



Keystone Town Council Agenda

The Keystone Town Council will have a Regular Meeting on February 25, 2025, at 7:00 p.m. at 1628 Sts. John Rd, Keystone, CO 80435.

The Town of Keystone conducts hybrid meetings. This meeting will be held in person at Keystone Town Hall and will also be broadcast live over Teams. [Join the live broadcast available by computer here.](#) If you will need special assistance in order to attend any of the Town's public meetings, please notify the Town Clerk's Office at (970) 450-3500x1 via phone, or clerk@keystoneco.gov via e-mail, at least 72 hours in advance of the meeting.

- I. CALL TO ORDER, ROLL CALL**
- II. APPROVAL OF AGENDA**
- III. PROCLAMATION**
- IV. COMMUNICATIONS TO COUNCIL**
 - A. Public Comment (Pursuant to Resolution 2024-18, comment is limited to non-agenda items only; 3-minute time limit please)*
- V. CONSENT**
 - A. FIRST READING OF ORDINANCES**
 - 1. Ordinance 2025-O-05, An Ordinance of Town Council of the Town of Keystone, Colorado, Amending Ordinance 2024-O-14 Regarding the Remittance of Lodging Tax**
 - 2. Ordinance 2025-O-6, An Ordinance of Town Council of the Town of Keystone, Colorado, Regarding Wildlife-Proof Refuse Containers and the Feeding of Wildlife**
 - B. RESOLUTIONS**
 - C. MEETING MINUTES**
 - 1. February 11, 2025 – Meeting Minutes**
 - D. EXCUSED ABSENCES**

E. OTHER

- 1. Accounts Payable List**
- 2. TOK25-001: Class 2 Special Event Permit for Keystone Neighbourhood Company Annual Special Events**

VI. DISCUSSION

A. CONSIDERATION OF ORDINANCES (SECOND READING/PUBLIC HEARING)

- 1. Ordinance 2025-O-03, An Ordinance of Town Council of the Town of Keystone Colorado, Amending Ordinance 2024-O-11, Regarding the Number of Members for Trails and Open Space Advisory Board and Business**
- 2. Ordinance 2025-O-04, An Ordinance of Town Council of Keystone, Colorado, Regarding the Licensing of Businesses**

B. RESOLUTIONS

C. OTHER

VII. PLANNING MATTERS

VIII. REPORT OF TOWN MANAGER AND STAFF

IX. REPORT OF MAYOR AND COUNCIL

X. OTHER MATTERS (Town Manager/Mayor/Councilmember may bring up items on other matters that are not on the agenda)

XI. SCHEDULED MEETINGS

XII. EXECUTIVE SESSION

Executive Session pursuant to CRS sec. 24-6-402(4)(b) and (e)(I) to receive legal advice and develop strategies for negotiation related to a PUC request for a certificate of public convenience and necessity for CNG and LNG supply.

XIII. ADJOURNMENT

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: John Crone, Town Manager
FROM: Heike Fawkes, Finance Director
Jennifer Madsen, Town Attorney
DATE: February 25, 2025
SUBJECT: [FIRST READING] 2025-O-05, An Ordinance Of The Town
Council Of The Town Of Keystone, Colorado, Amending Ordinance
2024-O-14 Regarding the Remittance of Lodging Tax

Executive Summary:

Ordinance No. 2025-O-05 proposes amendments to Ordinance No. 2024-O-14, specifically addressing the remittance schedule for lodging tax to be consistent with the statewide reporting requirements. This amendment will allow vendors to submit lodging tax on a monthly, quarterly, or annual basis, depending on the amount of lodging tax collected each month.

Recommendation:

Staff recommends that Council approve Ordinance 2025-O-05 on first reading.

Background:

The Town of Keystone previously adopted Ordinance No. 2024-O-14 following voter approval of a 2% lodging tax on short-term rentals. This tax was implemented to generate revenue for capital improvements and public safety. Based on the Finance Director's recommendation, Ordinance No. 2025-O-05 aims to amend the lodging tax remittance process to align with the Colorado Department of Revenue's procedures.

This ordinance modifies the remittance schedule for the 2% lodging tax, allowing vendors to report and pay taxes in alignment with Colorado’s state sales tax regulations. Specifically, it:

- Requires vendors to calculate and remit lodging tax in a manner consistent with C.R.S. § 39-26-109 and Colorado Department of Revenue Rule 1 CCR 201-4, Rule 39-26-109. Here is the statewide reporting schedule:

	Monthly	Quarterly	Annually	Requires zero-dollar filings
Colorado Dept of Revenue	\$300 or more sales tax/month	Collecting more than \$15 but less than \$300 in sales tax/month	Collecting less than \$15 in sales tax/month	Yes

- Establishes clear tax rounding rules to ensure accuracy in tax reporting.
- Allows vendors using the statewide sales and use tax system to follow state-defined reporting periods and due dates.
- Grants the Finance Director the authority to approve alternative reporting schedules, including quarterly, semi-annual, or annual filings, based on business operations and transaction volume.
- Provides the Finance Director with the discretion to extend filing and payment deadlines by up to one year [this is not changed from the 2024-O-14 Ordinance].

Ordinance No. 2025-O-05 aligns the lodging tax remittance process with state sales tax payment requirements, replacing the previous independent town-specific schedule. By allowing vendors to follow state-defined reporting periods and due dates, the ordinance provides greater flexibility, accommodating businesses with varying models and transaction frequencies. Additionally, these changes enhance administrative efficiency

and improve compliance with state tax procedures, ensuring a more streamlined and consistent approach to tax collection and reporting.

Alternatives:

Town Council may propose alternative directions for the lodging tax return submission process.

Financial Considerations:

There are no financial considerations applicable to this ordinance because it does not affect the amount of the lodging tax remitted.

Previous Council Actions:

Based on the recommendations of the Finance Director, Council provided direction to staff at its February 11 work session meeting to place on a future agenda an ordinance amending the lodging tax remittance schedule. Council approved Ordinance 2024-O-14 at its regular meeting on December 10, 2024.

Next Steps:

If Council approves this Ordinance on first reading, it will proceed to a second reading and public hearing on March 11. The effective date of the ordinance is thirty days after publication.

Suggested Motions:

Because this ordinance is on the Consent Agenda, a motion to approve the consent agenda will approve this ordinance on first reading.

Attachment and Link:

- 2025-O-05, An Ordinance of The Town Council Of The Town Of Keystone, Colorado, Amending Ordinance 2024-O-14 Regarding the Remittance of Lodging Tax
- [Ordinance 2024-O-14, An Ordinance of the Town Council of the Town of Keystone, Colorado, Implementing the Voter-Approved 2% Lodging Tax,](#)

Providing Penalties for the Violation Thereof, and Declaring an Emergency (for reference only)

**TOWN OF KEYSTONE
ORDINANCE NO. 2025-O-05**

**AN ORDINANCE OF TOWN COUNCIL OF THE TOWN OF KEYSTONE,
COLORADO, AMENDING ORDINANCE 2024-O-14 REGARDING THE
REMITTANCE OF LODGING TAX**

WHEREAS, the Town of Keystone (“Town” or “Keystone”) is a home rule municipal corporation created pursuant to Article XX of the Colorado Constitution; and

WHEREAS, by Resolution 2024-58, the Town Council (“Council”) approved the submittal to the registered voters of the Town of Keystone a ballot question regarding the imposition of a lodging tax of two percent (2%) on short-term rental lodging within the Town of Keystone, with proceeds of such tax to be used for capital improvements and public safety; and

WHEREAS, on November 5, 2024, a majority of the qualified electors the Town of Keystone casting ballots in the election voted in favor of the 2% lodging tax on short-term; and

WHEREAS, the Town Council adopted Ordinance No. 2024-O-14 to implement regulations for a lodging tax on short-term lodging in the Town of Keystone; and

WHEREAS, the Town Council desires to amend Ordinance No. 2024-O-14 to allow for a different remittance schedule to be consistent with the Colorado Department of Revenue.

**THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO,
ORDAINS:**

Section 1. The foregoing recitals are hereby affirmed and incorporated herein by this reference as findings of the Town Council.

Section 2. Repeal and replace subsections (a) and (b) of Section 7 of Ordinance 2024-O-14 to amend the remittance of lodging tax. Subsections (a) and (b) of Section 7 of Ordinance 2024-O-14 is replead and replaced with the following language to allow for vendors to remit the lodging tax in a manner consistent with Colorado state sales tax. There are no changes to subsections (c) and (d) of Section 7:

Section 7. Vendor responsible for payment of tax.

- (a) **Amount:** Every Vendor shall add the tax imposed by Section 4 to the purchase price or lodging charge and is responsible for remitting the tax to the town. Vendors must calculate and pay the tax in a manner consistent with state sales tax payment requirements under C.R.S. § 39-26-109 and the accompanying regulations, including Colorado Department of Revenue Rule 1 CCR 201-4, Rule 39-26-109. Each Vendor must round tax calculations as directed by the Finance Director,

using the following rounding rules: (1) Amounts of \$0.49 or less shall be rounded down; and (2) Amounts of \$0.50 or more shall be rounded up. The vendor must report and remit the rounded amount on its tax return.

- (b) **Returns:** Vendors must submit a tax return to the Finance Director for the preceding calendar months, along with the total amount due as specified in subsection (a). Vendors using the statewide sales and use tax system under C.R.S. § 39-26-802.7 may follow the reporting schedule, period, and due dates established by that system. The Finance Director has the authority to approve an alternative reporting and filing schedule for Vendors, which may differ from the standard statewide reporting requirement. Such alternative schedules may include, but are not limited to, quarterly, semi-annual, or annual reporting, depending on the nature of the Vendor's business operations, transaction volume, or other relevant factors as determined by the Finance Director. Tax returns must be completed by the Vendor or an authorized agent in the format prescribed by the Finance Director. The Finance Director may, through regulations, extend the deadline for filing and payment by up to one year.

Section 3. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 4. Codification. This ordinance may be codified and numbered for purposes of codification without the need for further approval by the Town Council.

Section 5. Effective Date. This ordinance shall take effect thirty (30) days after publication.

INTRODUCED, READ AND PASSED AS AN ORDINANCE, ON FIRST READING, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS _____ DAY OF _____, 2025.

Kenneth D. Riley, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

READ, PASSED AND ADOPTED WITH A ROLL CALL VOTE OF ___ IN FAVOR AND ___ OPPOSED ON SECOND READING, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS _____ DAY OF _____, 2025.

Kenneth D. Riley, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH:
FROM: John Crone, Town Manager
DATE: February 11, 2025
SUBJECT: Nuisance and Wildlife-proof container ordinance

Executive Summary:

This is the first reading of TOK Ordinance 2025-O-06, which regulates refuse disposal containers, dumpster enclosures, and the feeding of wildlife.

Background:

Our natural setting and its plethora of wildlife are vital components of our communities. In order to protect the surrounding environment, it is important that we take any steps necessary to minimize interactions between the wildlife and our citizens. One of the most important things that we can do is to limit the ability of wildlife to feed on our refuse. Trash kills bears!

The proposed ordinance does recognize that the timelines may be difficult to meet given the reliance on third parties to provide the containers or construct the enclosure. If someone is having difficulty complying with the ordinance, they can appeal to the Town Manager for additional time.

Previous Council Actions:

January 14, 2025 – workshop on details of proposed program

January 28, 2025 – workshop on details of proposed program

Financial Impacts:

The proposed ordinance will have a negligible financial impact.

Proposed Motions:

If the Council is interested in require wildlife-proof refuse containers and dumpster enclosures, it may do so by approving the following motion: *I move to approve on first reading Ordinance 2025-O-06, Regarding Wildlife-Proof Refuse Containers and the Feeding of Wildlife.*

If the Council does not want to create such a program, it may do so by approving the following motion *I move to deny Ordinance 2025-O-06, Regarding Wildlife-Proof Refuse Containers and the Feeding of Wildlife*

**TOWN OF KEYSTONE
ORDINANCE NO. 2025-O-06**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE,
COLORADO, REGARDING WILDLIFE-PROOF REFUSE CONTAINERS AND THE
FEEDING OF WILDLIFE**

WHEREAS, the Town of Keystone, Colorado (“Town”) is a home rule municipality, duly organized and existing under the laws of the state of Colorado; and

WHEREAS, the Town of Keystone Town Charter article 2.9 grants the Keystone Town Council the right to exercise all legislative powers and functions of municipal government; and

WHEREAS, the Town of Keystone Town Council finds that it is important that we take steps necessary to minimize interactions between the wildlife and our citizens; and

WHEREAS, the Town of Keystone Town Council has found that one of the most important things that the Town can do is to limit the ability of wildlife to feed on our refuse; and

WHEREAS, the Town Council has determined that it is in the best interest of the health, safety, and welfare of the Town and its citizens adopt an ordinance to regulate wildlife-proof refuse containers and the feeding of wildlife.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Keystone, Colorado, as follows:

Section 1. The Town Council adopts the items in attached Exhibit A as the Town’s wildlife-proof refuse container ordinance regarding dumpster enclosures, wildlife-proof refuse containers, and the feeding of wildlife within the town limits of the Town of Keystone.

Section 2. Should any one or more sections or provisions of this Ordinance or of the Code provisions enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or of such Code provision, the intention being that the various sections and provisions are severable.

Section 3. Any and all Ordinances or Codes 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 Ordinance or Code or part thereof shall not revive any other section or part of any Ordinance or Code provision heretofore repealed or superseded.

Section 4. Codification. This ordinance may be codified and numbered for purposes of codification without the need for further approval by the Town Council.

Section 5. Effective Date. After adoption by the Town Council, this ordinance shall take effect on August 15, 2025.

INTRODUCED, READ AND PASSED AS AN ORDINANCE, ON FIRST READING, AND SCHEDULED FOR PUBLIC HEARING ON FEBRUARY 25, 2025, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS

11th DAY OF FEBRUARY, 2025.

Kenneth D. Riley, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

READ, PASSED AND ADOPTED WITH A ROLL CALL VOTE OF ___ IN FAVOR AND ___ OPPOSED ON SECOND READING, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS _____ DAY OF _____, 2025.

Kenneth D. Riley, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

Exhibit A- WILDLIFE-PROOF REFUSE CONTAINER ORDINANCE

Section 1. – Title.

This ordinance shall be known as the *WILDLIFE-PROOF REFUSE CONTAINER ORDINANCE*.

Section 2. - Purpose.

The purpose of this Ordinance is to require wildlife-proof enclosures and/or wildlife-proof containers for all refuse that might be considered a wildlife attractant in order to protect the property, health, welfare, peace or safety of its citizens, inhabitants and visitors. It shall be unlawful for any person, whether property owner, agent, or occupant, to violate the regulations.

Section 3. - Definitions.

For the purpose of this chapter, the following definitions shall apply:

ATTRACTANT: Any substance which could reasonably be expected to attract wildlife or does attract wildlife, including, but not limited to, food products, pet food, feed, compost, grain or salt.

DUMPSTER: A single refuse container that is greater than 1 cubic yard in volume. This excludes wildlife-proof containers that hold multiple containers smaller than one cubic yard.

DUMPSTER ENCLOSURE: A fully enclosed structure consisting of four (4) sides, a roof, and a secure door or cover, which shall have a latching device of sufficient strength and design to prevent access by wildlife. Dumpster enclosures are subject to all planning and zoning requirements and building codes.

REFUSE: Any waste that could reasonably attract wildlife which includes, but shall not be limited to, kitchen, organic waste, food, food packaging, toothpaste, deodorant, cosmetics, spices, seasonings and grease.

REFUSE CONTAINER: Any trash can, dumpster, or similar device used for the collection and storage of solid waste.

RESIDENT: Any person, firm, corporation or organization within the town of Keystone or on town-controlled land who owns or occupies the property.

SPECIAL EVENT: An outdoor gathering such as a concert, conference or festival, whether occurring on public land or private.

WILDLIFE: Any undomesticated animal, including, but not limited to, elk, deer, sheep, lynx, skunks, magpies, crows, bears, raccoons, coyotes, beavers, porcupines, mountain lions, bobcats and foxes.

WILDLIFE-PROOF REFUSE CONTAINER: A container used for the storage of refuse that has been certified to be wildlife-proof by the Colorado division of wildlife, the U.S. park service, or the U.S. forest service. A container not so certified, is considered a wildlife-proof refuse container if it is fully enclosed, of sturdy construction, and includes a latching mechanism suitable to prevent wildlife from opening the container. Latching mechanisms shall allow a gap between the container lid of no more than one-half inch ($1/2$ "). Latching mechanisms shall keep the lid closed in the event the container is turned on its side or upside down. Wildlife-proof refuse containers may include drain holes no larger than one inch (1") in any dimension.

Section 4. – Residential Refuse Disposal

A. All residential containers that receive refuse that may be considered an attractant must be secured inside the home or garage. Residents unable to keep their refuse container inside the home or garage shall store their refuse in a wildlife-proof refuse container or enclosure approved by the town of Keystone.

B. Residents with curbside pick-up shall place refuse containers at the curb, alley, or public right of way at or after six o'clock (6:00) A.M. on the morning of scheduled pick up. After pick-up, all containers must be removed from the curb, alley or public right of way by eight o'clock (8:00) P.M. on the same day.

C. Other household waste that cannot reasonably be considered "refuse" or an "attractant" as defined in this chapter, including, but not limited to: nonedible yard maintenance waste, household items, and cardboard, shall not require the use of wildlife-proof containers when not commingled with refuse or any other attractant.

D. Multi-family housing developments and other types of clustered residential housing, utilizing centralized refuse containers, must use a wildlife-proof dumpster enclosure for all refuse. The enclosure shall be kept closed in a secure manner except when refuse is being deposited.

E. Multi-family housing developments and other types of clustered residential housing, utilizing centralized refuse containers that cannot construct a dumpster enclosure may petition the Town Manager to allow the use of a wildlife-proof refuse container as an alternative.

F. Multi-family housing developments and other types of clustered residential housing may use wildlife-proof refuse containers that are smaller than one cubic yard in volume for day-to-day public use in addition to the required enclosure.

Section 5. – Commercial Refuse Disposal:

A. All refuse containers receiving refuse from commercial establishments and restaurants shall be secured in a dumpster enclosure.

B. If a commercial establishment cannot construct a dumpster enclosure, it may petition the Town Manager to allow the use of a wildlife-proof refuse container as an alternative.

C. Container lids and dumpster enclosure doors shall be kept closed and latched at all times except when loading or removing refuse or when the enclosure is being actively monitored. The area around the container or enclosure must be kept free from refuse at all times.

D. Commercial establishments may use wildlife-proof refuse containers that are smaller than one cubic yard in volume for day-to-day public use in addition to the required enclosure.

Section 6. – Special Event Refuse Disposal:

The event organizer for outdoor special event sites shall keep the property free from the accumulation of refuse. Refuse must be collected from the grounds at the close of each day's activities and shall be deposited into appropriate wildlife-proof

containers or dumpster enclosures, as provided in this chapter, or shall be removed to an appropriate disposal site.

Section 7. – Construction Site refuse Disposal:

All construction sites must have a designated refuse container which receives "refuse" or attractants as defined by this chapter. This container shall be a wildlife-proof refuse container.

Section 8. – Maintenance and Operation of all Refuse Containers and Enclosures:

A. All refuse containers defined in this chapter shall be kept closed and secured when refuse is not being deposited. Any container which is overfilled so as to prevent a container's designed latching is not a wildlife resistant or wildlife-proof refuse container within the meaning of this chapter.

B. If a container or enclosure is damaged, allowing access by wildlife, repairs must be made within forty-eight (48) hours after written notification by town of Keystone personnel.

C. All enclosures defined in this chapter shall have self-closing doors and latching devices.

C. All enclosures defined in this ordinance shall keep all doors closed and latched at all times when the enclosure is not being actively accessed.

Section 9. - Compactors:

Trash compactors are compliant with this chapter when no refuse is exposed. Compactor doors must be kept closed at all times, except when loading or removing refuse and the area around the compactor must be kept clean of refuse and debris.

Section 10. – Feeding of Wildlife:

Intentional Or Unintentional: No person shall intentionally or unintentionally feed or provide food in any manner for wildlife on public or private property within the town of Keystone. A person will be considered to be in violation of this chapter if they

leave or store any garbage, refuse or attractant in a manner which would create or does create a lure or enticement for wildlife.

Section 11. - Exceptions:

A. The following entities or actions are exempt from the requirements of this chapter:

1. Any individual, company or corporation that is duly licensed by the state of Colorado or is entitled under law to possess wildlife of any kind.
2. Any action that is officially sanctioned by the state of Colorado, federal agencies, or the town of Keystone that would require feeding, baiting, or luring of wildlife (i.e., capturing and tagging wildlife for relocation or scientific projects and study).
3. Bird feeders are allowed provided that, between April 1 and December 1 of each year, all bird feeders must be suspended on a cable or other device at a height above the ground or structure so as to be inaccessible to bears.

Section 12. - Enforcement:

A. Compliance with this chapter notwithstanding, the town of Keystone may issue a "notice of violation" and order any resident to purchase and use a wildlife-proof refuse container for all storage of refuse that is attractive to or edible by wildlife if the town receives a documented, substantiated report that any animal, whether wild or domestic, has entered into or removed refuse from a refuse container located on the property or placed at the property curbside for pick up. Such order shall:

1. State that a wildlife-proof container shall be obtained for the property within seven (7) days.
2. Shall be served either personally or by means of posting on the premises upon which the nuisance exists. If notice is served by posting, a copy of the notice shall also be mailed by certified mail, return receipt requested, to the owner of record of the property given to any town of Keystone or Summit County government office. If the identity of the resident is not known, the entity responsible for payment of the garbage removal services for the subject location will be held responsible for complying with this chapter and for any penalties assessed pursuant to the same.

Section 13. – Violations and Penalties; Penalty Assessment:

A. Second Notice Of Violation: Offenders who continue to violate this chapter or continue to fail in achieving timely compliance as set forth in any previous notice of violation may be issued a second notice of violation, which shall be in the form of an administrative citation or a summons and complaint to the Municipal Court. Such summons shall be subject to a graduated fine schedule as set forth below.

B. Penalties: Any person who or entity that is issued a citation or summons shall be punished as follows:

1. A fine to be set by resolution of the Town Council for a first offense.
2. A fine to be set by resolution of the Town Council for a second offense.
3. A third violation shall constitute a misdemeanor and will require a mandatory appearance in municipal court.

Section 14. – Violator’s Responsibility:

In addition to the penalties outlined in this Chapter, violators may be required to perform all necessary actions to remove or abate attractants of wildlife. This may include, but shall not be limited to: immediate clean-up of any refuse disturbed by wildlife, the removal of bird feeders or pet food, cleaning or appropriate storage of barbecue grills, additional storage requirements for refuse containers and/or the required use of Wildlife-proof Containers and/or Dumpster Enclosures.

Section 15. – Compliance Required and Time Period:

Any container required by this Chapter shall be brought into conformity with the provision of this Chapter by August 15, 2025.

Any enclosure required by this Chapter shall be brought into conformity with the provision of this Chapter by August 15, 2026. Upon application to the Town Manager, and showing hardship by a resident of an enclosure or container required hereunder, the Town Manager may grant an extension of this deadline, for a reasonable period of time, with which to comply with the provision of this Chapter. If a resident cannot

provide an enclosure by the date required, it must provide a wildlife-proof container within the timeframe herein.



Keystone Town Council Minutes

A Regular Meeting of the Keystone Town Council was held on February 11, 2025, at 7:00 p.m. at 1628 Sts. John Rd, Keystone, CO 80435. Full and timely notice of the meeting had been posted and a quorum of the body was present.

I. CALL TO ORDER, ROLL CALL

Mayor Riley called the meeting to order at 7:04 p.m. The roll was called, and it was found there were present and participating at that time the following members: Councilmember Gretchen Davis, Councilmember Jonathan Hagenow, Councilmember Carol Kerr, Councilmember Aaron Parmet, Councilmember Dan Sullivan, and Mayor Ken Riley. The following members were absent: Councilmember Thisted (excused).

II. APPROVAL OF AGENDA

Mayor Riley presented the agenda.

Councilmember Sullivan moved to approve the agenda as presented.

Councilmember Davis seconded.

By voice vote, the motion passed unanimously, and the agenda was approved as presented.

III. COMMUNICATIONS TO COUNCIL

Mayor Riley opened the floor for public comment.

The following members of the public spoke: Christie Camp spoke about potential

renewable energy projects and composting programs within the community.

Seeing no further members of the public wishing to speak, Mayor Riley closed the public comment period.

IV. CONSENT

A. FIRST READING OF ORDINANCES

- 1. Ordinance 2025-O-3, An Ordinance of Town Council of The Town of Keystone, Colorado, Amending the Membership Structure of the Trails and Open Space Advisory Board and Business Advisory Board**

B. RESOLUTIONS

C. MEETING MINUTES

- 1. January 28, 2025 – Meeting Minutes**

D. EXCUSED ABSENCES

- 1. Valerie Thisted – February 11, 2025**
- 2. Valerie Thisted – February 25, 2025**
- 3. Valerie Thisted – April 22, 2025**
- 4. Aaron Parmet – March 11, 2025**

E. OTHER

Councilmember Davis moved to approve the consent agenda. Councilmember Sullivan seconded.

By voice vote, the motion passed unanimously, and the consent agenda was approved as listed in the meeting packet.

V. DISCUSSION

A. CONSIDERATION OF ORDINANCES

- 1. [Second Reading/Public Hearing] Ordinance 2025-O-02, An Ordinance Of The Town Council Of The Town Of Keystone,**

Colorado, Adopting Regulations For Emergency And Local Disaster Authority

Mayor Riley asked Town Clerk Madeleine Sielu to read the Ordinance title into the record.

Mayor Riley recognized Town Manager John Crone and Town Attorney Jennifer Madsen to present Ordinance 2025-O-02, Adopting Regulations for Emergency and Local Disaster Authority.

Following the staff presentation, Mayor Riley opened the floor for public comment on Ordinance 2025-O-2.

Christie Camp spoke on the Ordinance and requested that Town Council consider the role of the public in creating emergency management plans.

Seeing no further members of the public wishing to speak, Mayor Riley closed the public hearing.

Councilmember Davis moved to approve Ordinance 2025-O-2.
Councilmember Hagenow seconded.

On roll call, the result was:

Ayes: Councilmember Davis, Councilmember Hagenow,
Councilmember Kerr, Councilmember Parmet, Councilmember Sullivan,
Mayor Riley (6)

Nays: (0)

Absent: Councilmember Thisted (1)

The motion was approved, and Ordinance 2025-O-2 was approved on second reading.

2. [First Reading] Ordinance 2025-O-04, An Ordinance of the Town Council of Keystone, Colorado, Regarding the Licensing of Businesses

Mayor Riley recognized Town Manager John Crone and Town Attorney Jennifer Madsen to present Ordinance 2025-O-04, Regarding the Licensing of Businesses. The Town Manager noted two scrivener errors related to a repeat of section 5 and a note mentioning the Town of Grand Lake. Prior to second reading, staff will edit the ordinance to adjust the numbering and change it to Town of Keystone.

Councilmember Davis moved to approve on first reading Ordinance 2025-O-04, with the following changes to be made prior to second reading: clarify language regarding exemption of hospital, add the descriptor of short-term to minor operated business definition, and adding an effective date of July 1, 2025. Councilmember Sullivan seconded.

On roll call, the result was:

Ayes: Councilmember Davis, Councilmember Hagenow, Councilmember Kerr, Councilmember Parmet, Councilmember Sullivan, Mayor Riley (6)

Nays: (0)

Absent: Councilmember Thisted (1)

The motion was approved, and Ordinance 2025-O3 was approved on first reading with the proposed changes to be made for second reading. A public hearing and second reading was set for February 25, 2025.

B. RESOLUTIONS

- 1. Resolution 2025-07, A Resolution of Town Council of the Town of Keystone, Colorado, Approving a Supplemental Budget & Appropriation for the Town of Keystone, Colorado, for the Calendar Year 2025**

Mayor Riley recognized Town Manager John Crone and Town Finance Director Heike Fawkes to present Resolution 2025-07, Approving a Supplemental Budget & Appropriation for the Town of Keystone, Colorado, for the Calendar Year 2025.

Following the staff presentation, Mayor Riley opened the floor for public comment on Resolution 2025-07.

Seeing no members of the public wishing to speak, Mayor Riley closed the public hearing.

Councilmember Davis moved to approve Resolution 2025-07.
Councilmember Sullivan seconded.

On roll call, the result was:

Ayes: Councilmember Davis, Councilmember Hagenow,
Councilmember Kerr, Councilmember Parmet, Councilmember Sullivan,
Mayor Riley (6)

Nays: (0)

Absent: Councilmember Thisted (1)

The motion passed, and Resolution 2025-07 was approved.

C. OTHER

VI. PLANNING MATTERS

VII. REPORT OF TOWN MANAGER AND STAFF

The SE Group will be in town for a site visit on February 25th, 2025, and will meet with Town Staff and community members. Colorado Department of Transportation has indicated that there will not be a split of the Intermountain Transportation Planning Region at this time. At the Mayors, Managers, and Commissions meeting, other local municipalities have discussed taking action in the near future to address issues with a natural gas pipeline. The pipeline ends within Breckenridge and

possible legal intervention may take up to \$180,000. Staff will provide updates at an upcoming council meeting. The Town Manager has had his first meeting with the Joint Police Chief and there has been police presence in the Town of Keystone. There are incoming updates about the maintenance medians on Highway 6. The Manager has an upcoming meeting with Shannon Buhler, the General Manager of Keystone Resort. The Finance Director, Heike Fawkes, has developed an appropriate compromise for lodging tax collection and reporting with the larger property management companies. The Manager attended the Colorado Association of Ski Towns and found a lot of value in speaking with other ski communities. The Town will be hosting an open house on February 21, 2025, at 2:00 p.m. to celebrate the Town's first anniversary.

VIII. REPORT OF MAYOR AND COUNCIL

Councilmember Hagenow provided an update on the most recent Coffee with Council event. There were discussions about fire mitigation, community development notices, and potential additional advertisements about public comment opportunities.

Mayor Riley reported that he had a meeting with Shannon Buhler from Keystone Resort to discuss more involvement and collaboration between the resort and the Town.

Councilmember Sullivan provided an update on discussions with the U.S. Postal Service Board and efforts to receive a new zip code. Discussions have been postponed to a meeting in May. He secured members for the next Coffee with Council meeting on March 3, 2025, at 9:00 a.m.

Councilmember Kerr provided an update on the Summit County Transit Board and discussed the impact of federal government grant freezes on the Summit Stage operations.

IX. OTHER MATTERS (Town Manager/Mayor/Councilmember may bring up items on other matters that are not on the agenda)

Councilmember Kerr requested that a policy for accepting contributions and in kind donations for the Town be considered at a future meeting.

Councilmember Parmet requested that the Town continue efforts to become a Dark Sky certified community.

- X. SCHEDULED MEETINGS**
- XI. EXECUTIVE SESSION**
- XII. ADJOURNMENT**

Seeing no further business to discuss, the meeting was adjourned at 8:41 p.m.

**Town of Keystone
Accounts Payable List**

Period: January 22 through February 21, 2025

Payables processed for the period indicated above:

PAYEEES	AMOUNT	DESCRIPTION	REVIEWED, APPROVED BY
*Paylocity	587.32	payroll processing fee	Heidi H, J Crone
*Rocky Mountain Reserve	150.00	FSA admin fee Jan-Feb	Heidi H, J Crone
1-70 Coalition	1,171.00	2025 membership dues	M. Sielu, J. Crone
Abell, Gabrielle	463.78	reimbursement supplies	M. Sielu, J. Crone
Benesch	840.00	engineering	M. Sielu, J. Crone
Black Diamond Gourmet	572.00	council dinners Jan	M. Sielu, J. Crone
CAST Colorado Assoc of Ski Towns	950.00	meeting registration	M. Sielu, J. Crone
CEBT	15,186.39	health insurance premium Feb25	Heidi H, J. Crone
CIRSA	146.32	Vamp 2025	M. Sielu, J. Crone
CIRSA	2,539.94	Prop/Liab, WC insurance premiums 1Q25	M. Sielu, J. Crone
Colorado Municipal Clerk Association	90.00	registrations 2025 seminar	M. Sielu, J. Crone
Deckard Technologies	15,625.00	short term rental compliance	M. Sielu, J. Crone
Early Childhood Options	43,926.66	4Q24, 1Q25 contributions	M. Sielu, J. Crone
EJ's Property Management	2,024.15	snow removal	M. Sielu, J. Crone
Employers Council Services Inc	180.00	payroll, human resources consultant	M. Sielu, J. Crone
FirstBank Credit Card Center	1,234.70	p-card charges	M. Sielu, J. Crone
HP Inc	5,273.83	large format printer	M. Sielu, J. Crone
Keystone Policy Center	4,900.00	Office Lease Mar25	J. Crone
LaserGraphics	46.00	office supplies	M. Sielu, J. Crone
MCCi	4,030.00	website upgrade	M. Sielu, J. Crone
Resultant	225.00	MS365 license	M. Sielu, J. Crone
Riley, Kenneth	289.00	reimbursement CAST meeting	M. Sielu, J. Crone
SE Group	17,646.57	comprehensive plan	M. Sielu, J. Crone
SeaGrizzly, LLC	288.48	telephone provider	M. Sielu, J. Crone
Sielu, Maddy	388.78	reimbursement	M. Sielu, J. Crone
Summit County Mountina Retreats	1,710.00	refund license fee	M. Sielu, J. Crone
Summit County Sherriff's Office	37,851.53	law enforcement, animal control services Nov-Dec	M. Sielu, J. Crone
Treetop Child Advocacy Center	10,000.00	donation	M. Sielu, J. Crone
Verticomm (All Copy Products)	2,981.88	IT Managed Service Provider	M. Sielu, J. Crone
Widner Juran LLP	8,332.90	legal services	J. Crone
Total Payables	179,651.23		

Payrolls processed during the period indicated:

Payroll Wages (Net pay)	76,292.76
Payroll Taxes & Liability Payments	22,116.26
CRA Contributions	0.00
Total Payroll	98,409.02

Paydate

Janaury 24, February 7, February 21
 Janaury 24, February 7, February 21
 *cannot remit contributions until new employee set up complete

TOTAL ACCOUNTS PAYABLE

278,060.25

2/20/2025 0:00

Acronym Table

CAST	Colorado Association of Ski Towns
CEBT	Colorado Employee Benefits Trust
CIRSA	Colorado Intergovernmental Risk Sharing Agency
CMCA	Colorado Municipal Clerk Association
CML	Colorado Municipal League
CRA	Colorado Retirement Association
FSA	Flexible Spending Account
NWCCOG	NorthWest Colodao Council of Governments
SIPA	Statewide Internet Portal Authority
STR	Short Term Rental
WC	Workers Compensation

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers

THROUGH: John Crone, Town Manager
Jennifer Madsen, Town Attorney

FROM: Andrew Collins, Planner
Lindsay Hirsh, Community Development Director

DATE: February 25, 2025 – Council Meeting

SUBJECT: [Consent Agenda] TOK25-001: Class 2 Special Event
Permit for Keystone Neighbourhood Company Annual
Special Events

Executive Summary:

On July 9, 2024, the Town Council approved Ordinance 2024-O-08 Amending Ordinance No. 2024-O-05, Town of Keystone Land Use Code, and Declaring an Emergency. This ordinance was in response to the Council's desire to improve the process of reviewing Community Development Department decisions related to Class 2 development reviews. A Class 2 special events permit has subsequently been approved for the Keystone Neighbourhood Company (KNC) 2025 Annual Special Events, and is now before Council for review.

[The application materials are available at this link.](#)

Recommendation:

The Community Development Department approved the Class 2 Special Events Permit application for the 2025 KNC annual special events, located at 140 Ida Belle Drive; River Run Plaza, Warren Station, Keystone Resort property. The Community Development Department has not identified any reason for Council's review (and call up) of that decision.

Background:

The subject Class 2 Special Events application is to permit KNC's annual list of Special Events for 2025 (previous years' events were approved by the County). The events are to take place on private property, with minimal impacts to Town property. An indemnification agreement has been required to indemnify the Town of any claims and liabilities as an additional safeguard. The Keystone Resort PUD allows for an annual list of resort events to be submitted for approval. The application for the KNC annual special events was submitted in January 2025 and after the review and referral period, the Community Development Department approved the application with conditions as it meets the Keystone Resort PUD requirements for Special Events, and is consistent with the Town of Keystone Land Use Code.

Conditions of Approval:

- (1) The Indemnification Agreement must be signed and returned to the Town of Keystone prior to the first event. Failure to do so will result in the revocation of the Special Event Permit.
- (2) Renewal of the liquor license that is set to expire on May 13, 2025 is required prior to all events serving alcohol on or after that date. This Special Events Permit approval will be revoked if the liquor license is not renewed.
- (3) The applicant must comply with all provisions in the applicant's Events Matrix spreadsheet.
- (4) All trash shall be removed at the end of the day of the events, or placed in a bear-proof container if left overnight.
- (5) Coordination with Summit County Open Space & Trails Department is required, per their referral letter dated 2/6/2025.

On February 18, 2025, per the Amended Code, staff sent a Notice of Action to Town Council, The Town Attorney, and the Town Manager. Per the revised code language, the Community Development Department has scheduled the notice of action as a consent agenda item for the next Town Council meeting. A decision to appeal (or call up) that decision must be made within 21 days. Consistent with the Home Rule Charter, Town Council decides to appeal by an affirmative vote of the majority of the Town Council present at that meeting.

Financial Considerations:

There are no financial considerations applicable to the subject application.

Previous Council Actions:

None.

Alternatives:

If there is interest by Council to potentially hear/appeal the item, then Council will need to remove the item from the Consent Agenda and then vote on an appeal process of the Community Development Department's decision to approve the subject Class 2 Special Events Permit request. If a majority of Council members vote to appeal the decision of the Community Development Department's approval, staff will initiate the Appeal process per Chapter 12 of the Code.

Attachments: Indemnification Agreement (unsigned), applicant Events Matrix, Summit County Open Space & Trails comment letter

**SPECIAL EVENT PERMIT
INDEMNIFICATION AGREEMENT**

THIS SPECIAL EVENT PERMIT INDEMNIFICATION AGREEMENT (“Indemnification Agreement”) made this ___ day of _____, 2025, between the Town of Keystone, Colorado, acting by and through its Town Council, whose address is 1628 Saints John Road, Keystone, CO 80435 (hereinafter referred to as “Grantor”) and [Click or tap here to enter text.](#) (hereinafter referred to as “Grantee”).

WHEREAS, Grantee desires to conduct a special event on real property owned, operated and/or under the jurisdiction of Grantor within the Town of Keystone, Colorado; and

WHEREAS, Grantor requires Grantee to enter this Indemnification Agreement as a condition for approval of Grantor’s issuance of a special event permit.

NOW, THEREFORE, in consideration of the above and the mutual covenants and commitments contained herein, Grantee agrees as follows:

1. The Grantee agrees not to hold, and will not attempt to hold, the Grantor responsible for any claims or liabilities. The Grantee shall indemnify, release, defend, and hold harmless the Grantor—including its elected officials, agents, officers, directors, contractors, volunteers, and employees (collectively referred to as the “Released Parties”)—from any and all demands, claims, causes of action, judgments, liabilities, losses, costs, or expenses (including court costs and attorneys' fees). This includes claims made by the Grantee, as well as any claims made on behalf of participants, attendees, spectators, or any other individuals, and extends to subrogation or derivative claims brought by third parties or insurers.

This indemnification applies to any personal injury or property damage arising from or connected to the special event conducted by the Grantee, unless such injury or damage is caused by the intentional or reckless actions of a Released Party. The Grantee’s indemnification obligation also covers all costs incurred by the Grantor in investigating and defending against such claims related to the special event.

2. This Indemnification Agreement supersedes any other agreements or representations by or between the Grantor and Grantee and is governed by the laws of the State of Colorado and is intended to be interpreted as broadly as possible and shall be binding to the fullest extent of the law.
3. Grantee understands and agrees that the Grantor is both relying on and does not waive or intend to waive by any provision of this Indemnification Agreement, the monetary limitations (presently \$424,000 per person and \$1,195,000 per occurrence) or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, Section 24-10-101 et seq., C.R.S., as from time to time amended, or any other limitation, right, immunity or protection otherwise available to the County or its officers or employees. Nothing in this Indemnification Agreement will be deemed a waiver of the provisions of the Act, and no provision hereof will create any benefit accruing to any third party except as expressly set forth herein.
4. Grantee acknowledges that Grantee has carefully read this Indemnification Agreement, understands its contents and entered into the Indemnification Agreement with full knowledge of its significance.
5. The exclusive jurisdiction and venue for any legal action shall be in the district court of Summit County or the federal court of the State of Colorado.

6. If any part of this agreement is determined to be unenforceable, all other parts shall be given full force and effect.

IN WITNESS WHEREOF, Grantee has executed this Indemnification Agreement as of the day and year first written above.

GRANTEE:

[Click or tap here to enter text.](#)

By: _____

[Click or tap here to enter text.](#)

r

STATE OF COLORADO)
) ss.
COUNTY OF SUMMIT)

The foregoing SPECIAL EVENT PERMIT INDEMNIFICATION AGREEMENT by and between the TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO and [Click or tap here to enter text.](#) for the --- event, was acknowledged before me this ____ day of _____, 2025, by [Click or tap here to enter text.](#)

Witness my hand and official seal.

Notary Public
My Commission Expires: _____

2025 Keystone Neighbourhood Company and Keystone Resort Events Matrix

Event Name	Event Date & Time	Event Description	Number of Festival Participants	Number of Festival Attendees Expected	Location/ Venue	Parking Areas to be Used	Ticketed Event	Environmental Health: Toilets, Water, Trash	Town Services: ambulance and sheriff	Road Closures / Traffic Control (Is town owned property utilized or affected?)	Alcohol Yes/No	Animals Permitted Yes/No	Have adjacent property owners been notified?	Annual recurring event?	LARGE or small event per PUD guidelines	Contact Name, Phone & Email
Mardi Gras	3/4/25 - 3pm-5pm	Keystone's classic Fat Tuesday Gumbo Cook-Off and Mardi Gras Party is excited to bring back the second line march through the village from Bourbon Street Hurricanes, a New Orleans style funk band. Local chefs show off their stuff in the gumbo competition, and Keystone guests will be excited to try unlimited gumbo samplings from each vendor to spice up the afternoon. Adult and children's wristbands are available to purchase in advance and on site. Don't miss the free, funky, fun from Bourbon Street Hurricanes playing live music all afternoon in River Run Village. Keystone's Mardi Gras Party is fun for the whole family and will also include a photo booth and free face painting for the kiddos.	(1) Apex Stage (8) Gumbo Tasting tents (2) Kids tents (2) Bar tents (3) Sound tents	3,000 throughout the afternoon	River Run Events Plaza	River Run Gondola Lot / Powerline Lot	Yes: tickets sold for gumbo tasting	Restrooms available in River Run Village in Silvermill and Buffalo Courtyards. Trash will be patrolled by KNC Village Ops. and taken to WM resort dumpsters.	No (Keystone Emergency Services Department is notified of the event and on duty). In addition, the KNC has contracted On Guard security and will have 12 guards on duty per day	No town property utilized / no road closures / no traffic control	Yes; KNC liquor license # 13-36764-000	No	Yes	Yes	small	Maja Russer, Keystone Neighbourhood Company 970.423.8996 maja@keystone.neighbourhood.com
Keystone Peaks & Boats Concert Weekend	3/7/25 - 3/8/25 - 3pm - 5pm	Join us at the Keystone Resort stop of Vail Resort's Summit Music Series. National acts play for free on the Apex Stage in River Run Village on Saturday and Sunday for a weekend you won't forget! Learn more and get swag from Vail Resorts sponsors, and grab a drink at the KNC Beer Garden.	(1) Apex Stage (4) Sound tents (3) Bar tents (2) Sponsor Tents	2,200 attendees per day Sat / Sun	River Run Events Plaza	River Run Gondola Lot / Powerline Lot	Free Event	Permanent restrooms available in River Run Village in both the Silvermill and Buffalo Courtyards. Additional Rental: - 2 standard porta-potties - 1 ADA porta-potties	No (Keystone Emergency Services Department is notified of the event and on duty). In addition, the KNC has contracted On Guard security and will have 12 guards on duty per day	No town property utilized / no road closures / no traffic control	Yes; KNC liquor license # 13-36764-000	No	Yes	No	small	Jason Mende, Keystone Resort Field Marketing Manager 843-999-3808 jason.mende@vailresorts.com
Bacon and Bourbon Festival	6/21/2025 - 6/22/2025 Times: 1pm-5pm daily	The Keystone Bacon and Bourbon Festival caters, literally, to the entire family. Whether you are a bacon enthusiast or the loved one of a bacon connoisseur, this event is for you. With an abundance of bacon-inspired cuisine at your fingertips, you won't want to miss this weekend-long celebration of all things bacon and bourbon. Immerse yourself in River Run Village's streets lined with culinary creations from Keystone restaurants making for a mountain festival that will make your mouth water.	(15) Food & Bacon Vendors - cooking and serving bacon and bacon inspired dishes out of outdoor 10 x 10 tents (1) Grillzeebo - outdoor bacon cooking zone in River Run Village (15) Bourbon & Whiskey Company - 10 x 10 tents pouring 1oz samples (8) Festival Merchant and Sponsor tents (8) Bands - 3-4 Stages with local, regional and National bands playing throughout the day (3) KNC Run Bars	2,000 - 3,200 attendees per day Sat / Sun	River Run Events Plaza, Surrounding Village and Warren Station	River Run Gondola Lot	Yes: 21+ Ticket and Under 21 ticket	Permanent restrooms available in River Run Village in both the Silvermill and Buffalo Courtyards. Additional Rental: - 4 standard porta-potties - 2 ADA porta-potties - 2 hand washing stations Trash will be patrolled by KNC Village Ops. and taken to WM resort dumpsters. Food booths all permitted under SCEH.	No (Keystone Emergency Services Department is notified of the event and on duty). In addition, the KNC has contracted 5D security and will have 14 guards on duty per day	No town property utilized / no road closures / no traffic control	Yes; KNC liquor license # 13-36764-000	No	Yes	Yes	LARGE	Maja Russer, Keystone Neighbourhood Company 970.423.8996 maja@keystone.neighbourhood.com
*Stars & Guitars: A 4th of July Celebration (merchant funded event)	Saturday, July 5 Times: 11am - 5pm	Come out to Keystone's River Run Village and enjoy an afternoon concert in the sun with the whole family. Live concerts are complemented by performing circus artists in the village in addition to an interactive Kidszone.	(1) Main Stage with a heading band as well as support act (2) Family / Kid based entertainers (1) KNC Bar (3) Sponsor Tents (2) Kids craft/swag tents	400 - 1000 ppl per event	River Run Events Plaza	River Run Gondola Lot	Free Event	Restrooms available in River Run Village in Silvermill and Buffalo Courtyards. Trash will be patrolled by KNC Village Ops. and taken to WM resort dumpsters.	No (Keystone Emergency Services Department is notified of the event and on duty). In addition, the KNC has contracted 5D security and will have 14 guards on duty per day	No town property utilized / no road closures / no traffic control	Yes; KNC liquor license # 13-36764-001	Yes	Yes	Yes	small	Maja Russer, Keystone Neighbourhood Company 970.423.8996 maja@keystone.neighbourhood.com
Keystone Wine and Jazz Festival	7/12/2025 - 7/13/2025 Times: Sat 1pm-5pm, Sun 11am - 3pm	River Run braids a variety of wines into a picturesque piazza of culinary delights paired with deluxe jazz ensembles complemented by wine samples from throughout the world. Learn about different regions and the delicate nuance of flavors that evolve the finest vineyard blends. Enjoy live music from local jazz musicians alongside local artisan festival vendors and merchants.	(15) Food Vendors - cooking and serving paired culinary dishes (25) Wine Suppliers - 10 x 10 tents pouring 4 oz samples (8) Festival Merchant and Sponsor tents (8) Bands - 3-4 Stages with local, regional and National bands playing throughout the day (1) KNC Bar (4) Kids Zone	2,500 - 3,800 attendees per day- Sat / Sun	River Run Events Plaza and Warren Station	River Run Gondola Lot	Yes: 21+ Ticket	Permanent restrooms available in River Run Village in both the Silvermill and Buffalo Courtyards. Additional Rental: - 4 standard porta-potties - 2 ADA porta-potties - 2 hand washing stations Trash will be patrolled by KNC Village Ops. and taken to WM resort dumpsters. Food booths all permitted under SCEH.	No (Keystone Emergency Services Department is notified of the event and on duty). In addition, the KNC has contracted 5D security and will have 14 guards on duty per day	No town property utilized / no road closures / no traffic control	Yes; KNC liquor license # 13-36764-000	No	Yes	Yes	LARGE	Maja Russer, Keystone Neighbourhood Company 970.423.8996 maja@keystone.neighbourhood.com
River Run Art Festival	7/17/2025 - 7/19/2025, Times: 10am - 5pm	50 - 60 artists from throughout the country convene on the beautiful River Run Village at Keystone. Come ready to shop until your heart's content and come home with that one of a kind piece of art to always remind you of Keystone and your time in the mountains. The art festival is a juried event so artists will be showcasing their finest works. Join us for a mountain weekend with an artsy twist and enjoy all that Keystone summer has to offer.	50-60 Artists exhibitors, (1) KNC Bar	2,000 attendees per day- Fri / Sat / Sun	River Run Events Plaza and Warren Station	River Run Gondola Lot	Free Event	Restrooms available in River Run Village in Silvermill and Buffalo Courtyards. Trash will be patrolled by KNC Village Ops. and taken to WM resort dumpsters.	No (Keystone Emergency Services Department is notified of the event and on duty.)	No town property utilized / no road closures / no traffic control	Yes; KNC liquor license # 13-36764-000	Yes	Yes	Yes	LARGE	Maja Russer, Keystone Neighbourhood Company 970.423.8996 maja@keystone.neighbourhood.com
Bluegrass and Beer Festival	8/2/2025 - 8/3/2025 Times: 12pm - 5pm daily	Keystone, CO combines the Appalachian bluegrass music tradition with Colorado mountain town vibes in a whirlwind of string bands, craft beer pours, mountain merch and inspired melt-in-your-mouth morsels. Come for the smooth sips from more than 30 craft breweries at the longest running beer festival in the state.	(25-35) Craft beer vendors (10-15) Keystone based food vendors (8) Festival Merchant and Sponsor tents (16) Bands on 3-4 Stages with local, regional and National bands playing throughout the day (1) KNC Bar	2,800 - 4,000 attendees per day- Sat / Sun	River Run Events Plaza and Warren Station	River Run Gondola Lot	Yes: 21+ Ticket	Permanent restrooms available in River Run Village in both the Silvermill and Buffalo Courtyards. Additional Rental: - 4 standard porta-potties - 2 ADA porta-potties - 2 hand washing stations Trash will be patrolled by KNC Village Ops. and taken to WM resort dumpsters. Food booths all permitted under SCEH.	No (Keystone Emergency Services Department is notified of the event and on duty). In addition, the KNC has contracted 5D security and will have 14 guards on duty per day	No town property utilized / no road closures / no traffic control	Yes; KNC liquor license # 13-36764-000	No	Yes	Yes	LARGE	Maja Russer, Keystone Neighbourhood Company 970.423.8996 maja@keystone.neighbourhood.com
*Mountain Town Music Fest	Saturday, August 16 Times: 11am - 5pm	Come out to Keystone's River Run Village on select Saturday's throughout the summer and enjoy an afternoon concert in the sun with the whole family. Live concerts are complemented by performing artists in the village. In addition, check out the River Run Merchant Sidewalk Sale taking place throughout the day.	(1) Main Stage with a heading band as well as support act (2) Family / Kid based entertainers (1) KNC Bar (1) Farm Vendor selling produce (3) Sponsor Tents (2) Kids craft/swag tents	400 - 1000 ppl per event	River Run Events Plaza	River Run Gondola Lot	Free Event	Permanent restrooms available in River Run Village in both the Silvermill and Buffalo Courtyards. Additional Rental: - 4 standard porta-potties - 2 ADA porta-potties - 2 hand washing stations Trash will be patrolled by KNC Village Ops. and taken to WM resort dumpsters. Food booths all permitted under SCEH.	No (Keystone Emergency Services Department is notified of the event and on duty). In addition, the KNC has contracted 5D security and will have 8 guards on duty.	No town property utilized / no road closures / no traffic control	Yes; KNC liquor license # 13-36764-001	No	Yes	Yes	small	Maja Russer, Keystone Neighbourhood Company 970.423.8996 maja@keystone.neighbourhood.com
Das Bier Burner 5k at Keystone Oktoberfest	8/30/2025 Times: 9am - 11am	Enjoy a fun run through Keystone before heading to Keystone Oktoberfest. The 5k starts at the info center, weaves through the neighbourhoods in East Keystone, and finishes back in the village so you can cruise right into the Oktoberfest celebrations.	same as Oktoberfest below	100-350 with a cap of 350	River Run Village and East Keystone	River Run Gondola Lot	Yes: all ages	Same as below	No (Keystone Emergency Services Department is notified of the event and on duty.) In addition, the KNC has contracted 5D security and will have 14 guards on duty.	No road closures. Crossing guards as well as signage will be placed at intersections to direct runners.	Yes; KNC liquor license # 13-36764-001	No	Yes	Yes	small	Maja Russer, Keystone Neighbourhood Company 970.423.8996 maja@keystone.neighbourhood.com
Keystone Oktoberfest	8/30/2025 Times: 10am-5pm	Dig out the lederhosen and bring out the family for Keystone's 13th Annual Oktoberfest taking place in the River Run Village on Saturday, August 30th. Kick off the day with Summit Cove's Das Bier Burner 5k Fun Run through east Keystone! Enjoy local ompah bands and the KNC pouring seasonal craft beer along with multiple food vendors and merchant participants.	(10) Food Vendors - cooking and serving paired culinary dishes (2) KNC Beer Gardens - total of (5) 10 x 10 tents (8) Festival Merchant and Sponsor 10 x 10 tents (2) Local community bands playing on the River Run Main Stage	3500 people, 250 das bier burner runners	River Run Events Plaza and Warren Station	River Run Gondola Lot	Yes: 21+ Ticket	Permanent restrooms available in River Run Village in both the Silvermill and Buffalo Courtyards. Additional Rental: - 4 standard porta-potties - 2 ADA porta-potties - 2 hand washing stations Trash will be patrolled by KNC Village Ops. and taken to WM	No (Keystone Emergency Services Department is notified of the event and on duty). In addition, the KNC has contracted 5D security and will have 14 guards on duty per day	No town property utilized / no road closures / no traffic control	Yes; KNC liquor license # 13-36764-000	No	Yes	Yes	LARGE	Maja Russer, Keystone Neighbourhood Company 970.423.8996 maja@keystone.neighbourhood.com
Align in the Pines Summer Yoga Series	Every Thursday 11am - 12pm from 6/19/25 - 8/28/25	Align in the Pines Yoga Series continues in Summer 2024 with a weekly Thursday flow for all levels, starting on June 17th. Join us in Quaking Aspen Amphitheatre every Thursday throughout the summer for an hour of mindful movement in River Run Village with Align in the Pines Yoga Instructor.	30 yoga mats in courtyard	30 people	River Run Events Plaza	River Run Gondola Lot	Yes	Restrooms available in River Run Village in Silvermill and Buffalo Courtyards. Trash will be patrolled by KNC Village Ops. and taken to WM resort dumpsters.	No	No town property utilized / no road closures / no traffic control	No	No	Yes	Yes	small	Maja Russer, Keystone Neighbourhood Company 970.423.8996 maja@keystone.neighbourhood.com
Keystone Concert Series	Every Friday 4pm-6pm from 6/13/25 - 8/29/25	The Keystone Concert Series returns to River Run Village every Friday in the summer for two hours of live music in the village. Take in some free live music and catch up on your week with friends, then grab dinner and drinks at one of the fabulous River Run Village restaurants to kick off your summer weekend the fun way!	(1) music tent	100 people	River Run Events Plaza	River Run Gondola Lot	Free Event	Restrooms available in River Run Village in Silvermill and Buffalo Courtyards. Trash will be patrolled by KNC Village Ops. and taken to WM resort dumpsters.	No	No town property utilized / no road closures / no traffic control	No	Yes	Yes	Yes	small	Maja Russer, Keystone Neighbourhood Company 970.423.8996 maja@keystone.neighbourhood.com



OPEN SPACE & TRAILS DEPARTMENT

970.668.4060 ph | 970.668.4225 f
www.SummitCountyCO.gov

0037 Peak One Dr. | PO Box 5660
Frisco, CO 80443

STAFF REPORT

Date: February 6, 2025
To: Town of Keystone
From: Allison Morton, Resource Specialist, Open Space & Trails
Re: OST comments on TOK25-001

Open Space and Trails (OST) Department appreciates the opportunity to review TOK25-001- Keystone Neighbourhood Company (KNC) 2025 special event permit application.

OST has the following comments:

1. The Triple Bypass is on July 12, 2025 which falls on the same weekend as the Keystone Wine and Jazz Festival. OST encourages KNC to reach out to the Triple Bypass organizers to coordinate ways to minimize impacts to visitors during both these events.
2. According to the map submitted, it appears the Oktoberfest 5k route will occur on the Recpath within the Town of Keystone boundary only. If changes to the route occurs, OST requests notification from KNC of this change if the new route will utilize portions of the Summit County-owned Recpath. OST also encourages KNC to remind participants that the Recpath is a shared-use trail, and they might encounter other users.
3. OST recommends the Town of Keystone encourages KNC to remove trash at the end of the day or place it in a bear-proof container if left overnight.

Thank you for the ability to review this special event permit. If you have any questions, please contact Allison Morton at allison.morton@summitcountyco.gov.

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: John Crone, Town Manager
FROM: Jennifer Madsen, Town Attorney
DATE: February 25, 2025
SUBJECT: [PUBLIC HEARING AND SECOND READING] 2025-O-03, An Ordinance Of The Town Council Of The Town Of Keystone, Colorado, Amending the Membership Structure of the Trails and Open Space Advisory Board and Business Advisory Board

Executive Summary:

Ordinance No. 2025-O-03 proposes amendments to Ordinance No. 2024-O-11, specifically addressing the membership structure of the Trails and Open Space Advisory Board and the Business Advisory Board. The primary purpose of these amendments is to provide greater flexibility in determining the number of members on each board, allowing the Town Council to adjust membership through resolutions as needed.

Recommendation:

Staff recommends that Council approve Ordinance 2025-O-03 on second reading.

Background:

Ordinance No. 2024-O-11 established Trails and Open Space Advisory Board and the Business Advisory Board to advise the Town Council on specialized matters. These advisory boards were initially assigned a fixed number of members (5 members) to ensure consistent representation and oversight. However, on further thought of Town's needs, a more flexible approach to board membership has been deemed beneficial. Town Council provided direction to staff to amend Ordinance No. 2024-O-11 with the

flexibility on the number of members.

Overview of Ordinance 2025-O-03:

1. Trails and Open Space Advisory Board Membership Amendment:

The amendment to the Trails and Open Space Advisory Board repeals and replaces Section V.B. of Ordinance 2024-O-11. Under the new provisions, the number of regular members will no longer be fixed in the ordinance but will instead be determined by a resolution adopted by the Town Council. This change allows for greater adaptability in response to the Town's evolving needs. Additionally, all members of the board must be property owners or residents of the Town of Keystone. The ordinance also permits the Town Council to appoint one of its members to serve as a liaison in a non-voting capacity, fostering better communication between the board and the council.

2. Business Advisory Board Membership Amendment:

The amendment repeals and replaces Section VI.B. of Ordinance 2024-O-11. Similar to the Trails and Open Space Advisory Board, the number of regular members will be set by resolution of the Town Council. Members must be business owners, employees of business owners in Keystone, or community members with business experience. The Town Council may appoint one of its members as a liaison in a non-voting capacity.

Additional Considerations:

It is important to remind the Council that Ordinance 2024-O-11 specifies that appointments to these advisory boards are for terms of three years unless the appointment is made to fill a vacancy. For newly created advisory boards, initial member terms must be staggered, with appointments set for one, two, or three years to ensure continuity and smooth transitions in board operations.

Alternatives:

Town Council may provide alternative direction regarding the membership numbers for the Trails and Open Space Advisory Board and the Business Advisory Board.

Financial Considerations:

There are no financial considerations applicable to this ordinance.

Previous Council Actions:

Council approved this ordinance on first reading on February 11, 2025. Prior to that, Council provided direction to staff at its January 28 regular meeting to place on a future agenda an ordinance allowing Council to determine the number of members on the Trails and Open Space Advisory Board and Business Advisory Board. Council approved Ordinance 2024-O-11 at its regular meeting on October 8, 2024.

Next Steps:

If Council approves this Ordinance on second reading, the effective date of the ordinance is thirty days after publication.

Suggested Motions:

Approval:

- I move to APPROVE Ordinance 2025-O-03, Amending the Membership Structure of the Trails and Open Space Advisory Board and Business Advisory Board

Denial:

- I move to DENY Ordinance 2025-O-03, Amending the Membership Structure of the Trails and Open Space Advisory Board and Business Advisory Board

Attachment and Link:

- 2025-O-03, An Ordinance Of The Town Council Of The Town Of Keystone, Colorado, Amending the Membership Structure of the Trails and Open Space Advisory Board and Business Advisory Board
- [Ordinance 2024-O-11, Creating a Process for Establishing Boards and Commissions \(for reference only\)](#)

**TOWN OF KEYSTONE
ORDINANCE NO. 2025-O-03**

**AN ORDINANCE OF TOWN COUNCIL OF THE TOWN OF KEYSTONE,
COLORADO, AMENDING ORDINANCE 2024-O-11 REGARDING THE
NUMBER OF MEMBERS FOR
TRAILS AND OPEN SPACE ADVISORY BOARD
AND BUSINESS ADVISORY BOARD**

WHEREAS, the Town of Keystone (“Town” or “Keystone”) is a home rule municipal corporation created pursuant to Article XX of the Colorado Constitution; and

WHEREAS, pursuant to Article IX of the Town of Keystone Home Rule Charter, the Town Council has the authority to create boards and commissions; and

WHEREAS, the Town Council adopted Ordinance No. 2024-O-11 for the purpose of forming certain boards and commissions to study matters in greater detail and to sit in an advisory capacity to the Council; and

WHEREAS, the Town Council desires to amend Ordinance No. 2024-O-11 to provide greater flexibility in the numbers of members for the Trails and Open Space Advisory Board and Business Advisory Board.

**THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO,
ORDAINS:**

Section 1. The foregoing recitals are hereby affirmed and incorporated herein by this reference as findings of the Town Council.

Section 2. Repeal and replace Section V.B. of Ordinance 2024-O-11 to amend the number of members of the Trails and Open Space Advisory Board. Section V.B. of Ordinance 2024-O-11 is repealed and replaced with the following language to allow Town Council to determine the number of members of the Trails and Open Space Advisory Board by adoption of a resolution:

B. Membership.

1. The Trails and Open Space Advisory Board shall consist of a number of regular members as determined by a resolution adopted by the Town Council.
2. The members of the Trails and Open Space Advisory Board shall be property owners or residents of the Town of Keystone.

3. Town Council may appoint one of its members to sit in a liaison position and a non-voting member of the Trails and Open Space Advisory Board.

Section 3. Repeal and replace Section VI.B. of Ordinance 2024-O-11 to amend the number of members of the Business Advisory Board. Section VI.B. of Ordinance 2024-O-11 is repealed and replaced with the following language to allow Town Council to determine the number of members of the Business Advisory Board by adoption of a resolution:

B. Membership.

1. The Business Advisory Board shall consist of a number of regular members as determined by a resolution adopted by the Town Council.
2. The members of the Business Advisory Board shall be business owners or employees of business owners in the Town of Keystone or members of the Town of Keystone community with business experience.
3. Town Council may appoint one of its members to sit in a liaison position and a non-voting member of the Business Advisory Board.

Section 4. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 5. Codification. This ordinance may be codified and numbered for purposes of codification without the need for further approval by the Town Council.

Section 6. Effective Date. This ordinance shall take effect thirty (30) days after publication.

INTRODUCED, READ AND PASSED AS AN ORDINANCE, ON FIRST READING, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS _____ DAY OF _____, 2025.

Kenneth D. Riley, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

READ, PASSED AND ADOPTED WITH A ROLL CALL VOTE OF ___ IN FAVOR AND ___ OPPOSED ON SECOND READING, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS _____ DAY OF _____, 2025.

Kenneth D. Riley, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH:
FROM: John Crone, Town Manager
DATE: February 25, 2025
SUBJECT: Ordinance 2025-O-04, Business Licensing

Executive Summary:

This is the second reading and public hearing of a proposed ordinance that will create a business licensing program.

Background:

Changes from First Reading

There have been a few changes made to the ordinance due to input received at the first reading. Aside from several non-material changes, the following additional provisions were added to the ordinance.

Section 6 - Exemptions

K. Professional businesses with only an incidental physical presence in the Town, as defined by C.R.S. § 39-26-802.9(2)(c), as amended, and which are not subject to other regulation by the Town of Keystone;;

L. Artisans and entertainers operating out of a home office located in Keystone, which otherwise only have an incidental physical presence in the Town, as defined by C.R.S. § 39-26-802.9(2)(c), as amended, and which are not subject to regulation by the Town of Keystone;

M. Minor-operated short-term businesses;

Section 9. – Additional requirements for Peddler / Solicitor / Transient Vendor License.

It shall be unlawful for a Peddler, Solicitor or Transient Vendor to engage in the following prohibited activities:

A. To make any false statement or misrepresentation of fact, or otherwise to engage in fraud, in the course of carrying on the activities permitted under this article, or to fail to fulfill the obligations and representations which the peddler makes to a purchaser.

B. In peddling or vending any goods, merchandise or services to be delivered or provided at a future date, to refuse or fail to give to a purchaser at the time of sale a receipt which shall accurately set forth the name, address and telephone number of the peddler or vendor; a brief description of the goods, merchandise or services to be delivered or provided; the anticipated date and manner of delivery or provision; the amount paid by the purchaser; the balance due on the purchase; and the terms of payment.

C. To fail or refuse to leave peacefully private property immediately when told to do so by the landowner, the landowner's agent or representative, or the occupant of the premises or to attempt to solicit business at any place which maintains a sign or other visible and legible indication that such solicitation of business is not desired or is prohibited, unless the permission of the owner, agent, representative or occupant of the premises has been previously obtained.

D. To obstruct, impede or otherwise interfere with the public's use of public streets, ways or places, other than as authorized by other provisions of Town of Keystone ordinances or regulations.

These prohibited activities are in addition to the business regulations.

(The remainder of the memo is fundamentally identical to the memo provided for the first reading)

Reasons for Business Licensing

There are several reasons for the Town to require business licensing. Not all situations will apply to all businesses.

Administrative Compliance – Requiring a license will help Town staff efficiently determine whether a business is complying with local requirements and regulations.

This includes being able to quickly determine whether a business is paying all required taxes and fees, and ensuring that the Town has a valid contact for anyone doing business here.

Zoning and Code Compliance – The land-use code has many restrictions on use depending upon where a property is located. Requiring a business license will enable staff to review a business' plans and make sure that they are in line with neighborhood requirements before the business opens.

Consumer Protection – It is important that the Town take steps to protect its citizens from unscrupulous business scams. A business license requirement will not provide absolute protection; but it is another step that will help identify those individuals who don't take all of the steps necessary to run a legal business before those individuals can take advantage of our citizens.

Public Health and Welfare – The proposed ordinance will require business license applicants to submit a fire and life safety inspection before the license is issued. This is an important step to protect the health and welfare of the people visiting the business.

Types of Licenses

The proposed ordinance provides for two types of licenses.

Annual Business License – This is the standard license required for anyone who regularly conducts business within the Town limits. These licenses cover two types of businesses:

Peddler/ / Solicitor / Transient Vendor Licenses – Peddler/ / Solicitor / Transient Vendor licenses are issued to businesses that only operate in the town for a very short time. These types of licenses are often issued to businesses that come into town for festivals or fairs. They are very important for ensuring that the town receives correct sales tax payments.

There are also many types of businesses that are required to obtain additional licenses from either the state or from the Town. These include regulated professions such as doctors or massage therapists and regulated businesses such as liquor sellers or marijuana facilities.

State regulations also limit the ability of the Town from charging a fee for a general business license to a retailer that either does not have a physical presence in the local taxing jurisdiction (the Town) or only has an incidental physical presence within the Town.

Under the state statute, *Physical Presence* means performing or providing services or selling, leasing, renting, delivering, or installing tangible personal property for storage, use, or consumption within the local taxing jurisdiction. Physical presence includes any of the following activities:

- Directly or indirectly by a subsidiary maintaining a building, store, office, salesroom, warehouse, or other place of business within the local jurisdiction;
- Sending one or more employees, agents, or commissioned salespersons into the local jurisdiction to solicit business, to install, assemble, repair, service, or assist in the use of its products, or for demonstration or other reasons;
- Maintaining one or more employees, agents, or commissioned salespersons on duty at a location within the local taxing jurisdiction;
- Owning, leasing, renting or otherwise exerting control over real or personal property sales within the local taxing jurisdiction;
- Engaging in activities within the taxing jurisdiction that are subject to other business, fire, zoning, or other regulations of the local jurisdiction; or
- Being subject to taxable privileges other than the requirements to collect sales tax imposed by the local taxing jurisdiction.

Incidental Physical Presence means performing or providing services or selling, leasing, renting, delivering, or installing tangible personal property for storage, use, or consumption within the local taxing jurisdiction that occurs infrequently and is not

regularly scheduled within the ordinary course of an individual or entity's business activities.

There are other businesses that are exempt from licensing requirements or that staff believes should be exempt. These include other government organizations, charities, kids operating businesses (lemonade stands), and those businesses exempt under state or federal laws.

Previous Council Actions

January 14, 2025 – workshop on details of proposed program

February 11, 2025 – First reading of ordinance

Financial Impacts:

The proposed ordinance will generate a negligible amount in annual fees, depending on the fee structure approved by the Town Council.

Proposed Motions:

If the Council is interested in creating a business licensing program, it may do so by approving the following motion: *I move to approve Ordinance 2025-O-04, Regarding the Licensing of Businesses.*

If the Council does not want to create such a program, it may do so by approving the following motion *I move to deny Ordinance 2025-O-04, Regarding the Licensing of Businesses*

**TOWN OF KEYSTONE
ORDINANCE NO. 2025-O-04**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE,
COLORADO, REGARDING THE LICENSING OF BUSINESSES**

WHEREAS, the Town of Keystone, Colorado (“Town”) is a home rule municipality, duly organized and existing under the laws of the state of Colorado; and

WHEREAS, the Town of Keystone Town Charter article 2.9 grants the Keystone Town Council the right to exercise all legislative powers and functions of municipal government; and

WHEREAS, Colorado Revised Statute 31-15-501(1)(c) grants municipalities the authority to license businesses; and

WHEREAS, the Town of Keystone Town Council has found that the licensing of businesses will enhance the compliance of businesses with local laws; and

WHEREAS, the Town Council has determined that it is in the best interest of the health, safety, and welfare of the Town and its citizens adopt an ordinance to license businesses in a cost effective, efficient, expedient, and effective manner.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Keystone, Colorado, as follows:

Section 1. The Town Council adopts the items in attached Exhibit A as the Town’s business license ordinance regarding the licensing of businesses operating within the town limits of the Town of Keystone.

Section 2. Should any one or more sections or provisions of this Ordinance or of the Code provisions enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or of such Code provision, the intention being that the various sections and provisions are severable.

Section 3. Any and all Ordinances or Codes 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 Ordinance or Code or part thereof shall not revive any other section or part of any Ordinance or Code provision heretofore repealed or superseded.

Section 4. Codification. This ordinance may be codified and numbered for purposes of codification without the need for further approval by the Town Council.

Section 5. Effective Date. After adoption by the Town Council, this ordinance shall take effect on July 1, 2025.

INTRODUCED, READ AND PASSED AS AN ORDINANCE, ON FIRST READING, AND SCHEDULED FOR PUBLIC HEARING ON February 25, 2025, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS

11th DAY OF FEBRUARY 2025.

Kenneth D. Riley, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

READ, PASSED AND ADOPTED WITH A ROLL CALL VOTE OF ___ IN FAVOR AND ___ OPPOSED ON SECOND READING, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS _____ DAY OF _____, 2025.

Kenneth D. Riley, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

Exhibit A

Town of Keystone Business Licensing Ordinance

Section 1. – Title.

This ordinance shall be known as the *BUSINESS LICENSE ORDINANCE*.

Section 2. - Purpose.

The purpose of this Ordinance is to require the annual licensing and limited regulation of all business conducted within the town and to provide the town with necessary information concerning the activities of businesses in order to protect the property, health, welfare, peace or safety of its citizens, inhabitants and visitors.

Section 3. - Definitions.

For purposes of this ordinance, the following definitions shall apply:

BUSINESS: Any business (including sales of tangible personal property and furnishing of services), profession, occupation, or activity engaged in by a person for profit, gain, benefit or advantage which is conducted within the town.

LICENSE YEAR: All licenses shall automatically expire the June 30 immediately following the issuance or renewal of the license unless revoked pursuant to the provisions of this Ordinance.

LICENSEE: Any person required to obtain an annual business license.

MINOR-OPERATED BUSINESS: A business solely operated by persons under the age of eighteen (18) for not more than eighty-four (84) days in any calendar year.

PERSON: Any individual, partnership, corporation, firm, estate, trust, association, joint venture or other entity.

TOWN: The town of Keystone, Colorado.

Section 4. – License required.

It shall be unlawful for any person to commence or carry on any business within the Town without having first obtained a license from the Town. It shall be unlawful for any person to operate or carry on a business under the license of another and no licensee

shall allow or permit any other person to operate under the licensee's permit. It shall be unlawful for a licensee to continue to engage in any business or activity after their license has expired.

Section 5. – Two forms of licenses

There shall be two forms of business licenses issued by the Town of Keystone:

A) Annual Business License – issued to all business except for those defined in subsection B of this Section.

B) Peddler/ Solicitor / Transient Vendor License.

Peddler means any person who goes from house to house, from place to place or from street to street, traveling by foot, vehicle, or any other type of conveyance, carrying or transporting merchandise for the purpose of selling and delivering the merchandise to customers.

Solicitor means any person who goes from house to house, from place to place or from street to street, traveling by foot, vehicle or any other type of conveyance, soliciting, taking or attempting to take orders for the sale of merchandise or services of any kind for future performance or delivery, whether or not such individual has, carries or exposes for sale a sample of the merchandise or services and whether or not he or she is collecting advance payments on such sales or orders, or who engages in any of the foregoing activities from a stationary location, any street or other public place. The word solicitor shall also refer to the word canvasser or any other person who goes from door to door as described above or stands upon any street or other public place soliciting or collecting funds.

Transient Vendor means any person who brings into temporary premises and exhibits stocks of merchandise to the public for the purpose of selling or offering to sell the merchandise to the public.

Section 6. - Exemptions

The following businesses, persons, and events shall be exempt from the provisions of this Chapter:

- A. Churches or established religious organizations;
- B. Charitable organizations;
- C. Hospitals;
- D. Schools;
- E. Governments;
- F. Persons exempt from business licensing under federal or Colorado law;
- G. Special events as licensed by the Town of Keystone;
- H. Wholesale businesses that are not required to obtain a Colorado retail sales license;
- I. Businesses that have a state standard retail license without a physical presence in the Town, as defined by C.R.S. § 39-26-802.9(2)(e), as amended, and which are not subject to other regulation by the Town of Keystone;
- J. Businesses that have a state standard retail license with only an incidental physical presence in the Town, as defined by C.R.S. § 39-26-802.9(2)(c), as amended, and which are not subject to other regulation by the Town of Keystone;
- K. Professional businesses with only an incidental physical presence in the Town, as defined by C.R.S. § 39-26-802.9(2)(c), as amended, and which are not subject to other regulation by the Town of Keystone;
- L. Artisans and entertainers, operating out of a home office located in Keystone, which otherwise only have an incidental physical presence in the Town, as defined by C.R.S. § 39-26-802.9(2)(c), as amended, and which are not subject to regulation by the Town of Keystone;
- M. Minor-operated short-term businesses;
- N. Entertainment for which no fee is charged, and which is not subject to regulation by the Town of Keystone;
- O. Free distribution of information, flyers, pamphlets, brochures or petitions; and
- P. Yard sales.
- Q. Short-term rental properties that have been issued an active STR license by the Town of Keystone.

Section 7. Business to obtain license for each establishment.

An annual business license shall be obtained for each place of business within the town regardless of whether the business conducted therein is a separate business or a branch, division or agency of a licensed business situated at another location in town.

Section 8. – Sharing a business location.

Businesses that are comprised of several persons within the same or similar occupations, which may or may not be considered by that business as independent contractors or other independent entities for federal income tax purposes, such as, without limitation, real estate agents and cosmetologists, shall be considered one (1) business entity for purposes of this Ordinance.

Section 9. – Additional requirements for Peddler / Solicitor / Transient Vendor License.

It shall be unlawful for a Peddler, Solicitor or Transient Vendor to engage in the following prohibited activities:

A. To make any false statement or misrepresentation of fact, or otherwise to engage in fraud, in the course of carrying on the activities permitted under this article, or to fail to fulfill the obligations and representations which the peddler makes to a purchaser.

B. In peddling or vending any goods, merchandise or services to be delivered or provided at a future date, to refuse or fail to give to a purchaser at the time of sale a receipt which shall accurately set forth the name, address and telephone number of the peddler or vendor; a brief description of the goods, merchandise or services to be delivered or provided; the anticipated date and manner of delivery or provision; the amount paid by the purchaser; the balance due on the purchase; and the terms of payment.

C. To fail or refuse to leave peacefully private property immediately when told to do so by the landowner, the landowner's agent or representative, or the occupant of the premises or to attempt to solicit business at any place which maintains a sign or other visible and legible indication that such solicitation of business is not desired or is

prohibited, unless the permission of the owner, agent, representative or occupant of the premises has been previously obtained.

D. To obstruct, impede or otherwise interfere with the public's use of public streets, ways or places, other than as authorized by other provisions of Town of Keystone ordinances or regulations.

These prohibited activities are in addition to the business regulations.

Section 10. – Business license fee and payment.

A. License Fee: The license fee for business licenses shall be set by Council resolution. No refunds shall be considered by the town.

B. Term of License: Every annual business license shall be valid through June 30 immediately following the issuance of the license.

Peddler/ / Solicitor / Transient Vendor Licenses shall be valid for a period of seven days following the activation of such license.

C. Payment: Every business shall obtain an annual business license prior to the commencement of business and shall pay the license fee specified in subsection A of this section.

D. Annual Renewal: It shall be the duty of each annual business licensee to obtain a renewal of such license by payment of the annual license fee to the town clerk on or before the day of its expiration as provided in subsection B of this section.

D. If a license fee is paid by credit card, the Town may impose a convenience fee for the use of this alternative form of payment in an amount not to exceed the actual additional cost incurred by the Town to process the transaction. Any such convenience fee shall be imposed in accordance with the rules of the credit card provider. In the event of declined payment or insufficient funds, the Town may assess a penalty in an amount set by resolution. After a second declined payment or second instance of insufficient funds, the Town may require all payments from that business to be by certified funds, cashier's check or cash.

Section 11. - Administration.

The administration of this Article is hereby vested with the Town Clerk who is hereby authorized to:

- A. Collect license fees and issue receipts therefore.
- B. Adopt all forms and prescribe the information to be given therein.
- C. Investigate and determine the eligibility of each applicant for a license.
- D. Promulgate and enforce all reasonable rules and regulations necessary to the operation and enforcement of this Ordinance.
- E. Investigate, report and recommend to the Town Council the suspension or revocation of license for violation by the licensee of a provision of this Ordinance.
- F. Require an applicant to produce documentation supporting information given on the business license application if the initial documentation is missing, incomplete, or the Clerk has reason to believe the nature of the business has substantially changed since the time of application.

Section 12. – Grounds for denial of license.

The Clerk shall examine the information provided by the applicant for the license and shall have the authority to deny the issuance or renewal of the license if the applicant, licensee, or premises has not complied with the general laws and statutes of the State or the ordinances of the Town in the application process. No license shall be issued for the conduct of any business if the premises and building are to be used for the purpose that does not fully comply with the requirements of the Town, or would otherwise violate any federal, state, or local law.

Section 13. - Appeal

Any person or business aggrieved by the action of the Clerk in the denial of a license, denial of a license renewal shall have the right of appeal to the Town Manager, unless the reason for the denial is an incomplete application, nonconformance with the zoning or building codes or failure to pay required fees. Such appeal shall be taken by filing with the Town Manager, within fourteen (14) days after the notice of the action complained of has been provided to such person in writing, a written statement setting

forth fully the grounds for appeal. The Town Manager shall set a time and place for an administrative hearing on such appeal, and five (5) days' notice of such hearing shall be given to the licensee in writing. The decision of the Town Manager on such appeal shall be final and conclusive. The licensee may not operate the business or enterprise licensed during the pendency of said appeal. The Town Manager's decision shall be the final action of the Town.

Section 14. – Requirements of Licensee.

Every licensee under this Ordinance shall do the following:

A. Comply With Laws: Ascertain and at all times comply with all laws and regulations applicable to a licensed business;

B. Avoidance Of Illegal Practices: Avoid any illegal, dangerous or harmful practices or conditions which are detrimental to the public property, health, welfare, peace or safety;

C. Refrain From Business: Refrain from engaging in business on the licensed premises during a period when the license is revoked or suspended;

D. Posting: The licensee shall post the current business license in a conspicuous place on the licensed premises at all times

Section 15. - Enforcement.

The Town may seek an injunction to restrain a person from engaging in business within the Town who does not obtain an annual business license under this ordinance or whose license is revoked or suspended, and this remedy shall be in addition to all other remedies prescribed in this ordinance or by law.

Section 16 - Penalty.

The Town may elect to enforce violations of this Business License Ordinance through an administrative citation as set forth in Ordinance 2025-O-01 or a summons and complaint filed in the Municipal Court. Any person who violates a provision of this Ordinance may be subject to the Town of Keystone's General Penalties Ordinance. Each day of business without a current business license shall constitute a separate offense.