure/Traffic Control Permits **Requirements referred to in Chapter 12.13 of the Silt Municipal Code.**

15.12.290 Metal Buildings within All Zone Districts

Any proposal for metal buildings moved into or built within the town limits shall be reviewed for Silt Municipal Code and ICC Code compliance, as well as architectural design compatibility with surrounding properties. Commercial Districts will be required to apply for a Site Plan Review, which will be presented and voted on in a regularly scheduled Planning and Zoning Commission meeting. Metal buildings proposed as a primary living structure in a Residential District, will require a Special Use Permit Application. Metal buildings as a secondary use, including but not limited to sheds, will be reviewed by the Community Development Department, after an application and site plan indicating architectural features and compatibility with the residential unit on the property and adjacent properties.

15.12.300 Sheds

Per Municipal Code Section 15.02.020(K), All one-story attached or detached accessory structures will require a permit, regardless of size, including but not limited to sheds. "Detached" structures will need to have a minimum fire separation of five (5) feet from other structures.

- a. Zoning Review Only- Must Meet All Requirements
 - i. Structure is less than 200 square feet
 - ii. Structure does not contain utility hook-ups
 - iii. Structure is detached, meeting the minimum fire separation
- b. Building Review and Zoning Review Required
 - i. If the structure does not meet all of the above requirements to exempt a building plan review, the permit application will be subject to both a building and zoning review.

In addition to:

1. No permit for a shed may be knowingly issued by the Community Development Department in violation of zoning regulations.
2. Sheds are not allowed to be occupied as a residence or business in Town limits
3. Sheds must remain in rear and side yards only

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4. Sheds must be a single neutral or earth toned colored, but may contain a different colored accent, and match surroundings.
5. Sheds must not create drainage on adjacent properties or negative drainage on same property

Chapter 15.13 FENCES, RETAINING WALLS AND SCREENING DEVICES

15.13.010 Purpose and intent.

- A. The purpose and intent of this chapter is to regulate the construction and installation of fences, retaining walls and screening devices within town boundaries and to control the design and use of fences, retaining walls and screening devices within town boundaries, and to control the design and use of fences, retaining walls and screening devices, in accordance with the regulations contained herein:
 1. Promote the effective use of fences, retaining walls and screening devices;
 2. Protect the public, preserve the town's character, and prevent visual discord and clutter within the town;
 3. Encourage the development of private property in harmony with the desired character of the town while providing due regard for the public and private interests involved.
- B. Abatement
 1. All fences, retaining walls, and screening devices legally in existence as of the effective date of this ordinance codified in this chapter that do not conform to these regulations shall be considered pre-existing and nonconforming;
 2. Upon the replacement of 25 percent or more of a pre-existing or nonconforming fence, retaining wall or screening device, owner of that property shall bring any and all fences, retaining walls or screening devices on the property, into conformance with these regulations.
- C. Dangerous fences, retaining walls and screening devices.
 1. All fences, retaining walls or screening devices within or directly adjacent to a public right-of-way or public property and/or those that pose an immediate danger to public health or safety, including, but not limited to, visual and drainage obstruction, shall be removed, repaired or relocated in a manner that eliminates the public hazard or obstructions;
 2. The town administrator shall, ~~in his sole discretion,~~ make a determination of whether such a fence, retaining wall or screening device poses an immediate danger to public health or safety;
 3. The town shall provide written notice of such a condition to the owner of the property or to the owner's representative by hand delivery or by first class mail, and the town shall allow up to ten days for owner to cure said problem. The town shall have the right, without liability, to issue citations to the owner and fine the owner, to conduct repairs to bring the owner's fence, retaining wall or screening device into compliance, and to assess the costs against the owner in the manner permitted with regards to a violation per Title 1 of this code;
 4. Within such ten-day period, the owner of a property who received such notice as contemplated by this section, may file a written appeal to the planning and zoning commission, to be reviewed at the next available regularly scheduled commission meeting.

15.13.020 Permit required for fences, retaining walls and screening devices.

- A. A permit is required for any new fence, retaining wall or screening device exceeding 42 inches in any zone district.
- B. A permit is required for replacement of 25 percent or more of the perimeter of a conforming fence, retaining wall or screening device exceeding 42 inches in any zone district.
- C. A permit is required for replacements of 25 percent or more of a nonconforming length of fence, retaining wall or screening device in any zone district.
- D. An applicant for a fence, retaining wall or screening device shall submit a complete permit application on forms provided by the town, in addition to the following items:
 - 1. Site plan to scale indicating all property lines and locations of existing and proposed fences, retaining walls, and screening devices;
 - 2. Narrative and/or drawing indicating proposed material(s), height(s) and topography (if requested by the town).
- E. Retaining Wall Additional Requirements.
 - 1. The site plan shall detail the proposed construction materials, proposed height and location of retaining wall on property;
 - 2. The structural design of such a wall, if 48 inches or more in height, or more than two horizontal steps, shall be designed by a Colorado licensed professional engineer and the engineer's stamp shall be clearly depicted on the design plan;
 - 3. Such engineered plan shall have considered a site-specific soils report for the site, and shall state that the design is in accordance with the soils report recommendations;
 - 4. The town may refer such engineered plan to the town engineer for his review, at the applicant's cost;
 - 5. The town engineer may request additional materials, inspections, and a certification from the design engineer, following construction of wall, that wall was built to the design specifications;
 - 6. No fence, retaining wall, equipment, vehicle or other material may be placed on top of the wall or affecting the wall within 48 horizontal inches of the edge, other than that material and those uses called out in the design specifications;
 - 7. If an applicant proposes uses and/or materials to be placed on top of the wall, or affecting the wall within 48 horizontal inches of the edge, he may submit a written and stamped Colorado licensed professional engineer's statement that such proposal is appropriate.

15.13.030 Materials for fences, retaining walls and screening devices.

- A. An applicant for a fence, retaining wall or screening device shall construct same of durable materials that require low maintenance, are architecturally compatible with the primary building on the site and are aesthetically pleasing as viewed from the street. The following materials may be used:
 - 1. Masonry walls with stucco or other acceptable finish or constructed from masonry block units with an indigenous pattern or finish;
 - 2. Stone or rock, or a dense material designed to emulate stone or rock, which does not include a thin, flat material such as patterned asphalt roofing material or a mural on concrete;
 - 3. Wooden fences constructed from newly milled lumber that is pressure treated, or milled, treated native wood. Slab lumber, used lumber or rough-hewn lumber is not acceptable without the planning and zoning commission's special review of the construction detail(s) and material(s);

4. Chain link fence, constructed with round metal posts and top rail (color shall be dark or natural, if coated);
 5. Concrete painted an earth tone color (retaining walls only); and
 6. Other materials that can withstand exposure to the weather and are aesthetically pleasing, as approved by the town administrator or his designee.
- B. Barbed wire, razor wire, slab wood, rough-hewn wood or wood with bark still attached, electric, or other fences not described in this section, are not permitted. An applicant who wishes to use such materials may submit a fence exception application in accordance with this code, and request that the planning and zoning commission, at a regularly scheduled meeting, consider the applicant's reasons for such appeal. If applicant installs such a fence as contemplated by this section either without a permit or prior to the commission's ruling, the applicant automatically loses his right to an appeal and must remove the fence within seven days of the town's notice to applicant. Violations will be enforced in accordance with Chapter 1.12 of the Silt Municipal Code.
- C. Screening Device Provisions in Commercial and Multi-Family Zone Districts.
1. An applicant for trash and/or refuse collection area(s) for or within commercial or multi-family properties shall design enclosure with a six-foot high solid wood fence or masonry wall, styled and colored to match the material of adjacent walls or the main building on the site (hereinafter "required screening wall"), in accordance with Title 17 of this code, if applicable. The town administrator or his designee may require a screening wall for other properties that have requested a special use permit or other zoning action;
 2. An applicant for a required screening device must design such device in order to completely screen stored materials on all sides;
 3. An applicant for a required screening device shall construct the device of permitted materials as described in this section, in a manner that creates a completely opaque screen through which no portion or silhouette of the items screened is visible. Chain link fencing with interwoven plastic, wood, vinyl or metal slats does not satisfy required screening requirements.
- D. Design and Construction.
1. An applicant for a fence, retaining wall or screening device adjacent to a street, park or open space shall install so that a decorative or finished surface faces the street or public open space;
 2. An applicant for a fence, retaining wall or screening device in excess of 150 feet in length shall avoid a long, flat appearance by incorporating cap treatments on posts or columns, use of accentuated columns, texture or elements which provide relief to the surface, the setting back of wall portions, planters on or in the wall, and/or the use of materials that break up the long appearance of such walls;
 - a. The town administrator or designee shall determine conformance with this section, in accordance with Chapter 17.42 of this code, if applicable, following permit application and prior to fence, retaining wall or screening device construction;
 - b. Where side or rear lot lines are adjacent to public parks or open space, or where rear lot lines are adjacent to public rights-of-way, the applicant shall utilize the same materials, design and color for all fences, retaining walls or screening device construction on all lots.

15.13.040 Heights of fences, retaining walls or screening devices in all residential districts.

Except as otherwise provided for in this code, the maximum height of fences, retaining walls, or screening devices, or combination thereof, shall be as follows in all residential zone districts:

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- A. Forty-two inches on the property line or forty-eight inches at a minimum 5-foot setback, from the property line in any yard adjoining a public street;
 - B. Forty-two inches on the property line or forty-eight inches at a minimum 5-foot setback for any portion of side yard or rear yard fence that extends into the setback adjoining a public street;
 - C. Six feet in rear yards and side yards, where these areas do not adjoin a public street;
 - D. The height of fences, retaining wall, or screening devices shall be measured from the top of the curb of the adjoining street or the top of the crown of the adjoining street or alley where no curb exists;
 - E. If the elevation of the yard is above or below the elevation of the street, the maximum height of a fence in that yard shall be six feet, except as otherwise stated for yards that adjoin public streets and alleys;
 - F. No property owner may artificially lower or raise his lot, by cutting, filling or other means, in order to avoid the provisions of this section.

15.13.050 Maintenance of fences, retaining walls and screening devices.

- A. All fences, retaining walls, and screening devices whether required by this code or not, shall be maintained with finishes and surfaces in good repair and shall be in sound structural condition;
- B. The town shall notify the owner of such fence, retaining wall, or screening device of a violation of this section and shall have the duty to comply with this section within ten days of such notification;
- C. The town, in its sole discretion, may allow applicant to construct fences, retaining walls, or screening devices on property owned by or under the control of the town and subject to approval by the town administrator or designee under the following conditions:
 - 1. More than ten feet of right-of-way or public property exists between the back of the closest adjoining curb, street drainage structure, street traveled lane, sidewalk, traffic control device or similar public improvement
 - 2. The owner acknowledges by receipt of permit that the town may request such fence, retaining wall or screening device be removed within 30 days' notification, at owner's sole cost
 - 3. The construction of a fence, retaining wall, or screening device shall not create a hazard to pedestrian traffic, vehicular traffic or any other public use of the adjoining public property, including, but not limited to, pedestrian, access and drainage easements
 - 4. Construction of such fences, retaining walls, or screening devices shall otherwise conform to all provisions of this code

15.13.060 Exceptions—Special review.

- A. Any person may apply to the planning and zoning commission for an exception to the provisions of Section 15.13, regarding type, size, height, and location of fences, retaining walls and screening devices. Additionally, an applicant may appeal a decision or interpretation made by the town administrator or designee regarding the provisions of the aforementioned sections.
- B. An exception may be granted if the fence, retaining wall or screening device will result in a harmonious addition to the community, otherwise complies with this chapter, and is consistent with the following guidelines:
 - 1. Fence, retaining wall or screening device height shall be limited to the lowest possible height in order to achieve the intended result, and in no case shall residential fences exceed six feet in height;

2. Fence, retaining wall or screening device shall not negatively detract from the adjacent properties or the surrounding visual corridors;
 3. Fence, retaining wall or screening device shall be designed to accommodate the existing topography of the site;
 4. Fence, retaining wall or screening device shall be located completely within the applicant's property;
 5. Fence, retaining wall or screening device shall not create a hazard to pedestrian traffic, vehicular traffic, or any use of a public property, including, but not limited to, pedestrian, access and drainage easements.
- C. An applicant requesting a fence exception shall submit to the town a complete fence permit application on a form provided by the town, and a statement by the applicant detailing the type of exception requested, for consideration by the planning and zoning commission in a regularly scheduled meeting.
1. The applicant for a fence exception shall submit to the town a fee equal to the fence permit fee, as established by the board annually or more often as necessary;
 2. Submittals shall be in conformance with this chapter;
 3. Applicant shall publicly notice the fence exception in a manner of a zoning variance, per this code.
- D. Appeal to Commission's Decision—Process. Any person aggrieved of a decision by the planning and zoning commission regarding a fence exception may appeal to the board of trustees within ~~seven days~~ one month of the commission's fence exception decision, for consideration at a regularly scheduled meeting.
1. The applicant for a fence exception appeal shall submit to the town a statement as to the reason for the appeal, and any other item as requested by the town in order for the town to review the appeal;
 2. The applicant for a fence exception appeal shall submit to the town a fee equal to the fence permit fee, as established by the board annually, or more often as necessary;
 3. Applicant shall publicly notice the fence exception appeal in a manner of a zoning variance, per this code;
 4. The board shall review the fence exception appeal at the first available regularly scheduled meeting following the commission's decision;
 5. The board, in its sole and final discretion, shall affirm the commission's decision, deny the commission's decision, or affirm the commission's decision with additional conditions.

15.13.070 Violations—Penalties.

In the case that any fence, retaining wall or screening device is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any fence retaining wall or screening device is used, in violation of this title, the town administrator or ~~his~~ designee, in addition to other remedies, may institute an action for injunction, or mandamus, or other appropriate action or proceeding to prevent or remove such violation. Any person who violates any provision of this chapter shall be punished in accordance with Chapter 1.12 of this code.

Chapter 15.14 NONCOMPLYING WOOD STOVES

15.14.010 Definitions.

- A. "New stove" means any stove which has not been sold or used after March 1, 1991, the effective date of the Colorado Phase II certification/exemption list.
- B. "Used stove" means a stove which has already been sold at least once and has been in use at least once prior to March 1, 1991, the effective date of the Colorado Phase II certification/exemption list.

15.14.020 Restrictions on installation.

Any previously used stove or new stove not in compliance with Colorado Phase II requirements shall not be installed within any existing or planned structure in the town after the adoption of the ordinance codified in this chapter. Only stoves which meet the requirements or exemptions as per the Colorado Phase II certification/exemption lists, effective March 1, 1991, are allowed to be installed within the town after the passing of said ordinance.

15.14.030 Proof of compliance.

Any person wishing to install a used or new stove within any existing or planned structure in the town shall be required to submit documentation either in original or copy to town officials which certifies that the stove complies with or is exempted from the Colorado Phase II certification/exemption requirements set forth in Regulation No. 4 of the Colorado Air Quality Control Commission.

15.14.040 Removal of nonconforming stoves.

If a reinstalled or newly installed stove is deemed not in compliance, the owner shall be given written notice of such and shall have ten days to completely remove the stove from the structure.

15.14.050 Violation—Penalty.

The town may issue a citation to a violator of Chapter 15.14 (non-complying stoves) in accordance with Chapter 1.12 of this code.

15.14.060 Exemption of preexisting stoves.

Any stove which is currently in use or has been purchased and installed prior to the adoption of the ordinance codified in this chapter is exempted from this chapter as long as the stove is not resold or moved from its current location in any way. Once the stove is resold or moved, it falls within the restrictions outlined in this chapter.

Chapter 15.15 FACTORY BUILT, MANUFACTURED AND MODULAR RESIDENTIAL UNITS

15.15.010 Definitions.

For the purposes of this title, certain words used in this chapter are defined as follows:

- A. "Installation" is the work performed and operations involved in the placement and securing of a new factory built, manufactured or a modular residential unit on a foundation system.
- B. "Manufactured home" is a new residential unit built entirely in the factory under only the federal building code administered by the U.S. Department of Housing and Urban Development (HUD). The Federal Manufactured Home Construction and Safety Standards, also known as the HUD Code, went into effect June 15, 1976. New manufactured homes may be single- or multi-section and are transported to the site and installed. The federal standards regulate manufactured housing design and construction, strength and durability, transportability, fire resistance, energy efficiency, heating, plumbing, air-conditioning, thermal and electrical systems and insulation. The HUD Code does not regulate zoning, developmental, use, aesthetic, architectural and historical standards, site planning, and permanent foundation standards imposed by Title 17 of this code.
- C. "Factory built home" or "modular home" means a new single-family dwelling which:

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1. Is partially or entirely built in a factory and designed for long-term residential use;
 2. Is built in multiple sections, with each section on a chassis which enables it to be transported to its occupancy site;
 3. Meets or exceeds, on an equivalent performance engineering basis, such standards as may now or hereafter be established by the town's municipal building code (equivalent performance engineering basis means that by using engineering calculations or testing, and following commonly accepted engineering practices, all components and subsystems will perform to meet health, safety, and functional requirements to the same extent as required for other single family housing units); and
 4. Meets or exceeds all applicable zoning, developmental, use, aesthetic, architectural and historical standards, including, but not limited to, requirements relating to permanent foundations, minimum floor space, unit size or sectional requirements, and improvement location, setback standards as the same may now or hereafter be established by the town.
- D. "Mobile home" or "trailer home" is any originally wheeled vehicle, exceeding either eight feet in width or 32 feet in length, excluding towing gear and bumpers, without motive power, which was designed and is commonly used for occupancy by persons for residential purposes in permanent locations, and which may be drawn over the public highways by a motor vehicle. Mobile homes or trailer homes shall include those homes constructed prior to the Federal Manufactured Home Construction and Safety Standards, also known as the HUD Code. Mobile homes and trailer homes are considered pre-existing, nonconforming uses.
- E. "Permanent foundation" means a full perimeter concrete or concrete block, site-built foundation designed by a licensed Colorado engineer, following recommendations of a soils report specific to the site for which the foundation is proposed, and for which is required of all new factory built, manufactured and modular residential units manufactured after 1976;
- F. "Stabilizing devices" are all those components of the anchoring and support systems, such as piers, footings, ties, anchoring equipment, ground anchors, or any other materials and methods of construction which supports and secures a mobile home to the ground.

15.15.020 Compliance with zoning.

All new factory built, manufactured and modular residential units shall conform with the provisions and regulations of all zoning and other applicable ordinances of the town. The board shall determine such specific criteria for new factory built, manufactured and modular residential units, following a public hearing for the special use permit for such units.

15.15.030 Building permit required.

No new factory built, manufactured or modular, or factory-built residential unit may be installed within the town limits without first securing a building permit therefor from the town.

15.15.040 Installation requirements.

- A. A licensed plumber shall install all-natural gas, sewer and water service lines; a licensed electrician must install all electrical service connections.
- B. All applicants for new factory built and modular residential units must indicate to the town compliance with the town's approved snow load; all applicants for new manufactured units shall indicate to the town the federal insignia on the home as required by the HUD code; the building inspector shall determine snow loads for all mobile homes and those mobile residential units.
- C. All applicants for new factory built and modular residential units must indicate to the town compliance with the town's approved wind load; all applicants for new manufactured units shall indicate compliance with the

federal insignia as required by the HUD code; the building inspector shall determine wind loads for all mobile homes and those mobile residential units.

- D. All applicants for new factory built and modular residential units must indicate to the town compliance with the town's approved insulation; all applicants for new manufactured units shall indicate compliance with the federal insignia as required by the HUD code; the building inspector shall determine insulation requirements for all mobile homes and those mobile residential units.
- E. All applicants for new factory built and modular residential units must indicate to the town compliance with and engineered, permanent concrete or concrete block foundation, with adequate frost depth protection as defined by this code; the building inspector shall determine type of foundation or anchoring for all mobile homes and those mobile residential units built prior to 1976.
- F. All applicants for new factory built and modular residential units shall indicate to the town compliance with the town's requirements for a crawl space and adequate crawl space ventilation, according to the town's adopted building code; the board shall determine type of crawl space, if any, for all mobile homes and those mobile residential units built prior to 1976.
- G. All applicants for new factory built and modular residential units shall indicate to the town compliance with all exterior access structure criteria within this code and within the town's adopted building code.
- H. All applicants for new manufactured homes shall indicate compliance with manufacturer's installation instructions and applicant shall include a copy of such instructions at building permit application.

15.15.050 Foundation and removal of axles and wheels.

All applicants for new factory built, manufactured and modular residential units shall remove all axles and wheels in such a manner that the residential unit is considered an improvement to real property as a permanent structure. Owner of such new factory built, manufactured or modular residential unit shall purge the title and provide proof to town that such unit is no longer mobile.

15.15.060 Exemption for mobile home parks.

Any mobile home located in a legally established mobile home park within the town shall be exempt from preceding section; however, it shall comply with all other provisions of this code.

15.15.070 Common ownership and taxation.

Any owner of a factory built, manufactured, modular or mobile home residential unit located in the town and occupied or used as a residence shall have the same record title ownership as the real property upon which the factory built, manufactured, modular or mobile home is located. Such residential unit shall be taxed as an improvement to the real property.

Chapter 15.16 FLOOD DAMAGE PREVENTION

15.16.010 Intent.

It is the purpose of this chapter, and prescribed by the legislature of the state in C.R.S. Title 29, Article 20 delegating the responsibility to local governmental units to adopt regulations to promote the public health, safety, and general welfare of its citizenry and to minimize public and private losses due to conditions in specific areas by provisions designed:

- A. To protect human life and health;
- B. To minimize expenditure of public money for costly flood control projects;

- C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. To minimize prolonged business interruptions;
- E. To minimize damage to critical facilities, infrastructure and other public facilities such as water, sewer, and gas mains; electric and communications stations; and streets and bridges located in floodplains;
- F. To help maintain a stable tax base by providing for the sound use and development of areas of flood prone areas in such a manner as to minimize future flood blight areas;
- G. To ensure that potential buyers are notified that property is located in a flood hazard area; and
- H. To ensure that those who occupy the areas of flood prone areas assume responsibility for their actions.

15.16.020 Methods of reducing flood losses.

In order to accomplish its purposes, this chapter includes methods and provisions for:

- A. Restricting or prohibiting uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- B. Requiring that uses vulnerable to floods, including facilities which serve uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
- D. Controlling filling, grading, dredging and other development which may increase flood damage;
- E. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

15.16.030 Definitions.

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

- A. "100-year flood" means a flood having a recurrence interval that has a one percent chance of being equaled or exceeded during any given year (one-percent-annual-chance flood). The terms "one-hundred-year flood" and "one percent chance flood" are synonymous with the term "100-year flood." The term does not imply that the flood will necessarily happen once every 100 years.
- B. "100-year floodplain" means the area of land susceptible to being inundated as a result of the occurrence of a one-hundred-year flood.
- C. "500-year flood" means a flood having a recurrence interval that has a 0.2-percent chance of being equaled or exceeded during any given year (0.2-percent-chance-annual flood). The term does not imply that the flood will necessarily happen once every 500 years.
- D. "500-year floodplain" means the area of land susceptible to being inundated as a result of the occurrence of a 500-year flood.
- E. "Addition" means any activity that expands the enclosed footprint or increases the square footage of an existing structure.
- F. "Alluvial fan flooding" means a fan-shaped sediment deposit formed by a stream that flows from a steep mountain valley or gorge onto a plain or the junction of a tributary stream with the main stream. Alluvial fans contain active stream channels and boulder bars, and recently abandoned channels. Alluvial fans are predominantly formed by alluvial deposits and are modified by infrequent sheet flood, channel avulsions and other stream processes.

- G. "Area of shallow flooding" means a designated Zone AO or AH on the town's Flood Insurance Rate Map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
- H. "Base flood elevation" or "BFE" means the elevation shown on a FEMA Flood Insurance Rate Map for Zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, V1-V30, and VE that indicates the water surface elevation resulting from a flood that has a one percent chance of equaling or exceeding that level in any given year.
- I. "Basement" means any area of building having its flood sub-grade (below ground level) on all sides.
- J. "Channel" means the physical confine of stream or waterway consisting of a bed and stream banks, existing in a variety of geometries.
- K. "Channelization" means the artificial creation, enlargement or realignment of a stream channel.
- L. "Code of Federal Regulations" or "CFR" means the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government. It is divided into 50 titles that represent broad areas subject to federal regulation.
- M. "Community" means any political subdivision in the State of Colorado that has the authority to adopt and enforce floodplain management regulations through zoning, including, but not limited to, cities, towns, unincorporated areas in the counties, Indian tribes and drainage and flood control districts.
- N. "Conditional letter of map revision" or "CLOMR" means FEMA's comment on a proposed project, which does not revise an effective floodplain map that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodplain.
- O. "Critical facility" means a structure or related infrastructure, but not the land on which it is situated, as specified in Section 15.32.50, that if flooded may result in significant hazards to public health and safety or interrupt essential services and operations for the community at any time before, during and after a flood.
- P. "Development" means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
- Q. "DFIRM database" means the database (usually spreadsheets containing data and analyses that accompany DFIRMS). The FEMA Mapping Specifications and Guidelines outline requirements for the development and maintenance of DFIRM databases.
- R. "Digital Flood Insurance Rate Map" or "DFIRM" means the FEMA digital floodplain map. These digital maps serve as "regulatory floodplain maps" for insurance and floodplain management purposes.
- S. "Elevated building" means a non-basement building (i) building, in the case of a building in Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the flow of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with opening sufficient to facilitate the unimpeded movement of flood waters.
- T. "Existing manufactured, modular or factory-built home park or subdivision" means a manufactured, modular or factory-built home park for which the construction of facilities for servicing the lots on which the homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either the final site grading or the pouring of concrete pads) are completed before the effective date of the floodplain management regulations adopted by a community.
- U. "Expansion to an existing manufactured, modular or factory-built home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the

manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

- V. "Federal Register" means the official daily publication for rules, proposed rules, and notices of federal agencies and organizations, as well as executive orders and other presidential documents.
- W. "Federal Emergency Management Agency" or "FEMA" means the agency responsible for administering the National Flood Insurance Program, or NFIP.
- X. "Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land area from:
 - 1. The overflow of water from channels and reservoir spillways;
 - 2. The unusual and rapid accumulation or run-off of surface waters from any source; or
 - 3. Mudslides or mudflows that occur from excess surface water that is combined with mud or other debris that is sufficiently fluid so as to flow over the surface of normally dry land areas (such as earth carried by a current of water and deposited along the path of the current).
- Y. "Flood Insurance Rate Map" or "FIRM" means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.
- Z. "Flood Insurance Study" or "FIS" means the official report provided by FEMA, which contains the FIRM as well as flood profiles for studied flooding sources that can be used to determine base flood elevations for some areas.
- AA. "Floodplain" or "flood-prone area" means any land area susceptible to being inundated as the result of a flood, including the area of land over which floodwater would flow from the spillway of a reservoir.
- BB. "Floodplain administrator" means the community official designated by title to administer and enforce the floodplain management regulations.
- CC. "Floodplain development permit" or "FDP" means a permit required before construction or development begins within any special flood hazard area, or SFHA. If FEMA has not defined the SFHA within a community, the community shall require permits for all proposed construction or other development in the community including the placement of manufactured, modular and factory-built homes, so that it may determine whether such construction or other development is proposed within flood-prone areas. Permits are required to ensure that proposed development projects meet the requirements of the NFIP and this chapter.
- DD. "Floodplain management" means the operation of an overall program of corrective and preventative measures for reducing flood damage, including but not limited to, emergency preparedness plans, flood control works and floodplain management regulations.
- EE. "Floodplain management regulations" means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state and local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.
- FF. "Flood control structure" means a physical structure designed and built expressly or partially for the purpose of reducing, redirecting, or guiding flood flows along a particular waterway. These specialized flood modifying works are those constructed in conformance with sound engineering standards.
- GG. "Flood-proofing" means any combination of structural and/or non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
- HH. "Floodway" or "regulatory floodway" means the channel of a river or other watercourse and adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water

surface elevation more than a designated height. The Colorado statewide standard for the designated height to be used for all newly studied reaches shall be one-half foot (six inches). Letter of Map Revision (LOMR) to existing floodway delineations may continue to use the floodway criteria in place at the time of the existing floodway delineation.

- II. "Freeboard" means the vertical distance in feet above a predicted water surface elevation intended to provide a margin of safety to compensate for unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood such as debris blockage of bridge openings and the increased run-off due to urbanization of the watershed.
- JJ. "Functionally dependent use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities or port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.
- KK. "Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- LL. "Historic structure" means any structure that is (1) listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (2) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (3) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or (4) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior, or, directly by the Secretary of the Interior in states without approved programs.
- MM. "Levee" means a man-made embankment, usually earthen, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding. For a levee structure to be reflected on the FEMA FIRMs as providing flood protection, the levee structure must meet the requirements set forth in 44 CFR 65.10.
- NN. "Levee system" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.
- OO. "Letter of Map Revision" or "LOMR" means FEMA's official revision of an effective FIRM, or Flood Boundary and Floodway Map (FBFM), or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA).
- PP. "Letter of Map Revision Based on Fill" or "LOMR-F" means FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the FIRM based on the placement of fill outside the existing regulatory floodway.
- QQ. "Lowest floor" means the lowest floor of the lowest enclosed area (including basement). Any floor used for living purposes which includes working, storage, sleeping, cooking and eating, or recreation or any combination thereof. This includes any floor that could be converted to such a use such as a basement or crawl space. The lowest floor is a determinate for the flood insurance premium for a building, home or business. An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the NFIP regulations.
- RR. "Manufactured home" means a manufactured home, modular home or factory-built home that is transportable in one or more sections, which is built on a permanent chassis and is designed for use with a

permanent foundation when connected to the required utilities. The term "manufactured home" does not include "recreational vehicle."

- SS. "Manufactured, modular or factory-built home park or subdivision" means a parcel (or contiguous) parcels of land divided into two or more manufactured home lots for rent or sale.
- TT. "Mean sea level" means the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's FIRM are referenced (for NFIP purposes).
- UU. "Material safety data sheet" or "MSDS" means a form with data regarding the properties of a particular substance. An important component of product stewardship and workplace safety, it is intended to provide workers and emergency personnel with procedures for handling or working with that substance in a safe manner, and includes information such as physical data (melting point, boiling point, flash point, etc.), toxicity, health effects, first aid, reactivity, storage, disposal, protective equipment, and spill-handling procedures.
- VV. "National Flood Insurance Program" or "NFIP" means FEMA's program of flood insurance coverage and floodplain management administered in conjunction with the Robert T. Stafford Relief and Emergency Assistance Act.
- WW. "No-rise certification" means a record of the results of an engineering analysis conducted to determine whether a project will increase flood heights in a floodway. A no-rise certification must be supported by technical data and signed by a registered Colorado Professional Engineer. The supporting technical data should be based on the standard step-backwater computer model used to develop the 100-year floodway shown on the FIRM or FBFM.
- XX. "Physical map revision" or "PMR" means FEMA's action whereby one or more map panels are physically revised and republished. A PMR is used to change flood risk zones, floodplain and/or floodway delineations, flood elevations, and/or planimetric features.
- YY. "Recreational vehicle" means a vehicle which is:
1. Built on a single chassis;
 2. 400 square feet or less when measured at the large's horizontal projections;
 3. Designed to be self-propelled or permanently towable by a light-duty truck; and
 4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- ZZ. "Special flood hazard area" means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year, i.e., the 100-year floodplain.
- AAA. "Start of construction" means the date the building permit was issued, including substantial improvements, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on the site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- BBB. "Structure" means a walled and roofed building, including manufactured, modular or factory-built home.

- CCC. "Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damage condition would equal or exceed 50 percent of the market value of the structure just prior to when the damage occurred.
- DDD. "Substantial improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "Start of construction" of the improvement. The value of the structure shall be determined by the town, in its sole discretion. This includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:
1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the building official and which are the minimum necessary conditions; or
 2. Any alteration of an "historic structure" provided that that alteration will not preclude the structure's continued designation as an "historic structure."
- EEE. "Threshold planning quantity" or "TPQ" means a quantity designated for each chemical on the list of extremely hazardous substances that triggers notification by facilities to the state that such facilities are subject to emergency planning requirements.
- FFF. "Variance" means a grant of relief to a person from the requirement of this chapter when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this chapter. (For full requirements, see Section 60.6 of the NFIP regulations.)
- GGG. "Violation" means the failure of a structure or other development to be fully compliant with the town's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the NFIP regulations is presumed to be in violation until such time as that documentation is provided.
- HHH. "Water surface elevation" or "WSE" means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

15.16.040 General provisions.

- A. **Lands to Which This Chapter Applies.** This chapter shall apply to all special flood hazard areas and areas removed from the floodplain by the issuance of a FEMA Letter of Map Revision Based on Fill (LOMR-F) within the town.
- B. **Basis for Establishing the Areas of Special Flood Hazard Area.** The special flood hazard areas identified by FEMA in a scientific and engineering report entitled, "The Flood Insurance Study for the Town of Silt", dated May 31, 2005, with accompanying Flood Insurance Rate Maps and/or Flood Boundary Floodway Maps (FIRM and/or FBFM) and any revisions thereto are hereby adopted by reference and declared to be a part of this chapter. These special flood hazard areas identified by the FIS and attendant mapping are the minimum area of applicability of this chapter and may be supplemented by studies designated and approved by the Town of Silt. The floodplain administrator shall keep a copy of the FIS, DFIRMs, FIRMs, and/or FBFMs on file and available for public inspection.
- C. **Establishment of Floodplain Development Permit.** A floodplain development permit shall be required to ensure conformance with the provisions of this chapter.
- D. **Compliance.** No structure or land shall hereafter be located, altered, or have its use changed within the special flood hazard area without full compliance with the terms of this chapter and other applicable regulations. Nothing herein shall prevent the town from taking such lawful action as is necessary to prevent

or remedy any violation. These regulations meet the minimum requirements as set forth by the Colorado Water Conservation Board (CWCB) and the NIFP.

- E. Abrogation and Greater Restrictions. This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- F. Interpretation. In the interpretation and application of this chapter, all provisions shall be:
 - 1. Considered as minimum requirements;
 - 2. Liberally construed in favor of the governing body; and
 - 3. Deemed neither to limit nor repeal any other powers granted under state statutes.
- G. Warning and Disclaimer of Liability. The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the special flood hazard area or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the town or any official or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

15.16.050 Administration.

- A. Designation of Town Administrator. The town administrator or his designee is hereby appointed as floodplain administrator to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.
- B. Duties and Responsibilities of the Floodplain Administrator. Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:
 - 1. Maintain and hold open for public inspection all records pertaining to the provisions of this chapter, including the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures and any flood-proofing certificate required by Section 15.32.060 of this Code;
 - 2. Review, approve, or deny all applications for floodplain development permits required by adoption of this chapter;
 - 3. Review floodplain development permit applications to determine whether a proposed building site, including the placement of manufactured homes, will be reasonably safe from flooding;
 - 4. Review permits for proposed development to assure that all necessary permits have been obtained from those federal, state or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required;
 - 5. Inspect all development at appropriate times during the period of construction to ensure compliance with all provisions of this chapter, including proper elevation of the structure;
 - 6. Where interpretation is needed as to the exact location of the boundaries of the special flood hazard area (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the floodplain administrator shall make the necessary interpretation;
 - 7. When base flood elevation data has not been provided in accordance with Section 15.32.040(8), the floodplain administrator shall obtain, review and reasonably utilize any BFE data and floodway data available from a federal, state, or other source, in order to administer the provisions for flood hazard reduction;

8. For waterways with BFE for which a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one-half foot at any point within the community;
9. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, the town may approve certain development in Zones A1-30, AE, AH, on the town's FIRM which increases the water surface elevation of the base flood by more than one-half foot, provided that the community first applies for a conditional FIRM revision through FEMA (Conditional Letter of Map Revision), fulfills the requirements for such revisions as established under the provisions of Section 65.12 and receives FEMA approval;
10. Notify, in riverine situations, adjacent communities and the state coordinating agency, which is the Colorado Water Conservation Board, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to FEMA;
11. Ensure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

15.16.060 Permit procedures.

- A. Application for a floodplain development permit shall be presented to the floodplain administrator on forms furnished by the town and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured, modular and factory-built homes, and the location of the foregoing in relation to special flood hazard area:
 1. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;
 2. Elevation in relation to mean sea level to which any nonresidential structure shall be flood-proofed;
 3. A certificate from a registered Colorado Professional Engineer or architect that the nonresidential flood-proofed structure shall meet the flood-proofing criteria of Section 15.32.080(B);
 4. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development;
 5. Maintain a record of all such information in accordance with this chapter.
- B. Approval or Denial of Floodplain Development Permit—Basis. Approval or denial of a floodplain development permit by the floodplain administrator shall be based on all of the provisions of this chapter and the following relevant factors:
 1. The danger to life and property due to flooding or erosion damage;
 2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 3. The danger that materials may be swept onto other lands to the injury of others;
 4. The compatibility of the proposed use with existing and anticipated development;
 5. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 6. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;

7. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
8. The necessity to the facility of a waterfront location, where applicable;
9. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
10. The relationship of the proposed use to the comprehensive plan for that area.

C. Variance Procedures.

1. The board of ~~adjustment-trustees~~ shall hear and render judgment on requests for variances from the requirements of this chapter;
2. The board of ~~adjustment-trustees~~ shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this chapter;
3. Any person or persons aggrieved by the decision of the board of ~~adjustment-trustees~~ may appeal such decision in the courts of competent jurisdiction;
4. The floodplain administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request;
5. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this chapter;
6. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in this chapter have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases;
7. Upon consideration of the factors noted above and the intent of this chapter, the board of ~~adjustment-trustees~~ may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this chapter;
8. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result;
9. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure;
10. Prerequisites for granting variances:
 - a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - b. Variances shall only be issued upon:
 - i. Showing a good and sufficient cause;
 - ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - iii. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances,

cause fraud on or victimization of the public, or conflict with existing provisions of this Code.

- c. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
11. Variances may be issued by the board of ~~adjustment-trustees~~ for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
 - a. The criteria outlined in the above variance procedures are met; and
 - b. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

15.16.070 Floodplain development permit fee.

An applicant for a floodplain development permit shall pay to the town a fee as set by the board of trustees by resolution annually, or more often as necessary. Applicant shall additionally pay all of the town's incurred costs for experts and/or engineers, who assist the town in review of the application and/or determination of the floodplain.

15.16.080 General standards for flood hazard reduction.

- A. Anchoring. In all special flood hazard areas, the following provisions are required for all new construction and substantial improvements:
 1. All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 2. All manufactured, modular and factory-built homes must be elevated and anchored to resist flotation, collapse or lateral movement and capable of resisting the hydrostatic and hydrodynamic loads. Methods of anchoring may include, but are not limited to use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and this section's anchoring requirements for resisting wind forces. Specific requirements may be:
 - a. Over-the-top ties be provided at each of the four corners of the manufactured, modular or factory-built home, with two additional ties per side at intermediate locations, with manufactured, modular or factory-built homes less than 50 feet long requiring one additional tie per side;
 - b. Frame ties be provided at each corner of the home with five additional ties per side at intermediate points, with manufactured, modular or factory-built homes more than 50 feet long requiring four additional ties per side;
 - c. All components of the anchoring system be capable of carrying a force of 4,800 pounds; and
 - d. Any additions to the manufactured, modular or factory-built home shall be similarly anchored.
 3. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.

4. All new construction or substantial improvements shall be constructed with materials resistant to flood damage.

B. Utilities.

1. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
2. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
3. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and
4. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

C. Subdivision Proposals.

1. All subdivision proposals shall be consistent with the need to minimize flood damage.
2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

15.16.090 Specific standards for flood hazard reduction.

In all special flood hazard areas where base flood elevation data has been provided as set forth in ~~(i) Section 15.32.040(B), (ii) Section 15.32.050(8)(7), and (iii) Section 15.32.130~~ Section 15.16.090, the following provisions are required:

- A. Residential Construction. A registered Colorado professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to one foot above the base flood elevation. Upon completion of the structure, the elevation of the lowest floor, including basement, shall be certified by a registered Colorado professional engineer, architect, or land surveyor. Such certification shall be submitted to the floodplain administrator.
- B. Nonresidential Construction. With the exception of critical facilities, outlined in Section ~~15.32.140~~ 15.16.150, new construction and substantial improvements of any commercial, industrial, or other nonresidential structure shall conform to the following:
 1. Either have the lowest floor (including basement) elevated to one foot above the base flood elevation; or
 2. Together with attendant utility and sanitary facilities, be designed so that at one foot above the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
- C. Openings in Enclosures Below the Lowest Floor. New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access, or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered Colorado professional engineer or architect or meet or exceed the following minimum criteria:

1. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 2. The bottom of all openings shall be no higher than one foot above grade.
 3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- D. **Manufactured, Modular and Factory-Built Homes.**
1. Manufactured, modular and factory built homes that are placed or substantially improved within Zones A1-30, AH, and AE on the town's FIRM on sites (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; (d) in an existing manufactured home park or subdivision on which manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to one foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
 2. All manufactured, modular and factory-built homes placed or substantially improved on sites in an existing manufactured, modular or factory-built home park or subdivision within Zones A1-30, AH and AE on the town's FIRM that are not subject to the provisions of Section 15.32.080(D)(1)16 above, shall be elevated so that either:
 - a. The lowest floor of the manufactured, modular or factory-built home is one foot above the base flood elevation; or
 - b. The manufactured, modular or factory-built home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- E. **Recreational Vehicles.** A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions. All recreational vehicles placed on sites within Zones A1-30, AH, and AE on the town's FIRM shall either:
1. Be on the site for fewer than 180 consecutive days;
 2. Be fully licensed and ready for highway use; or
 3. Meet the permit requirements of ~~Section 15.32.060~~this code, and the elevation and anchoring requirements for "manufactured, modular and factory-built homes" in Section 15.32.080(D)16 above.
- F. **Prior Approved Activities.** Any activity for which a floodplain development permit was issued by the Town of Silt or a CLOMR was issued by FEMA prior to the effective date of this chapter may be completed according to the standards in place at the time of the permit of CLOMR issuance and will not be considered in violation of this chapter if it meets such standards.

15.16.100 Standards for areas of shallow flooding in AO and AH Zones.

Located within the special flood hazard area established in 15.16 of the Code, are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

- A. **Residential Construction.** All new construction and substantial improvements of residential structures must have the lowest floor (including basement) elevated above the highest adjacent grade at least one foot above the depth number specified in feet on the community's FIRM (at least three feet if no depth number is specified). Upon completion of the structure, the elevation of the lowest floor, including basement, shall be certified by a registered Colorado professional engineer, architect, or land surveyor. Such certification shall be submitted to the floodplain administrator.
- B. **Non-Residential Construction.** A registered Colorado professional engineer or architect shall submit a certification to the floodplain administrator that the standards of this section, as proposed in Section 15.16 of the Code, are satisfied. With the exception of critical facilities, outlined in Section 15.16 of the Code, all new construction and substantial improvements of non-residential structures, must have the lowest floor (including basement) elevated above the highest adjacent grade at least one foot above the depth number specified in feet on the community's FIRM (at least three feet if no depth number is specified), or together with attendant utility and sanitary facilities be designed so that the structure is watertight to at least one foot above the base flood level with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy. Within Zones AH or AO, adequate drainage paths around structures on slopes are required to guide flood waters around and away from proposed structures.

15.16.110 Floodways.

Floodways are administrative limits and tools used to regulate existing and future floodplain development. The State of Colorado has adopted floodway standards that are more stringent than the FEMA minimum standard (see definition of "Floodway"). Located within special flood hazard area established in Section 15.16, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

- A. Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed by a licensed Colorado professional engineer and in accordance with standard engineering practice that the proposed encroachment would not result in any increase (requires a no-rise certification) in flood levels within the community during the occurrence of the base flood discharge.
- B. If Section 15.16 above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this chapter.
- C. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a CLOMR and floodway revision through FEMA.

15.16.120 Alteration of a watercourse.

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

- A. Channelization and flow diversion projects shall appropriately consider issues of sediment transport, erosion, deposition, and channel migration and properly mitigate potential problems through the project as well as upstream and downstream of any improvement activity. A detailed analysis of sediment transport and overall channel stability should be considered, when appropriate, to assist in determining the most appropriate design.
- B. Channelization and flow diversion projects shall evaluate the residual 100-year floodplain.

- C. Any channelization or other stream alteration activity proposed by a project proponent must be evaluated for its impact on the regulatory floodplain and be in compliance with all applicable federal, state and town floodplain rules, regulations and ordinances.
- D. Any stream alteration activity shall be designed and sealed by a registered Colorado professional engineer or certified professional hydrologist.
- E. All activities within the regulatory floodplain shall meet all applicable federal, state and Town of Silt floodplain requirements and regulations.
- F. Within the regulatory floodway, stream alteration activities shall not be constructed unless the project proponent demonstrates through a floodway analysis and report, sealed by a registered Colorado professional engineer, that there is not more than a 0.00-foot rise in the proposed conditions compared to existing conditions floodway resulting from the project, otherwise known as a no-rise certification, unless the community first applies for a CLOMR and floodway revision in accordance with Section 15.16 of this Code.
- G. Maintenance shall be required for any altered or relocated portions of watercourses so that the flood-carrying capacity is not diminished.

15.16.130 Properties removed from the floodplain by fill.

A floodplain development permit shall not be issued for the construction of a new structure or addition to an existing structure on a property removed from the floodplain by the issuance of a FEMA Letter of Map Revision Based on Fill (LOMR-F), with a lowest floor elevation placed below the base flood elevation with one foot of freeboard that existed prior to the placement of fill.

15.16.140 Standards for subdivision proposals.

- A. All subdivision proposals including the placement of manufactured, modular or factory-built home parks and subdivisions shall be reasonably safe from flooding. If a subdivision or other development proposal is in a flood-prone area, the proposal shall minimize flood damage.
- B. All proposals for the development of subdivisions including the placement of manufactured, modular and factory-built home parks and subdivisions shall meet floodplain development permit requirements of this chapter.
- C. Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured, modular or factory-built home parks and subdivisions which is greater than 50 lots (units) or five acres, whichever is lesser, if not otherwise provided pursuant to this chapter.
- D. All subdivision proposals including the placement of manufactured, modular or factory-built home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
- E. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

15.16.150 Standards for critical facilities.

A critical facility is a structure or related infrastructure, but not the land on which it is situated, as specified in Rule 6 of the Rules and Regulations for Regulatory Floodplains in Colorado, that, if flooded may result in significant

hazards to public health and safety or interrupt essential services and operations for the community at any time before, during and after a flood.

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

3. Facilities shall be determined to be critical facilities if they produce or store materials in excess of threshold limits. If the owner of a facility is required by the Occupational Safety and Health Administration (OSHA) to keep a Material Safety Data Sheet (MSDS) on file for any chemicals stored or used in the work place, and the chemical(s) is stored in quantities equal to or greater than the Threshold Planning Quantity (TPQ) for that chemical, then that facility shall be considered to be a critical facility. The TPQ for these chemicals is: either 500 pounds or the TPQ listed (whichever is lower) for the 356 chemicals listed under 40 C.F.R. § 302 (2010), also known as Extremely Hazardous Substances (EHS); or 10,000 pounds for any other chemical. This threshold is consistent with the requirements for reportable chemicals established by the Colorado Department of Health and Environment. OSHA requirements for MSDS can be found in 29 C.F.R. § 1910 (2010). The Environmental Protection Agency (EPA) regulation "Designation, Reportable Quantities, and Notification," 40 C.F.R. § 302 (2010) and OSHA regulation "Occupational Safety and Health Standards," 29 C.F.R. § 1910 (2010) are incorporated herein by reference and include the regulations in existence at the time of the promulgation of this chapter, but exclude later amendments to or editions of the regulations.
 - a. Exemptions:
 - i. Finished consumer products within retail centers and households containing hazardous materials intended for household use, and agricultural products intended for agricultural use;
 - ii. Buildings and other structures containing hazardous materials for which it can be demonstrated to the satisfaction of the town having jurisdiction by hazard assessment and certification by a qualified professional (as determined by the town having land use authority) that a release of the subject hazardous material does not pose a major threat to the public;
 - iii. Pharmaceutical sales, use, storage, and distribution centers that do not manufacture pharmaceutical products.
 - b. These exemptions shall not apply to buildings or other structures that also function as critical facilities under another category outlined in this chapter.
4. At-risk population facilities include medical care, congregate care, and schools, including but not limited to elder care (nursing homes), congregate care serving 12 or more individuals (day care and assisted living), public and private schools.
5. Facilities vital to restoring normal services including but not limited to essential government operations (public records, courts, jails, building permitting and inspection services, community administration and management, maintenance and equipment centers) and essential structures for public colleges and universities (dormitories, offices, and classrooms only).
 - a. Exemptions.
 - i. These facilities may be exempted if it is demonstrated to the town that the facility is an element of a redundant system for which service will not be interrupted during a flood.
 - ii. At a minimum, it shall be demonstrated that redundant facilities are available (either owned by the same entity or available through an intergovernmental agreement or other contract), the alternative facilities are either located outside of the 100-year floodplain or are compliant with this chapter, and an operations plan is in effect that states how redundant facilities will provide service to the affected area in the event of a

flood. Evidence of ongoing redundancy shall be provided to the town on an as-needed basis upon request.

- B. Protection for Critical Facilities. All new and substantially improved critical facilities and new additions to critical facilities located within the special flood hazard area shall be regulated to a higher standard than structures not determined to be critical facilities. For the purposes of this chapter, protection shall include one of the following:
 - 1. Location outside the special flood hazard area; or
 - 2. Elevation or flood-proofing of the structure to at least two feet above the base flood elevation.
- C. Ingress and Egress for New Critical Facilities. New critical facilities shall, when practicable as determined by the town, have continuous non-inundated access (ingress and egress for evacuation and emergency services) during a 100-year flood event.
- D. Responsibility. It is the responsibility of the town to identify and confirm that specific structures in the community meet the criteria of the previous section.

15.1617.020-160 Violation—Penalty.

The town may issue a citation to a violator of Chapter 15.16 (Floodplain development) in accordance with Chapter 1.12 of this code.

BOARD OF TRUSTEES REGULAR MEETING

May 22, 2023

AGENDA ITEM SUMMARY

SUBJECT: Silt Water Treatment Plant Update

PROCEDURE: Discussion Item

SUMMARY AND BACKGROUND OF SUBJECT MATTER: As you know, Dewberry engineers conducted a technical study of the Silt W/WW plants and produced master plans to be used specifically to develop short and long-term plans and costs for implementing improvements. This work was critical in order to complete the “Project Needs Assessment” (PNA) for the State of Colorado by their June 30, 2022 deadline. The PNA is required in order to be eligible for low interest loans and grants offered by the Federal government through the State.

Town Staff has been working with consultants and State of Colorado staff to document the need for the project, how to accomplish it and how to pay for it. Personnel have spent the entire time evaluating and re-evaluating strategies, costs, funding sources, rate structures, etc. in order to prepare a loan application package this year. Please see the attached power point presentation and the slides marked “Decision Matrix” for a partial list of factors the staff has considered.

Staff and consultants will be on hand at the meeting on May 22 to prepare the Board for their May 30 decision.

RECOMMENDATION: After careful review of the information available at this time, staff and consultants recommend that the Board direct staff to apply for a Drinking Water Revolving Fund to cover the costs of the Silt Water Treatment Plant remodel. We will bring the value of this loan package to you for your Special Meeting on May 30. It will likely be approximately \$27 M. Keep in mind that once approved, the loan amount can be reduced, but not increased. There is no obligation to accept the loan by the vote you take next week.

ORIGINATED BY: Jeff Layman

PRESENTED BY: Jeff Layman/Trey Fonner/Jim Mann/Patrick Radabaugh

TOWN ATTORNEY REVIEW: / / Yes /X / No

DOCUMENTS ATTACHED: Silt Water Treatment Plant Power Point Slides

SUBMITTED BY:

Jeff Layman
Jeff Layman, Town Administrator

REVIEWED BY:

Sheila M. McIntyre
Sheila M. McIntyre, Town Clerk

Silt Water Treatment Plant

Decision Matrix / Summary of Options

May 22, 2023

Silt Water Treatment Plant

- **Decision Matrix**

- **Assuming** that the need for the plant upgrades has been demonstrated
- We Need \$
- Best Source: State of Colorado's DWRF (Drinking Water Revolving Fund)
 - CDPHE (DWCD), DOLA, CWRPDA

Water Quality Control Division (WQCD) of the Colorado Department of Public Health & Environment • Primary agency. • Program administration (including managing set asides and technical assistance programs). • Technical review and advisory role • Federal reporting

- **Colorado Water Resources & Power Development Authority (CWRPDA or “the Authority”)** • Loan Decisions, Financial structure. • Manages budgets and investments. • Disburses funds. • Federal reporting. • Provides state match. • Loan portfolio monitoring

- **Colorado Department of Local Affairs (DOLA)** • Conducts financial capacity assessments. • Financial and managerial assistance to systems. • Coordinates funding collaboration. • SRF outreach

Silt Water Treatment Plant

- **Decision Matrix**

- Other Sources: USDA (more red tape, less streamlined, process conflicts with DWRF, takes longer)
- Drinking Water Revolving Fund Loan Application Deadlines
 - June 15, 2023
 - January 15, 2024
- Which date should we choose?
- Decision to be made at Tuesday, May 30 Special Meeting

Silt Water Treatment Plant

- **Decision Matrix**

- Cost
- BASE Principal Forgiveness (Federal Drinking Water Program)
- BIL Principal Forgiveness (Federal Infrastructure Spending)
- Disadvantaged Communities Design \$
- USDA Program Evaluation
- Additional Grants (FMLD, other?)
- Emerging Contaminates Funding (Federal Infrastructure Spending)
- Congressionally Directed Spending (Earmark)
- Congressional “Claw-backs” due to Debt Crisis
- Sustainable Strategies (Additional Funding?)

Silt Water Treatment Plant

- **Decision Matrix**

- Interest Rate
- Total Expense over 20 Years
- Construction Costs (What does waiting 7 months do to costs?)
- Construction “Value Engineering”: Garney/Dewberry
- Ratepayer: Average Monthly Cost
- SRF Recommendation
- Plant Size: .75 mgd vs. 1.0 mgd
- Rate Structure
- 20 Year Rate Structure: “backloading” to reduce rates now, ramping up

Silt Water Treatment Plant

- **Decision Matrix**

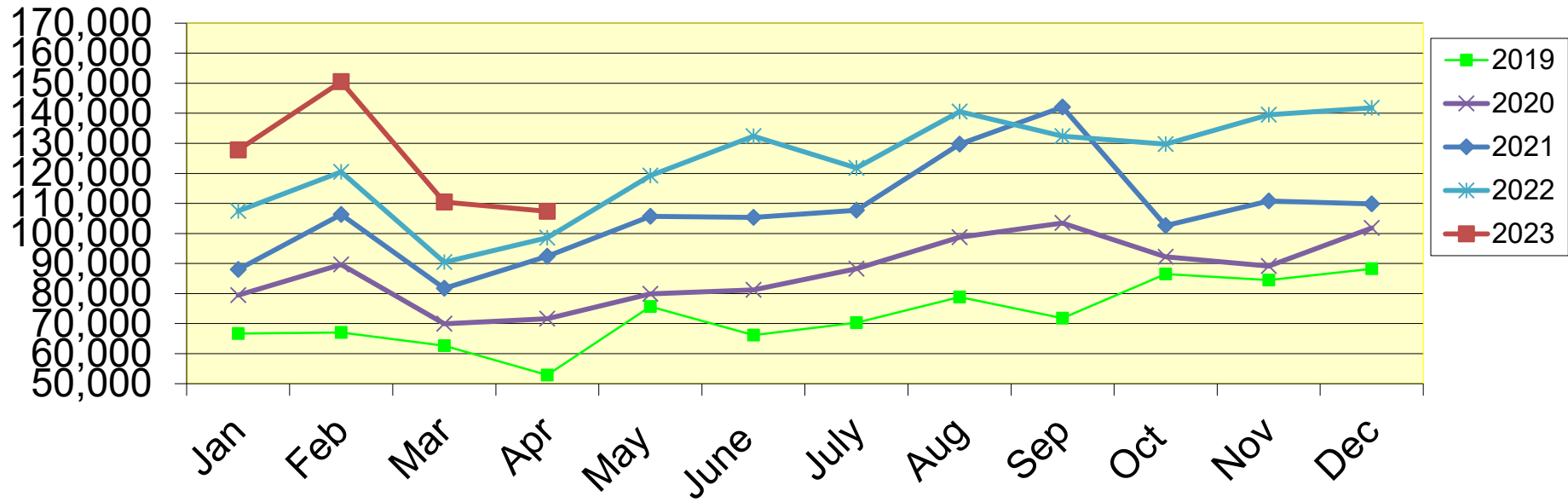
- Drinking Water Revolving Fund Loan Application Deadlines
 - June 15, 2023
 - January 15, 2024
- Which date should we choose?
- Decision to be made at Tuesday, May 30 Special Meeting
- **Staff Recommendation: June 15, 2023**

Town of Silt

Month Town Received Funds

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Total	increase/ decrease %
2019	66,667	67,063	62,651	52,890	75,666	66,144	70,293	78,867	71,805	86,548	84,521	88,243	871,358	6.59
2020	79,495	89,702	69,937	71,613	79,900	81,218	88,277	98,766	103,464	92,270	89,183	101,808	1,045,633	20
2021	87,992	106,303	81,733	92,390	105,699	105,337	107,768	129,723	142,057	102,590	110,788	109,873	1,282,253	22.63
2022	107,452	120,470	90,424	98,562	119,243	132,384	121,773	140,529	132,355	129,730	139,522	141,817	1,474,261	14.9
2023	127,798	150,495	110,482	107,367									496,142	19

Sales Tax Collected 2019-2023



Y-T-D		Total
249,271	2019	871,358
310,747	2020	1,045,633
368,418	2021	1,282,253
416,908	2022	1,474,261
496,142	2023	496,142

*** \$81,291 from October 2020 tax was remitted by mistake. This amount was deducted from the remittance for the month of January 2021. I have posted numbers in those respective months that reflect the actual/real revenues for comparison purposes.

Town of Silt Monthly Financial / Cash Flow Report

April 2023 (33% of the Year has elapsed)

Fund	YTD Revenues	Budgeted Revenues	%	YTD Expenses	Budgeted Expenses	%	Revenues over/under Expenses	Current Fund Balance
General Fund	1,599,576	4,156,951	38.5%	1,058,470	5,343,470	19.8%	541,106	5,606,161
Conservation Trust Fund	15,281	45,100	33.9%	708	30,000	2.4%	14,573	129,750
Water & Wastewater Fund	916,795	4,412,700	20.8%	1,013,072	5,155,653	19.6%	-96,277	2,602,900
Irrigation Fund	92,869	322,000	28.8%	133,627	413,376	32.3%	-40,758	373,864
Victim Assistance Fund	836	11,000	7.6%	0	15,300	0.0%	836	39,124
Beautification Fund	26,957	170,040	15.9%	33,985	312,000	10.9%	-7,028	192,685
Park Impact Fund	4,792	66,560	7.2%	155,635	160,000	97.3%	-150,843	9,187
Construction Impact Fund	11,495	35,500	32.4%	106,647	118,000	90.4%	-95,152	33,296
Silt Housing Authority	69,062	290,000	23.8%	77,452	307,257	25.2%	-8,390	222,118
Economic Devel. Revolving	11,299	18,000	62.8%	0	16,235	0.0%	11,299	60,053
Total	2,748,962	9,527,851		2,579,596	11,871,291		169,366	9,269,138
	YTD Revenue	% of Budget						
Sales Tax	496,141	38.2%						
Use Tax	156,086	39.0%						
	YTD Revenue	% of Budget						
Trash Service Fees	156,896	34.9%						
Water Service Fees	336,144	33.6%						
Wastewater Service Fees	430,551	33.6%						
Irrigation Fees	88,389	33.6%						

Town of Silt Finance Report

Month: April 2023 (33% of year has elapsed)

General Fund

Revenue	\$ 1,599,576	38.5%
Expenditures	\$ 1,058,470	19.8%

General Fund Revenue

Sales Tax:	\$ 496,141	38.2%
Use Tax:	\$ 156,086	39.0%

Funds Report

Water/Wastewater:

Revenue	\$ 916,795	20.8%
Expense	\$ 1,013,072	19.6%

Irrigation:

Revenue	\$ 92,869	28.8%
Expense	\$ 133,627	32.3%

Silt Housing Authority:

Revenue	\$ 69,062	23.8%
Expense	\$ 77,452	25.2%

Investments

Cash:	8,976,423
Checking:	147,522 ANB
Money Market:	2,160,663 ANB
CSafe 01	520,828 CSafe
CSafe 02	4,581,449 CSafe
Csafe 03	615,020 CSafe
ColoTrust Gen Fund	37,194 ColoTrust
ColoTrust W/WW	836,646 ColoTrust
ColoTrust Housing	122,293 ColoTrust
Utilities Cash Clearing:	(4,095)
Court Cash Clearing	(14,406)
Returned Check Clearing:	308
W/WW Reserved Cash:	(27,000)



May 5, 2023

News You Can Use

Colorado River Fire Rescue Mitigation Project



The Colorado River Fire Rescue Wildland Division has been conducting mitigation projects in the Silt area and will be continuing those efforts this week. The Garfield County Community Wildland Protection Plan has identified a few locations in the Town of Silt that should be attended to. Last fall, the Wildland Division began working on the area at the intersection of First Mesa Drive and Peach Valley Road. The initial work better protected the neighborhood from fire, as well as cleaned out the bottom of the drainage improving water flow and general watershed health. Part of that required the chipping and removal of material cut. CRFR worked with the Town of Silt to remove and reuse that material. CRFR also works with Garfield County Vegetation Management to properly remove Tamarisk, an invasive species found in the area.

This week, CRFR moved to the area of North 16th Street and Stoney Ridge Drive. They will be continuing cutting operations with approximately 12-14 Wildland Division crew members in the area of North 16th Street just after Stoney Ridge Drive along the bend before Morning Star Drive. This area was determined to be an area needing mitigation and CRFR operations may continue into the Spring here as needed.

We will continue to work with CRFR and Garfield County to ensure our efforts are beneficial to the community and effective. All current projects are only being conducted on Town of Silt property and will not come onto any private property at this time. If you have any questions, please feel free to contact Lieutenant Ken Hutchinson via e-mail, ken.hutchinson@crfr.us

Vandalism at Silt Parks More Than a Nuisance



An incident at Silt's Eagle's View Park this week illustrates a wide-ranging, and seemingly growing problem—vandalism at Silt parks.

On Wednesday, a group of kids, in full view of their adult minders, were seen poking and drawing in the newly poured concrete surrounding the new playground being built at the park. An alert Town of Silt Public Works Department staffer, performing a routine check of the concrete, shooed the kids away and was able to repair the damage before it had set.


A report has been filed with the Silt Police Department, which is investigating the case as tampering and criminal mischief.

Vandalism at parks and public spaces is a concern for every city and town. These crimes cost taxpayers money, mars our image and decreases real estate values. Parks and recreation departments nationally are finding that as much as 30 percent of their maintenance budget goes to vandalism repairs and cleanup.

Silt is no different. We see graffiti at nearly all parks, the skate park and damage to playground equipment, parking lots, restrooms and the Stoney Ridge Pavilion stage and facilities. It takes lots of time and effort to remediate these crimes. Time and effort that could be used in improving and maintaining those same facilities.

While the Town actively looks to employ anti-vandalism measures in its parks, it is largely up to citizens to be vigilant and immediately report wrongdoing when it is seen by calling 911. The Town also relies on citizens to report damage when noticed by calling 970-876-2353 x 106 or using the Town's "Text My Gov" feature (see below to download the app). This is Silt's version of "See Something, Say Something!"

Thanks to all of us for doing our parts to keep Silt's parks neat and clean and something that we can be proud of!



Town of Silt

Report Issues & Find Answers

Connect Via Text
Introducing a new way to skip a phone call and use your mobile phone's text messaging service to quickly find information on the go.


24/7 Assistance
Smart texting technology evaluates your input and searches keywords to provide you with assistance anytime, day or night.

Get Started
Text **91896** or any of the featured keywords to **(970)876-6007**

Receive town text message notifications!

Opt-in today.


Text **SILT** to: **91896**



What to Expect:
After the action center's sent, you will receive a confirmation message asking you to reply YES to verify opt in. You may receive up to 4 text messages a month with a notification for each alert category selection. Messages and data rates may apply. Check with your carrier for more details.

How to Opt-Out:
Text STOP to opt out and remove yourself from the notifications list.

View terms and privacy policy at: <https://www.silt.net/privacy-policy>

Powered by 

Town of Silt Board of Trustees Vacancy

The Silt Board of Trustees is looking for a resident to serve out a Trustee term until November 2025. The board meets the 2nd and 4th Mondays of each month, and additional committee work could be expected.

Qualifications:

- Minimum 18 years of age;
- Town of Silt resident for no less than 12 months;
- Registered voter; and
- All other requirements as stated in the Silt Municipal Code and Home Rule Charter

If interested in being part of a decision-making board for the Town of Silt, please complete an application and return it to the Town Clerk, PO Box 70, Silt, CO., 81652 or deliver to 231 N. 7th Street, or email to: sheila@townofsilt.org. Applications can be picked up at Town Hall, downloaded from the Town of Silt website at: townofsilt.org or by calling the Town of Silt at 876-2353 ext. 102. Applications must be received by 5:00 p.m. May 17, 2023.

Reminder: Please Do Not Put Trash in Your Recycling!

Items That are NOT Acceptable

NO PLASTIC BAGS Please, please, please, DO NOT PLACE YOUR RECYCLABLES INTO PLASTIC BAGS for collection. The plastic bags cause damage to the sorting equipment at the MRF and can contaminate the load, and an entire batch of recycling can end up in the landfill.

Plastic bags can be recycled at many retail locations such as WalMart, supermarkets, or Ace Hardware.

NO STYROFOAM • NO WINDOW GLASS

NO CERAMICS • NO DISHES • NO MIRRORS

NO PYREX DISHWARE • NO TRASH

Check Out Mountain Waste & Recycling's Mobile App

Never Miss Your COLLECTION DAY Again!



DOWNLOAD THE NEW
Mountain Waste & Recycling
MOBILE APP

With our new **MWR** mobile app you can:

- Sign-up for waste collection Reminders
- Receive Service Alerts for collection delays
- Quickly pay your bill online

Available on the **App Store** and **Google Play**

NO SMART PHONE - NO WORRIES
Get your personalized collection schedule and more online at www.mountainwaste.com

Irrigation Season Has Begun!

Use Irrigation Water Wisely

Irrigation water is available from May 1st - October 31st

What Times Of The Day Can I Water?
12:00 a.m. to 1:00 a.m. or 5:00 p.m. to 7:00 p.m.

What Days Can I Water?
Even Numbered Addresses: Mondays, Wednesdays and Saturdays
Odd Numbered Addresses: Tuesdays, Thursdays and Sundays

AUDIT
The Town is conducting a mandatory audit of all property utilizing irrigation water. Please call Town Hall to schedule your audit at 970.876.2411 x100.

What Restrictions Does The Town Enforce?
Priority Homeowners will be notified by Silt about what is not for the following violations:

- Watering on Fridays (This water is not for sale)
- Watering between the hours of 10:00 a.m. to 1:00 p.m.
- Watering less than 10 minutes per zone
- Watering more than your allotted acreage of water

EVERY DROP COUNTS
SAVE WATER

PREVENT SILT

DMV Returning to Silt May 17th

COLORADO
Department of Revenue

Can't get to the DMV??

WE BRING OUR SERVICES TO YOUR COMMUNITY

WHERE:
Town of Silt
231 N 7th St Silt, CO 81652

WHEN:
Wednesday 5/17/23
9:00 AM - 4:00 PM



RENEW OR REPLACE A DRIVER'S LICENSE, ID, OR PERMIT

NEED A FIRST-TIME DRIVERS LICENSE, ID, OR PERMIT? WE GOT YOUR BACK!!

DMV 2GO



Legal Notice

Notice of Environmental Assessment for *Town of Silt Water Treatment Plant*

Silt, Colorado

An Environmental Assessment for the *Town of Silt* has been prepared for the Water Treatment Plant Improvements project (Project). The purpose of the Project is to expand and upgrade the existing Town water treatment system. There are two primary needs for the proposed Project: (1) ensure current and future regulatory compliance, and (2) expand and upgrade WTP capacities to accommodate projected population growth and improve operations. The purpose of the Environmental Assessment is to evaluate the potential environmental impacts of the Project and how those impacts could be mitigated.

This Environmental Assessment will be posted for 30 days on the Town's website at http://www.townofsilt.org/water_wastewater. Comments on the Environmental Assessment shall be submitted in writing to Dewberry Engineers at kbosma@dewberry.com.

The point of contact for the *Town of Silt* is *Trey Fenner, Public Works Director, 970-876-2353*.



Garfield County Administration
108 8th Street, Glenwood Springs, CO 81601

PRESS RELEASE

5 4 23

County providing sandbags for flood mitigation

Up to 20 filled, 50 unfilled bags available to residents of unincorporated areas

GARFIELD COUNTY, CO – Garfield County is providing sandbags to residents in unincorporated areas who may be at risk of flooding as the local snowpack melts and rivers and streams rise. Up to 20 filled sandbags may be available on site at Garfield County Road and Bridge locations or residents can pick up 50 empty sandbags that they can fill off site.

The bags area available from 8 a.m. to 4 p.m. at the Rifle Road and Bridge campus, 0298 County Road 333A, and by appointment only from 7 a.m. to 3 p.m. at the Glenwood Springs facility, 7300 Highway 82. Residents of unincorporated western Garfield County can also pick up unfilled sandbags at the De Beque Fire Protection District station, 4580 U.S. Highway 6. Those bags can be filled at the Cowboy Chapel at the corner of county roads 204 and 211, just north of De Beque.

Residents living within cities or towns should contact those municipalities directly for assistance with issues related to potential flooding. Contact Garfield County Road and Bridge at (970) 625-8601 for more information or to schedule an appointment to pick up sandbags at the Glenwood Springs location.

Visit [garfield-county.com](https://www.garfield-county.com) for local updates on flood conditions and possible impacts and sign up for Garfield County Emergency Communications Authority (GarCo911) alerts at garco911.com/.

Media contact

Renelle Lott

Chief Communications Officer

Garfield County

108 8th Street, Glenwood Springs, CO 81601

970.384.3844 | office

970.366.2275 | cell

rlott@garfield-county.com

www.garfield-county.com

www.garfield-county.com



May 12th, 2023

News You Can Use

Tree & Shrub Height Ordinances in Silt



According to Silt Municipal Code 12.16.130, every homeowner must keep any vegetation or tree that hangs over a sidewalk, alley, road, or corner pruned so that it does not obstruct street lamps, views into an intersection, or right of ways for the public. Trees must be trimmed to leave a clear space of 13 feet above the street and 10 feet above sidewalks. Dead branches, limbs, or other dead vegetation shall be removed by the owner. Also, according to the Town Code 17.43.030, all plants on corner lots over 30 inches tall shall be planted outside of the sight visibility triangle. A sight visibility triangle is the ability to easily see traffic coming from either direction before entering a street.

Thank you for helping keep the Town of Silt safe for everyone!

DMV Will Be Here This Wednesday

 **COLORADO**
Department of Revenue

Can't get to the DMV??

WE BRING OUR SERVICES TO YOUR COMMUNITY

WHERE:
Town of Silt
231 N 7th St Silt, CO 81652

WHEN:
Wednesday 5/17/23
9:00 AM - 4:00 PM



RENEW OR REPLACE A DRIVER'S LICENSE, ID, OR PERMIT

NEED A FIRST-TIME DRIVERS LICENSE, ID, OR PERMIT? WE GOT YOUR BACK!!

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Download Mountain Waste's New App

Never Miss Your COLLECTION DAY Again!

DOWNLOAD THE NEW
Mountain Waste & Recycling
MOBILE APP


With our new **MWR Waste** mobile app you can:

- Sign-up for waste collection Reminders
- Receive Service Alerts for collection delays
- Quickly pay your bill online

Download on the App Store | GET IT ON Google Play

NO SMART PHONE - NO WORRIES
Get your personalized collection schedule and more online at www.mountainwaste.com

Irrigation Reminders/Dias de Riego Recordatorio



IRRIGATION WATERING DAYS
(irrigation/non-potable water only)

May through September


Even Numbered Houses
Saturday – Monday – Wednesday

Odd Numbered Houses
Sunday – Tuesday – Thursday

NO WATERING ALLOWED ON FRIDAYS

No watering allowed between the hours of 10 a.m. - 5 p.m.
Maximum 30 minutes per zone, per watering day
Violators may be issued a ticket

For questions contact Town Hall at
(970) 876-2353



DÍAS DE RIEGO
(Sólo agua de riego no potable)

De mayo a septiembre

Casa con número par
Sábado-Lunes-Miércoles

Casa con número non
Domingo-Martes-Jueves

NO SE PERMITE RIEGO LOS VIERNES

No se permite el riego entre las 10AM 5PM
Máximo 30 minutos por zona, por día de riego
Los infractores Pueden Ser Multados

Para preguntas póngase en contacto
con el ayuntamiento al
(970) 876-2353