

**BOARD OF TRUSTEES WORK SESSION**  
**May 8, 2023**

**AGENDA ITEM SUMMARY**

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**SUBJECT:** Silt Water Treatment Plant/Project Needs Assessment  
Review and Response  
**PROCEDURE:** Discussion Item

**BACKGROUND OF SUBJECT MATTER:**

As the Board is aware, JDS Hydro, now known as Respec, a consulting engineering firm hired by DOLA, on behalf of the Town to review the work done so far on the project, has finished its work and issued a report (attached).

**SUMMARY:**

Doug Schwenke, Principal Engineer with the firm, and lead engineer on this project, will present his findings to the Board. It should be noted that Mr. Schwenke has had several meetings with our project team to provide additional information and clarification over the last month or so.

**RECOMMENDATION:** The Board should hear from Doug Schwenke and discuss next steps.

**ORIGINATED BY:** Jeff Layman

**PRESENTED BY:** Doug Schwenke

**DOCUMENTS ATTACHED:** Respec Review and Response

**SUBMITTED BY:**

Jeff Layman  
Jeff Layman, Town Administrator

**REVIEWED BY:**

  
Sheila McIntyre, Town Clerk



## EXTERNAL MEMORANDUM

**To:** Desi Santerre  
Water and Wastewater Program Manager  
Colorado Department of Local Affairs  
1313 Sherman Street, Room 521  
Denver, CO 80203

**cc:** Job File - W0317.23013.001

**From:** Doug Schwenke – Principal Engineer  
Stephanie Schwenke – Project Engineer  
RESPEC  
5540 Tech Center Drive, Suite 100  
Colorado Springs, CO 80919

**Date:** May 1, 2023

**Subject:** Town of Silt – Water Treatment Plant Master Plan / PNA Review and Response

### BACKGROUND

RESPEC serves as the technical engineering contractor for the Colorado Department of Local Affairs (DOLA) Small Community Water and Wastewater Project Development Assistance Program. RESPEC has been tasked by the Town of Silt (Town) through DOLA's Northwest Regional Manager, Dana Hlavac to conduct a review of the Town of Silt's Master Plan, Project Needs Assessment (PNA), and other supporting documentation regarding a potential expansion and upgrade to the Town's potable water system. Specifically, the Town of Silt has experienced operational and capacity problems with the sedimentation, filtration, control, disinfection, and maintenance systems at its existing water treatment plant. The above-mentioned planning documents have been prepared by Silt's consultant engineer to evaluate the existing water treatment plant, identify issues with the existing water treatment plant, develop and analyze alternatives to address the issues identified at the water treatment plant, and select an appropriate alternative to solve the identified problems. At its root, the estimated project cost of approximately \$30 million for the selected alternative can be considered high, especially if the Town of Silt anticipates servicing debt to support the estimated costs over a current constituency of 3,400 users. The Town of Silt has asked RESPEC to review planning documents and other supporting documents to determine if the proposed alternative is viable, and if the associated costs are within reason. In addition, the Town has asked RESPEC to consider and suggest any alternative treatment options, raw water source options, phasing options, or other opportunities that may help reduce the projected costs of the treatment plant solution. Note that as part of the Project Development Assistance Program, RESPEC cannot complete or prepare any specific engineering

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documents or evaluations, but can suggest potential alternatives, opinions, and recommendations which the Town and its Consulting engineer can consider and further evaluate.

## DOCUMENTS REVIEWED

In preparing this document, RESPEC reviewed the following documents:

- » Town of Silt Water Treatment Plant Master Plan, Dewberry Engineers Inc., December 2022.
- » Town of Silt Project Needs Assessment for CDPHE Water Quality Control Division, Dewberry Engineers Inc., November 2022.
- » CDPHE Project Needs Assessment Review Letter, DWRF Project No. 210320D-Q, Garfield County, PWSID #CO0123710, January 4, 2023.
- » Silt Water Treatment Plant Informational Video, YouTube, December 28, 2022
- » CDPHE DOVE Site Visit Notes, December 27, 2022, following site visit to Town of Silt on December 21, 2022
- » Town of Silt 2022 Monitoring Schedule
- » Town of Silt 2022 Cross Connection Control Plan
- » Town of Silt Designation of Duties and Staffing Plan, 2022 by Dewberry Engineers, Inc., December 2022
- » Town of Silt CDPS Industrial General Water Treatment Plant Discharge Permit, January 5, 2006
- » Town of Silt Potable Water System Distribution Map
- » Town of Silt Project Area Maps, Wetlands Map, and Floodplain Map
- » Town of Silt Environmental Checklist and associated supporting documentation by Dewberry Engineers, Inc., December 2022
- » Town of Silt Summary of Water Rights, E-mail by Michael J. Sawyer, Karp, Neu, Hanlon Attorneys at Law, to Trey Fonner, Public Works Director for the Town of Silt on August 27, 2022

**EXISTING WATER TREATMENT PLANT AND PROCESSES** The existing water treatment plant was constructed in 2005 and treats two sources of raw water. The first raw water source is two alluvial wells that have been classified as Ground Water Under the Direct Influence of Surface Water (GWUDI). The second water source is surface water drawn from the Colorado River. Both sources require Silt to employ surface water type treatment. Water treatment is achieved using a microfiltration process with an associated plate settler to reduce turbidity prior to microfiltration. The water treatment plant is rated for a capacity of 1.0 Million Gallons per Day (MGD). However, due to treatment and backwashing limitations, the estimated capacity of the water treatment plant is closer to 0.60 MGD. Raw water is pumped to the water treatment plant via an intake structure located on the banks of the Colorado River or brought in from the two alluvial wells. Prior to sedimentation, the raw water is strained and metered. Following preliminary treatment, Clarifloc C1400 is dosed into the raw water at a concentration of 10 ppm to aid in coagulation and flocculation. The coagulant is mixed in-line using a flash mixer, and then sent to a plate settler for sedimentation and reduction of turbidity. Following sedimentation, treatment is achieved using two microfiltration membrane units. The microfiltration membranes require backwashing and membrane cleaning to ensure that the membranes do not foul. In addition, the membranes also go through leak testing to determine which membranes need to be replaced. Backwash is sent to an adjacent backwash holding pond, which is covered by a CDPS discharge permit through the Colorado Department of Public Health and Environment (CDPHE). Finished water from the



membrane filters is disinfected through a calcium hypochlorite tablet feed unit, with chlorine contact time achieved through a serpentine concrete chlorine contact chamber located below the treatment building. Following disinfection, water is sent to a finished water wet well where it is pumped into distribution using two vertical booster pumps. Throughout the distribution system, there are four storage tanks providing 1.8 MG of equalizing storage. However, the 0.15 MG tank is down, so there currently is only 1.68 MG of equalizing storage available.

The water treatment plant has been evaluated twice by two different engineering firms. The first evaluation occurred in 2010 and was conducted by SGM, while the second occurred in 2022 and was conducted by Dewberry Engineers, Inc. In addition, CDPHE also conducted a field visit reviewing the condition of the water treatment plant in December of 2022 as part of their Disinfection Outreach and Verification Effort (DOVE). Overall, as Silt is fully aware of, each evaluation has identified issues with the water treatment plant and associated processes that merit a renovation or full replacement of the facility. These identified issues include, but are not limited to, the following:

- >> Raw water system is not automatically controlled and can produce excess water that is not treated by the water treatment plant. Provision of controls to optimize raw feed to the water treatment plant should be considered.
- >> While the alluvial wells have relatively higher iron and manganese, they have substantially lower turbidity. Increased use or expansion of the alluvial well system would alleviate solids loading on the pre-treatment processes and improve surface water filtration.
- >> The Colorado River can experience high turbidity events during runoff season that can adversely impact the water treatment plant. Expanded use and development of the alluvial wells during runoff season could help alleviate some of the solids loading from the Colorado River.
- >> The ACH chemical used in conjunction with polymer as part of the Clarifloc coagulant to improve flocculation may be negatively impacting the membrane system, requiring increased cleanings of the microfiltration system. Ironically, CDPHE also recommends that the Silt consider increasing coagulant feed to help settle solids before the plate settler, which could further impact the performance and maintenance requirements of the microfiltration membranes.
- >> While the flash mixer helps with the mixing of the coagulant prior to the plate settler, the lack of flocculation volume and time does not allow influent raw water to bind with the coagulant. This reduces the plate settlers' ability to settle out solids and increases turbidity into the microfiltration system. Unless the plate settlers settle out well water only, the sedimentation process has a difficult time meeting the desired turbidity of 1 NTU before entering the microfiltration process. This is especially true when the Colorado River encounters runoff and high turbidities in this area.
- >> The raw water feed prior to the plate settler also lacks the dosing of an oxidant (i.e. pre-chlorination) to help oxidize iron and manganese prior to sedimentation and filtration. As seen later, iron and manganese concentrations in the alluvial wells are elevated and have exceeded the secondary Maximum Contamination Limits (MCLs) in the past.
- >> The plate settler itself is undersized and is only designed for a maximum flow of 600 gpm (0.86 MGD). While the actual capacity may be sufficient now for average day and peak hour loadings, it will not be sufficient to meet desired hydraulic loadings of 1 MGD.
- >> The existing raw water strainer and plate settler were repurposed from the previous water treatment plant and have likely served their useful life. Both of these processes should be replaced.
- >> Because of the issues with occasional high incoming turbidity and incompatible coagulant, the microfiltration membranes need to be cleaned more than originally intended. According to staff operations, backwashing must occur every 20 minutes with manual cleanings occurring



daily. This impacts how long the units can run each day, which can be a significant hinderance during peak day loadings in the summer.

- >> The existing automated clean-in-place (CIP) process does not work. This is because the design CIP process uses water heaters to heat the CIP chemicals to appropriate temperatures to support the cleaning, but the water heaters are undersized for the application and do not work. In addition, operations staff does not have time to accommodate the required CIP cleaning to occur every 6-hours during the summer peak demand season. A new and automated CIP process is recommended for the membrane filtration system, or replacement of the existing membrane filtration system has also been suggested.
- >> Because the water treatment plant uses membrane microfiltration as its surface water treatment process it does not need to sample for influent Total Organic Carbon (TOC), nor sample for its respective removal rates. Because of the suspect performance and capacity of the microfiltration system, there is potential for the formation of Disinfection Byproducts (DBP). It is recommended that Silt begin testing for influent TOC concentration, effluent TOC concentration, and subsequent TOC removal to assess DBP formation potential in the future.
- >> As mentioned before, the existing water treatment plant was intended to be rated for 1.0 MGD, which is associated with the microfiltration membrane system. Each skid has a rated capacity of 350 gpm (0.5 MGD). However, operations believe that the maximum flow that they push through the membranes is closer to 250 gpm to 300 gpm (0.36 MGD to 0.43 MGD). After an evaluation of historical water production, operations, limitations, and demands by Dewberry Engineers, Inc. their estimate is that the true capacity of the water treatment plant is closer to 0.5 MGD to 0.76 MGD, with an average estimate of 0.6 MGD. While this capacity is enough to meet current average day demands of around 0.29 MGD to 0.39 MGD, the facility must run almost 95% of the time to meet peak demands of 0.48 MGD in the summer. Due to CDPHE redundancy requirements, the state would currently rate the average day design capacity of the facility at 0.50 MGD.
- >> The current disinfection system is a calcium hypochlorite tablet system that must be manually timed to maintain chlorine residuals of 0.2 mg/L. This method may lead to overdosing of chlorine and make the finished water susceptible to the formation of DBP's. This is especially true being that the effluent concentration of TOC's is unknown. A flow paced liquid chlorine disinfection system is recommended for the efficient dosing of chlorine out of the plant.
- >> Influent test results show that the raw water out of the alluvial wells is marginally high in iron and exceedingly high in manganese. Effluent manganese levels from the plant have exceeded the secondary MCL in the past, especially when the alluvial wells are emphasized during low demand periods in the winter. The use of Seaquest has historically masked the impact of these constituents in the distribution system, but the Town of Silt should consider removing these contaminants in the treatment process all together.
- >> While the existing chlorine contact chamber has sufficient contact volume and time to meet 4-logvirus inactivation requirements both now and in the future, it may not be able to provide sufficient volume should the Town elect to employ mixed media filtration or should the regulations change. The Town may wish to consider employing UV disinfection or increase the size of the contact chamber. In addition, there is only one serpentine contact chamber, which reduces the Town's ability to pull the chamber down and clean out any settleables or solids. The Town may wish to consider adding a second and redundant contact chamber or tank.
- >> The Town may wish to increase the size of its finished water pumping to meet projected future demands.
- >> The Town may wish to construct additional finished water storage to meet future demands.
- >> The existing backwash pond has not been cleaned or maintained in some time. The pond should be cleaned of existing solids which are tested for Technologically Enhanced Naturally Occurring Radioactive Materials (TENORM) before removal.



- >> It does not appear that the existing facility is in immediate danger of catastrophic failure. This is mainly due to the diligent operations conducted by the Town of Silt staff. However, it is becoming harder and harder for Town of Silt staff to continue production at its current levels due to the issues and limitations mentioned above. In addition, the existing facility does provide a constraint on growth due to its limited design capacity and production capabilities. In addition, some of the processes (i.e. raw water strainer and plate settler) have probably reached the end of their useful life and need replacement.

## PROPOSED WATER TREATMENT PLANT IMPROVEMENTS

As mentioned above, Dewberry Engineers, Inc. has completed a Master Plan document for the Town of Silt, evaluating the existing water treatment plant. This report was completed in December of 2022 and proposes alternatives to address the issues with the water plant as summarized above. Dewberry also has completed population growth projections, associated demand projections, potential drinking water regulatory projections, cost estimates, and O&M cost projections as part of the master plan document. Information from the master plan was used to complete a project needs assessment (PNA) which was submitted to CDPHE's Grants and Loans Units as part of a Drinking Water Revolving Fund (DWRF) loan application process to help finance the proposed water treatment plant selected alternative. Currently, the Town of Silt, with assistance from its consulting engineer, Dewberry Engineers, Inc., is putting through a loan application through DWRF requesting \$30 million to finance the selected alternative as proposed in the PNA and water treatment plant master plan. The selected alternative and associated project consist of the following:

- >> New ballasted flocculation system which includes a new coagulant dosing pump, pre-coagulant tank, coagulation tank with mixing, maturation / settling tank with mixing and polymer dosing, settling clarifier with lamella and scraper arm, sand ballast recirculation pumps, and hydrocyclone to separate sand from settled sludge and return ballasted sand back to maturation / flocculation tank.
- >> New mixed media sand filtration with green sand.
- >> Combined UV and liquid chlorine disinfection system.
- >> New raw water strainer and finished water pumping into distribution.
- >> Two new buildings. One building to house the new ballasted flocculation system, and the other building to house the mixed media filtration system.
- >> Provision of new Motor Control Centers (MCC), supervisory control and data acquisition (SCADA), and associated programmable logic controllers (PLC) to be located in the new Local Control Center (LCC). All elements associated with the LCC will be housed in the existing water treatment plant building.
- >> Removal of existing plate settler and plate settler building.
- >> Removal of solids from backwash settling pond. Removal of solids from pond is assumed to include TENORM sampling and analysis before disposal is initiated.
- >> Construction of a new 0.5 MG water storage tank.
- >> This alternative does not include the expansion of the existing alluvial wells or pre-settling pond as Dewberry felt that the return on this \$2.5 million initiative did not provide sufficient return on projected flows through the alluvial well system at this time.
- >> The master plan does not appear to include any upgrades to the existing chlorine contact chamber.

Overall, the intent of the design is to increase capacity of the water treatment plant to 2.0 MGD to meet projected demands in 20-years while meeting full redundancy requirements to enable 1 MGD of



capacity while an entire treatment train is offline for servicing. The overall site has been masterplanned to increase capacity to 3.0 MGD via master planning the site. It should be noted that the PNA and associated master plan did explore other alternatives in addition to the selected alternative described above. These alternatives included the following:

- >> Consolidation of water supply systems with either Rifle or New Castle.
- >> Construction of a new solids contact clarifier sedimentation, mixed media filtration with green sand, and UV / liquid chlorine disinfection.
- >> Construction of a new plate settler sedimentation system, mixed media filtration with green sand, and UV / liquid chlorine disinfection.
- >> Construction of a new plate settler sedimentation system, microfiltration membrane system, and liquid chlorine disinfection.
- >> Construction of a new conventional packaged water treatment system which includes coagulation, flocculation, sedimentation, and filtration. The new system would also include mixed media filtration with green sand following the package system, as well as UV / liquid chlorine disinfection.

## ADVANTAGES OF SELECTED ALTERNATIVE

The proposed selected alternative addresses most of the issues identified by Dewberry in their water treatment plant master plan, SMG in their 2010 water treatment plant evaluation, and CDPHE's field visit inspection form completed in December 2022. A summary of these advantages is presented below:

- >> The proposed ballasted flocculation and sedimentation system is extremely robust and should be able to provide sufficient sedimentation and reduce turbidities to below 1 NTU in most raw water situations. The system provides ample flocculation volumes and employs a ballasted sand return system not unlike a secondary clarifier with return activated sludge process for wastewater. However, while this system is likely to succeed in providing adequate sedimentation capabilities ahead of the proposed mixed media filtration unit, it will require an extensive amount of concrete to construct the proposed basins. It is possible that one of the other sedimentation alternatives (i.e. adequately sized vertical plate settler) may require less infrastructure to house this process.
- >> The selected alternative replaces the existing strainer and plate settler system.
- >> The proposed mixed media filtration system is a proven method of filtering surface water that is relatively easy to operate and maintain. These types of systems do not require a CIP process, and media is relatively easy to change out. In addition, mixed media filtration systems such as this can be very forgiving when handling large fluctuations in raw water quality and profiles, such as what can be found in the Colorado River. The existing microfiltration membranes seem to require too much in the way of pretreatment and O&M to consistently and efficiently treat surface water presenting the turbidity levels that the Colorado River does.
- >> Provision of green sand with the mixed media filtration will assist with the removal of iron and manganese out of the alluvial wells.
- >> The provision of advanced SCADA to assist with the instrumentation and control (IC) of not only the raw water feed, but also provide real time monitoring and control of the sedimentation, filtration, and disinfection processes.
- >> Utilizing UV disinfection will help reduce the necessary contact time credits required to accommodate the implementation of mixed media for filtration. This will help with the





adequacy of the existing chlorine contact basin vs. future disinfection requirements and possible expansion.

- >> Removal of solids from the backwash pond appears necessary, assuming that the existing backwash pond has not been dredged for a long time.
- >> Expanding the water treatment plant's capacity to 2 MGD positions the Town to accommodate future growth. The proposed treatment process features two treatment trains, each with the ability to provide 1.0 MGD of capacity while the other train is under service. Master planning the site for 3 MGD allows the Town to initiate longer term planning for full development buildout, with water supply accounted for.
- >> Incorporating a Construction Manager at Risk (CMAR) process is recommended during the construction phase as this type of construction application should help to offset potential increases in construction costs in the future.

## DISADVANTAGES OF THE SELECTED ALTERNATIVE

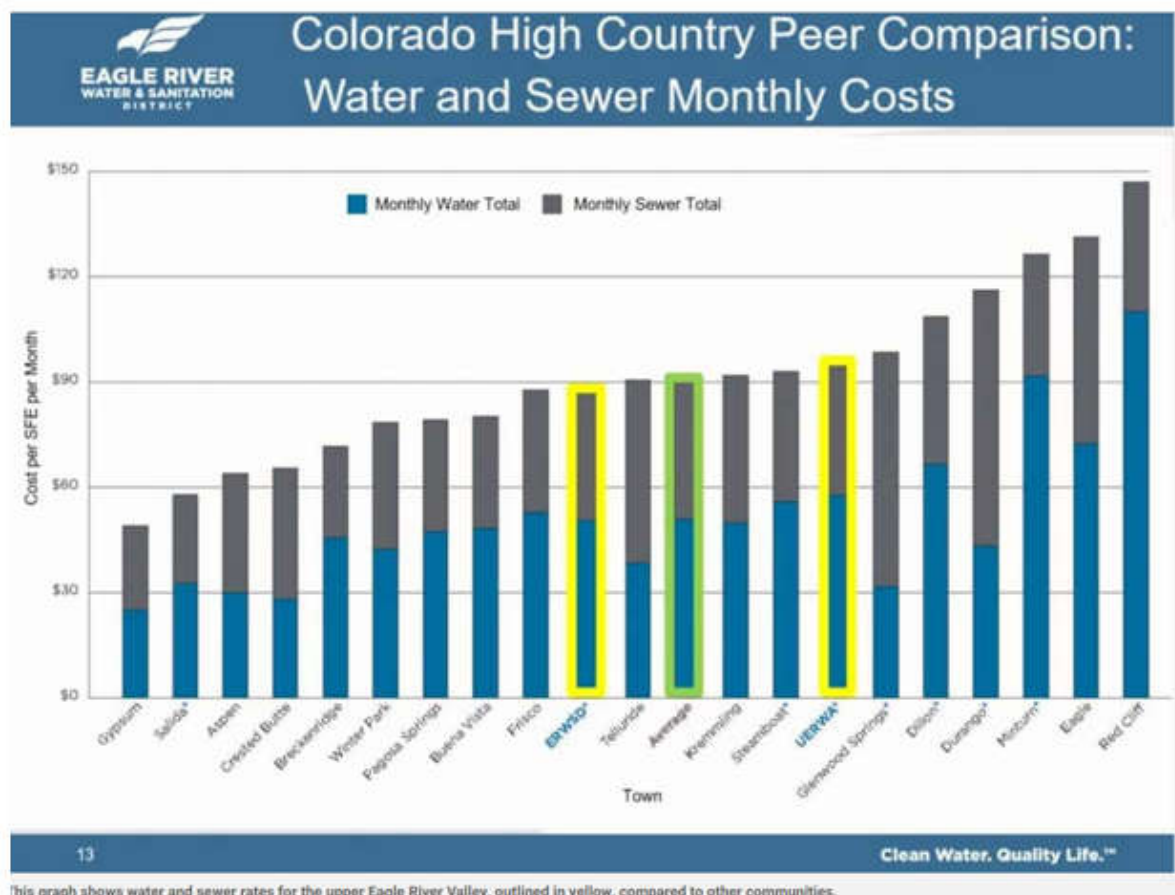
The main disadvantage of the selected alternative is the overall cost of the project. The estimated cost of \$30 million to construct a 2 MGD water plant will ultimately require a loan or financing of some fashion. Electing to go through the State Revolving Fund process is a recommended means of securing this type of funding as the administrative requirements necessary to administer the funding are relatively benign. Also, the ability to qualify for principal forgiveness of up to \$5 million through Bipartisan Infrastructure Legislation is an opportunity that was not available through SRF funding just a couple of years ago. This is especially advantageous given that it is likely that the Town of Silt will qualify as a disadvantaged community. However, the ability of the Town to service debt between \$25 million to \$30 million over a current population of 3,536 individuals (approximately 1,300 users) without significant impact to rate payers can be questioned. In the PNA response letter provided by CDPHE Water Quality Control Division Grants and Loans Unit, the Colorado Department of Local Affairs (DOLA) expressed concern regarding the Town's ability to service this debt with projected tap fee revenue and user fees. Preliminary projections performed by DOLA estimated that the required increase to user fees to service the debt while maintaining a 110% coverage ratio would range between \$91.68 to as much as \$142.32, depending upon the loan terms and amount of principal forgiveness available through the SRF program. In the December 28, 2022 public meeting presented by the Town of Silt and Dewberry Engineering, Inc., monthly user fees were projected to rise as much as \$150 / user / per month. Increases such as this would put Town of Silt water rates at the upper end of other Colorado High Country water providers in the area (see **Figure 1** on the next page).

As mentioned in the master plan document, many of the residents that live in the Town of Silt actually work in communities such as Aspen and Vail, which are 61 miles and 79 miles away from Silt respectively. The residents of Silt, however, generally cannot afford to live in communities such as Aspen, Vail, or even Glenwood springs, for that matter. However, the potential water rates of Silt may exceed those of the very communities in which they work but cannot afford to live. Therefore, the Town of Silt may need to ask itself if placing the burden of future growth on today's population is a viable means of servicing the debt. As mentioned in the December 28, 2022 video on You Tube, there was mention of being able to spread this debt service over a larger population in the future, thus providing the opportunity to reduce rates as population grows. While this approach appears viable in concept, it is very difficult to assume reductions in user fees over time as it is rare for rates to drop after municipalities become accustomed to this type of consistent revenue to help with operations, maintenance, staffing, financing capital improvement projects, and building reserves. So while the proposed alternative may address the majority of the identified issues at the existing water treatment plant, the costs associated with constructing such a facility may not be able to be supported by a community of this size. Thus, the Town of Silt may wish to reassess the proposed alternative and look



for ways to reduce project costs or increase the amount of potential grant or principal forgiveness opportunities associated with this project.

**Figure 1: Colorado High Country Peer Comparison of Water and Sewer Monthly Costs by the Eagle River Water and Sanitation District – 2020 Costs per SFE**



## POTENTIAL CONSIDERATIONS TO REDUCE PROJECT COSTS

Because the failure of the existing water treatment is probably not imminent as observed by CDPHE during their field inspection, and the existing water treatment plant is still able to meet current demands, we would suggest that the Town consider re-evaluating the current selected alternative in an attempt to bring down project costs. While the selected alternative would most likely be successful in addressing the identified issues with the existing water treatment plant, servicing the debt necessary to finance this project over 1,300 users may not be sustainable for the community. Because the plant does pose challenges to the existing operations staff (and the hard work by the operations staff has been identified as the reason that the existing water plant is not due for imminent failure) we would not suggest postponing the project beyond this year. However, we would suggest delaying the submittal of the Basis of Design Report, construction drawings, technical specifications, and SRF loan application until the Town of Silt and the project team are able to value engineer the selected alternative. After reviewing the above documents, RESPEC would like to present the following suggestions that the Town and its consulting engineer may wish to consider as it re-evaluates the currently proposed selected alternative:



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Proposed capacity of selected alternative: While proposing a new water treatment plant with an overall design capacity of 1.0 MGD, and peak capacity of 2.0 MGD sets up the Town of Silt well into the future regarding available water production, the cost to accommodate future growth may not be viable to assign to the current population. And as mentioned previously, DOLA expressed the same concerns about spreading such a large debt service over a limited user base while assuming user rates and tap fee revenue would remain the same as 2021. While the current selected alternative features an estimated peak capacity of 2.0 MGD, and single train design capacity of 1.0 MGD to provide full redundancy at 1.0 MGD, the Town of Silt may not need the level of capacity for quite some time. Demand projections in the water treatment plant master plan seem to indicate that average annual day demands will only reach approximately 0.67 MGD by the year 2042 and peak day demands will only reach approximately 1.21 MGD by 2042, assuming moderate growth over the next 20-years. Therefore, it may be possible to reduce the size of the proposed water treatment plant and its associated processes with this loan request, and then master plan subsequent expansions in a multi-phase approach (i.e., Phase 2 design capacity = 2.0 MGD and then Phase 3 design capacity = 3.0 MGD). This way, additional growth between now and 2042 could help finance additional expansion phases while also building potential reserves to help finance future expansions, if necessary. For now, the Town may wish to consider an average day capacity of 0.75 MGD, and then peak day capacity of 1.5 MGD to meet current demands and position themselves for moderate growth until the year 2035-2040 or so. RESPEC would recommend that the Town of Silt ask its project team how much it would stand to save by reducing the size of the project to 0.75 MGD design capacity ( 1.5 MGD peak capacity).

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Introduction of water efficient fixtures: While the installation of water efficient toilets, water fixtures, shower heads, and other devices will help with the improvement of the existing water plant, it should reduce water usage in the community. This would be especially helpful should the Town elect to go with a smaller selected alternative, subsequently extending the life of the smaller water plant and delaying the need for a second or third expansion. The use of water efficient fixtures has been prevalent among utilities along the front range and has generally resulted in substantially lower water usage. In the water treatment master plan, Dewberry noted that water usage per capita had actually increased over the last few years in Silt, which is counter to the national trends since the introduction of water efficient fixtures. Being that the Town employs a raw water distribution system for irrigation usage throughout town, domestic usage represents the majority of the demands on the water treatment plant. Therefore, outside of the two developments that use finished water for irrigation purposes, the introduction of more water efficient fixtures for existing homes should help extend the life of the new water treatment plant.

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Water accountability: In the water treatment plant master plan by Dewberry Engineering, Inc. Section 3.1.1. indicated that the amount of unaccounted for water between billings and water produced averaged around 36.3% between the years of 2019 – 2021. According to the American Water Works Association, an acceptable limit for water accountability is 20%, and a preferred range is 5% - 10%. An unaccounted-for water percentage of 36.3% should be considered unacceptable and indicates that there is a significant amount of water loss or unbilled water. RESPEC would recommend that the Town consider conducting an inventory of the Town's metering capability and distribution system, possibly implementing a leak detection effort. Ultimately, as part of the Town's expansion efforts in the future it may wish to identify the most suspect areas of the Town's distribution system in regard to leaks or metering accountability and focus on replacing identified leaky pipes or calibrating suspect meters. Replacing leaking pipes within the distribution system will increase delivered water to customers and subsequently reduce water demand on the water treatment plant. This would



help extend the life of the reduced capacity selected alternative and delay future expansion if the town elected to go this route. Calibrating or replacing meters would help in recovering water revenues should the Town employ tiered or usage-based rates. Either way, it is recommended that the Town further investigate the poor water accountability percentages as part of its re-evaluation of the proposed selected alternative. It is understood that in talking with Town of Silt staff that it is investigating potential water leaks around the distribution system in an attempt to improve water accountability.

>> Project Construction Cost Estimates: The proposed project costs contained in the water treatment plant master plan initially appear to be on the high side. CDPHE's review letter of the PNA also indicated the amount of ambiguity associated with the estimated costs, which indicated cost ranges between -30% to +50%. RESPEC would recommend that the Town of Silt invite a general contractor to review the projected costs contained in the water treatment plant master plan and PNA and corroborate the cost estimates. This may enable the Town to consolidate the estimates to a less ambiguous and more representative level. As mentioned above, the utilization of a CMAR into the design and construction process should help solidify the projected costs.

>> Rate study: In reviewing correspondence with CDPHE, the Town of Silt, and Dewberry Engineering, Inc. it appears that a rate study is being developed to evaluate the impacts of the proposed water treatment plant expansion on existing and future user rates. DOLA has already prepared a very cursory rate evaluation that was included in CDPHE's response to the Town of Silt following their review of the PNA. However, the rate study may indicate how tiered rates or blocked rates may be implemented so that higher water users may be more responsible for the financing of any potential debt service. The Town already employs a type of tiered rate system, so adjusting the tiered rate system following the rate study may encourage additional water conservation and thus extend the life of the proposed or reduced water plant project. However, to implement a robust and comprehensive tiered rate program, the employment of accurate metering is a necessity. So, the bench testing, calibrating, and replacement of inaccurate meters as suggested earlier is imperative for the implementation of a successful tiered or blocked rate program. It is understood that the Town is currently going through a rate study to restructure its tiered rate system.

>> Additional grants: Currently, the Town of Silt is anticipating financing the proposed water treatment plant project through the State Revolving Fund in the form of a Drinking Water Revolving Fund loan. Given that the Town of Silt is most likely considered a Disadvantaged Community (DAC) it will most likely be eligible for principal forgiveness of up to \$5.0 million. However, given that the projected price tag for this project is currently estimated at \$30 million, it is recommended that the Town consider pursuing additional grant funding or matching grant funding to reduce the amount of debt that needs to be services. While RESPEC agrees that pursuing a grant / loan through the United States Department of Agriculture (USDA) Rural Development (RD) is not recommended due to the elevated administrative and engineering costs required to work through the federal requirements, there are other grant programs in which the Town may wish to consider. And while the planning efforts required to apply for and administer other grants may be involved, the amount of money in which the Town may be able to be eligible for could very well offset the administrative requirements. And because of the Town's disadvantaged status, it may prioritize higher for some of the more competitive grants. Note that if the Town would like to pursue potential state funded grants it will need to establish if it can receive state funds according to TABOR. The Town of Silt will want to consult with a bond attorney regarding its TABOR status and have an opinion available for reference. If the Town elects to delay the submittal of engineering documents and loan application to CDPHE

GLU department, it may wish to investigate some of the following grant opportunities (some of which the Town is looking into and has recently secured at this current time):

- / Energy Impact and Assistance Fund (EIAF) Tier 2 grant through DOLA
- / Colorado River District grants
- / Colorado Water Conservation Board for Water Efficiency and Drought Planning Grant Program, Water Supply Reserve Account
- / CDPHE Small Communities Grant (when available)
- / DOLA Community Development Block Grant for water projects
- / U.S. Economic Development Administration Public Works and Economic Adjustment Assistance Program Grant
- / Congressional Directed Spending Program, EPA State and Tribal Assistance Grant, Drinking Water (last deadline was March 10, 2023)

>> Value Engineering of selected alternative: It may be possible to review the selected alternative and consider areas where the Town believes it can do without, or at least do with less. Being that the Town currently only has a population of 3,500, the proposed facility should probably reflect the population base. The water treatment plant may still be able to supply high quality water out of the Colorado River using the processes proposed in the selected alternative, but not necessarily need a lot monitoring and control that can accompany the more advanced processes. While the mixed media filtration system probably does not feature a lot in the way of advanced control and monitoring, other processes may be able to “do more with less”.

Following the review of the water treatment plant master plan and accompanying documentation, RESPEC might suggest looking into the following value engineering opportunities (if the Town and its consulting engineer have not done so already):

- / Consolidate both the mixed media sand filtration process and ballasted flocculation sedimentation process into one building. This opportunity was previously suggested towards the end of the water treatment plant master plan.
- / Consider replacing the proposed ballasted flocculation sedimentation system with a vertical plate settling system. While the ballasted flocculation sedimentation system may be well intended for an application such as removing highly turbid water from the Colorado River, this type of sedimentation system does require a lot of concrete to construct the sedimentation basin. A properly sized vertical plate settling system with adequate flocculation time should require a smaller footprint and infrastructure to house this type of system while providing adequate pre-treatment ahead of the proposed mixed media filter.
- / Take inventory of the proposed SCADA automation and determine if any of the processes could be controlled or operated manually.
- / Possibly incorporate the alluvial well expansion now to minimize turbidity to the proposed water treatment plant and conversely reduce sedimentation requirements to the proposed filtration process
- / Consider only liquid chlorine for disinfection. This may reduce capital costs but could increase operational and chemical costs in the long run.

## FINAL CONSIDERATIONS/RECOMMENDATIONS

A review of the available documentation regarding the condition of the existing water treatment plant indicates that it is in significant need of improvement or replacement. The actual capacity of the facility is not at the same level as the state design rating; there are elements of the existing plant that have reached its useful life; the existing plate settler system cannot adequately reduce turbidity many times



of the year; the existing filtration process does not provide adequate capacity nor is it conducive towards regular maintenance; the existing plant cannot remove iron or manganese; the existing distribution pumping system is undersized; the existing backwash pond needs servicing; and the Town would like to expand the use of the naturally filtered alluvial wells. The existing plant has been evaluated multiple times, and the Town's consulting engineer has proposed an adequate treatment process that is compatible with raw water use out of the highly turbid Colorado River. However, the selected treatment alternative may require costs to construct the project that the current population of Silt may not be able to support, especially if the debt service remains above \$25 million. RESPEC recommends that the Town of Silt consider postponing the project so that it can consider and evaluate a portion, if not all, of the recommendations suggested below in an attempt to bring the projected project costs down to a more manageable level for the constituents of the Town of Silt. A summary of these suggestions is provided below:

- >> Consider reducing the capacity of the water treatment plant while phasing in future expansions (possibly down to 0.75 MGD average day capacity, or 1.5 MGD peak capacity)
- >> Introduce water efficient fixtures into the community to reduce demand and extend the life of the Phase 1 water treatment plant
- >> Investigate impacts of water accountability
- >> Corroborate project cost estimates with a municipal general contractor
- >> Complete rate study and consider adjusting current tiered rate schedule
- >> Pursue additional grant funding
- >> Investigate potential value engineering opportunities regarding proposed selected water treatment plant, especially considering reduced SCADA and plate settler sedimentation rather than the ballasted flocculation system.

## **FOLLOW-UP MEETING WITH TOWN OF SILT WATER TREATMENT PLANT PROJECT TEAM**

On the afternoon of April 28<sup>th</sup>, 2023 RESPEC met with members of the Town of Silt's project team. Specifically, RESPEC met with the Town of Silt staff, Silt's consulting engineer, Silt's contract operator, and Silt's Construction Manager at Risk (CMAR) to discuss some of the recommendations made in the above report. Prior to the meeting, the Town of Silt's project team had a chance to review the report and digest some of the recommendations as proposed by RESPEC. From the conversation it was evident that the Town and its project team had considered some of the recommendations suggested by RESPEC, or was already actively employing some of the items mentioned above. A summary of the action items currently being employed by the project team in relation to the final considerations suggested above are presented below:

- >> Reduce capacity of water treatment plant – the project team has looked at reducing the size of the ballasted floc sedimentation equipment and mixed media filter skid from 1 MGD to 0.75 MGD as suggested earlier in this report. The reduction in size for both pieces of equipment results in a rough savings of \$210,000. Reducing the equipment capacity also reduces the length of the ballasted floc equipment by roughly 4' and the length of the mixed media filtration by roughly 2'. The reduction in skid sizes does not appear to reduce the footprint size of either piece of equipment substantially enough to realize significant cost savings on the building by reducing equipment capacity.
- >> Introduce water efficient fixtures into community to reduce overall domestic demands – Town of Paonia staff is looking into this possibility.
- >> Investigate impacts of water accountability – according to the project team, the belief is that the existing residential meters are not completely accurate and need to either be replaced or recalibrated. A review of the wastewater flows at the WWTP appear to corroborate the production flows at the water treatment plant, indicating that there probably is not a lot of



leakage within the distribution system. However, Town Staff acknowledges that improving meter read capabilities would not only improve administrative water accountability, but also the Town's ability to accurately bill residents for tiered water usage, improving on revenue collections. The Town is looking into replacing many residential meters while calibrating others as possible.

- >> Corroborate project cost estimates with a municipal general contractor – The Town of Silt has retained Garney Construction as a Construction Manager at Risk (CMAR) to begin reviewing the constructability of the proposed alternative as suggested in the report. Garney was added to the project team in March of 2023 and has begun reviewing 30% drawings by Dewberry. Current value engineering reviews have centered on the building foundation and weighing the benefits of construction the facility superstructure on shallow foundations with subgrade over-excavation and replacement with non-expansive soils vs. the provision of drilled piers. Other construction variables under consideration include superstructure materials, dewatering procedures, and equipment procurement.
- >> Complete rate study – The Town of Silt has already initiated a rate study to review its current tiered usage rates for water user constituents.
- >> Pursue additional grant funding – The Town of Silt has reviewed the preliminary list provided by RESPEC above on page 11 of the draft report and begun reaching out to these prospective funding agencies. In addition, the Town of Silt has also successfully secured a couple of other grants through additional financing avenues.
- >> Other value engineering opportunities:
  - / Review Instrumentation and Control (I/C) – the Project Team reviewed the need for automated control of certain elements of the water treatment plant. Overall, the Project Team believes that automated control of the influent pumps, specifically during high turbid events, is extremely important to protecting the plants ability to successfully treat flows during these flash events. Also, the facility is design to run completely independently of operator control for long periods of time, which operations staff feels is important to reduce staff costs and allow the Town to address other issues on the distribution and wastewater side around town. Ultimately, the Project Team feels that the \$600,000 budget dedicated to Instrumentation and Control is adequate for properly automating the water treatment plant process.
  - / Ballasted Flocculation vs. Vertical Plate Settling – the Project Team reviewed the potential cost savings of replacing the recommended ballasted flocculation process with a vertical plate settling process, similar to what the Town currently employs at its water treatment plant. The thought being replacing the ballasted flocculation process with a vertical plate settling process is that it might save on the necessity of cast-in-place concrete to build the ballasted flocculation basin. However, the Project Team was able to identify a ballasted flocculation process that did not require the construction of cast-in-place basins, thus reducing the cost of the ballasted flocculation sedimentation alternative. In the end, the ballasted flocculation sedimentation equipment and vertical plate settler equipment ended up being similar in price. More importantly, Dewberry Engineering was able to refine the building costs to house the ballasted flocculation system and reduce projected building costs by \$2.3 million. Conversely, Dewberry was only able to reduce building costs for the projected vertical plate settling system by \$800,000. Therefore, the value engineering process has already been able to pay dividends due to efforts conducted by the water treatment plant project team.





All,

As the Board is aware, JDS Hydro, now known as Respec, a consulting engineering firm hired by DOLA, on behalf of the Town to review the work done so far on the project, has finished its work and issued a report (attached). This report will be a part of the Thursday's packet, but I wanted you to have it ahead of time should you wish to review it.

As you may guess, Dewberry has had some comments regarding the suggestions made by Respec and has been very constructive in our work together. Patrick Radabaugh, Principal with Dewberry offered up the following final comments regarding the suggestions in Respec's report:

***Re: plate settlers vs ballasted flocculation:***

- ***Plate settler equipment cost - \$540,000 and needs concrete tanks.***
- ***Ballasted floc equipment cost (including tanks) - \$1.7 million. This includes the steel tanks to house everything.***
- ***Space required for Plate settler tanks – 50x13 or 650 sf per train. 1300 sf total***
- ***Space required for Ballasted Flocculation – 23x10 or 230 sf per train or 460 sf total.***

***Re: Water accountability. We agree it should be done but believe that it is unlikely that Silt will be able to significantly reduce it's already low per capita water usage.***

Thanks,

Jeff

**BOARD OF TRUSTEES WORK SESSION**  
**May 8, 2023**

**AGENDA ITEM SUMMARY**

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**SUBJECT:** Sustainable Strategies Proposal for Management/Grant Services  
**PROCEDURE:** Discussion Item

**BACKGROUND OF SUBJECT MATTER:**

The Town has embarked on the complicated and difficult process of redeveloping its water treatment plant. The wastewater treatment plant is next up. Although the Town has done well to this point, it is likely that we could have moved faster with outside support.

Debra Figueroa, a Principal with Sustainable Strategies and former City Manager for Glenwood Springs during several crises, will be on hand to discuss her company's proposal to provide certain services, including a "resource roadmap" of funding sources, written and verbal advocacy with Federal and State agencies vital to the completion of this project and grant-writing. Please refer to the attached proposal, provided by Sustainable Strategies.

**SUMMARY:**

The services that Sustainable Strategies provides should not be viewed as achieving immediate results, rather they would be a valuable team member coordinating management efforts so others can focus on primary tasks.

**RECOMMENDATION:** The Board should hear from Debra Figueroa and discuss next steps.

**ORIGINATED BY:** Jeff Layman

**PRESENTED BY:** Jeff Layman/Debra Figueroa

**DOCUMENTS ATTACHED:** Sustainable Strategies Proposal

**SUBMITTED BY:**

Jeff Layman  
Jeff Layman, Town Administrator

**REVIEWED BY:**

  
Sheila McIntyre, Town Clerk



Sent via e-mail to [jlayman@townofsilt.org](mailto:jlayman@townofsilt.org)

May 4, 2023

Jeff Layman, Town Administrator  
231 N. 7th Street  
PO Box 70  
Silt, CO 81652

**Re: Proposal for Management and Grant Services to support the Town of Silt's Water and Sewer Utility**

Dear Town Administrator Layman,

On behalf of Sustainable Strategies DC (S<sup>2</sup>), I am pleased to provide this proposal for strategic management, grant services, and state and federal advocacy for the Town of Silt to support its Water and Sewer Utility. S<sup>2</sup> is a government affairs and strategic consulting firm based in Washington, DC, and Denver, CO, that represents local government and non-profit clients in obtaining resources for revitalization and sustainability. With over 75+ years of experience, the S<sup>2</sup> team has assisted clients as they developed projects and secured nearly \$6 billion for our clients through federal grants and earmarks, and state, local, and philanthropic resources.

S<sup>2</sup> is prepared to provide guidance on federal and state programs available to assist Silt with projects to upgrade and improve its overall water and sewer infrastructure including assistance with project management, lobbying, and grant writing as the Town looks to replace its water plant, sewer plant, and water meters, and repair or replace its utility lines. Grant writing services will include a detailed resource roadmap that lays out strategies for pursuing grant funding focused on water and sewer infrastructure.

**SCOPE OF WORK**

S<sup>2</sup> proposes to provide the following management services for a monthly fee of \$5,000 plus reasonable out-of-pocket expenses:

- Tour the Silt water plant and meet with relevant staff to understand the current and future needs of the plant.
- Meet with the Town Administrator and Town Council to fully understand the political implications of the current water plant and funding limitations.
- Convene a roundtable event of local, state and federal officials to strategize on potential funding solutions, areas of collaboration and synergy.
- Prepare a detailed resource roadmap of funding sources.

- Undertaking all **grant-writing efforts** including:
  - Drafting of the **grant applications and all attachments**, preparing the grant for [www.Grants.gov](http://www.Grants.gov), and submitting the package.
  - Identifying **project stakeholder support** and gathering letters and other indications of support (such as calls the USEPA, US Department of Interior, and the Colorado congressional delegation).
- **Coordinating directly** with the offices of Senator Bennet, Senator Hickenlooper, and Representative Boebert as appropriate;
- **Scheduling & preparing for meetings** with Senator offices, and your Member of Congress as appropriate, including:
  - Coordinating **meeting schedules** and developing agendas;
  - **Organizing participation** by agency directors, mayors, and other elected officials;
  - Developing project **briefing sheets, talking points, and template support letters**; and
  - Drafting **follow-up emails** and **coordinating follow-up calls** as appropriate.

### **PROPOSED COMPENSATION ARRANGEMENT**

We propose a monthly fee of \$5,000. This will cover strategic management services, lobbying and 4 grants.

### **INFO ON SUSTAINABLE STRATEGIES**

S<sup>2</sup> is a government affairs and strategic consulting firm based in Washington, DC, and Denver, CO, that helps clients secure resources for revitalization and community priorities. We primarily represent local governments, economic development entities, and non-profit organizations across the nation, with a focus on sustainable economic development, infrastructure, clean air and clean water projects, resiliency, clean energy, brownfields redevelopment, smart growth, housing, and workforce development. We provide grants advocacy, congressional and agency advocacy, project consulting, funding guidance, support for formation of public-private partnerships, and environmental legal counsel. We have helped communities across America succeed on innovative local projects, and secure hundreds of millions of dollars in resources for those projects. For more information, see [www.StrategiesDC.com](http://www.StrategiesDC.com).

S<sup>2</sup> is uniquely positioned to serve the Town of Silt due to our familiarity with Garfield County, Colorado state agencies, federal funding processes and our depth of experience securing infrastructure, water, sewer, and other types of funds for local governments and communities across the country. For a list of the successes our clients have achieved with our support, see the attached “Success Matrix.”

### **KEY STAFF**

**Matt Ward, CEO:** Prior to the launch of Sustainable Strategies DC, Matt was a partner and Sustainable Communities practice group leader at The Ferguson Group (TFG). He joined TFG in 2005 after being a partner at the Washington, DC law firm Spiegel & McDiarmid, where he provided advocacy consulting on sustainability issues to communities for more than a decade. He is a co-founder of the National Brownfields Coalition and the Brownfield Communities Network,

and he has served as national policy director to a number of organizations including the National Association of Local Government Environmental Professionals, the National Association of Towns and Townships, the Climate Communities coalition, the Mayors Automotive Coalition, the Manufacturing Alliance of Communities, and the American Waterfront Revitalization Coalition. Matt received his B.A., magna cum laude, from American University and his J.D. from the University of Virginia. Matt served as a city councilman and planning commission member in his hometown of Charles Town, WV for more than a decade.

**Andrew Seth, President:** Prior to his role as the President of Sustainable Strategies DC, Andrew Seth was a partner and the Director of Coalitions at The Ferguson Group. He is the Executive Director of the Climate Communities coalition and directed the American Waterfront Revitalization Coalition. He previously served as a project manager on environmental issues at the International City/County Management Association, where he directed the Local Government Environmental Assistance Network. Prior to joining ICMA, Andrew was a member of the government affairs team at Spiegel & McDiarmid. He began his environmental career at the conservation non-profit American Rivers. Andrew received his B.S., summa cum laude, from Salisbury State University and a M.S. in Resource Administration and Management from the University of New Hampshire.

**Ashley Badesch, Partner:** Ashley Badesch, who leads S<sup>2</sup>'s Western Office, based in Denver, CO. Prior to joining Sustainable Strategies DC, Ashley worked at the Center for International Policy. Ashley earned her J.D., Magna Cum Laude, at Georgetown University Law Center. She received her Master of Public Policy with a focus in Environmental Policy and a Bachelor of Arts in Spanish and Minor in Philosophy from the University of Virginia.

**Debra Figueroa, Principal:** The Silt work will be performed by Debra Figueroa who is based remotely in Sustainable Strategies DC's Western Office. Debra received her MA in Political Science with a focus on Environmental Policy from the University of Florida, Magna Cum Laude, and a BA in Political Science, Magna Cum Laude, from Eckerd College. She was mostly recently the City Manager for the City of Glenwood Springs, CO and the Assistant Borough Manager for Carlisle, PA. In these positions, she oversaw largescale infrastructure initiatives, emergency management and resiliency programs, and lead the municipalities highly successful grants teams. Debra Figueroa lives in Glenwood Springs with her family.

**Sarah Marin, Associate & Client Services Manager:** Sarah supports clients and staff in meeting community needs. She received her B.A. in International Affairs with focuses in International Environmental Studies and Global Public Health and a minor in Sustainability at the George Washington University. Prior to joining the team, Sarah worked at Justice and Sustainability Associates, LLC where she served in a Project Coordinator capacity.

**Spiro Maleki, Associate & Grant-Writer:** Spiro serves as an Associate and Grant-writer in Sustainable Strategies DC's Western Office, assisting clients on their grant proposals and other needs. He is a recent graduate of the University of California, Los Angeles where he received Bachelor's Degrees in Public Affairs and Geography. Prior to joining the team, Spiro interned at the Los Angeles Mayor's Office of Budget and Innovation.

**Nicole Marion, Associate & Grant Writer:** Nicole Marion serves as an Associate and Grant-writer for Sustainable Strategies DC in the Washington DC Office, assisting clients on their grant proposals and other needs. She is a graduate of Georgetown University where she received



Bachelor's degrees in Government & History. Prior to joining the team, Nicole worked in development at a variety of local non-profit organizations, including UN Women in New Zealand.

Please let us know if you would like any more information or want to discuss this proposal. We hope to have the opportunity to work for the Town of Avon.

Sincerely,

Debra Figueroa

Enclosures (a): Success Matrix



## **SUSTAINABLE STRATEGIES DC'S CLIENT SUCCESSES** **2012-2022**

- Sustainable Strategies DC helps localities obtain resources for their community revitalization priorities. The firm provides strategic consulting, funding strategies, grantwriting, and advocacy to secure resources and promote progress for our clients.
- Over 25+ years, the Sustainable Strategies DC team has secured nearly \$5 billion for our local government clients. This includes over \$655 million through more than 400 grants and other resources secured for over 40 cities, towns, counties, and states across America since 2012.
- Our work supports diverse local communities across America of all sizes, with populations ranging from 5,259 to 1.5 million.
- Sustainable Strategies DC has secured grants from federal and state agencies, philanthropic foundations, and the private sector for:

*Arts, Culture & Historic Preservation*

*Brownfields Revitalization & Smart Growth*

*Community & Economic Development*

*Environmental Sustainability, Clean Energy & Green Infrastructure*

*Community Health & Substance Abuse Prevention*

*Manufacturing & Making*

*Opportunity Zones*

*Public Safety & Criminal Justice*

*Technical Assistance, Awards & Designations*

*Technology & Innovation*

*Transportation & Infrastructure*

*Workforce Development*

## **RETAINER CLIENTS (\$314.9 MILLION SINCE 2012)**

### **Beaverton, OR (\$3.9 million)**

- Creation of “Resource Roadmap” for community revitalization and funding
- White House Community Revitalization Roundtable
- \$1.6 million Community Transformation Grant (Centers for Disease Control & Prevention)
- \$600,000 Brownfields Coalition Assessment Grant (U.S. Environmental Protection Agency)
- \$400,000 Brownfields Assessment Grant (U.S. Environmental Protection Agency)
- \$324,750 Drug Treatment Courts Grant (Substance Abuse and Mental Health Services Administration)
- \$306,000 Treatment Court Grant (Oregon Criminal Justice Commission)
- \$288,750 Specialty Court Grant (Oregon Criminal Justice Commission)
- \$150,000 Body-Worn Camera Pilot Implementation Grant (U.S. Department of Justice)
- \$125,000 COPS Hiring Grant (U.S. Department of Justice)
- \$100,000 Equitable Housing Planning and Development Grant (Metro Council)
- \$50,000 Our Town Grant (National Endowment for the Arts)
- Building Blocks Technical Assistance (U.S. Environmental Protection Agency)
- Participation in Maker Mayors Challenge
- Leading city in launch of the My Brother’s Keeper Community Challenge

### **Braxton County, WV (\$500,000)**

- \$500,000 Economic Development Initiative CDS (U.S. Department of Housing and Urban Development)

### **Buena Vista, MI (\$600,000)**

- \$500,000 Transportation, Community & System Preservation Grant Federal Highway Administration)
- \$100,000 Targeted Brownfields Assessment (U.S. Environmental Protection Agency)
- Building Blocks Technical Assistance (U.S. Environmental Protection Agency)
- White House Community Revitalization Roundtable

- Leading community in launch of the My Brother’s Keeper Community Challenge

### **Carlisle, PA (\$8.4 million)**

- Creation of “Resource Roadmap” for community revitalization and funding
- \$5 million TIGER Grant (U.S. Department of Transportation)
- \$1.5 million Multimodal Grant (Pennsylvania Department of Transportation)
- \$599,000 Chesapeake Bay Stewardship Fund Grant (National Fish & Wildlife Foundation)
- \$400,000 Brownfields Assessment Grant (U.S. Environmental Protection Agency)
- \$380,000 Transportation Alternatives Program Grant (Federal Highway Administration)
- \$200,000 Brownfields Area-Wide Planning Grant (U.S. Environmental Protection Agency)
- \$200,000 Environmental Work Force Development and Job Training Grant (U.S. Environmental Protection Agency)
- \$43,500 Body-Worn Camera Pilot Implementation Grant (U.S. Department of Justice)
- \$30,000 Green Streets-Green Jobs-Green Towns Grant (Chesapeake Bay Trust)
- \$10,000 Our Town Grant (National Endowment for the Arts)
- Leading community in launch of the My Brother’s Keeper Community Challenge

### **Charleston, WV (\$5.6 million)**

- Creation of “Resource Roadmap” for community revitalization and funding
- \$1,750,000 RAISE Grant (U.S. Department of Transportation)
- \$1 million Economic Development Initiative CDS (U.S. Department of Housing and Urban Development)
- \$1 million Byrne Grant CDS (U.S. Department of Justice)
- \$750,000 COPS Technology CDS (U.S. Department of Justice)
- \$500,000 Employment and Training Administration CDS (U.S. Department of Labor)
- \$300,000 SAMHSA CDS (U.S. Department of Health and Human Services)
- \$300,000 Byrne Grant CDS (U.S. Department of Justice)

## **Charles Town, WV (\$6.1 million)**

- Creation of “Resource Roadmap” for community revitalization and funding
- \$1.4 million Historic Restoration Tax Credit
- \$1 million for restoration of historic Happy Retreat heritage center (private donations)
- \$900,000 Brownfields Cleanup Revolving Loan Fund and Supplemental RLF Grants (U.S. Environmental Protection Agency)
- \$725,000 Chesapeake Bay Stewardship Fund Grant (National Fish & Wildlife Foundation)
- \$540,000 Transportation Alternatives Program Grant (West Virginia Department of Transportation)
- \$500,000 Historic Preservation Fund CDS (National Park Service)
- \$250,000 Economic Development Initiative CDS (U.S. Department of Housing and Urban Development)
- \$195,000 ARPA Coronavirus Recovery Fund Grant (U.S. Treasury)
- \$132,500 Save America’s Treasures Grant (National Park Service)
- \$118,500 African American Civil Rights Grant (National Park Service)
- \$100,000 Transportation Alternatives Program Grant (West Virginia Department of Transportation)
- \$75,000 Green Streets-Green Jobs-Green Towns Grant (Chesapeake Bay Trust)
- \$50,000 Our Town Grant (National Endowment for the Arts)
- 20,600 Paul Bruhn Historic Revitalization Subgrant (West Virginia Division of Culture and History)
- \$11,000 State Historic Preservation Grant (West Virginia Division of Culture and History)
- \$10,000 State Historic Preservation Grant (West Virginia Division of Culture and History)
- \$9,999 Historic Preservation Grant (Daughters of the American Revolution)
- Participation with President at White House Maker Faire, and Maker Mayors Challenge
- Leading city in launch of the My Brother’s Keeper Community Challenge
- Designation as new “Home Rule City” by the State of West Virginia
- 2013 Phoenix Brownfields Award and Phoenix People’s Choice Award
- Opportunity Zone designation in distressed neighborhoods

## **Dubuque, IA (\$37.6 million)**

- \$31.5 million Natural Disaster Resilience Grant (U.S. Department of Housing & Urban Development)
- \$1.2 million Disaster Relief Grant (Economic Development Administration)
- \$800,000 Brownfields Multipurpose Grant (U.S. Environmental Protection Agency)
- \$800,000 Brownfields Revolving Loan Fund Grant (U.S. Environmental Protection Agency)
- \$600,000 Transportation, Community & System Preservation Grant (Federal Highway Administration)
- \$508,000 Outdoor Recreation Legacy Partnership Grant (National Park Service)
- \$500,000 Smart Grid Access Grant (U.S. Department of Energy)
- \$500,000 Local Arts Agency Subgrant (National Endowment for the Arts)
- \$400,000 Brownfields Assessment Grant (U.S. Environmental Protection Agency)
- \$200,000 Brownfields Area-Wide Planning Grant (U.S. Environmental Protection Agency)
- \$200,000 Brownfields Area-Wide Planning Grant (U.S. Environmental Protection Agency)
- \$200,000 Brownfields Cleanup Grant (U.S. Environmental Protection Agency)
- \$200,000 Brownfields Cleanup Grant (U.S. Environmental Protection Agency)
- Building Blocks Technical Assistance (U.S. Environmental Protection Agency)
- Building Blocks Technical Assistance (U.S. Environmental Protection Agency)
- National Award for Smart Growth Achievement (U.S. Environmental Protection Agency)
- Participation in Maker Mayors Challenge
- Leading city in launch of the My Brother’s Keeper Community Challenge
- Opportunity Zone designation in distressed neighborhoods

## **Frankfort, KY (\$15.4 million)**

- Creation of “Resource Roadmap” for community revitalization and funding
- \$8 million TIGER Grant (U.S. Department of Transportation)
- \$5.5 million CARES Act Grant (U.S. Department of Transportation)
- \$616,000 RAISE Planning Grant (U.S. Department of Transportation)

- \$440,000 Employment and Job Training CDS (U.S. Department of Labor)
- \$300,000 Brownfields Community-Wide Assessment Grant (U.S. Environmental Protection Agency)
- \$250,000 Land and Water Conservation Fund Grant (National Park Service)
- \$75,000 CommunityWINS Grant (U.S. Conference of Mayors)
- \$50,000 African American Civil Rights Grant (National Park Service)
- \$45,000 Body-Worn Camera Implementation Grant (U.S. Department of Justice)
- \$25,000 Grants for Arts Projects Grant (National Endowment for the Arts)
- \$25,000 Our Town Grant (National Endowment for the Arts)
- \$15,000 Grants for Arts Projects Grant (National Endowment for the Arts)
- Local Foods, Local Places Technical Assistance (U.S. Environmental Protection Agency)
- Opportunity Zone designation in distressed neighborhood

### **Frederick, MD (\$5.3 million)**

- \$5 million Economic Adjustment Assistance ARPA Grant (Economic Development Administration)
- \$535,000 Highway Infrastructure Grant CDS (U.S. Department of Transportation)
- \$300,000 Brownfields Community-Wide Assessment Grant (U.S. Environmental Protection Agency)

### **Friends of Blackwater, WV (\$2.4 million)**

- \$1,226,000 POWER Grant (Appalachian Regional Commission)
- \$1,190,000 POWER Grant (Appalachian Regional Commission)

### **Glenwood Springs, CO (\$13.1 million)**

- Creation of "Resource Roadmap" for community revitalization and funding
- \$7 million BUILD Grant (U.S. Department of Transportation)
- \$1 million Highway Infrastructure Grant CDS (U.S. Department of Transportation)
- \$950,000 Energy and Mineral Assistance Fund Grant (Colorado Department of Local Affairs)

- \$700,000 Joint Garfield County Federal Mineral Lease District (Garfield County)
- \$500,000 Energy and Mineral Assistance Fund Grant (Colorado Department of Local Affairs)
- \$500,000 Federal Mineral Lease District Grant (Garfield County)
- \$400,000 Energy and Mineral Assistance Fund Grant (Colorado Department of Local Affairs)
- \$297,570 Emergency Solutions Grant (Colorado Department of Local Affairs)
- \$200,000 Brownfields Area-Wide Planning Grant (U.S. Environmental Protection Agency)
- \$200,000 Federal Mineral Lease District Grant (Garfield County)
- \$200,000 Federal Mineral Lease District Grant (Garfield County)
- \$175,000 Federal Mineral Lease District Grant (Garfield County)
- \$150 Revitalizing Main Street Grant (Colorado Department of Transportation)
- \$150,000 Targeted Brownfields Assessment Award (U.S. Environmental Protection Agency - Region 8)
- \$149,600 Recycling Resources Economic Opportunity Infrastructure Grant (Colorado Department of Public Health and Environment)
- \$124,000 Resilient Communities Grant (Great Outdoors Colorado)
- \$100,000 Energy and Mineral Assistance Fund Grant (Colorado Department of Local Affairs)
- \$64,000 Transportation Demand Management Seed Funding Grant (Colorado Department of Transportation)
- \$61,488 Coronavirus Small Business Relief (Colorado Department of Local Affairs)
- \$50,000 Revitalizing Main Street (Colorado Department of Transportation)
- \$50,000 Revitalizing Main Street (Colorado Department of Transportation)
- \$25,000 Federal Mineral Lease District Mini Grant (Garfield County)
- \$20,000 State Historical Fund Grant (History Colorado)
- \$20,000 Art Works Grant (National Endowment for the Arts)
- \$9,189 Water Resources Grant (Colorado River District)
- Recreational Economy for Rural Communities Technical Assistance (U.S. Environmental Protection Agency)
- Opportunity Zone designation in distressed neighborhoods



## **Hopewell, VA (\$2.4 million)**

- Creation of “Resource Roadmap” for community revitalization and funding
- \$840,750 Pre-Disaster Mitigation Grant (Federal Emergency Management Agency)
- \$759,663 Transportation Alternatives Program Grant (Virginia Department of Transportation)
- \$451,000 Chesapeake Bay Stewardship Fund Grant (National Fish & Wildlife Foundation)
- \$396,000 Recreational Trails Program Grant (Virginia Department of Conservation & Recreation)
- Opportunity Zone designation in distressed neighborhoods

## **Huntington, WV (\$36.8 million)**

- Creation of “Resource Roadmap” for community revitalization and funding
- \$8.6 million Surface Transportation Block Grant (Federal Highway Administration)
- \$5.2 million Economic Adjustment Assistance Grant (Economic Development Administration)
- \$4.4 million Subsidized Loan (West Virginia Economic Development Authority)
- \$3.2 million “America’s Best Community” Grand Prize (Frontier Communications)
- \$2.9 million Pre-Disaster Mitigation CDS (U.S. Department of Homeland Security)
- \$2.3 million POWER Grant (Appalachian Regional Commission)
- \$1.9 million Public Works Grant (Economic Development Administration)
- \$1.5 million POWER Grant (Appalachian Regional Commission)
- \$1 million Mayors Challenge Competition (Bloomberg Philanthropies)
- \$800,000 Brownfields Cleanup Revolving Loan Fund (U.S. Environmental Protection Agency)
- \$750,000 POWER Grant (Appalachian Regional Commission)
- \$500,000 Supplemental Revolving Loan Fund Grant (U.S. Environmental Protection Agency)
- \$423,711 Drug Treatment Courts Grant (Substance Abuse and Mental Health Services Administration)
- \$400,000 Brownfields Assessment Grant (U.S. Environmental Protection Agency)
- \$350,000 Choice Neighborhoods Planning Grant (U.S. Department of Housing and Urban Development)

- \$350,000 Every Place Counts Design Challenge (U.S. Department of Transportation/West Virginia Department of Transportation)
- \$300,000 Brownfields Site-Specific Assessment Grant (U.S. Environmental Protection Agency)
- \$297,000 Land and Water Conservation Fund (National Park Service)
- \$250,000 Economic Development Initiative CDS (U.S. Department of Housing and Urban Development)
- \$220,000 Assistance to Coal Communities (Economic Development Administration)
- \$218,000 COPS Technology CDS (U.S. Department of Justice)
- \$200,000 Brownfields Area-Wide Planning Grant (U.S. Environmental Protection Agency)
- \$150,000 CommunityWINS Grant (U.S. Conference of Mayors & Wells Fargo)
- \$100,000 Mayor’s Challenge Grant (Bloomberg Foundation)
- \$75,000 Our Town Grant (National Endowment for the Arts)
- \$75,000 Economic Development Grant (Claude Worthington Benedum Foundation)
- \$50,000 Rural Business Development Grant (U.S. Department of Agriculture)
- \$50,000 POWER Planning Grant (Appalachian Regional Commission)
- \$30,875 African American Civil Rights Grant (National Park Service)
- \$25,000 Asphalt Art (Bloomberg Philanthropies)
- \$25,000 Love Your Block Program Grant (Cities of Service)
- \$25,000 Just Transition Grant (Appalachia Funders Network)
- \$2,000 Byrne Grant CDS (U.S. Department of Justice)
- Participation in the Cities of Opportunity: Community of Health Practice (National League of Cities)
- Participation in the Cities of Opportunity: Healthy People, Thriving Communities pilot (National League of Cities)
- Culture of Health finalist, competition still pending (Robert Wood Johnson Foundation)
- Engaged Cities Award finalist, competition still pending (Robert Wood Johnson Foundation)
- Opportunity Zone designation in distressed neighborhoods



## **Ithaca, NY (\$14.6 million)**

- Creation of “Resource Roadmap” for community revitalization and funding
- \$4.5 million State of Good Repair Grant (Federal Transit Administration)
- \$3.3 million in U.S. Department of Transportation earmark reallocations to Ithaca projects
- \$2 million Economic Development Initiative CDS (U.S. Department of Housing and Urban Development)
- \$1.4 million BUILD Grant (U.S. Department of Transportation)
- \$1.4 million Highway Infrastructure Grant CDS (U.S. Department of Transportation)
- \$1 million Energy Efficiency and Renewable Energy CDS (U.S. Department of Energy)
- \$523,269 Parks Development Grant (New York State Office of Parks, Recreation and Historic Preservation)
- \$300,000 Brownfields Community-Wide Assessment Grant (U.S. Environmental Protection Agency)
- \$200,000 Brownfields Cleanup Grant (U.S. Environmental Protection Agency)
- Developed a strategy for working with the U.S. Army Corps of Engineers and other agencies to address sedimentation issues in Lake Cayuga, securing study authorization in federal statute
- Helped prevent permanent closure of the Ithaca-Tompkins Airport by the Federal Aviation Administration
- Participation in Maker Mayors Challenge
- Leading city in launch of the My Brother’s Keeper Community Challenge

## **Johnstown, PA (\$34.1 million)**

- Creation of “Resource Roadmap” for community revitalization and funding
- Secured EDA Regional Economic Diversification Summit
- \$22,448,164 RAISE Grant (U.S. Department of Transportation)
- \$2 million Public Works Grant (Economic Development Administration)
- \$1.5 million POWER Grant (Appalachian Regional Commission)
- \$1.5 million POWER Grant (Appalachian Regional Commission)
- \$1.4 million Multimodal Grants (Pennsylvania Department of Transportation)

- \$1.2 million Public Works Grant (Economic Development Administration)
- \$850,000 U.S. Army Corps of Engineers Section 313 Grant for wastewater infrastructure upgrades
- \$798,000 POWER Grant (Economic Development Administration)
- \$650,000 Drug Free Communities Grant (U.S. Department of Health and Human Services)
- \$600,000 Brownfields Coalition Assessment Grant (U.S. Environmental Protection Agency)
- \$500,000 Save America’s Treasures Grant (National Park Service)
- \$400,000 Brownfields Assessment Grant (U.S. Environmental Protection Agency)
- \$250,000 Silver Jackets Designation (U.S. Army Corps of Engineers)
- \$63,000 Body-Worn Camera Pilot Implementation Grant (U.S. Department of Justice)
- \$20,000 Art Works Grant (National Endowment for the Arts)
- Local Foods, Local Places Technical Assistance (U.S. Environmental Protection Agency)
- Secured study authorizations in Corps of Engineers federal statute
- Participation in Maker Mayors Challenge
- Leading city in launch of the My Brother’s Keeper Community Challenge
- Opportunity Zone designation in distressed neighborhoods

## **Lansing, MI (\$1.7 million)**

- White House Community Revitalization Roundtable
- \$600,000 Brownfields Assessment Grant (U.S. Environmental Protection Agency)
- \$539,000 Brownfields Cleanup Revolving Loan Fund preserved (U.S. Environmental Protection Agency)
- \$500,000 Brownfields Assessment Grant (U.S. Environmental Protection Agency)
- \$40,000 Art Works Grant (National Endowment for the Arts)
- \$39,400 African American Civil Rights Grant (National Park Service)
- Green Capital Award (U.S. Environmental Protection Agency)
- Investing in Manufacturing Communities Partnership designee (U.S. Department of Commerce)

- Helped remove 75+ year old restriction on city land to support revitalization
- Participation in Maker Mayors Challenge
- Leading city in launch of the My Brother's Keeper Community Challenge
- Opportunity Zone designation in distressed neighborhoods

### **Loraine, OH (7.8 million)**

- \$4,025,899 Brownfield Remediation Grant (Ohio Department of Development)
- \$1,647,292 Outdoor Recreation Legacy Partnership Grant (National Park Service)
- \$709,167 Brownfield Remediation Grant (Ohio Department of Development)
- \$500,000 Byrne Grant CDS (U.S. Department of Justice)
- \$500,000 COPS Technology CDS (U.S. Department of Justice)
- \$250,000 Small Business Administration CDS (Small Business Administration)
- \$195,750 Brownfield Remediation Grant (Ohio Department of Development)

### **Martin County, FL (\$10.1 million)**

- \$3.1 million Staffing for Adequate Fire and Emergency Response (Federal Emergency Management Agency)
- \$1.7 million Assistance to Firefighters Grant (Federal Emergency Management Agency)
- \$1.2 million Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant (Florida Department of Juvenile Justice)
- \$429,000 Section 319(h) Grant (Florida Department of Environmental Protection)
- \$398,500 Recreational Trails Program (Florida Department of Transportation)
- \$388,000 Federal Clean Water Act Section 319 (h) Grant (U.S. Environmental Protection Agency)
- \$346,109 Assistance to Firefighter Grant (Federal Emergency Management Agency)
- \$345,000 Land & Water Conservation Fund Grant (Florida Department of Environmental Protection)
- \$340,000 Land & Water Conservation Fund Grant (Florida Department of Environmental Protection)
- \$300,000 Land & Water Conservation Fund Grant (Florida Department of Environmental Protection)

- \$300,000 Land & Water Conservation Fund Grant (Florida Department of Environmental Protection)
- \$300,000 Waterway Assistance Program Grant (Florida Inland Navigation District)
- \$200,000 Land & Water Conservation Fund Grant (Florida Department of Environmental Protection)
- \$167,061 Waterways Assistance Program Grant (Florida Inland Navigation District)
- \$125,000 Special Category Historical Preservation Grant (Florida Division of Historical Resources)
- \$115,699 Special Category Historical Preservation Grant (Florida Division of Historical Resources)
- \$99,729 Emergency Medical Services Grant (Florida Department of Health)
- \$60,000 Waterways Assistance Program Grant (Florida Inland Navigation District)
- \$50,000 Our Town Grant (National Endowment for the Arts)
- \$50,000 Our Town Grant (National Endowment for the Arts)
- \$50,000 Florida Boating Improvement Program Grant (Florida Fish and Wildlife Conservation Commission)
- \$40,000 Florida Boating Improvement Program Grant (Florida Fish and Wildlife Conservation Commission)
- \$38,615 Rural Business Development Grant (U.S. Department of Agriculture)
- \$35,000 Florida Boating Improvement Program Grant (Florida Fish and Wildlife Conservation Commission)
- \$11,905 Fire Prevention and Safety (Federal Emergency Management Agency)
- \$10,000 Energy Efficiency Retrofits for Public Facilities Grant (Florida Department of Agriculture & Consumer Services)
- \$3,500 H.W. Wilson Library Staff Development Grant (American Library Association)
- Our Town Technical Assistance (National Endowment for the Arts)
- Opportunity Zone designation in distressed neighborhood

### **Mills, WY (\$125,000)**

- \$125,000 COPS Hiring Grant (U.S. Department of Justice)

### **Minturn, CO (\$2.65 million)**

- \$1,402,000 Revitalizing Main Street Larger Safety Grant (Colorado Department of Transportation)
- \$1 million State and Tribal Assistance Grant CDS (U.S. Environmental Protection Agency)
- \$250,000 Community Funding Partnership (Colorado River District)

### **North Hempstead, NY (\$10.7 million)**

- \$2 million U.S. Department of Transportation earmark reallocations to North Hempstead projects
- \$2 million for two Section 5310 Grant (Federal Transit Administration)
- \$1 million Economic Development Initiative CDS (U.S. Department of Housing and Urban Development)
- \$1 million Cleaner, Greener Communities Grant (New York State Energy Research & Development Authority)
- \$800,000 Brownfield Community Wide Multipurpose Grant (U.S. Environmental Protection Agency)
- \$656,000 Transit Infrastructure Grant CDS (U.S. Department of Transportation)
- \$625,000 Cleaner, Greener Communities Grant (New York State Energy Research & Development Authority)
- \$480,000 Economic Development Initiative CDS (U.S. Department of Housing and Urban Development)
- \$300,000 Brownfields Assessment Grant (U.S. Environmental Protection Agency)
- \$295,000 New York Main Street Grant (New York State Homes and Community Renewal)
- \$270,000 Local Government Efficiency Grant (New York State Department of State)
- \$200,000 Brownfields Cleanup Grant (U.S. Environmental Protection Agency)
- \$165,000 Maritime Heritage Grant (National Park Service)
- \$159,000 Zombie Home Prevention Initiative Grant (New York Attorney General's Office)
- \$126,000 Brownfield Opportunity Area Grant (New York State Department of State)
- \$125,000 Local Waterfront Revitalization Program Grant (New York State Department of State)
- \$82,500 Market New York Grant (New York Empire State Development)

- \$75,000 Market New York Grant (New York Empire State Development)
- \$75,000 Our Town Grant (National Endowment for the Arts)
- \$58,000 Local Government Efficiency Grant (New York State Department of State)
- \$50,000 African American Civil Rights Grant (National Park Service)
- \$49,500 Arts Grant (New York State Council on the Arts)
- \$7,500 Data Redundancy Grant (New York Department of State)
- Leading city in launch of the My Brother's Keeper Community Challenge

### **Port St. Lucie, FL (\$10.1 million)**

- Creation of "Resource Roadmap" for community revitalization and funding
- \$2 million Resilient Florida Grant (Florida Department of Environmental Protection)
- \$1.4 million Hazard Mitigation Grant (Federal Emergency Management Agency)
- \$1.3 million 319(h)/SWAG Grant (Florida Department of Environmental Protection)
- \$1.1 million River Lagoon Water Management Improvement Grant (South Florida Water Management District)
- \$924,000 319(h)/SWAG Grant (Florida Department of Environmental Protection)
- \$672,472 River Lagoon Water Management Improvement Grant (South Florida Water Management District)
- \$562,500 Hazard Mitigation Grant (Federal Emergency Management Agency)
- \$500,000 Recreational Trails Program (Florida Department of Transportation)
- \$400,000 Waterways Assistance Program (Florida Inland Navigation District)
- \$336,000 319(h) Grant (Florida Department of Environmental Protection)
- \$264,000 Shuttered Venue Operators Grant (Small Business Administration)
- \$250,000 Florida Recreation Development Assistance Program - Playground Enhancement Grant (Florida Department of Environmental Protection)
- \$200,000 Florida Recreation and Development Assistance Program (Florida Department of Environmental Protection)
- \$100,000 Water Quality Restoration Grant (Indian River Lagoon National Estuary Program)

- \$98,175 COPS Community Policing Development Microgrant (U.S. Department of Justice)
- \$80,000 Rebuild Florida Resiliency Planning Grant (Florida Department of Economic Opportunity)
- \$50,000 Our Town Grant (National Endowment for the Arts)
- \$10,000 Grants for Arts Projects Grant (National Endowment for the Arts)
- \$10,000 Challenge America Grant (National Endowment for the Arts)
- Opportunity Zone designation in distressed neighborhood

### **Ranson, WV (\$14 million)**

- \$5 million TIGER Grant (U.S. Department of Transportation)
- \$4.5 million BEDI-Section 108 Finance package (U.S. Department of Housing & Urban Development)
- \$3.2 million Transportation Grant (West Virginia Department of Transportation)
- \$625,000 Transportation Alternatives Program Grant (West Virginia Department of Transportation)
- \$250,000 COPS Hiring Grant (U.S. Department of Justice)
- \$200,000 Transportation Alternatives Program Grant (West Virginia Department of Transportation)
- \$125,000 COPS Hiring Grant (U.S. Department of Justice)
- \$120,000 Transportation Grant (West Virginia Department of Transportation)
- \$43,000 Body-Worn Camera Pilot Implementation Grant (U.S. Department of Justice)
- \$30,000 Green Streets, Green Jobs, Green Towns (Chesapeake Bay Trust)
- Building Blocks Technical Assistance (U.S. Environmental Protection Agency)
- 2013 Phoenix Brownfields Award and Phoenix People's Choice Award
- Participation in Maker Mayors Challenge
- Leading city in launch of the My Brother's Keeper Community Challenge
- Opportunity Zone designation in distressed neighborhoods

### **Rifle, CO (\$1.95 million)**

- \$1.8 million Revitalizing Main Street Larger Safety Grant (Colorado Department of Transportation)
- \$150,000 Revitalizing Main Street Small Grant (Colorado Department of Transportation)

### **Rochester, MN (\$21.1 million)**

- Creation of "Resource Roadmap" for community revitalization and funding
- \$5 million Outdoor Recreation Legacy Partnership (National Park Service)
- \$4.3 million Buses and Bus Facilities (U.S. Department of Transportation)
- \$3.2 million Low- or No-Emission Vehicle Grant (U.S. Department of Transportation)
- \$3.1 million Main Street Economic Revitalization Program Grant (Minnesota Department of Employment and Economic Development)
- \$988,000 Main Street Economic Revitalization Program Grant (Minnesota Department of Employment and Economic Development)
- \$935,000 State and Tribal Assistance Grant CDS (U.S. Environmental Protection Agency)
- \$750,000 Employment and Training Administration CDS (U.S. Department of Labor)
- \$692,674 Expanded Meal Access for Minnesota Children and Adults Grant (Minnesota Department of Education)
- \$525,000 Lead Hazard Reduction Grant (U.S. Department of Housing & Urban development)
- \$500,000 COPS Technology CDS (U.S. Department of Justice)
- \$468,699 Travel and Tourism Grant (Economic Development Administration)
- \$383,650 Save America's Treasures Grant (National Park Service)
- \$58,040 Emergency Services Program (Minnesota Department of Human Services)
- \$25,000 Grants for Arts Projects Grant (National Endowment for the Arts)
- Participation in the Mayors' Institute on Job Creation and Economic Opportunity to Improve Health and Equity (National League of Cities)

### **Silverthorne, CO (\$150,000)**

- \$150,000 Revitalizing Main Street Small Grant (Colorado Department of Transportation)



## **Stamford, CT (\$16.6 million)**

- \$6.4 million Community Development Block Grant – Disaster Recovery Grant (U.S. Department of Housing & Urban Development)
- \$2 million Highway Infrastructure Grant Program CDS (U.S. Department of Transportation)
- \$1.8 million Outdoor Recreational Legacy Partnership Grant (National Park Service)
- \$1.4 million U.S. Department of Transportation earmark reallocations to Stamford project
- \$1.1 million Sustainable Communities Challenge Grant (U.S. Department of Housing & Urban Development)
- \$1 million Staffing for Adequate Fire & Emergency Response Grant (Federal Emergency Management Agency)
- \$850,000 Transportation, Community & System Preservation Grant (Federal Highway Administration)
- \$800,000 Disaster Relief Grant (Economic Development Administration)
- \$513,000 Workforce Development CDS (U.S. Department of Labor)
- \$338,346 Body-Worn Camera Pilot Implementation Grant (U.S. Department of Justice)
- \$147,840 Farmers Market Promotion Program Grant (U.S. Department of Agriculture)
- \$133,151 Body-Worn Camera Policy and Implementation Program Grant (U.S. Department of Justice)
- \$60,000 Invest Health Grant (Robert Wood Johnson Foundation)
- \$28,400 Connecticut Farm Viability Grant (Connecticut Department of Agriculture)
- \$25,701 Farm-to-School Planning Grant (U.S. Department of Agriculture)
- \$25,000 Healthy Communities Grant (U.S. Environmental Protection Agency - Region 1)
- \$21,000 Connecticut Farm Viability Grant (Connecticut Department of Agriculture)
- \$20,000 Community Collaborative Learning Grant (Robert Wood Johnson Foundation)
- \$20,000 Roadmaps Collaborative Learning Grant (Robert Wood Johnson Foundation)
- \$10,000 Roadmaps to Health Action Award (Robert Wood Johnson Foundation)
- \$10,000 Innovation Grant (RecycleCT)
- \$9,800 Community Challenge Grant (AARP)

- Transit-Oriented Development Technical Assistance (Smart Growth America & Federal Transit Administration)
- Building Blocks Technical Assistance (U.S. Environmental Protection Agency)
- Opportunity Zone designation in distressed neighborhoods

## **Weirton, WV (\$2.7 million)**

- Creation of “Resource Roadmap” for community revitalization and funding
- \$1.2 million Assistance to Coal Communities Construction Grant (Economic Development Administration)
- \$800,000 Brownfields Cleanup Revolving Loan Fund (U.S. Environmental Protection Agency)
- \$300,000 Assistance to Coal Communities Reuse Planning Grant (Economic Development Administration)
- \$393,500 Transportation Alternatives Program Grant (West Virginia Department of Transportation)
- \$25,000 Our Town Grant (National Endowment for the Arts)
- Opportunity Zone designation in distressed neighborhood

## **Wheeling, WV (\$29.7 million)**

- Creation of “Resource Roadmap” for community revitalization and funding
- \$25 million Transportation Grant (West Virginia Department of Transportation)
- \$1,001,000 COPS Technology CDS (U.S. Department of Justice)
- \$1 million Economic Development Initiative CDS (U.S. Department of Housing and Urban Development)
- \$750,000 Paul Bruhn Historic Revitalization Subgrant (National Park Service)
- \$620,000 Economic Development Initiative CDS (U.S. Department of Housing and Urban Development)
- \$500,000 Health Resources and Services Administration CDS (U.S. Department of Health and Human Services)
- \$359,953 Brownfields Cleanup Grant (U.S. Environmental Protection Agency)
- \$192,000 Transportation Alternatives Grant (West Virginia Department of Transportation)
- \$150,000 Historic Preservation Fund CDS (National Park Service)

- \$75,000 Opportunity Appalachia (Appalachian Community Capital)
- \$50,000 POWER Grant (Appalachian Regional Commission)

- \$40,000 State Development Grant (West Virginia Department of Arts, Culture and History)

## **NON-RETAINER CLIENT PROJECTS (\$343.5 MILLION SINCE 2012)**

### **Advantage Valley, WV (\$2.7 million)**

- \$1,055,001 POWER Grant (Appalachian Regional Commission)
- \$1,052,000 POWER Grant (Appalachian Regional Commission)
- \$323,000 Claude W. Benedum Foundation Grant (Claude W. Benedum Foundation)
- \$300,000 Small Business Administration CDS (Small Business Administration)

### **Arcata, CA (\$3.1 million)**

- \$3.1 million Active Transportation Program Grant (California Department of Transportation)

### **Aspen Fire Protection District (\$1.3 million)**

- \$1.3 million SAFER Grant (Federal Emergency Management Agency)

### **Bay City, MI (\$709,303)**

- \$709,303 Transportation Economic Development Fund (Michigan Department of Transportation)

### **Beaver County, PA (\$600,000)**

- \$600,000 Brownfields Assessment Grant (U.S. Environmental Protection Agency)

### **Bourbon County, KY (\$10.2 million)**

- \$10.2 million BUILD Grant (U.S. Department of Transportation)

### **Bridgeport, CT (\$261,654)**

- \$261,654 Body-Worn Camera Pilot Implementation Grant (U.S. Department of Justice)

### **Butler Township, PA**

- Creation of "Resource Roadmap" for community revitalization and funding

### **Catalyst Connection, PA (\$10.6 million)**

- Investing in Manufacturing Communities Partnership Award (Economic Development Administration)
- \$5,000,000 Defense Manufacturing Communities Program Grant (Department of Defense)
- \$1,423,297 POWER Grant (Appalachian Regional Commission)
- \$1 million Employment and Training Administration CDS (U.S. Department of Labor)
- \$994,883 POWER Grant (Appalachian Regional Commission)
- \$670,000 POWER Grant (Appalachian Regional Commission)
- \$625,000 POWER Grant (Appalachian Regional Commission)
- \$532,497 Assistance to Coal Communities Grant (Economic Development Administration)
- \$400,000 POWER Planning Grant (Economic Development Administration)

### **Cedar Hill, TX (\$300,000)**

- \$300,000 WaterSMART (Bureau of Reclamation)

### **Coalfield Development Corporation, WV (\$3.6 million)**

- \$2.5 million Workforce Opportunities for Rural Communities Grant (U.S. Department of Labor)
- \$500,000 Phase I Build Back Better Challenge (Economic Development Administration)
- \$500,000 Brownfields Cleanup Grant (U.S. Environmental Protection Agency)
- \$100,000 Our Town (National Endowment for the Arts)



### **Community College of Beaver County, PA (\$1.3 million)**

- \$685,000 POWER Grant (Appalachian Regional Commission)
- \$587,950 POWER Grant (Appalachian Regional Commission)
- Tri-State Energy & Advanced manufacturing (TEAM) Consortium formation

### **Dubuque County, IA (\$5.4 million)**

- \$5,452,023 BUILD Grant (U.S. Department of Transportation)

### **El Paso, TX (\$2.1 million)**

- \$2.1 million Desalination Construction Projects under the WIIN Act Grant (Bureau of Reclamation)

### **Flint, MI (\$127 million)**

- Representation during 2015-2016 Water Crisis, leading to \$127 million in federal & state water infrastructure funding
- White House Community Revitalization Roundtable
- Participation in Maker Mayors Challenge

### **Galveston, TX (\$50,000)**

- \$50,000 Our Town Grant (National Endowment for the Arts)

### **Generation WV & the Locally Driven Broadband Solutions Program (\$7.3 million)**

- \$2.5 million POWER Broadband Grant (Appalachian Regional Commission)
- \$2.5 million POWER Broadband Grant (Appalachian Regional Commission)
- \$1,551,200 million POWER Broadband Grant (Appalachian Regional Commission)
- \$523,253 million POWER Grant (Appalachian Regional Commission)
- \$167,000 Employment and Training Administration CDS (U.S. Department of Labor)
- \$40,000 Just Transition Grant (Appalachia Funders Network)

### **Harrisburg, PA (\$300,000)**

- \$300,000 Brownfields Assessment Grant (U.S. Environmental Protection Agency)

### **Holland, MI (\$65,000)**

- Creation of "Resource Roadmap" for community revitalization and funding
- \$65,000 Local Sustainability Matching Fund Grant (Funders Network for Smart Growth & Livable Communities)
- Georgetown University Clean Energy Prize; semi-finalist

### **Indianapolis, IN**

- Creation of "Resource Roadmap" for community revitalization and funding

### **Iowa (\$66 million)**

- \$66 million National Disaster Resilience Competition Grant (U.S. Department of Housing and Urban Development)

### **Jefferson County, WV**

- Creation of "Resource Roadmap" for parks and recreation

### **Madison, WI (\$11.7 million)**

- \$4.7 million Buses and Bus Facilities Grant (Federal Transit Administration)
- \$7 million Buses and Bus Facilities Grant (Federal Transit Administration)

### **Martinsburg, WV (\$400,000)**

- \$400,000 Brownfields Assessment Grant (U.S. Environmental Protection Agency)
- Opportunity Zone designation in distressed neighborhoods

### **Monaca, PA (\$4.3 million)**

- Creation of "Resource Roadmap" for community revitalization and funding
- \$3 million Economic Development Transportation Grant (Pennsylvania Department of Community and Economic Development)
- \$1 million Livability Through Smart Transportation Grant (Southwestern Pennsylvania Commission)
- \$263,000 Multi-Modal Transportation Fund Grant (Pennsylvania Department of Transportation)

### **Morgantown, WV**

- Opportunity Zone designation in distressed neighborhoods

**Norfolk, VA (\$14.5 million)**

- \$14 million BUILD Grant (U.S. Department of Transportation)
- \$300,000 Brownfields Assessment Grant (U.S. Environmental Protection Agency)
- \$200,000 Brownfields Area-Wide Planning Grant (U.S. Environmental Protection Agency)

**Norwalk, CT (\$3.4 million)**

- \$3 million Community Development Block Grant - Disaster Recovery (Connecticut Department of Housing)
- \$400,000 Brownfields Assessment Grant (U.S. Environmental Protection Agency)
- Opportunity Zone designation in distressed neighborhoods

**Philadelphia, PA**

- Creation of "Resource Roadmap" for community revitalization and funding

**Ponderay, ID (\$1.4 million)**

- \$1.4 million BUILD Planning Grant (U.S. Department of Transportation)

**Regional Optical Communications, Inc. (\$1.2 million)**

- \$1.2 million American Rescue Plan Act Economic Adjustment Assistance Grant (Economic Development Administration)

**Roaring Fork School District, CO (\$1.2 million)**

- \$510,073 Transportation Alternatives Program Grant (Colorado Department of Transportation)
- \$500,000 Safe Routes to School Grant (Colorado Department of Transportation)
- \$200,000 Federal Mining Lease District Grant (Garfield County)

**Roaring Fork Transportation Authority, CO (\$24.5 million)**

- \$13 million BUILD Grant (U.S. Department of Transportation)
- \$11.5 million Buses and Bus Facilities Grant (U.S. Department of Transportation)

**Silt, CO (\$201,000)**

- Creation of "Resource Roadmap" for community revitalization and funding
- \$201,000 Colorado Multimodal Fund Grant (Colorado Department of Transportation)

**Southern Rail Commission (\$37.4 million)**

- \$33 million Consolidated Rail Infrastructure and Safety Improvements (Federal Railroad Administration)
- \$4.4 million Restoration & Enhancement Grant (Federal Railroad Administration)

**Southwestern Pennsylvania Coalition (\$1.4 million)**

- \$1,423,497 POWER Grant (Appalachian Regional Commission)

**Spokane, WA**

- Opportunity Zone designation in distressed neighborhoods

**Steelton, PA**

- Creation of "Resource Roadmap" for community revitalization and funding

**St. Louis County, MO**

- Creation of "Resource Roadmap" for community revitalization and funding

**Unlimited Future, WV (\$40,000)**

- \$40,000 Just Transition Grant (Appalachia Funders Network)

**West Virginia High Tech Consortium (\$838,000)**

- \$837,970 POWER Grant (Appalachian Regional Commission)

**Waynesboro, VA**

- Creation of "Resource Roadmap" for community revitalization and funding

**Wellsburg, WV (\$75,000)**

- \$75,000 Opportunity Appalachia (Appalachian Community Capital)

**West Virginia High Technology  
Foundation, WV (\$50,000)**

- \$50,000 Rural Business Development Grant  
(U.S. Department of Agriculture)

**West Virginia Land Stewardship  
Corporation, WV (\$1 million)**

- \$1 million Economic Development Initiative CDS  
(U.S. Department of Housing and Urban  
Development)

**West Virginia Municipal League,  
WV (\$300,000)**

- \$300,000 Economic Development Initiative CDS  
(U.S. Department of Housing and Urban  
Development)

**West Virginia University, WV  
(\$400,000)**

- \$400,000 POWER Grant (Appalachian Regional  
Commission)

**Wilmington, DE (\$300,000)**

- \$300,000 Brownfields Assessment Grant (U.S.  
Environmental Protection Agency)

**TOWN OF SILT  
REGULAR BOARD OF TRUSTEES AGENDA  
MONDAY, MAY 8, 2023 – 7:00 P.M.  
MUNICIPAL COUNCIL CHAMBERS**

**5:30 p.m. – Silt Water Treatment Plant / Project Needs Assessment Review and Response  
– Doug Schwenke  
Sustainable Strategies Proposal for Management / Grant Services – Debra Figueroa**

ESTIMATED TIME	AGENDA ITEM	PUBLIC HEARING or ACTION ITEM	STAFF PRESENTOR
	<b>Agenda</b>		<b>Tab A</b>
<b>7:00</b>	<b>Call to order</b>		<b>Mayor Richel</b>
	<b>Roll call</b>		
	<b>Pledge of Allegiance and Moment of Silence</b>		
<b>7:05</b>	<b>Public Comments</b> - 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		
<b>7:20 5 min</b>	<b>Consent agenda –</b>  1. Minutes of the April 24, 2023 Board of Trustees meeting  2. <b>Resolution No. 14, Series 2023</b> , A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO, AUTHORIZING SIGNATURES ON THE TOWN'S BANK ACCOUNTS	<b>Action Item</b>	<b>Tab B Mayor Richel</b>
	<b>Conflicts of Interest</b>		
<b>7:25</b>	<b>Agenda Changes</b>		
<b>7:25 20 min</b>	First reading of <b>Ordinance No. 5, Series 2023</b> , 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	<b>Public Hearing</b>	<b>Tab C Comm Dev Mgr Centeno</b>

<b>7:45 5 min</b>	Second reading of <b>Ordinance No. 4, Series 2023</b> , 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	<b>Public Hearing</b>	<b>Tab D Administrator Layman</b>
<b>7:50 5 min</b>	<b>Administrator and Staff Reports</b>	<b>Info Item</b>	<b>Tab E Administrator Layman</b>
<b>7:55 10 min</b>	<b>Updates from Board / Board Comments</b>		
<b>8:05</b>	<b>Adjournment</b>		
The next regularly scheduled meeting of the Silt Board of Trustees is Monday, May 22, 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  
APRIL 24, 2023 – 7:00 P.M.**

The Silt Board of Trustees held their regularly scheduled meeting on Monday, April 24, 2023. Mayor Richel called the meeting to order at 7:00 p.m.

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<b>Roll call</b>	Present	Mayor Keith Richel
		Trustee Justin Brintnall
		Trustee Chris Classen
		Trustee Samuel Flores
		Trustee Derek Hanrahan
		Trustee Jerry Seifert
	Absent	Vacancy

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

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**Pledge of Allegiance and Moment of Silence**

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**Public Comments** – There were no public comments.

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**Consent Agenda**

1. Minutes of the April 10, 2023 Board of Trustees meeting
2. Kum & Go LC – Renewal of Colorado Beer & Wine Liquor License
3. **Resolution No. 12, Series 2023**, A RESOLUTION SUPPORTING THE EXECUTION OF THE AGREEMENT FOR A GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT GRANT (23-SM-07) IN THE AMOUNT OF \$24,359.00, FOR A TOTAL PROJECT COST OF \$24,359.00, IN ORDER TO OFFSET THE COSTS ASSOCIATED WITH THE PURCHASING OF NEW EQUIPMENT FOR A NEW POLICE VEHICLE FOR THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO
4. **Resolution No. 13, Series 2023**, A RESOLUTION SUPPORTING THE EXECUTION OF THE AGREEMENT FOR A GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT GRANT (23-ST-07) IN THE AMOUNT OF \$450,000.00, FOR A TOTAL PROJECT COST OF \$27,948,000.00, IN ORDER TO OFFSET THE COSTS ASSOCIATED WITH THE PURCHASE AND ENGINEERING FOR A WATER TREATMENT FACILITY FOR THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO

**Trustee Classen made a motion to approve the consent agenda as presented. Trustee Hanrahan seconded the motion, and the motion carried unanimously.**

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**Conflicts of Interest** – There were no conflicts of interest.

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**Agenda Changes** – There were no agenda changes.

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### **Appointment of new Mayor Pro-Tem**

**Trustee Brintnall made a motion to appoint Trustee Hanrahan as the Mayor Pro-tem. Trustee Flores seconded the motion, and the motion carried unanimously.**

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Mayor declares adjournment as the Board of Trustees and convened as the Silt Housing Authority

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### **Senior Housing Update – Cheryl Strouse**

Chair Hanrahan took over this discussion item. Administrator Layman introduced Cheryl Strouse, Executive Director of Garfield County Housing Authority who was present to provide an update on Senior Housing. He added that she would be providing information on their housing program and how they work with the town and also the challenges that we are faced with regarding this aging building.

Ms. Strouse went over how the building is managed by the Housing Authority, the wait lists to get housing as required by HUD. There was also brief discussion about remodeling and improvements to the building, funding, grants from the State for improvements, utilizing CHAFA and inspections.

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Chair Hanrahan declared adjournment as the Silt Housing Authority and reconvened as the Board of Trustees

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Second reading of **Ordinance No. 1, Series 2023**, AN ORDINANCE OF THE TOWN OF SILT, COLORADO GRANTING A CABLE SYSTEM FRANCHISE TO COMCAST OF COLORADO.

Attorney Neu went over his report on this ordinance that is before the Board on second reading.

The public hearing was opened at 7:46 p.m. There were no public comments and the hearing was closed at 7:46 p.m.

**Trustee Seifert made a motion to approve the second reading of Ordinance No. 1, Series 2023, AN ORDINANCE OF THE TOWN OF SILT, COLORADO GRANTING A CABLE SYSTEM FRANCHISE TO COMCAST OF COLORADO. Trustee Brintnall seconded the motion, and the motion carried unanimously.**

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Second reading of **Ordinance No. 2, Series 2023**, AN ORDINANCE OF THE TOWN OF SILT, COLORADO APPROVING THE SALE OF TOWN OWNED PROPERTY LOCATED AT 1555 RIVER FRONTAGE ROAD, NORTH OF THE HOLIDAY INN EXPRESS AND PROPERTY UNNEEDED FOR ANY GOVERNMENTAL PURPOSE

Attorney Neu went over his report, stating that this ordinance authorizes the Town to go under contract for the Town owned property as required by the Home Rule Charter. He added that the earnest money has been tendered and that the Town has the option of buying the property back at the same price if a building permit hasn't been picked up within six months.



The public hearing was opened at 7:49 p.m. There were no public comments and the hearing closed at 7:49 p.m.

**Trustee Classen made a motion second reading of Ordinance No. 2, Series 2023, AN ORDINANCE OF THE TOWN OF SILT, COLORADO APPROVING THE SALE OF TOWN OWNED PROPERTY LOCATED AT 1555 RIVER FRONTAGE ROAD, NORTH OF THE HOLIDAY INN EXPRESS AND PROPERTY UNNEEDED FOR ANY GOVERNMENTAL PURPOSE. Mayor Pro-tem Hanrahan seconded the motion, and the motion carried unanimously.**

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First 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**

Treasurer Tucker went over the ordinance stating that per HB 21-1162, the Management of Plastic Products Act requires the adoption a \$.10 fee per bag that is provided by retailers of which \$.06 would be remitted quarterly to the Town. The first remittance would be due 20-days following the 3<sup>rd</sup> quarter in 2023. Ms. Tucker added that the money would be put towards the Towns' bi-annual clean-up campaign. There was brief discussion on how ridiculous this requirement is due to the limited number of businesses who would need to participate.

The public hearing was opened at 7:57 p.m. Cheryl Strouse stated that Colorado has stooped to a new low with this requirement. The hearing was closed at 7:58 p.m.

**Trustee Seifert made a motion to approve first 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 Brintnall seconded the motion, and the motion carried unanimously.**

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### **Main Street Phase 7 and Block 23 Alley Project Update**

Director Fonner went over this project that was before the Board on March 27 adding that a complete bid has now been finalized and is before the Board tonight. He added that the project is slated to begin on May 8 and should be done by mid-June with minimal disruptions to businesses and citizens. Mr. Fonner also stated that there would be an outreach to all of the businesses who would be affected.

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### **March 2023 Financial Report**

Treasurer Tucker went over the March 2023 financial report and answered questions.

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## Administrator and Staff Comments

Administrator Layman went over his report touching on the following items:

- Water treatment plant; grant money awarded by GCFMLD and money has been earmarked by Senator Bennet's to move forward to the Appropriations Committee for review and possible money awarded from Senator Hickenlooper. All awards are contingent on Congress agreeing to a new budget for 2024
- The JDS Hydro report and staff has received and is currently reviewing
- Discussions that have started with Colorado River Fire Rescue to develop a public safety facility to include the Silt PD and potentially the Silt Public Works Department
- Ongoing discussions that have been taking place with Debra Figueroa regarding Sustainable Strategies in hopes of achieving additional grant funding for the water plant project
- Update on code enforcement that took place on a business in Town that recently was cited into Municipal Court for a number of violations. Mr. Layman relayed the amount of staff time it has taken to address these issues

Director Fonner stated that the Eagle's View Park should be back open around the middle of May. He added that in regards to IMTPR, that HB 1101 just passed and that it would require CDoT to review the regions and redraw them if necessary. He also stated that CDPHE upgraded our distribution to Level 2 and that the Town would now need to sample 40 sites for lead and copper, up from the current 20 sites.

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## Updates from Board / Board Comments

The Board asked about the recent surveying done at the public works shop, if the Town goes out to bid on its' IT services, an RV that has been parked by the old Tim's Tools, a crosswalk by the Post Office, the COVID banner hanging at Town Hall and the number of visitors that attended the last DMV2GO service at Town Hall.

The Board commented about attending the latest Weed Board meeting, reminder of the upcoming clean-up week and making citizens aware of trimming back those limbs that go over the sidewalks and possibly including a diagram in the water people so people are aware of the what the code requires, attending the Governance Council meeting, the status of the Camario final plat extension, the increase in speeding on Main Street and asking people to please slow down. It was discussed of contacting CDoT to see if the speed could be decreased. Staff was thanked for the good job they are doing.

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## Adjournment

**Trustees Seifert made a motion to adjourn. Trustee Brintnall seconded the motion, and the motion carried unanimously. Mayor Richel adjourned the meeting at 8:36 p.m.**

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Respectfully submitted,

Approved by the Board of Trustees

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Sheila M. McIntyre  
Town Clerk, CMC

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Keith B. Richel  
Mayor

**TOWN OF SILT  
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**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Town of Silt, Colorado:

**Section I** – That any of the following persons are authorized to endorse items of deposit and that two signatures shall be required on checks written by the town and for withdrawals from any of the checking, savings, money market and certificate of deposit accounts:

Keith B. Richel – Mayor  
Derek Hanrahan – Mayor Pro-tem  
Jeff Layman – Town Administrator  
Sheila M. McIntyre – Town Clerk

**Section II** – Any and all Resolutions or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided however, that the repeal of any such Resolution or part thereof shall not revive any other section or part of any Resolution heretofore repealed or superseded.

**APPROVED AND ADOPTED** at a regular meeting of the Board of Trustees of the Town of Silt on the 8<sup>th</sup> day of May, 2023.

TOWN OF SILT

ATTEST:

\_\_\_\_\_  
Keith B. Richel, Mayor

\_\_\_\_\_  
Sheila M. McIntyre, Town Clerk, CMC



## Community Development Department

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### MEMORANDUM

**TO:** Honorable Mayor and Board of Trustee Members  
**FROM:** Nicole Centeno, Community Development Manager  
**DATE:** May 4, 2023  
**RE:** Title 15- Building Code Adoptions and Amendments

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.

Given 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!

**TOWN OF SILT  
ORDINANCE NO. 5  
SERIES 2023**

**AN ORDINANCE OF THE TOWN OF SILT, COLORADO (“TOWN”), REPEALING AND REPLACING TITLE 15, IN IT’S ENTIRETY OF THE CODE RELATED TO BUILDING AND THE ADOPTION OF AND AMENDMENTS TO THE 2015 EDITION OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL FIRE CODE, 2015 INTERNATIONAL FUEL GAS CODE AND 2018 INTERNATIONAL ENERGY CONSERVATION CODE.**

**WHEREAS**, pursuant to Colorado Revised Statute (“C.R.S.”) Section 31-15-103, the Board of Trustees (“Board”) of the Town has the authority to make and publish ordinances necessary and proper to provide for the safety, health, prosperity and order of the Town; and

**WHEREAS**, Section 1-6 of the Town of Silt Home Rule Charter provides that the Board of Trustees is empowered to enact ordinances; and

**WHEREAS**, Section 1-11 of the Town of Silt Home Rule Charter provides for the adoption of codes by reference; and

**WHEREAS**, Colorado House Bill 22-1362 requires all building codes statewide to be updated to the 2018 Edition of the International Energy Conservation Code; and

**WHEREAS**, the Silt Board of Trustees finds that it is necessary to adopt and amend the current 2015 adoptions, new 2018 International Energy Conservation Code, and Title 15 revisions, to be applied throughout the Town of Silt, providing for administration, enforcement, appeals, penalties for violation of the provisions of this code; and

**WHEREAS**, the Town held two public meetings in order to introduce the new codes and provide opportunities for interested parties to give input regarding adoption of and amendment to the new codes; and

**WHEREAS**, the Board of Trustees hereby authorizes the building official and/or designee(s) to administer and enforce these codes; and

**WHEREAS**, such adoptions of new codes are necessary and proper to protect and promote the safety, health, prosperity and order of the Town.

**NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO, ORDAINS AS FOLLOWS:**

**SECTION 1.**

The Town Code is hereby amended as shown in **Exhibit A**, which is attached to and incorporated into this Ordinance by reference.

SECTION 2.

All ordinances heretofore passed and adopted by the Board of Trustees of the Town of Silt, Colorado are hereby repealed to the extent that said ordinances, or parts thereof, are in conflict herewith.

SECTION 3.

If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

**INTRODUCED, READ AND APPROVED ON FIRST READING, a public hearing**, this 8<sup>th</sup> day of May 2023, at 7:00 p.m. in the Municipal Building of the Town of Silt Colorado.

**PASSED, APPROVED ON SECOND READING, ADOPTED AND ORDERED PUBLISHED**, this 22<sup>nd</sup> day of May 2023.

TOWN OF SILT

\_\_\_\_\_  
Mayor Keith B. Richel

ATTEST:

\_\_\_\_\_  
Town Clerk Sheila M. McIntyre, CMC

# 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 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 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)
	Speed(d) mph	Topographic Effects (k)	Special Wind Region (l)	Seismic Design Category (g)	Weathering (a)	Frost Line Depth (b)	Termite (c)					
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](http://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.gov/fpsf.html](http://www.nedc.gov/fpsf.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).

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, have 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 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 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 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 card, 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)
	Speed(d) mph	Topographic Effects (k)	Special Wind Region (l)	Seismic Design Category (g)	Weathering (a)	Frost Line Depth (b)	Termite (c)					
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](http://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/fpsf.html](http://www.nedc.noaa.gov/fpsf.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).

#### 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 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 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 IBC, 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 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.

- 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.
- 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 1<sup>st</sup> 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 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 (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 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.

### **15.12.290 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
4. Sheds must be neutral 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.

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:

- 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;

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- 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 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 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.

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#### **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:
  - 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



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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.

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- 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(B), 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 shall hear and render judgment on requests for variances from the requirements of this chapter;
2. The board of adjustment 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 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 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 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(B)(7), and (iii) Section 15.32.130, 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, 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) 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, and the elevation and anchoring requirements for "manufactured, modular and factory-built homes" in Section 15.32.080(D) 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.

#### **15.17.020 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.

**TOWN OF SILT  
BOARD OF TRUSTEES REGULAR MEETING  
April 24, 2023**

**AGENDA ITEM SUMMARY**

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**SUBJECT: Adopting Remittance of Bag Fee**

**PROCEDURE: Action item**

**RECOMMENDATION: Approval**

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:** HB21-1162 the Management Of Plastic Products Act, adopted a \$0.10 fee per bag provided by a retailer to go into effect January 1, 2023, of which \$0.06 will be remitted quarterly to the Town. The remittance is required only if the fees collected are more than \$20. If not, the retailer will hold those funds until the next quarter. The first remittance will be due 20 days following the 3<sup>rd</sup> quarter in 2023.

**ORDINANCE READING DATE: April 24, 2023**

**ORIGINATED BY: Amie Tucker**

**PRESENTED BY: Amie Tucker, Town Treasurer**

**DOCUMENTS ATTACHED:**

- Ordinance
- HB 21-1162
- Bag Fee Return Instructions
- Bag Fee Flyer

**TOWN ATTORNEY REVIEW [ ] YES [ ] NO      INITIALS \_\_\_\_\_**

**SUBMITTED BY:**

**REVIEWED BY:**

  
\_\_\_\_\_  
Amie Tucker, Town Treasurer

  
\_\_\_\_\_  
Sheila M. McIntyre, Town Clerk

**TOWN OF SILT  
ORDINANCE NO. 4  
SERIES OF 2023**

**AN ORDINANCE OF THE TOWN OF SILT, COLOARDO AMENDING TITLE 3 OF THE SILT MUNICIPAL CODE TO PROVIDE FOR THE CLARIFICTION OF THE REMITTANCE SCHEDULE OF THE BAG FEE IMPOSED BY THE STATE OF COLORADO.**

**WHEREAS**, the Town of Silt, Colorado (the “Town”), is a municipal corporation duly organized and operating as a home-rule municipality under its Town Charter and the Constitution and laws of the State of Colorado; and

**WHEREAS**, Article XX, Section 6 of the Colorado Constitution, the right to enact, administer and enforce sales and use taxes is clearly within the constitutional grant of power to the Town and is necessary to raise revenue with which to conduct the affairs and render the services performed by the Town; and

**WHEREAS**, by HB21-1162 the Management Of Plastic Products Act, the Colorado General Assembly adopted a \$0.10 fee per bag provided by a retailer to go into effect January 1, 2023, of which \$0.06 will be remitted to the local government in which the retailer is located; and

**WHEREAS**, it was discovered that due to a scriveners error, the remittance of the fee in the statute commences April 1, 2024, more than a year after the bag fee goes into effect; and

**WHEREAS**, it is within the Town’s home rule powers to require remittance to commence within a reasonable time of the bag fee being collected; and

**WHEREAS**, the Board of Trustees has determined that the following amendments to Title 3 of the code are in the best interests of the Town

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

**SECTION 1**

1. The Board of Trustees incorporates the foregoing recitals as conclusions, facts, determinations, and findings.

2. A new Section 3.12.160 of the Silt Municipal Code is hereby adopted as set forth below:

Sec. 3.12.160. – Remittance of Bag Fee.

Every affected retailer or vendor shall be liable and responsible for the payment of the fee assessed in C.R.S. § 25-17-505(1)(a) as provided in C.R.S. § 25-17-505(3)(d)(I) and shall remit the fee on a quarterly basis with first remittance to be due 20 days past the third quarter of 2023.

**INTRODUCED, READ, AND APPROVED ON FIRST READING** this 24<sup>th</sup> day of April 2023, at 7:00 PM in the Town Hall, Town of Silt, Colorado.

**PASSED, APPROVED ON SECOND READING, ADOPTED, AND ORDERED PUBLISHED** following a continued public hearing this 8<sup>th</sup> day of May 2023.

TOWN OF SILT

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Mayor Keith Richel

ATTEST

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Town Clerk Sheila M. McIntyre, CMC

**NOTE:** This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 21-1162

BY REPRESENTATIVE(S) Valdez A. and Cutter, Amabile, Bernett, Hooton, Kipp, Sirota, Woodrow, Bacon, Bird, Boesenecker, Caraveo, Duran, Froelich, Jackson, Jodeh, Kennedy, Lontine, McCormick, McLachlan, Michaelson Jenet, Mullica, Ortiz, Tipper, Titone, Gonzales-Gutierrez, McCluskie;  
also SENATOR(S) Gonzales and Garcia, Bridges, Buckner, Danielson, Fenberg, Ginal, Jaquez Lewis, Lee, Story.

CONCERNING THE MANAGEMENT OF PLASTIC PRODUCTS.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, **repeal** 25-17-104 as follows:

**25-17-104. Local government preemption.** ~~No unit of local government shall require or prohibit the use or sale of specific types of plastic materials or products or restrict or mandate containers, packaging, or labeling for any consumer products.~~

**SECTION 2.** In Colorado Revised Statutes, **add** part 5 to article 17 of title 25 as follows:

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

PART 5  
MANAGEMENT OF PLASTIC PRODUCTS

**25-17-501. Short title.** THE SHORT TITLE OF THIS PART 5 IS THE "PLASTIC POLLUTION REDUCTION ACT".

**25-17-502. Legislative declaration.** THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT LIMITING THE USE OF SINGLE-USE PLASTIC CARRYOUT BAGS AND EXPANDED POLYSTYRENE PRODUCTS WILL MITIGATE THE HARMFUL EFFECTS ON OUR STATE'S NATURAL RESOURCES AND OUR ENVIRONMENT THAT RESULT FROM DISPOSING OF THESE PRODUCTS IN OUR LANDFILLS.

**25-17-503. Definitions - rules.** AS USED IN THIS PART 5, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) (a) "CARRYOUT BAG" MEANS A BAG THAT IS FURNISHED TO A CUSTOMER AT A STORE OR RETAIL FOOD ESTABLISHMENT AT THE POINT OF SALE FOR USE BY THE CUSTOMER TO TRANSPORT OR CARRY PURCHASED ITEMS.

(b) "CARRYOUT BAG" DOES NOT INCLUDE:

(I) A BAG MADE OF PAPER WHEN THE PAPER HAS A BASIS WEIGHT OF THIRTY POUNDS OR LESS;

(II) A BAG THAT A PHARMACY PROVIDES TO A CUSTOMER PURCHASING PRESCRIPTION MEDICATION;

(III) A BAG THAT A CUSTOMER USES INSIDE A STORE TO:

(A) PACKAGE LOOSE OR BULK ITEMS, SUCH AS FRUITS, VEGETABLES, NUTS, GRAINS, CANDY, OR GREETING CARDS; NAILS, BOLTS, SCREWS, OR OTHER SMALL HARDWARE ITEMS; LIVE INSECTS, FISH, CRUSTACEANS, MOLLUSKS, OR OTHER SMALL SPECIES; AND BULK SEED, BULK LIVESTOCK FEED, OR BULK PET FEED;

(B) CONTAIN OR WRAP FROZEN FOODS, MEAT, SEAFOOD, FISH, FLOWERS, POTTED PLANTS, OR OTHER ITEMS THAT, IF THEY WERE TO COME



IN CONTACT WITH OTHER ITEMS, COULD DAMPEN OR CONTAMINATE THE OTHER ITEMS; OR

(C) CONTAIN UNWRAPPED PREPARED FOODS OR BAKERY GOODS; OR

(IV) A LAUNDRY, DRY CLEANING, OR GARMENT BAG.

(2) "CONTAINER" MEANS A RECEPTACLE UPON WHICH OR INSIDE WHICH FOOD MAY BE PLACED FOR CONSUMPTION, WHETHER OR NOT THE RECEPTACLE CAN BE FULLY CLOSED. "CONTAINER" INCLUDES HINGED FOOD CONTAINERS, PLATES, BOWLS, CUPS, AND TRAYS.

(3) "EXPANDED POLYSTYRENE" MEANS BLOWN POLYSTYRENE, COMMONLY KNOWN AS STYROFOAM™, AND ANY OTHER EXPANDED OR EXTRUDED FOAM CONSISTING OF THERMOPLASTIC PETROCHEMICAL MATERIALS UTILIZING A STYRENE MONOMER AND PROCESSED BY TECHNIQUES THAT MAY INCLUDE:

(a) FOR EXPANDABLE BEAD POLYSTYRENE, FUSION OF POLYMER SPHERES;

(b) INJECTION MOLDING;

(c) FOAM MOLDING; AND

(d) FOR EXTRUDED FOAM POLYSTYRENE, EXTRUSION BLOW MOLDING.

(4) (a) "FOOD" MEANS ANY RAW, COOKED, OR PROCESSED EDIBLE SUBSTANCE, ICE, BEVERAGE, OR INGREDIENT USED OR INTENDED FOR USE OR FOR SALE, IN WHOLE OR IN PART, FOR HUMAN CONSUMPTION.

(b) "FOOD" DOES NOT INCLUDE A DRUG, AS THAT TERM IS DEFINED IN SECTION 25-5-402 (9).

(5) "PLASTIC" MEANS A SYNTHETIC MATERIAL MADE FROM LINKING MONOMERS THROUGH A CHEMICAL REACTION TO CREATE A POLYMER CHAIN THAT CAN BE MOLDED OR EXTRUDED AT HIGH HEAT INTO VARIOUS SOLID FORMS THAT RETAIN THEIR DEFINED SHAPES DURING THEIR LIFE CYCLE AND AFTER DISPOSAL.

(6) "POINT OF SALE" MEANS A CHECK-OUT STAND, CASH REGISTER, OR OTHER POINT AT WHICH A SALES TRANSACTION OCCURS IN A STORE OR RETAIL FOOD ESTABLISHMENT OR, FOR PRODUCTS THAT ARE ORDERED REMOTELY FROM A STORE OR RETAIL FOOD ESTABLISHMENT AND DELIVERED, THE LOCATION WHERE THE PRODUCTS ARE DELIVERED.

(7) "READY-TO-EAT FOOD" MEANS FOOD THAT IS COOKED OR OTHERWISE PREPARED IN ADVANCE FOR IMMEDIATE CONSUMPTION.

(8) "RECYCLED PAPER CARRYOUT BAG" MEANS A CARRYOUT BAG MADE FROM ONE HUNDRED PERCENT:

(a) RECYCLED MATERIAL; OR

(b) OTHER POST-CONSUMER CONTENT.

(9) (a) "RETAIL FOOD ESTABLISHMENT" HAS THE MEANING SET FORTH IN SECTION 25-4-1602 (14) EXCEPT AS PROVIDED IN SUBSECTION (9)(b) OF THIS SECTION.

(b) "RETAIL FOOD ESTABLISHMENT" DOES NOT INCLUDE FARMERS MARKETS AND ROADSIDE MARKETS AS DESCRIBED IN SECTION 25-4-1602 (14)(j).

(10)(a) "REUSABLE CARRYOUT BAG" MEANS A CARRYOUT BAG THAT IS DESIGNED AND MANUFACTURED FOR AT LEAST ONE HUNDRED TWENTY-FIVE USES, CAN CARRY AT LEAST TWENTY-TWO POUNDS OVER A DISTANCE OF ONE HUNDRED SEVENTY-FIVE FEET, HAS STITCHED HANDLES, AND IS MADE OF CLOTH, FIBER, OR OTHER FABRIC OR A RECYCLED MATERIAL SUCH AS POLYETHYLENE TEREPHTHALATE (PET).

(b) "REUSABLE CARRYOUT BAG" DOES NOT INCLUDE BAGS MADE OF BIOLOGICALLY BASED POLYMERS SUCH AS CORN OR OTHER PLANT SOURCES; EXCEPT THAT A CARRYOUT BAG MADE OF HEMP IS A REUSABLE CARRYOUT BAG IF IT IS DESIGNED AND MANUFACTURED IN ACCORDANCE WITH SUBSECTION (10)(a) OF THIS SECTION.

(11) "SCHOOL" HAS THE MEANING SET FORTH IN SECTION 23-3.9-101 (6).

(12) (a) "SINGLE-USE PLASTIC CARRYOUT BAG" MEANS A CARRYOUT BAG THAT IS A SINGLE-USE PLASTIC PRODUCT MADE PREDOMINANTLY OF PLASTIC DERIVED FROM NATURAL GAS, PETROLEUM, OR A BIOLOGICALLY BASED SOURCE, SUCH AS CORN OR OTHER PLANT SOURCES, AND THAT IS PROVIDED TO A CUSTOMER AT THE POINT OF SALE.

(b) "SINGLE-USE PLASTIC CARRYOUT BAG" DOES NOT INCLUDE A REUSABLE CARRYOUT BAG.

(13) "SMALL STORE" MEANS A STORE THAT OPERATES SOLELY IN COLORADO, HAS THREE OR FEWER LOCATIONS IN THE STATE, AND IS NOT PART OF A FRANCHISE, CORPORATION, OR PARTNERSHIP THAT HAS PHYSICAL LOCATIONS OUTSIDE OF COLORADO.

(14) (a) "STORE" MEANS, EXCEPT AS PROVIDED IN SUBSECTION (14)(c) OF THIS SECTION, A GROCERY STORE, SUPERMARKET, CONVENIENCE STORE, LIQUOR STORE, DRY CLEANER, PHARMACY, DRUG STORE, CLOTHING STORE, OR OTHER TYPE OF RETAIL ESTABLISHMENT AT WHICH CARRYOUT BAGS ARE TRADITIONALLY PROVIDED TO CUSTOMERS.

(b) "STORE" INCLUDES A FARMERS' MARKET, ROADSIDE MARKET OR STAND, FESTIVAL, OR OTHER TEMPORARY VENDOR OR EVENT THAT INCLUDES TEMPORARY VENDORS.

(c) "STORE" DOES NOT INCLUDE A SMALL STORE.

**25-17-504. Restrictions on use of single-use plastic carryout bag - inventory exception - repeal.** (1) SUBJECT TO SECTION 25-17-505 (1), ON AND AFTER JANUARY 1, 2024, A STORE OR RETAIL FOOD ESTABLISHMENT SHALL NOT PROVIDE A SINGLE-USE PLASTIC CARRYOUT BAG TO A CUSTOMER; EXCEPT THAT A RETAIL FOOD ESTABLISHMENT NEED NOT COMPLY WITH THIS SECTION IF THE RETAIL FOOD ESTABLISHMENT:

(a) PREPARES OR SERVES FOOD IN INDIVIDUAL PORTIONS FOR IMMEDIATE ON- OR OFF-PREMISES CONSUMPTION; AND

(b) IS NOT A GROCERY STORE OR CONVENIENCE STORE.

(2) (a) SUBJECT TO THE CARRYOUT BAG FEE APPLIED TO SINGLE-USE PLASTIC CARRYOUT BAGS IN SECTION 25-17-505, A STORE OR RETAIL FOOD

ESTABLISHMENT MAY PROVIDE A SINGLE-USE PLASTIC CARRYOUT BAG TO A CUSTOMER ON OR BEFORE JUNE 1, 2024, IF THE SINGLE-USE PLASTIC CARRYOUT BAG WAS PART OF THE STORE'S OR RETAIL FOOD ESTABLISHMENT'S INVENTORY BEFORE JANUARY 1, 2024.

(b) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2024.

**25-17-505. Carryout bag fee - disposition of money - repeal.**

(1) (a) ON AND AFTER JANUARY 1, 2023, AND BEFORE JANUARY 1, 2024, A STORE MAY PROVIDE A CUSTOMER WITH ONE OR MORE RECYCLED PAPER CARRYOUT BAGS OR SINGLE-USE PLASTIC CARRYOUT BAGS AT THE POINT OF SALE ONLY IF THE CUSTOMER PAYS A CARRYOUT BAG FEE OF TEN CENTS PER RECYCLED PAPER CARRYOUT BAG OR SINGLE-USE PLASTIC CARRYOUT BAG, OR A HIGHER FEE IF A MUNICIPALITY OR COUNTY IN WHICH THE STORE IS LOCATED RAISES THE FEE AMOUNT BY ORDINANCE OR RESOLUTION. FOR EACH CARRYOUT BAG FEE COLLECTED PURSUANT TO THIS SUBSECTION (1)(a), THE STORE SHALL:

(I) REMIT, IN ACCORDANCE WITH SUBSECTION (3)(d) OF THIS SECTION, SIXTY PERCENT TO THE MUNICIPALITY WITHIN WHICH THE STORE IS LOCATED OR, IF THE STORE IS NOT LOCATED WITHIN A MUNICIPALITY, TO THE COUNTY WITHIN WHICH THE STORE IS LOCATED, WHICH MUNICIPALITY OR COUNTY SHALL USE THE REMITTED FEE TO PAY:

(A) ITS ADMINISTRATIVE AND ENFORCEMENT COSTS INCURRED AS A RESULT OF THIS SECTION; AND

(B) FOR ANY RECYCLING, COMPOSTING, OR OTHER WASTE DIVERSION PROGRAMS AND RELATED OUTREACH AND EDUCATION ACTIVITIES; AND

(II) RETAIN FORTY PERCENT, WHICH PORTION OF THE FEE DOES NOT COUNT AS REVENUE FOR THE PURPOSE OF CALCULATING SALES TAX.

(b) THE CARRYOUT BAG FEE SET FORTH IN SUBSECTION (1)(a) OF THIS SECTION DOES NOT APPLY TO A CUSTOMER THAT PROVIDES EVIDENCE TO THE STORE THAT THE CUSTOMER IS A PARTICIPANT IN A FEDERAL OR STATE FOOD ASSISTANCE PROGRAM.

(c) THIS SUBSECTION (1) IS REPEALED, EFFECTIVE SEPTEMBER 1,

2024.

(2) (a) ON AND AFTER JANUARY 1, 2024, A STORE MAY PROVIDE A CUSTOMER WITH ONE OR MORE RECYCLED PAPER CARRYOUT BAGS AT THE POINT OF SALE ONLY IF THE CUSTOMER PAYS A CARRYOUT BAG FEE OF TEN CENTS PER RECYCLED PAPER CARRYOUT BAG, OR A HIGHER FEE IF A MUNICIPALITY OR COUNTY IN WHICH THE STORE IS LOCATED RAISES THE FEE AMOUNT BY ORDINANCE OR RESOLUTION. FOR EACH CARRYOUT BAG FEE COLLECTED PURSUANT TO THIS SUBSECTION (2), THE STORE SHALL:

(I) REMIT, IN ACCORDANCE WITH SUBSECTION (3)(d) OF THIS SECTION, SIXTY PERCENT TO THE MUNICIPALITY WITHIN WHICH THE STORE IS LOCATED OR, IF THE STORE IS NOT LOCATED WITHIN A MUNICIPALITY, TO THE COUNTY WITHIN WHICH THE STORE IS LOCATED, WHICH MUNICIPALITY OR COUNTY SHALL USE THE REMITTED FEE TO PAY:

(A) ITS ADMINISTRATIVE AND ENFORCEMENT COSTS INCURRED AS A RESULT OF THIS SECTION; AND

(B) FOR ANY RECYCLING, COMPOSTING, OR OTHER WASTE DIVERSION PROGRAMS AND RELATED OUTREACH AND EDUCATION ACTIVITIES; AND

(II) RETAIN FORTY PERCENT, WHICH PORTION OF THE FEE DOES NOT COUNT AS REVENUE FOR THE PURPOSE OF CALCULATING SALES TAX.

(b) THE CARRYOUT BAG FEE SET FORTH IN SUBSECTION (2)(a) OF THIS SECTION DOES NOT APPLY TO A CUSTOMER THAT PROVIDES EVIDENCE TO THE STORE THAT THE CUSTOMER IS A PARTICIPANT IN A FEDERAL OR STATE FOOD ASSISTANCE PROGRAM.

(c) (I) BEGINNING JANUARY 1, 2024, AND ENDING JUNE 1, 2024, A STORE MAY PROVIDE A CUSTOMER WITH A SINGLE-USE PLASTIC CARRYOUT BAG AT THE POINT OF SALE FOR THE CARRYOUT BAG FEE DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION ONLY IF THE SINGLE-USE PLASTIC CARRYOUT BAG IS WITHIN THE STORE'S REMAINING INVENTORY PURSUANT TO SECTION 25-17-504 (2)(a). THE STORE SHALL REMIT THE FEE COLLECTED PURSUANT TO THIS SUBSECTION (2)(c) IN ACCORDANCE WITH SUBSECTION (2)(a) OF THIS SECTION.

(II) THIS SUBSECTION (2)(c) IS REPEALED, EFFECTIVE JULY 1, 2024.

(3) IN PROVIDING CARRYOUT BAGS FOR A FEE PURSUANT TO THIS SECTION, A STORE SHALL:

(a) FOR EACH CUSTOMER PROVIDED A CARRYOUT BAG FOR A FEE, PROVIDE ON THE CUSTOMER'S TRANSACTION RECEIPT A RECORD OF THE NUMBER OF CARRYOUT BAGS PROVIDED AS PART OF THE TRANSACTION AND THE TOTAL AMOUNT OF FEES CHARGED FOR THE CARRYOUT BAGS PROVIDED, ITEMIZED BY TYPE OF CARRYOUT BAG;

(b) NOT REFUND TO THE CUSTOMER ANY PORTION OF THE CARRYOUT BAG FEE, EITHER DIRECTLY OR INDIRECTLY, OR ADVERTISE OR OTHERWISE CONVEY TO CUSTOMERS THAT ANY PORTION OF THE CARRYOUT BAG FEE WILL BE REFUNDED;

(c) CONSPICUOUSLY DISPLAY A SIGN IN A LOCATION INSIDE OR OUTSIDE THE STORE, WHICH SIGN ALERTS CUSTOMERS ABOUT THE CARRYOUT BAG FEE; AND

(d)(I) ON A QUARTERLY BASIS STARTING APRIL 1, 2024, REMIT FROM THE TOTAL AMOUNT OF CARRYOUT BAG FEES COLLECTED IN THE PREVIOUS QUARTER THE AMOUNT THAT IS OWED TO THE MUNICIPALITY OR COUNTY:

(A) TO THE FINANCE DEPARTMENT OR DIVISION OR EQUIVALENT AGENCY OF THE MUNICIPALITY WITHIN WHICH THE STORE IS LOCATED; OR

(B) IF THE STORE IS NOT LOCATED WITHIN A MUNICIPALITY, TO THE FINANCE DEPARTMENT OR DIVISION OR EQUIVALENT AGENCY OF THE COUNTY WITHIN WHICH THE STORE IS LOCATED.

(II) A STORE NEED NOT REMIT CARRYOUT BAG FEES COLLECTED IN ANY QUARTER IN WHICH THE COLLECTED FEES TOTAL LESS THAN TWENTY DOLLARS. THE STORE SHALL RETAIN THOSE COLLECTED FEES UNTIL THE STORE HAS MORE THAN TWENTY DOLLARS WORTH OF COLLECTED FEES TO REMIT AND SHALL REMIT THOSE FEES AS PART OF THE NEXT QUARTERLY REMITTANCE.

**25-17-506. Prohibition on use of expanded polystyrene food containers.** (1) EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, EFFECTIVE JANUARY 1, 2024, A RETAIL FOOD ESTABLISHMENT SHALL NOT DISTRIBUTE AN EXPANDED POLYSTYRENE PRODUCT FOR USE AS A CONTAINER

FOR READY-TO-EAT FOOD IN THIS STATE.

(2) IF A RETAIL FOOD ESTABLISHMENT PURCHASED EXPANDED POLYSTYRENE PRODUCTS BEFORE JANUARY 1, 2024, THE RETAIL FOOD ESTABLISHMENT MAY DISTRIBUTE ANY REMAINING INVENTORY OF THE EXPANDED POLYSTYRENE PRODUCTS THEN PURCHASED FOR USE AS CONTAINERS FOR READY-TO-EAT FOOD IN THIS STATE UNTIL THE INVENTORY IS DEPLETED.

**25-17-507. Enforcement - possible penalties.** (1) (a) EXCEPT AS PROVIDED IN SUBSECTIONS (1)(b) AND (1)(c) OF THIS SECTION, A LOCAL GOVERNMENT MAY ENFORCE A VIOLATION OF THIS PART 5 AGAINST A STORE OR RETAIL FOOD ESTABLISHMENT THAT IS LOCATED WITHIN THE BOUNDARIES OF THE LOCAL GOVERNMENT IN THE MANNER THAT THE LOCAL GOVERNMENT CHOOSES.

(b) (I) A COUNTY THAT CHOOSES TO ENFORCE A VIOLATION OF THIS PART 5 AGAINST A STORE OR RETAIL FOOD ESTABLISHMENT LOCATED WITHIN THE UNINCORPORATED BOUNDARIES OF THE COUNTY MAY SEEK INJUNCTIVE RELIEF AGAINST THE STORE OR RETAIL FOOD ESTABLISHMENT OR MAY ASSESS THE FOLLOWING CIVIL PENALTIES AGAINST THE STORE OR RETAIL FOOD ESTABLISHMENT:

(A) UP TO FIVE HUNDRED DOLLARS FOR A SECOND VIOLATION; OR

(B) UP TO ONE THOUSAND DOLLARS FOR A THIRD OR SUBSEQUENT VIOLATION.

(II) A COUNTY THAT CHOOSES TO ENFORCE A VIOLATION OF THIS PART 5 MAY BOTH SEEK INJUNCTIVE RELIEF AND IMPOSE A CIVIL PENALTY IN ACCORDANCE WITH THIS SUBSECTION (1)(b).

(c) A LOCAL GOVERNMENT SHALL NOT ENFORCE A VIOLATION OF THIS PART 5 AGAINST A RETAIL FOOD ESTABLISHMENT LOCATED WITHIN A SCHOOL.

(2) FOR PURPOSES OF THIS SECTION, EACH RETAIL SALES TRANSACTION IN WHICH A VIOLATION OF THIS PART 5 IS COMMITTED, REGARDLESS OF WHETHER MULTIPLE VIOLATIONS OF THIS PART 5 ARE COMMITTED IN ONE RETAIL SALES TRANSACTION, CONSTITUTES A SINGLE

VIOLATION OF THIS PART 5.

**25-17-508. Local government regulation - preemption.** ON AND AFTER JULY 1, 2024, A LOCAL GOVERNMENT MAY ENACT, IMPLEMENT, OR ENFORCE ANY ORDINANCE, RESOLUTION, RULE, OR CHARTER PROVISION THAT IS AS STRINGENT AS OR MORE STRINGENT THAN THIS PART 5.

**25-17-509. Exemption for medical products.** NOTHING IN THIS PART 5 PROHIBITS OR LIMITS THE USE OF ANY MATERIAL USED IN THE PACKAGING OF A PRODUCT THAT IS REGULATED AS A DRUG, MEDICAL DEVICE, OR DIETARY SUPPLEMENT BY THE FOOD AND DRUG ADMINISTRATION IN THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES UNDER THE "FEDERAL FOOD, DRUG, AND COSMETIC ACT", 21 U.S.C. SEC. 321 ET SEQ., AS AMENDED, OR ANY EQUIPMENT AND MATERIALS USED TO MANUFACTURE SUCH PRODUCTS.

**SECTION 3. Effective date.** This act takes effect upon passage; except that section 1 of this act takes effect July 1, 2024.

**SECTION 4. Safety clause.** The general assembly hereby finds,



determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

\_\_\_\_\_  
Alec Garnett  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

\_\_\_\_\_  
Leroy M. Garcia  
PRESIDENT OF  
THE SENATE

\_\_\_\_\_  
Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

\_\_\_\_\_  
Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_  
(Date and Time)

\_\_\_\_\_  
Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO

# Town of Silt

## Carryout Bag Fee Return Instructions

### General Information

Retailers must file a carryout bag fee return quarterly, even if the retailer did not collect over \$20 in carryout bag fees and will not be submitting any money.

The returns and checks should be mailed to the following address:

**Town of Silt**  
**P.O. Box 70**  
**Silt, CO 81652**

### Form Instructions

In preparing a carryout bag fee return, a retailer must include its identifying information (such as legal business name and Colorado account number), the filing period, due date, and authorized representative information and signature.

Retailers must enter their Colorado account number, which includes their eight-digit and four-digit site/location numbers, on each return and check. If a retailer has multiple locations, a separate return must be filed for each location.

Returns are due on the 20<sup>th</sup> day of the month following the reporting quarter.

1<sup>st</sup> Quarter (January – March): due April 20

2<sup>nd</sup> Quarter (April – June) due July 20

3<sup>rd</sup> Quarter (July – September) due October 20

4<sup>th</sup> Quarter (October – December) due January 20

The return is due the next business day if the 20<sup>th</sup> is on a Saturday, Sunday, or legal holiday.

- Line 1.** Enter the total amount of carryout bag fees collected
- Line 2.** The percent of carryout bag fees that is to be submitted to the Town of Silt
- Line 3.** Multiple Line 1 and Line 2 to calculate the dollar amount that is to be submitted to the Town of Silt

The retailer’s check submitted to the Town of Silt should equal Line 3.

# Town of Silt

## Carryout Bag Fee Return

Legal Business Name \_\_\_\_\_

Colorado Account Number \_\_\_\_\_

Filing Period \_\_\_\_\_ Due Date \_\_\_\_\_

Check here if fees collected are under \$20 and will be remitted next quarter			
1		Total Carryout Bag Fee Revenue collected for the quarter	
2		Fee Revenue owed to the Town (60%)	
3		Total Due	

Authorized Representative

Name	Title	Phone #	Email
_____	_____	_____	_____
Signature	Date		
_____	_____		_____

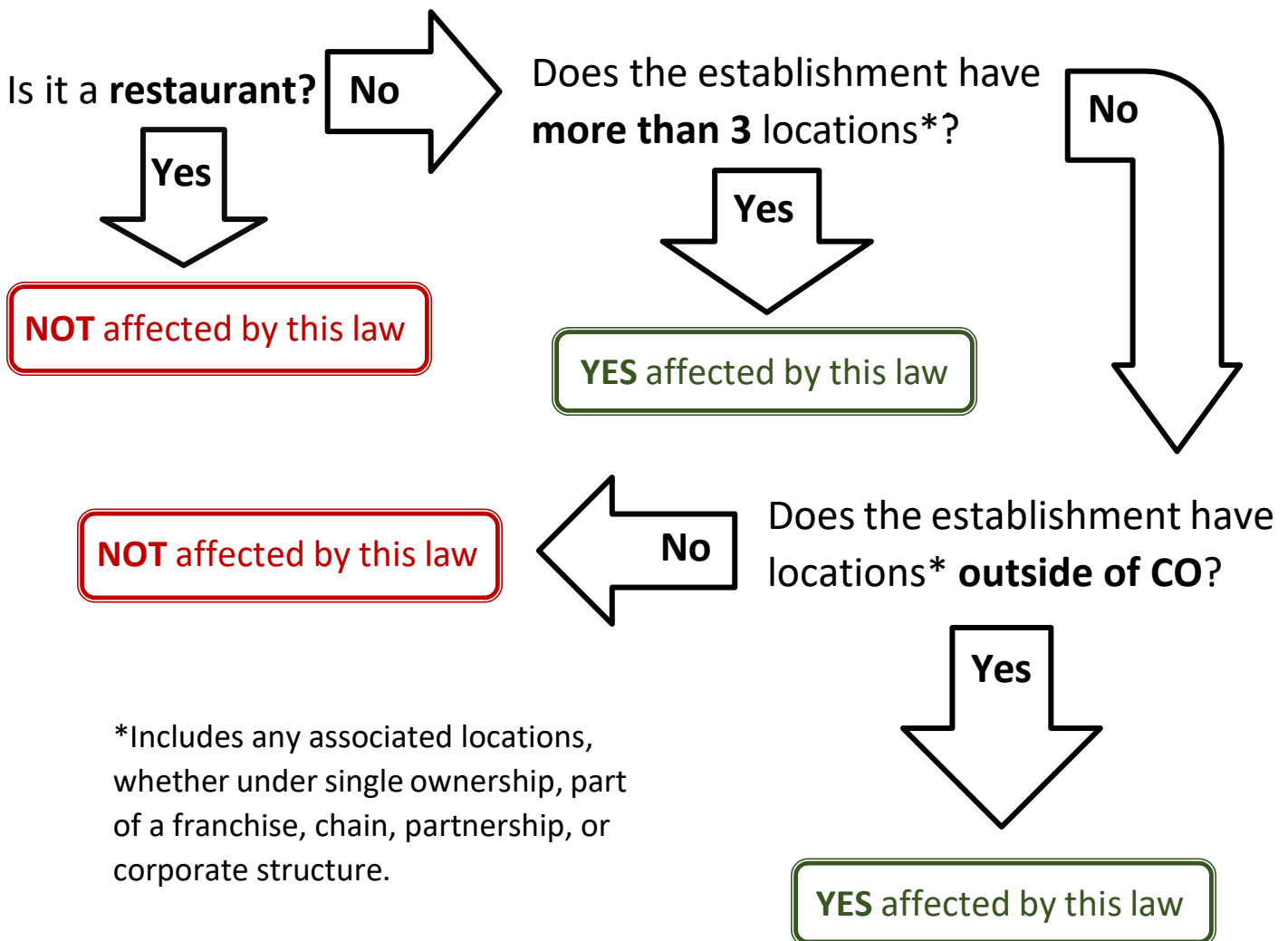


# The State of Colorado Plastic Pollution Reduction Act

## Explainer for Town of Silt Businesses

Certain retail stores are required to charge a \$0.10 fee on each single-use carryout **paper or plastic** bag. On a quarterly basis, stores remit (pay) 60% of what they collected to the Town of Silt, and the stores keep 40%.

### Will the bag fee affect my retail establishment?



See the FAQ on the reverse side for more information.



# The State of Colorado

## Plastic Pollution Reduction Act

### FAQ

#### **Are there any additional considerations or requirements for affected stores?**

- Paper carry-out bags must be made from 100% recycled material or post-consumer content.
- Stores must keep records of fees collected and include the bag fee as an itemized line on customer receipts.
- Stores must display a sign notifying customers of this program.

#### **When do I need to provide payment to the Town of Silt based on the fees collected at my store?**

Stores must remit payment (\$0.06 per bag) to the Town of Silt on a quarterly basis. For example, if your store collected \$100 in bag fees between January 1 and March 31, you would submit a payment of \$60 to the Town of Silt within the first week of April.

#### **Does an affected store have to pay sales tax on the 40% portion of the bag fee they collect?**

No. The law explicitly states that the funds kept by the stores from this fee do not count as revenue and are not subject to sales tax. The law does not outline what the store can or should do with this fee revenue.

#### **What will the Town of Silt do with the 60% of the fee revenue?**

Proceeds will be applied to costs for our bi-annual Clean Up.

#### **What counts as a single-use carry-out bag, and are there exceptions?**

A single-use carry-out bag is just what it sounds like: a paper or plastic bag that customers use to put items in as they leave a store at check-out. These do not include small and lightweight bags to collect items inside a store like produce, bulk food items, deli items, bulk seed/feed, or prescription medications.

Also, any customer that provides evidence they participate in a federal or state assistance program is allowed to be exempt from being charged the bag fee.

#### **My store is not affected by the law, but I want to reduce bag use at my store, what can I do?**

The rules for which stores are and are not affected by this law are automatic, and this can make it very confusing for stores that would like to opt-in to a program to discourage single-use carryout bags.

The most effective thing to do would be to look for ways to no longer use single-use carryout bags of any kind at your store. Promoting the use of reusable bags is encouraged as much as possible.

Stores that are not affected by this law are allowed to charge their own self-imposed fee on carryout bags. Your store is allowed to retain 100% of the revenue from this fee, but it would be subject to sales tax.

Date: May 8, 2003  
To: Mayor Richel & Board of Trustees  
From: Jeff Layman, Town Administrator  
Subject: Staff Report

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Activities, initiatives and news:

- **Silt Water Treatment Plant:** We continue to meet with our entire project design team on a weekly basis to design a plant that reduces costs.

I believe I mentioned verbally at our last meeting, and wrote about it in this week's newsletter, but wanted to alert you again that along with Senator Hickenlooper's referral of a \$2.1 M earmark to the Appropriations Committee for review, Senator Bennet has referred \$3.3 M and Representative Boebert \$27.9 M. Announcements concerning these awards are expected to be made mid-summer. All awards are contingent on the Congress agreeing to a new budget for 2024.

I met recently with CDPHE Executive Director Jill Ryan to discuss the frustrations of dealing with a State bureaucracy and to praise some of the State staffers with whom we've been working on the water treatment plant project. She responded quickly to some of my concerns and I'll be meeting with one of her managers in the Department next week to discuss how they communicate with water/wastewater operations in the State. Top on my list is how they might massage their messaging to be more encouraging, move toward greater understanding and express a "we're all in this together" mindset, rather than the "gotcha" feeling now conveyed.

- **Colorado City and County Manager's Association Conference:** I attended this conference last week in Glenwood. While many sessions offered some insights of valuable, the two best were a review on how the City of Wheat Ridge detected and recovered from a "ransomware" attack, and a presentation on the economic forecast.

The Wheat Ridge presentation has caused me to begin a review our current IT systems and develop a Town of Silt IT interruption plan. The economic forecast will assist in budget planning for 2024 and beyond.

- **School Safety Webinar:** I attended an on-line seminar on "Developing effective strategies to prevent and respond to school shootings" last week. What's most clear is that our society has a problem and is divided on solutions.



Date: May 3, 2023

To: Mayor, Trustees and Administrator Layman

From: Sheila McIntyre, Town Clerk/ Municipal Court Clerk

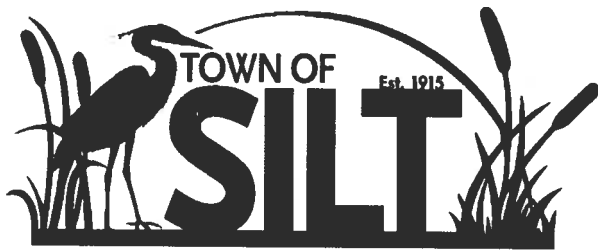
Re: Staff report for April 2023

Town Clerk duties:

- Attended staff meetings
- Worked on code change ordinances
- Signed paychecks and A/P checks
- Misc research for various staff members and Attorney
- Customer service
- Prepared and sent out BOT packets, attended and followed up on meetings, work sessions, and transcribed minutes
- Did you know that all the electricity powering the internet weighs the same as an apricot?
- Signed business licenses
- Attended Heyday meeting and various follow through
- Index filing and purging of documents
- Ran errands: Bank, picked up food for work session, Post Office, Micro Plastics, DMV
- Prepared directives list
- Misc training with Lori
- Public notices and ad to paper for seasonal persons
- Attended webinar re: VOIP system
- Attended tree planting ceremony
- Worked on vehicle registrations
- Renewed FCC License

Municipal Court & Police Dept. duties:

- Attended court
- Attended VALE meeting, transcribed minutes and followed through on approval
- Input tickets and payments
- Forwarded arrest affidavits to County
- Prepared Appearance Bonds
- Prepared for court and provided notes to Prosecutor
- Processed plea deals approved by Judge
- Correspondences with Prosecuting Attorney & Judge regarding cases and plea deals
- Processed court files after court with Judges' orders and entered bench warrants
- Filing
- Follow up on swag ordered for bike rodeo
- Reviewing collection agency contract



## Community Development Department

### MEMORANDUM

TO: Jeff Layman, Town Administrator  
FROM: Nicole Centeno, Community Development Manager  
DATE: April 2023 – May 2023

#### Building Department

- \* Zoning & Building Reviews
- \* Inspections - 91 in April
- \* Contractor Licensing- 27 New / 169 YTD
- \* BEST Tests- 14 New / 30 YTD
- \* Miscellaneous Permits – 12 New / 34 YTD
- \* Excavation Permits- 6 New / 16 YTD
- \* Single Family Permits – 0 New / 5 YTD
- \* Commercial Building Permit- 1 New / 2 YTD
- \* Stop Work Orders
- \* Building Code Updates

#### Administration

- \* Staff Meetings
- \* LED/Community Engagement/Communication
- \* Business Licenses- 110 YTD
- \* Customer Service (Calls, Emails, Walk-ins)
- \* Facility Rentals
- \* Office/File Organization
- \* P & Z Meetings and Minutes
- \* Website Management
- \* Social Media Management
- \* Vendor's Licenses- 0 YTD

#### Recreation

- \* Spring Soccer

#### Code Enforcement

- \* Non-Compliant Business Licenses
- \* Commercial Red Tag
- \* RV Enforcement

#### Subdivisions In Process

- \* Stoney Ridge 2  
(Pending Applicant Phasing Plan)
- \* Camario Phase 2  
(Pending Final Plat)

#### Land Use/Planning & Zoning

- \* Family Dollar- Sign Exception (Approved)
- \* Bunchman Fence Exception (Approved)
- \* Silt Jumbo Storage (Approved)
- \* Rislende Event Site Plan Review
- \* Coats Lot Line Adjustment
- \* Trade Center Lot Line Adjustment
- \* Marioni Annexation

#### Special Events- Current & Future Planning

- \* Silt Clean-Up
- \* Easter Egg Hunt
- \* Concert Prep
- \* Arbor Day & Flying Eagle Ribbon Cutting

- \* Irrigation Line Broken on Construction Site
- \* Construction w/o Permit (Stop Work Order)
- \* Code Revisions

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL	
Incidents 2023	392	297	327	400									1416	1416
Incidents 2022	263	241	308	312	335	419	391	444	387	282	274	231	3,887	1,124
Cases 2023	26	18	21	25									90	90
Cases 2022	17	16	14	18	13	18	19	24	15	16	18	13	201	65
Animal 2023	28	13	10	15									77	77
Animal 2022	13	11	18	17	19	23	18	17	22	28	12	10	208	59
Adult Arrests 2023	14	13	11	22									60	60
Adult Arrests 2022	6	7	5	10	5	5	11	13	9	11	6	6	94	28
Juvenile Arrests 2023	0	0	0	1									1	1
Juvenile Arrests 2022	0	1	0	0	0	0	1	0	0	0	0	0	2	1
Tickets 2023	48	32	61	36									177	177
Tickets 2022	26	15	25	13	25	37	35	52	51	33	29	11	352	79
warnings 2023	48	29	40	44									161	161
warnings 2022	29	33	30	50	43	53	51	52	80	37	21	25	504	142

Incidents All calls for service. Those that come through Dispatch and those that are Officer initiated.

Cases All calls for service that require a case report to be written (excluding Traffic)

Animal All calls for animal complaints (running at large, barking, vicious

33 tickets issued for the area of Main street





Public Works Department  
*Trey H Fonner*  
*Public Works Director*

# Memo

**To:** Jeff Layman, Town Administrator

**From:** Trey Fonner, Public Works Director

**Cc:** File

**Date:** May 4, 2023

**Subject:** Public Works Department Report

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The following department report is a snapshot of some of the tasks and projects the Public Works staff has undertaken over the past several weeks.

- ❖ Replace valves in Tara Subdivision
- ❖ Fill potholes through out Town
- ❖ Snow removal
- ❖ Core drill Eagles Nest Court
- ❖ Playground inspections
- ❖ New leaf springs on Dump Truck
- ❖ Burn piles at Silt River Preserve
- ❖ Set up for Easter Egg Hunt
- ❖ Start Eagles View Park playground installation
- ❖ Fix irrigation valve at 800 Antlers Point
- ❖ Remove sidewalks in Tara Subdivision
- ❖ Backflow testing on Town Buildings
- ❖ Tree Trimming at Veterans Park
- ❖ Close in irrigation season
- ❖ Fill irrigation system
- ❖ Start shelter at Flying Eagle Park
- ❖ Building inspections
- ❖ Set forms for Eagles View Park playground
- ❖ Clean up week dumpsters
- ❖ Water leak on 9<sup>th</sup> street
- ❖ Senior housing maintenance

## Water/Wastewater

- ❖ All chain hoist certified
- ❖ Clean skids
- ❖ CL17 lines cleaned and replaced
- ❖ CL2 pump in clear well replaced
- ❖ New Lead/Copper site notices sent out

- ❖ New flush valve on strainer installed
- ❖ Back Wash Pond flume cleaned and painted
- ❖ Flow meter installed on Back Wash Pond outflow
- ❖ Meter reads at 91%
- ❖ Door hangers, shut offs
- ❖ Daily, Weekly and Monthly labs
- ❖ Pull State testing to send in to Labs
- ❖ Replace pump at KOA lift station
- ❖ Process adjustments to deal with blood worms
- ❖ Receive spare grit pump
- ❖ Replace auger on Belt Press
- ❖ 8,737,635 gallons of water produced

#### **Charging Station**

- ❖ 2 Vehicles
- ❖ 2 Charging sessions
- ❖ \$10.77 collected for use

#### **Bulk Water Numbers**

- ❖ 10,150 gallons dispensed at coin operated system
- ❖ 102,275 gallons dispensed at commercial station
- ❖ In Samoa it is illegal to forget your wife's birthday

#### **Public Works Director**

- ❖ Weekly staff meetings
- ❖ Weekly Water plant design meetings
- ❖ Water rates discussions
- ❖ Bi-Weekly County fiber meetings
- ❖ Walk through for CNL site
- ❖ USDA meeting
- ❖ Senior housing financing
- ❖ Water plant loan question
- ❖ Meetings on JDS hydro report
- ❖ K5 construction meetings on Main St. and alley project
- ❖ Middle Colorado Wildfire ready collaborative meeting
- ❖ Painted Pastures review
- ❖ Table Mountain Water plant tour
- ❖ United States Census boundary and annexation survey update
- ❖ Various grant management paper work

Letter and door hangers will go out this week on non-compliance with the Backflow program. Those that do not respond or come into compliance will have their water turned off.

The Water Plant recently had a Sanitary Survey done. This is an inspection by the CDPHE, we will have a letter in about 45 days of the inspection. Staff knows there will be 3 violations that come out of the survey. One will be on the backflow program and the other two are on paperwork deficiencies. No violations will be on water quality.



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April 21, 2023

News You Can Use

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## Deadline approaching for Xcel energy bill assistance programs



Xcel Energy wants to remind customers that payment assistance programs are available that may be able to help with your energy bills, and the deadline to apply is coming soon. Thousands of families and households have benefitted from home energy assistance programs throughout the winter, and now is a good time to see if you're eligible. In Colorado the deadline to apply for energy assistance is May 1, so be sure to learn more and apply soon.

State programs can offer assistance paying utility bills and the cost for repair or replacement of a home's primary heating system. To learn more, visit [xcelenergy.com/EnergyAssistance](https://xcelenergy.com/EnergyAssistance) or call Xcel Energy at 800-895-4999.

To explore more options, you can visit [xcelenergy.com/WaysToSave](https://xcelenergy.com/WaysToSave) to find ways to save energy and money, have more stable bills, learn about payment assistance and more. Tips for saving money and energy can be found at [xcelenergy.com/Tips](https://xcelenergy.com/Tips), and you can also find information on incentives and rebates that customers can use to make their homes and businesses more efficient.

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## 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 2<sup>nd</sup> and 4<sup>th</sup> 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. 7<sup>th</sup> Street, or email to: [sheila@townofsilt.org](mailto:sheila@townofsilt.org). Applications can be picked up at Town Hall, downloaded from the Town of Silt website at: [townofsilt.org](http://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.

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## I-70 Concrete Slab Replacement Project



The Colorado Department of Transportation and contractor Myers & Sons will be replacing concrete slabs and guardrails on Interstate 70 from Mile Points 85.5-98 between West Rifle and Silt. Traffic impacts will consist of single lane closures up to one mile in length and work zones will be stretched out along the project length.

Currently, drivers should anticipate a westbound right lane closure from Mile Point 96-97 for planing of the bridge deck approach slabs. Starting April 24, there will be a westbound left lane closure Monday -Wednesday, at Mile Point 92.3-92 for guardrail replacement. The guardrail replacement work will then transition to the westbound right lane Wednesday-Friday, April 26-28. All work is weather dependent.

Work on this project is anticipated to be complete by the end of September. Work is scheduled Monday-Friday from daylight to dark. Some night work is anticipated to perform saw cutting operations.

The project team will stay in close contact with CDOT maintenance crews in the event of Interstate 70 closures in Glenwood Canyon. This coordination will help the project team prepare for detour traffic during I-70 closures. Once completed, the improved interstate surface will provide a safer and smoother driving environment.

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## Irrigation Water Starts May 1st



The irrigation ditch in town has begun to fill up and the Town will begin filling the irrigation system. **Please remember to close any open valves on your property so that the irrigation system can be pressurized correctly.** Water will be available for use on May 1st.

## Get Ready for Spring Cleaning!



## eBike There Garfield County Program





May 1st, 2023

News You Can Use

## Road Closure: Town of Silt Working on 9th Street

Due to unforeseen circumstances, the Town will need to close 9th Street between Grand Avenue and Home Avenue to work on water lines. The Town is hoping to have the road back open by Tuesday the 2nd. Thank you for your patience!

## Silt's Congressional Delegation Supports Water Treatment Plant; Town Receives Grant



The Town of Silt recently learned that all three of the Town's congressional delegation referred its requests for water treatment plant funding to their respective appropriations committee, the second of many steps involved in the Congressionally Directed Spending process, more commonly known as "earmarks." Senator John

Hickenlooper's office notified the Town that the request for a \$2.1 M earmark had been selected for additional review, while Senator Michael Bennet moved along a \$3.3 M request and Representative Lauren Boebert referred a \$27.9 M request to the committee.

While announcements concerning these awards are to be made mid-summer, they are contingent on the Congress agreeing to a new budget for 2024. It is unlikely the Town would get all three awards and even one of them would be difficult given the popularity of the program.

On another note, the Town received word from the Garfield County Federal Mineral Lease District that they had awarded the Town of Silt \$450,000 to be used to

construct a new water treatment plant. That money is guaranteed, so long as Silt builds the improvements it is now planning.

## Town Receives Highway Safety Grant for On Ramp



Town of Silt Public Works Director Trey Fonner received word this week that his application for a Highway Safety Improvement Program (HSIP) grant had been approved. The grant for \$1,066,000, was awarded to improve the Eastbound on ramp at Exit 97, Silt. Design work could start very soon, but construction won't happen until 2026.

Many Silt residents have expressed concerns about this on ramp over the years as being too short to get up to speed to enter traffic and continually poor state due to standing water and freeze/thaw conditions. Fonner convinced the State to take a look and they agreed that it might be eligible for funding from the State's HSIP fund. Fonner submitted a formal application last year and after the State's review process was awarded the grant.

The award is based on safety concerns, crash history and a cost/benefit analysis. It is a Federal award of 90%, matched by the State at 10%. The Town will have no financial obligation.

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## EV Charging Station Operators Buy Silt Land

The Silt Board of Trustees on Monday approved on reading an ordinance approving the sale of Town-property at 1555 River Frontage Road, adjacent to Holiday Inn Express, for the building of an alternative fueling station.



second  
owned  
the Silt

Silt Energy Development, a subsidiary of Astera, a California-based company, tendered a full-price offer for \$299,000 for the lot in order to build a fueling station



with electric vehicle charging stations, hydrogen fuel and natural gas pumps, a dog-walking area, a coffee shop and "clean restrooms".

The Board first met the buyers at their meeting on March 27. After the Board directed staff to negotiate a sales contract, staff returned with a contract that will hopefully compel the buyer to develop the property into a sales tax generating business as soon as possible.

Town Attorney Jim New drafted an Option Agreement as a condition of the Real Estate Contract and Closing on the sale of the Property. The buyer states in the Contract that they will commence construction within 180 days of Closing. To enforce that post-Closing requirement, the Option Agreement states that if no building permit is issued and water and sewer taps paid after 180 days of Closing, the Town, at its option and in its sole discretion, can repurchase the Property for the same Purchase Price. That Option remains in effect for 2 years after Closing.

In the meantime, Astera said it intends to immediately pursue its due diligence activities and build as soon as possible.

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## **Town of Silt Board of Trustee Vacancy**

The Silt Board of Trustees is looking for a resident to serve out a Trustee term until November 2025. The board meets the 2<sup>nd</sup> and 4<sup>th</sup> 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. 7<sup>th</sup> Street, or email to: [sheila@townofsilt.org](mailto:sheila@townofsilt.org). Applications can be picked up at Town Hall, downloaded from the Town of Silt website at: [townofsilt.org](http://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.

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## May 1st Deadline for Xcel Energy Bill Assistance



Xcel Energy wants to remind customers that payment assistance programs are available that may be able to help with your energy bills, and the deadline to apply is coming soon. Thousands of families and households have benefitted from home energy assistance programs throughout the winter, and now is a good time to see if you're eligible. In Colorado the deadline to apply for energy assistance is May 1, so be sure to learn more and apply soon.

State programs can offer assistance paying utility bills and the cost for repair or replacement of a home's primary heating system. To learn more, visit [xcelenergy.com/EnergyAssistance](http://xcelenergy.com/EnergyAssistance) or call Xcel Energy at 800-895-4999.

To explore more options, you can visit [xcelenergy.com/WaysToSave](http://xcelenergy.com/WaysToSave) to find ways to save energy and money, have more stable bills, learn about payment assistance and more. Tips for saving money and energy can be found at [xcelenergy.com/Tips](http://xcelenergy.com/Tips), and you can also find information on incentives and rebates that customers can use to make their homes and businesses more efficient.

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## Mobile Vaccine Bus at Library May 3rd

**POWER**  
THE COMEBACK


## VACCINE MOBILE BUS

### NEXT STOP


#### Garfield County



MAY 3 | 10 A.M. - 6 P.M.  
Silt Branch Library  
680 Home Ave., Silt, CO 81652




MAY 5 | Noon - 4 P.M.  
Carbondale Recreation and Community Center  
567 Colorado Ave., Carbondale, CO 81623



MAY 5 | 5 P.M. - 8:30 P.M.  
Family Block Party and Pride Parade  
589 Main Street, Carbondale, CO 81623

Free vaccines available at your community mobile vaccine bus through May 11.



Appointments recommended. Website: [mobilevax.us](http://mobilevax.us). Walk-ins welcome.


Vaccines are free, and no ID, insurance, or appointment is needed!  
If you are getting a follow-up dose, please bring your CDC vaccine card.

CREA EL  
**FUTURO**


## CLÍNICAS MÓVILES DE VACUNACIÓN

### PRÓXIMA PARADA

#### Condado de Garfield



3 MAYO | 10 A.M. - 6 P.M.  
Biblioteca de Silt Branch  
680 Home Ave., Silt, CO 81652




5 MAYO | 12 P.M. - 4 P.M.  
Carbondale Recreation and Community Center  
567 Colorado Ave., Carbondale, CO 81623



5 MAYO | 5 P.M. - 8:30 P.M.  
Family Block Party and Pride Parade  
589 Main Street, Carbondale, CO 81623

La vacunación gratuita contra el COVID-19 seguirá ofreciéndose en autobuses comunitarios hasta el 11 de mayo.




Se recomiendan citas. Sitio web: [mobilevax.us](http://mobilevax.us). Bienvenido sin cita.

Las vacunas son gratuitas. ¡No se necesita cita, presentar un documento de identidad o seguro médico! Si va a recibir una dosis suplementaria, por favor traiga su tarjeta de vacunación emitida por los CDC.

## Irrigation Season Begins May 1st!


## Use Irrigation Water Wisely

Irrigation water is available from May 1st - October 1st




### What Times Of The Day Can I Water?


12:00 a.m. to 10:00 a.m. or 5:00 p.m. to 12:00 a.m.  
Maximum of 30 minutes per zone, during the allotted irrigation day and time(s).  
\*An "irrigation day" is defined as midnight to midnight.



### 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 each property utilizing irrigation water.  
Please call Town Hall to schedule your audit at 970.876.2353 Ext. 106.

### What Restrictions Does The Town Enforce?


Penalty Assessments Will Be Written Into Silt Municipal Court For The Following Violations:

- Watering on Fridays (The tanks need a day to refill)
- Watering between the hours of 10:00 a.m. to 5:00 p.m.
- Watering for more than 30 minutes per zone
- Watering more than your allotted irrigatable space





EVERY DROP COUNTS  
SAVE WATER



## DMV2Go Returns on 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!!



## eBike There Garfield County Discount e-Bikes Available

**\$150 e-bikes**  
(Yes, really!)

The eBikeThere Garfield County program offers new e-bikes to income-qualified\* participants at the highly discounted price of just \$150!

- Magnum Cosmo S or Payload bikes are valued at \$2,000+
- Bike lock, pump, helmet & tuneup included
- Fun, healthy & clean transportation

Apply by May 5, 2023

Quantities are limited

[GarfieldCleanEnergy.org/eBikeThere2023](http://GarfieldCleanEnergy.org/eBikeThere2023)



\* eBikeThere Garfield County's goal is to make e-bikes accessible to all residents, as part of a countywide strategy to increase clean mobility and reduce pollution. Qualified participants must earn 80% or less of Area Median Income. Priority will be given to those who live and work in the same community.

### PARTNERS

