



Keystone Town Council Agenda

The Keystone Town Council will have a Regular Meeting on April 8, 2025, at 4:00 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. **KEYSTONE RESORT UPDATE**
- IV. **TOWN COUNCIL MEMBER VACANCY**
 - A. **COUNCIL MEMBER VACANCY INTERVIEWS**
 - 1. Interview of Applicant Steve Cain
 - 2. Interview of Applicant Elle B Wilson
 - 3. Interview of Applicant Steve Martin
 - B. **NOMINATION OF CANDIDATES AND VOTING**
 - C. **Resolution 2025-12, A Resolution of Town Council of the Town of Keystone, Colorado, Appointing an Individual to Fill a Councilmember Vacancy on Town Council**
 - D. **Oath of Office**
- V. **COMMUNICATIONS TO COUNCIL**
- VI. **DISCUSSION**
 - A. **DISCUSSION OF PROPOSED DRAFT NOISE ORDINANCE**

- B. DISCUSSION OF PROPOSED DRAFT ANIMAL CONTROL POLICY**
- C. DISCUSSION OF PROPOSED DRAFT DONATION POLICY**
- D. DISCUSSION OF SHORT-TERM RENTAL OUTREACH PLAN**

VII. CONSENT

- A. FIRST READING OF ORDINANCES**
- B. RESOLUTIONS**
- C. MEETING MINUTES**

- 1. March 25, 2025 – Meeting Minutes**

- D. EXCUSED ABSENCES**
- E. OTHER**

- 1. TOK25-004: Class 2 Site Plan Modification – Snake River Water District (SRWD) Base II Chlorine and Soda Ash Improvements**
 - 2. TOK24-017: Class 2 Sign Permit for Steep & Snowbird at River Run, located at 195 River Run Road, Black Bear Lodge Units B2, B3, B5**

VIII. BUSINESS

A. CONSIDERATION OF ORDINANCES

- 1. [Second Reading & Public Hearing] Ordinance 2025-O-07, An Ordinance of Town Council of the Town of Keystone, Colorado, Regarding the Regulation of Nuisances Within the Town of Keystone**
- 2. [First Reading] Ordinance 2025-O-08, An Ordinance of Town Council of the Town of Keystone, Colorado, Amending the Town Liquor Code and Ordinance 2024-O-03 and Allowing for Administrative Approval of Certain Applications**

B. RESOLUTIONS – NONE

C. OTHER - NONE

IX. PLANNING MATTERS

X. REPORT OF TOWN MANAGER AND STAFF

XI. REPORT OF MAYOR AND COUNCIL

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

XIII. SCHEDULED MEETINGS

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: John Crone, Town Manager
Jennifer Madsen, Town Attorney
FROM: Madeleine Sielu, Town Clerk
DATE: April 8, 2025 – Council Meeting
SUBJECT: Interviews, Selection, and Appointment of Vacancy for
Town Councilmember

Executive Summary:

On February 25, 2025, Gretchen Davis submitted her resignation from the Keystone Town Council, effective March 4, 2025. The Town Council discussed the vacancy at its next regular meeting on March 11, 2025. Town Council decided to open an appointment process to fill the vacancy. Interviews, selection, and appointment of a new Councilmember to fill the vacancy were scheduled for April 8, 2025.

Background:

Town Council discussed the vacancy at its regular meeting on March 11, 2025, and decided to open an appointment process to fill the vacancy. Interested candidates were given an opportunity to submit applications to the Keystone Town Clerk until April 1, 2025. Notice was posted on the Town website, the Town's Nextdoor and Facebook pages, and in the Summit Daily twice weekly for two weeks. Candidates were directed to submit a letter of interest to the Town Clerk and were notified that interviews were scheduled to take place on Tuesday, April 8, 2025.

The Town Clerk received three submissions for the vacancy. The Town Clerk verified with the Summit County Clerk and Recorder, that the remaining three applicants were registered electors of the Town at the time of appointment (April 8, 2025), as is

indicated as a qualification in the Keystone Town Charter Section 2.6 (a). Additionally, applicants were asked to attest that they met the eligibility requirements outlined in the Town Charter Section 2.6 (a), which read “I verify that I am eligible to hold Town Elective Office, and at the time of appointment (April 8, 2025), I will be a Primary Resident as defined by the laws of the State of Colorado and registered elector of the Town. Additionally, I verify that at the time of appointment, I will have had Primary Residency, as residency is defined in C.R.S. 31-10-201(3) within the boundaries of the Town for at least one year immediately preceding appointment.”

All three applicants were identified as registered electors within the Town of Keystone and returned the signed attestation. These forms are included for reference as attachments, along with the applicants’ letters of interest.

Town Council will hold an interview with each of three applicants at this afternoon’s meeting in the following order: beginning with Elle B Wilson, then Steve Cain, then Steve Martin. Interviews are expected to take approximately a half hour per candidate.

Following completion of the interviews, Town Council will have the opportunity to discuss the candidates’ interviews. Council will have the opportunity to nominate any of the applicants for appointment and then will use paper ballots to vote for one of the nominated candidates. Following selection, Town Council will formally appoint the selected candidate via passage of resolution, and the candidate will be sworn in as a member of Town Council and participate in the remaining items on the meeting’s agenda.

Suggested Motions:

NOMINATIONS:

I move to nominate the following individuals for Town Council.... (any of the applicants may be nominated. For an applicant to be an option on the paper ballots they must be nominated). Following nominations, the Town Council may complete a voting process on paper ballots.

FOR APPOINTMENT:

I move to approve Resolution 2025-12, a Resolution Of Town Council Of The Town Of Keystone, Colorado Appointing An Individual To Fill A Councilmember Vacancy On Town Council and appointing _____ as Councilmember.

Attachments:

- Elle B Wilson Application Materials
- Steve Cain Application Materials
- Steve Martin Application Materials
- Resolution 2025-12, A Resolution of Town Council of The Town of Keystone, Colorado Appointing an Individual to Fill a Councilmember Vacancy on Town Council
- at o i e

**TOWN OF KEYSTONE
Summit County, Colorado**

RESOLUTION 2025-12

**A RESOLUTION OF TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO
APPOINTING AN INDIVIDUAL TO FILL A COUNCILMEMBER VACANCY ON TOWN
COUNCIL**

WHEREAS, according to the Town of Keystone Charter § 2.7, the Town Council has the authority to decide the process to fill the vacancy of a councilmember position. There are two options for filling the vacancy: (1) Town Council can fill the vacancy by appointment of a person to the vacant councilmember position OR (2) by holding a special election; and

WHEREAS, on February 24, 2025, Councilmember Gretchen Davis submitted her resignation effective March 4, 2025, and such resignation created a vacancy on Town Council; and

WHEREAS, on March 11, 2025, at the regular meeting, Town Council directed staff to prepare applications for an appointment process to fill the vacancy on Town Council; and

WHEREAS, at its regular meeting on April 8, 2025, Town Council interviewed applicants for the appointment to Town Council; and

WHEREAS, following interviews, Town Council completed a nomination and voting process to select and appoint the individual to fill the vacancy; and

WHEREAS, Town Council desires to fill the vacancy of the councilmember position on Town Council by appointment.

Now, Therefore, be it Resolved by the Town Council of the Town of Keystone, Colorado, that:

Section 1. The Town Council appoints _____ to serve as a Councilmember on Town Council until the next regular election in April 2026 and until such time as a successor is elected and duly qualified.

Section 2. Effective Date. This Resolution shall take effect upon its approval by the Town Council.

ADOPTED by a vote of ___ in favor and ___ against, this 8th day of April, 2025.

By: _____

Kenneth D. Riley, Mayor

ATTEST:

Approved as to Form:

By: _____
Town Clerk

By: _____
Town Attorney

Letter of Interest - Keystone Town Council - Elle B Willson

To Clerk <clerk@keystoneco.gov>

LETTER OF INTEREST

April 1, 2025

Dear Town Council Members,

I am submitting my letter of interest to serve Keystone on the Town Council through April of 2026. I have been a full-time resident in here in Keystone since 2017.

I will make this short and to the point as I am very passionate about this fabulous community as I believe is evident having actively engaged in supporting Keystone for years in the following capacities with both the Keystone Incorporation Committee as well as the Keystone Citizen's League.

Living in Lakeside Village, I have the unique opportunity to engage with Vail Management as a full-time owner and feel this is a valuable perspective to the Council.

I am committed and fully understand the time commitment that is involved in serving on the Town Council - a year and a half ago, I did not have the time for this commitment.

I am an excellent listener who can see the big picture as well as short-term impact. I have high level communication, negotiating and marketing skillset which provides the ability to view the same situation from several perspectives. I believe it important in the creation of the new town to view from several perspectives other than my own personal interest.

Addressing self-interest:

My goal and self-interest is for Keystone to thrive and to be the best town in Summit County to provide an outstanding quality of life to all its full-time residents (families, children, couples & singles), children, businesses, part-time owners, full-time and seasonal work force as well as all of the town's guests. Also, I am committed to grow Keystone's full-time population.

Background:

I grew up in Littleton, Colorado and have skied Summit County, Loveland & A-Basin exclusively since the age of three. I graduated from Pepperdine University. My parents owned a place in Frisco. Prior to Keystone, I lived in Manhattan, New York. I have been in real estate as a Broker, Director of Operations, marketing, project manager, property manager and bookkeeper for decades. I have provided marketing, bookkeeping, creative and booking services in the entertainment industry. I provided risk assessment, conflict resolution and a successful employee

retention program for a doctor's medical practice. I have worked in the service industry as a waiter, restaurant manager and in the spa industry as a front desk person, manager and an aerobics instructor. In college, I started my own tax prep business.

We have an incredible opportunity, even with much uncertainty on the State and Federal level.

If my experience and perspective suits the Council's needs, I would love to come in for an interview.

Thank you for the opportunity and thank you for your commitment to our wonderful community.

ELLE B WILLSON

Broker Associate

Certified Buyer's Representative, CBR

Certified Negotiation Expert, CNE

Bergman Realty Grp

*Real Estate Curator to fulfill your Rocky Mountain Living Dream
Elevate the Quality of Your Life*



Steve Cain/Town Council Interview

Date Tue 3/25/2025 11:16 AM
To Clerk <clerk@keystoneco.gov>

Hello,

I am writing to request an interview for town council position on April 8th.

I have been a resident of Keystone since 1983

I have worked and owned business in Keystone since 1983

I own property in Keystone

I have seen the evolution of Keystone since the Ralston Purina days and have known many pioneers of and in the development of Keystone since its inception of becoming a ski resort destination.

Please send interview time to this address, Thanks

Steve Cain

March 10, 2025

To: Town of Keystone

From: Steve Martin

RE: Town Council Vacancy

I hereby submit my name for consideration for the Town Council Vacancy.

It has been almost 4 years that I have been a full-time resident of Keystone with my wife. We have previously been second homeowners up here for approximately 20 years. Our second residences have varied from family use only, part-time rental (managed either by ourselves or management companies) and once we had a long-term renter.

I am currently employed full-time (work from home) in the roofing industry and have worked many years either for manufacturers or roofing supply companies as an estimator/designer of tapered roof insulation systems. My educational background is a Bachelor's Degree in Business Administration, Associate's Degree in Architectural Drafting, and a Master's Degree in Construction Management.

In regards to volunteer work, I have served on many HOA Boards and am currently the HOA President of the Elk Crossing Homeowners Association. I served 6 years on the Board of the Keystone Owners Association, am currently on the Snake River Planning Commission and currently on the Board of the Snake River Water District.

In regards to the Town of Keystone, I volunteered to gather petition signatures to see if Keystone residents had an interest in becoming a town. I served on the Election Commission for all three elections and I was also part of a small task force that gathered information from all the surrounding towns as to how their planning commission are set up.

I am excited that Keystone has become a town and I am very interested in its future. I feel that my personal background, work experience, educational background, and volunteer work would make me a good candidate to serve on the Town Council. You will find me a hard worker, someone who is willing to jump in and get things accomplished, someone who comes prepared to meetings, someone who is a good listener, someone who is willing to ask questions, and most importantly, someone who is willing to do what is in the best interests for the residents of Keystone while embracing our second homeowners, businesses, tourists and the ski resort.



The Town of Keystone

State of Colorado

County of Summit

I, _____, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Colorado, and the Charter and Ordinances of the Town of Keystone, and that I will faithfully perform the duties of a Councilmember office for the Town of Keystone to the best of my skill and ability.

_____, Town Councilmember, Town of Keystone, Colorado

Madeleine Sielu, Town Clerk, Town of Keystone, Colorado

Subscribed and sworn before me this 8th day of April A.D. 2025.

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH:
FROM: John Crone, Town Manager
DATE: April 8, 2025
SUBJECT: Nuisance ordinance – Noise Ordinance

Executive Summary:

The purpose of this work session item is to review a draft noise ordinance.

Background:

Town Council is in the process of reviewing sections for a proposed nuisance ordinance. This section contains the noise ordinance. The sections are largely based on the ordinance that has been adopted by Summit County and are currently enforceable in the Town of Keystone.

As with most ordinances, this ordinance will not prohibit an HOA from imposing its own, stricter noise requirements.

Since the last Town Council meeting, the following sections were changed:

Section 3 – removed references to light industrial and industrial zones.

Section 4 – section for weekend limits was added, evening hours were changed from 10:00 pm to 11:00 pm, the language separating Sunday levels was removed.

Section 6 – the language addressing the sale of snowmobiles was removed.

Section 7 – language was added clarifying that the section applied to vehicles with internal combustion engines

Section 8 – the exemption for animal noise was removed and the reference to “man-made snow” was changed to just refer to “snow.”

Section 9 – related to alarm systems and vehicle horns.

Additionally, since the last Council meeting, staff conducted several noise readings around the community. These were very unscientific readings without concern for ambient noise or wind levels. The loudest area was by the gondola. There were large crowds and two different music amplifiers. Readings were recorded at just over 72 db(A) (but generally just above 70). Near the exhaust vent at Pizza on the Run, the levels approached 65 db(A). Readings in residential areas ranged from the upper 40s to approximately 55 db(A). The ambient noise in Town Hall is around 45 db(A).

Below are the various levels allowed by the other municipalities in the County. All of the Towns only differentiate between residential and commercial. The county is the only entity that has industrial and light industrial designations. Silverthorne does not have db(A) limitations, it simply prohibits unnecessary noise. Dillon does not have general daytime limitations. All of the Town’s with limits used 11:00 pm as the start of evening limits (Frisco set 10:00 pm in residential districts). Summit County has a 10:00 pm start for evening hours.

Entity	Zone	Day	Night
County	Res.	55	50
	Com.	60	55
Dillon	Res.		55
	Com.		65
Frisco	Res.	55	50
	Com.	70	65
Breckenridge	Res.	55	50
	Com.	70	65

Draft Ordinance

Section 1. - Title.

This ordinance shall be known as the *NOISE ORDINANCE*.

Section 2. - Purpose.

The purpose of this Ordinance is to regulate excessive noise in the Town of Keystone in order to protect the property, health, welfare, peace or safety of its citizens, inhabitants and visitors.

Section 3. – Definitions

As used in this Ordinance, unless the context otherwise requires, the following words shall mean:

- A. "Ambient Noise Level" means the lowest sound level which repeats itself during a six-minute period as measured with a sound level meter and can be heard and measured from the point a noise reading is made. The minimum sound level shall be determined with the noise source at issue silent, and in the same location as the measurement of the noise level of the source at issue.

- B. "Commercial zone" means:
1. An area where offices, clinics, and other facilities needed to serve them are located;
 2. An area with local shopping and service establishments located within walking distances of the residents served;
 3. A tourist-oriented area where hotels, motels, and gasoline stations are located;
 4. A large integrated regional shopping center;
 5. A business strip along a main street containing offices, retail businesses, and commercial enterprises;
 6. A central business district; or
 7. A commercially dominated area with multiple-unit dwellings.

C. "db(A)" means sound levels in decibels measured on the "A" scale of a standard sound level meter having characteristics defined by the American national standards institute, publication S1.4 -- 1971.

D. "Decibel" is a unit used to express the magnitude of a change in sound level. The difference in decibels between two sound pressure levels is twenty times the common logarithm of their ratio. In sound pressure measurements sound levels are defined as twenty times the common logarithm of the ratio of that sound pressure level to a reference level of 2×10^{-5} N/m² (Newton's/meter squared). As an example of the effect of the formula, a three-decibel change is a one hundred percent increase or decrease in the sound level, and a ten-decibel change is a one thousand percent increase or decrease in the sound level.

E. "Industrial zone" means an area in which noise restrictions on industry are necessary to protect the value of adjacent properties for other economic activity but shall not include agricultural, horticultural, or floricultural operations.

F. "Light industrial and commercial zone" means:

1. An area containing clean and quiet research laboratories;
2. An area containing light industrial activities which are clean and quiet;
3. An area containing warehousing; or
4. An area in which other activities are conducted where the general environment is free from concentrated industrial activity.

G. "Motorcycle" means a self-propelled vehicle with not more than three wheels in contact with the ground that is designed primarily for use on the public highways.

H. "Motor vehicle" means a self-propelled vehicle with at least four wheels in contact with the ground that is designed primarily for use on the public highways.

I. "Muffler" means a device consisting of a series of chamber or baffle plates or other mechanical design for the purpose of receiving exhaust gas from an internal combustion engine and effective in reducing noise.

J. "Off-highway vehicle" means a self-propelled vehicle with wheels or tracks in contact with the ground that is designed primarily for use off the public highways.

K. "Off-highway vehicle" shall not include the following:

1. Military vehicles;
2. Golf carts;
3. Snowmobiles;
4. Vehicles designed and used to carry persons with disabilities; and
5. Vehicles designed and used specifically for agricultural, logging, firefighting, or mining purposes.

L. "Residential zone" means an area of single-family or multifamily dwellings where businesses may or may not be conducted in such dwellings. The zone may include areas where multiple-unit dwellings, high-rise apartment districts, and redevelopment districts are located. A residential zone may include areas containing accommodations for transients such as motels and hotels and residential areas with limited office development, but it may not include retail shopping facilities. "Residential zone" includes hospitals, nursing homes, and similar institutional facilities.

M. "SAE J1287" means the J1287 stationary sound test or any successor test published by SAE international or any successor organization.

N. "SAE 12567" means the 12567 stationary sound test or any successor test published by SAE international or any successor organization.

O. "Snowmobile" means a self-propelled vehicle primarily designed or altered for travel on snow or ice when supported in part by skis, belts, or cleats and designed primarily for use off the public highways. "Snowmobile" shall not

include machinery used strictly for the grooming of snowmobile trails or ski slopes.

Section 4. - Maximum Permissible Noise Levels

A. Every activity to which this Ordinance is applicable shall be conducted in a manner so that any noise produced is not objectionable due to intermittent, beat frequency, or shrillness. Sound levels of noise radiating from a property line at a distance of twenty-five (25) feet or more therefrom in excess of the db(A) established for the following time periods and zones shall constitute prima facie evidence that such noise is a public nuisance:

<i>Zone</i>	<i>Sun.-Thur. 7:00 a.m. to next 11:00 p.m.</i>	<i>11:00 p.m. to next 7:00 a.m.</i>
Residential	55 db(A)	50 db(A)
Commercial	60 db(A)	55 db(A)
<i>Zone</i>	<i>Fri.-Sat. 7:00 a.m. to next 11:00 p.m.</i>	<i>11:00 p.m. to next 7:00 a.m.</i>
Residential	55 db(A)	50 db(A)
Commercial	60 db(A)	55 db(A)

B. In the hours between 7:00 a.m. and the next 11:00 p.m., the noise levels permitted in subsection (A) of this section may be increased by ten db(A) for a period of not to exceed six minutes in any one-hour period.

C. Periodic, impulsive, or shrill noises shall be considered a public nuisance when such noises are at a sound level of five db(A) less than those listed in subsection (A) of this section.

D. Construction projects: noise from construction operations is prohibited from 7:00 p.m. to 6:59 a.m. except as provided in a Town approved temporary or conditional use permit or in Town approved PUD designations, or when construction work is required to make emergency repairs. Construction noise shall not exceed the maximum permissible noise levels specified for industrial zones.

F. Measurements with sound level meters shall be made when the wind velocity at the time and place of such measurement is not more than five (5) miles per hour.

H In all sound level measurements, consideration shall be given to the effect of the ambient noise level created by the encompassing noise of the environment from all sources at the time and place of such sound level measurement.

Section 5. – Motor Vehicle Noise

A. No person shall drive, operate, or knowingly permit to be driven or moved, a motor vehicle on a public road or highway that produces noise in excess of the sound levels in decibels, measured on the "A" scale on a standard sound level meter having characteristics established by the American national standards institute, publication S1.4--1971, and measured at a distance of fifty feet from the center of the lane of travel and within the speed limits specified below:

<i>Type of Vehicle</i>	<i>Speed limit of 35 mph or less</i>	<i>Speed limit of more than 35 mph</i>
Any motor vehicle with a manufacturer's gross vehicle weight rating of six thousand pounds or more, any combination of vehicles towed by such motor vehicle, and any motorcycle other than a low-power scooter:		
- Before January 1, 1973	88 db(A)	90 db(A)
- On or after January 1, 1973	86 db(A)	90 db(A)

B. It shall be a nuisance to operate a vehicle within Town of Keystone that creates excessive noise or creates noise through the operation of a compression release engine brake.

C. This section applies to the total noise from a vehicle or combination of vehicles.

D. For the purpose of this section, a truck, truck tractor, or bus that is not equipped with an identification plate or marking bearing the manufacturer's name and manufacturer's gross vehicle weight rating shall be considered as having a manufacturer's gross vehicle weight rating of six thousand pounds or more if the unladen weight is more than five thousand pounds.

Section 6. – Off-Highway Vehicles

A. An off-highway vehicle operated within the Town of Keystone shall not emit more than the following level of sound when measured using SAE 11287:

1. If manufactured before January 1, 1998 ----- 99 db(A)
2. If manufactured on or after January 1, 1998 ---- 96 db(A)

B. A snowmobile shall not emit more than the following level of sound when measured using SAE 12567:

1. If manufactured on or after July 1, 1972, and
before July 2, 1975 ----- 90 db(A)
2. If manufactured on or after July 2, 1975 ----- 88 db(A)

C. This section shall not apply to the following:

1. A vehicle designed or modified for and used in closed-circuit, off-highway vehicle competition facilities;
2. An off-highway vehicle used in an emergency to search for or rescue a person; and
3. An off-highway vehicle while in use for agricultural purposes.

D. The following shall be an affirmative defense to a violation under this section if the off-highway vehicle or snowmobile:

1. Was manufactured before January 1, 2005;
2. Complied with federal and state law when purchased;
3. Has not been modified from the manufacturer's original equipment specifications or to exceed the sound limits imposed by subsection (a) or (b) of this section; and
4. Does not have a malfunctioning exhaust system

Section 7. – Vehicle Muffler Required

A. No person shall operate any vehicle with an internal combustion engine within the Town of Keystone that is not equipped with a muffler in constant operation and is not properly maintained to prevent an increase in the noise emitted by the vehicle above the noise emitted when the muffler was originally installed.

B. No person shall operate any vehicle in the Town of Keystone having a muffler that has been equipped or modified with a cutoff and bypass or any similar device or modification.

Section 8. – Exemptions

This ordinance shall not apply to:

A. The operation of aircraft or to other activities which are subject to federal law with respect to noise control.

B. Property used for: Manufacturing, industrial, or commercial business purposes; public utilities regulated pursuant to title 40, C.R.S.; and oil and gas production subject to the provisions of article 60 of title 34, C.R.S.

C. The use of property for purposes of conducting speed or endurance events involving motor or other vehicles, but such exception is effective only during the specific period of time within which such use of the property is authorized by the Town of Keystone or other governmental agency having lawful jurisdiction to authorize such use.

- D. The use of property for the purpose of manufacturing, maintaining, or grooming snow.

- E. The use of property by the State of Colorado, any political subdivision of this state, or any other entity not organized for profit, including but not limited to, nonprofit corporations, or any of their lessees, licensees, or permittees, for the purpose of promoting, producing, or holding cultural, entertainment, athletic, or patriotic events, including, but not limited to, concerts, music festivals, parades, and firework displays.

- F. Any authorized emergency vehicle, when responding to an emergency call or acting in time of emergency.

- G. The sound made by the sounding of the horn of any vehicle as a danger warning signal or by the sounding of any warning device as required by law.

- H. Public utilities regulated pursuant to Title 40, C.R.S.

- I. Oil and gas production subject to the provisions of Article 60 of Title 34, C.R.S.

- J. The sound made within the terms of a fireworks display permit.

- K. Activities conducted pursuant to a special use permit issued or otherwise authorized by the Town in which noise is addressed.

Section 9. – Prohibited Noise Activities

The following activities are prohibited notwithstanding the sound pressure levels permitted pursuant to Section 4 and Section 5:

A. Vehicle horns. No person shall, at any time, sound any horn or other audible signal device of a motor vehicle unless it is necessary as a warning to prevent or avoid a traffic accident or reasonably inform or warn of a vehicle presence.

B. Alarms. It is an unlawful nuisance for any alarm that is audible outside the premises or vehicle in which it is installed or that it is intended to protect to be activated: (1) for a period exceeding fifteen (15) minutes; or 2) three or more times within a seven (7) day period when no emergency is found to exist by the Town. Violation of (1) or (2) or both constitute separate offenses.

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH:
FROM: John Crone, Town Manager
DATE: April 8, 2025
SUBJECT: Nuisance ordinance – Animal Control

Executive Summary:

The purpose of this work session item is to review a draft animal control ordinance.

Background:

Town Council is in the process of reviewing sections for a proposed nuisance ordinance. This section contains the animal control ordinance. The ordinance attempts to strike a balance that will allow voice control in certain areas but will restrict pets to leashes in areas that are more heavily used.

After implementing changes or additions recommended by the Council, staff will add sections relating to animal bites for Council's final review before presenting the ordinance for adoption.

Draft Ordinance

Section 1. - Title.

This ordinance shall be known as the *ANIMAL CONTROL ORDINANCE*.

Section 2. - Purpose.

The purpose of this Ordinance is to regulate animals in the Town of Keystone in order to protect the property, health, welfare, peace or safety of its citizens, inhabitants and visitors.

1) Animals –

A. It is prohibited to allow a pet animal to run at large under circumstances where the animal is not either restrained by means of a leash, rope, chain or other physical restraint, no longer than eight (8) feet in length, of sufficient strength to control the animal or which is not under the effective and immediate control of the owner or other responsible person present with the animal and immediately obedient to that person's commands.

Exceptions: The following shall constitute exceptions to running at large:

1. A pet animal is not considered to be running at large, either on or off the premises of its owner, if the animal is being physically held by the owner or other responsible person or is in the immediate presence of the owner or other responsible person and is immediately obedient to that person's command.

2. A pet animal is not considered to be running at large if it is confined within a motor vehicle or secured within the confines of the bed

of a pickup truck in such manner that it cannot exit the vehicle or pose a risk to any person outside the confines of the vehicle by its own volition.

B. Notwithstanding Section A, all pet animals on paved public pathways or in plazas and other public areas intended for public gatherings shall be restrained by means of a leash, rope, chain or other physical restraint, no longer than eight (8) feet in length, of sufficient strength to control the animal.

C. It is prohibited for any owner to fail to prevent his or her pet animal from disturbing the peace of any other person by habitual or persistent barking, howling, yelping, whining or any other unprovoked noise, whether the animal is on or off the owner's property.

D. It is prohibited for any owner to permit the accumulation of a pet animal's feces on the property on which the animal is kept such that it is detectable visually or odoriferously by others.

E. It is prohibited for any owner to fail to confine pet animal feces within the perimeters of the property on which the animal is kept, regardless of whether such failure to confine is the result of natural causes, such as surface water flow, or other causes.

F. No person shall be charged with a violation of this Section unless a written warning for a separate violation has been given at least twenty-four (24) hours prior to the issuance of the citation, or if the person refuses to comply with a lawful order to come into compliance with this Section.

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: John Crone, Town Manager
FROM: Jennifer Madsen, Town Attorney
DATE: April 8, 2025
SUBJECT: Discussion of draft Donation Policy

Executive Summary:

Donations are discussed in the Town Charter. Pursuant to Section 14.1 of the Town of Keystone Home Rule Charter, “[t]he Town Council on behalf of the Town, may receive bequests, gifts, and donations of all kinds of property in fee simple or in trust, for public, charitable or other purposes, and do all things and acts necessary to carry out the purposes of such bequests, gifts and donations, with the power to manage, sell, lease or otherwise dispel of the same in accordance with the terms of the bequest, gift, or trust.”

Councilmember Kerr requested that a draft donation policy be presented to Council for discussion.

Background:

A draft donation policy is included. This policy provides guidelines for accepting, managing, and acknowledging cash and in-kind donations to the Town of Keystone. It ensures that donations are handled transparently and ethically.

- Scope: Applies to all cash and in-kind donations to the Town, including those for specific departments or programs.
- Definitions:

- *Cash Donation*: Monetary contributions such as checks, grants, or transfers.
- *Donor*: Any individual, business, or organization making a donation.
- *In-Kind Donation*: Non-monetary contributions like goods, services, or volunteer time.
- *Real Property Donation*: A donation of land, buildings, or other immovable property. This includes both developed and undeveloped property, and may involve the transfer of ownership or an interest in the property, such as a conservation easement or lease agreement.
- Acceptance of Donations: Donations must support Town goals, not overburden resources, and avoid legal or financial risks. Anonymous donations are not accepted.
- Approval Process:
 - Cash donations over \$10,000 require Town Council approval. (\$10,000 is a suggestion – this could be any number.)
 - High-value in-kind donations (over \$10,000) require Council approval. (\$10,000 is a suggestion – this could be any number.)
 - Real property donations must be accepted and approved by Town Council resolution.
 - Donations over \$25,000 require a written gift agreement. (\$25,000 is a suggestion – this could be any number.)
- Gift Agreements: A formal agreement is required for donations over \$25,000, outlining terms of the gift and future use.
- Acknowledgment and Recognition: All donations will be acknowledged in writing and may include public recognition.

- Use of Donations: Donations must be used for their intended purpose. Unrestricted donations will be used at the Town's discretion.
- Reporting and Recordkeeping: The Town will maintain accurate records of all donations, including donor details and use.
- Ethics and Compliance: All donations must comply with laws and should not improperly influence Town decisions.

The policy is effective immediately upon approval by the Town Council.

Attachment:

- Draft Donor Policy (Cash and In-Kind Contributions)

DONATION POLICY

I. Purpose of the Policy

Pursuant to Section 14.1 of the Town of Keystone Home Rule Charter, “[t]he Town Council on behalf of the Town, may receive bequests, gifts, and donations of all kinds of property in fee simple or in trust, for public, charitable or other purposes and do all things and acts necessary to carry out the purposes of such bequests, gifts and donations, with the power to manage, sell, lease or otherwise dispel of the same in accordance with the terms of the bequest, gift, or trust.”

This policy establishes guidelines for the acceptance, management, acknowledgment, and documentation of cash and in-kind donations made to the Town of Keystone. The intent is to ensure that donations are handled transparently, ethically, and in a manner consistent with the Town’s objectives and applicable laws.

II. Scope

This policy applies to all cash and in-kind donations made to the Town of Keystone, including but not limited to donations intended for specific departments, projects, events, or programs.

III. Definitions

Cash Donation: A monetary contribution, including but not limited to checks, electronic transfers, grants, or other forms of financial support.

Donor: Any individual, business, foundation, nonprofit, or other entity making a cash or in-kind donation to the Town.

In-Kind Donation: A non-monetary contribution of goods or services that provide value to the Town, including equipment, supplies, volunteer services, or professional expertise.

Real Property Donation: A donation of land, buildings, or other immovable property. This includes both developed and undeveloped property, and may involve the transfer of ownership or an interest in the property, such as a conservation easement or lease agreement.

IV. Acceptance of Donations

The Town reserves the right to accept or decline any donation. Donations will only be accepted if they:

- Support the Town’s goals, programs, or services.
- Do not place excessive or undue burden on the Town’s resources.
- Do not pose any legal, financial, or reputational risk to the Town.

The Town of Keystone does not accept anonymous gifts.

V. Approval Process

Charitable donations do not become the property of the Town until such time that the donation is accepted by the Town consistent with this Policy.

- **Cash Donations:** All cash donations over \$10,000 require approval by the Town Council. Donations below this amount may be accepted by the Town Manager or designee.
- **In-Kind Donations:** In-kind donations will be evaluated by the Town Manager or relevant department to determine suitability and value. Acceptance of high-value in-kind donations (over \$10,000) requires approval by the Town Council. Donated capital assets are recorded at the estimated fair market value at the date of donation.
- **Real Property Donations:** Real property donations must be approved by Town Council resolution.
- **Gift Agreements:** All donations valued at \$25,000 or more require a written gift agreement, signed by the donor and the Town Manager, and retained as part of the Town's permanent records.

The Town Manager reserves the right to refer any charitable donation to the Town Council for acceptance, regardless of value.

VI. Gift Agreements for Donations valued at \$25,000 or More

A Gift Agreement documents the mutual understanding between a donor and the Town and will be made a part of the Town's permanent records to serve as a guide to those in the Town who will administer the gift in the future. Donations valued at \$25,000 or more to benefit the Town of Keystone require a gift agreement.

- Gift Agreements will be generated by the Town Manager, in collaboration with Town Attorney and the Department Director of the benefit department.
- Gift Agreements will be signed by the donor and Town Manager.

A signed award letter from a foundation or corporation is an acceptable form of gift documentation in lieu of a Gift Agreement if it documents restrictions on the gift's designation, use, reporting requirements, giving vehicle, contribution schedule, recognition, and/or other obligations agreed upon by the foundation or corporation and the City. Wills, trusts, or other estate planning documents are acceptable forms of gift documentation. However, to help ensure the donor's philanthropic intent is fully realized, the Town will work with the donor or the donor's representative to generate a signed gift agreement.

Doner recognition, length of recognition, or naming benefits under consideration will be fully outlined in the Gift Agreement.

VII. Acknowledgment and Recognition

The Town will provide written acknowledgment of all donations. Donor recognition shall be consistent with the Town’s policies and may include:

- Letters of appreciation.
- Public recognition at meetings or events.
- Inclusion in Town publications or on the Town’s website.

VIII. Use of Donations

All donations shall be used for the purpose for which they were given, as agreed upon by the Town and the donor. Unrestricted donations will be used at the Town’s discretion in accordance with its priorities.

IX. Reporting and Recordkeeping

The Town shall maintain accurate records of all donations, including donor details, donation amounts or descriptions, conditions or restrictions, and acknowledgment documentation.

X. Ethics and Compliance

All donations shall comply with federal, state, and local laws and regulations. No donation shall influence or appear to influence the Town’s decision-making or operations inappropriately.

XI. Effective Date

This Policy is effective upon signature.

XII. Approval

ADOPTED BY THE TOWN COUNCIL THIS ____ DAY OF _____, 2025.

BY PASSAGE OF RESOLUTION NO. _____.

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: John Crone, Town Manager
FROM: Madeleine Sielu, Town Clerk
DATE: April 8, 2025 – Town Council Meeting
SUBJECT: Short-Term Rental Community Outreach/Feedback Plan

Executive Summary:

When the Town Council originally enacted the Short-Term Rental regulations prior to the 2024-2025 season, they expressed the desire to receive significant community input and feedback after year one's implementations to determine if additional changes to the regulations should be made. Based on the proposed launch date for the 2025-2026 renewal process, staff have developed a proposed outreach plan that would allow for implementation of proposed changes prior to the renewal period.

Staff are looking for feedback from the Town Council on the proposed community outreach plan and format of the listening sessions. Staff will come back to an upcoming meeting with a comprehensive overview report of STR enforcement and licensing for the season. For adequate marketing time to reach as many stakeholders as possible in this process, staff are bringing this item forward for feedback first.

Next Steps:

Town staff would like to host a series of community listening sessions throughout April and May to gain feedback from key stakeholders about the first year of implementation. Town staff would like to present the results of this feedback at the second work session in May, for the Town Council to review and determine potential changes.

Attachment:

- Short Term Rental Community Outreach Plan 2025

STR Community Outreach Plan 2025

Town staff would like to host a series of community listening sessions throughout April and May to gain feedback from key stakeholders about the first year of implementation. Town staff would like to present the results of this feedback at the second work session in May, for the Town Council to review and determine potential changes.

Listening Session Dates

- Week of April 13th-April 19th
 - Monday, April 14th, 1:00 p.m. – 2:30 p.m.
 - Thursday, April 17th, 5:30 p.m. – 7:00 p.m.
- Week of April 27th – May 3rd
 - Tuesday, April 29th, 1:00 p.m. – 2:30 p.m.
 - Friday, May 2nd, 4:00 p.m. - 6:00 p.m.
- Week of May 4th – May 10th
 - Monday, May 5th, 9:00 a.m. – 10:30 a.m.
 - Thursday, May 8th, 6:00 p.m. – 8:00 p.m.
- Week of May 11th-May 17th
 - Monday, May 12th, 1:00 p.m. – 2:30 p.m.
 - Wednesday, May 14th, 6:00 p.m. – 8:00 p.m.
 - Thursday, May 15th, 9:00 a.m. – 10:30 a.m.

Communications Plan for Sessions:

- In addition to the hybrid listening sessions, there will be a survey link included for written feedback.
- Staff will create graphics with information about the purpose of these sessions and the dates, times, and details.
- These graphics and information will be incorporated into a static webpage on our website
- A link to the static webpage will be included in the website's banner on the homepage

- Information for these sessions will be included in the Summit Daily's event calendar
- Information will be shared on the Town's Facebook and Nextdoor pages
- A newsletter update will go out to our normal Town communications newsletter list.
- A newsletter update will go out to all registered STR owners and property managers notifying them.
- Town staff will reach out to KOA and KNC, as well as all established HOA contacts available to publicize this opportunity.

Listening Session Formats

- Each session will be hybrid allowing remote and in-person participation.
- A sign-up form will be created for each event for interested individuals to provide written feedback/questions prior to the session.
 - The sign-up form will include a list of prompts for individuals to consider that are similar to the public discussion period, as well as links to the following resources:
 - Overview of Year 1 Enactment – brief overview highlighting the actions Town Council has taken in the first year of implementation
 - Ordinance 2024-O-07, Adoption of Short-Term Rental Regulations
 - Prepare nametags for each of the participants based off this sign-up form with colored dots corresponding to categories (STR owner, full-time resident, part-time resident, property manager, business owner, etc.) (an individual may have many dots)
- Session will begin with a 20–30-minute overview of Short-Term Rental licensing regulations and enforcement processes, as well as overall staff takeaways from the first year of licensing.
- Staff will have an open discussion period with the following prompt/categories:
 - **License Application:** What are the difficulties that you've experienced with the license application process?

- Are these difficulties related to certain regulations or your experience with the licensing software?
- **Experience w/STRs in neighborhood/enforcement:** Have you reported any issues with a neighboring STR property? How did you feel about the resolution of that?
- **Regulations:** Are there additional regulations you think the Town should consider? Are there regulations that create difficulties for you as a property owner/HOA/community member etc.?

Goal Dates for Enactment/Action:

Based on the proposed launch date for the renewal process for 2025-2026 licenses and possible software process updates that may ensure, staff recommend that the Council adopt any changes by the below dates. Note, if any changes are outlined in the Town's adoption of the Land Use Development Code, there will need to be at least one meeting between first and second reading to meet noticing requirements, which would slightly change the proposed timeline below.

- **May 27, 2025** – Town staff present a summary of findings based on the community listening sessions held throughout April and May.
- **June 11, 2025** – Council Meeting to adopt any ordinance updates on first reading
- **June 24, 2025** – Council Meeting to adopt any ordinance updates on second reading
- **July 8, 2025** – Council Meeting to adopt any updated fees via resolution
- **August 1, 2025** – Goal date for latest launch of renewal process for 2025-2026

Overview of Year 1 Enactment:

- **On April 23, 2024**, Keystone Town Council adopted the Summit County Land Use Development Code by reference with certain changes as outlined in 2024-O-05. The following items of note were included in this adoption:
 - Section 3821 of the LDC outlines the following

- Definition of a Short-Term Vacation Rental (STR): a residential dwelling unit, or any room therein, available for lease or exchange for a term less than thirty (30) consecutive days.
 - Regulates the use, occupancy, location, and maintenance of short-term vacation rental properties.
 - Requires issuance of a license for any property being used as an STR
 - Outlines the process for obtaining Conditional Use Permits for occupancy greater than 20 or outdoor parking of 6 or more vehicles.
- Section 4302 of the LDC establishes the boundaries of STR Overlay Zones and outlines the area in newly incorporated Summit County as the STR Resort Overlay Zone
 - **STR Resort Overlay Zone:** The STR Resort Overlay Zone is commonly defined as the Copper Mountain PUD, Tiger Run PUD, two unincorporated subdivisions at the Base of Peak 8 at Breckenridge Ski Area (Skiwatch and Four O'clock Run), and the "Keystone Resort Area", east of Elk Run Road to the adjacent ski area development along Montezuma Road
- **On May 6, 2024, at a Special Meeting** - The Town of Keystone and Summit County Government agreed to continue to provide services related to the administration and enforcement of Short-Term Rental licenses through September 30, 2024.
- **At the May 14, 2024, Work Session** – Town Council received an overview of the existing licensing and enforcement regulations and practices by Summit County as well as potential STR software providers.
 - Town Council directed staff to return with a first draft of an STR Ordinance based on Summit County's existing code for Council feedback. Town Council expressed through general consensus the desire to adopt regulations very similar to Summit County in year 1 of program implementation, with the intention of revisiting these regulations in future years after the Town has experience to analyze.

- Town Council directed staff to bring back a contract with Blue Vector AI for implementation of STR licensing administration software and provide more detail on enforcement software options.
- **At the May 28, 2024, Work Session –**
 - Town Council reviewed:
 - The first draft of the proposed STR Ordinance with a few key changes from Summit County’s based on operational logistics:
 - Town Clerk issues the licenses instead of the Community Development Department
 - Town Council designated as a review body of denials of application instead of community Development Director
 - Four proposals for STR enforcement software
 - Town Council directed staff to:
 - Bring a contract with Deckard Technologies for a 24/7 hotline and STR identification platform before Council for approval at a future meeting.
 - Bring the proposed ordinance back to Town Council for first reading with the following changes:
 - Addition of a section on the renewal process, to include criteria for renewal
 - Removing language requiring the Responsible Agent to respond in person within one hour, to reflect that resolution is required within one hour, allowing the Responsible Agent to potentially resolve the issue remotely
 - Designating the Town Manager or designed as the person to manage appeal process, if license is denied.
- **At the May 28, 2024, Town Council Meeting –** Town Council adopted a professional services agreement with BlueVector AI for implementation of a licensing platform for the Town of Keystone.
- **At the June 11, 2024, Town Council Meeting –**

- Approved Ordinance 2024-O-07, Adoption of STR Regulations on first reading based on the Town Councils feedback on May 28, 2024.
- **At the June 25, 2024, Town Council Meeting**
 - Approved Ordinance 2024-O-07, Adoption of STR Regulations on second reading with no changes.
 - Approved a contract with Deckard Technologies for STR identification and 24/7 hotline
- **At the July 9, 2024, Work Session** – Staff presented Summit County’s current fee for Short-Term Rental licenses in the Resort Overlay Zone, which was \$285. Due to limited data, staff recommend implementing the STR license fee currently imposed with a re-evaluation in one year.
 - **Town Council directs staff to return with a resolution adopting the STR license fees.**
- **At the July 23, 2024, Town Council Meeting** – The Town Council adopts a resolution setting the fees for Short-Term Rental licenses at \$285.
- **August 30, 2024** – The public portal for STR licensing is launched.
- **September 30, 2024** – All renewal applications for 2024-2025 STR licenses are due.
- **October 1, 2024** – The Short-Term Rental complaint hotline launches to the public.



Keystone Town Council Minutes

A Regular Meeting of the Keystone Town Council was held on March 25, 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 7:05. p.m. The roll was called, and it was found there were present and participating at that time the following members: Councilmember Jonathan Hagenow, Councilmember Carol Kerr, Councilmember Aaron Parmet, Councilmember Dan Sullivan, Councilmember Valerie Thisted, and Mayor Ken Riley.

II. APPROVAL OF AGENDA

Mayor Riley presented the agenda.

Councilmember Hagenow moved to approve the agenda as presented.

Councilmember Thisted 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.

Christy Camp, from Ski Tip spoke about the Rural Technical Assistance

Program community visioning session.

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

IV. CONSENT

A. FIRST READING OF ORDINANCES

- 1. Ordinance 2025-O-07, An Ordinance of Town Council of the Town of Keystone, Colorado, Regarding the Regulation of Nuisances Within the Town of Keystone**

B. RESOLUTIONS

- 1. Resolution 2025-11, A Resolution of Town Council of the Town of Keystone, Colorado, Adopting a Local Exception to the Colorado Municipal Records Retention Schedule**

C. MEETING MINUTES

- 1. March 11, 2025 – Meeting Minutes**

D. EXCUSED ABSENCES

E. OTHER

- 1. Accounts Payable List**

Mayor Riley presented the consent agenda.

Councilmember Hagenow moved to approve the consent agenda as presented. Councilmember Kerr seconded.

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

V. DISCUSSION

A. CONSIDERATION OF ORDINANCES (SECOND READING/PUBLIC HEARING) – NONE

B. RESOLUTIONS – NONE

C. OTHER – NONE

VI. PLANNING MATTERS

VII. REPORT OF TOWN MANAGER AND STAFF

The Community Development Director reported that he was preparing to begin advertisements for Open Space and Trails qualifications. He is working with the County's Open Space Department to complete an inventory of Open Spaces within the Town boundaries. A contract with the SE Group was signed for completion of a U.S. Highway 6 Connectivity Study. Grant applications have been submitted for wildfire mitigation on Town property and for Highway 6 improvement. The Rural Technical Assistance Program students will come to Keystone on May 6, 2025, at 4:00 p.m. to present their findings.

The Town Manager has an upcoming meeting with Colorado Parks and Wildlife to discuss the possibility of state funding for wildlife-proof refuse containers. The retreat is coming up on April 17. There are currently two applicants for the Town Council Vacancy. The Town has renewed the contract with BlueVector AI to improve and expand licensing software capabilities. Staff are working on developing plans for road striping. The Town has received an ORI number for reporting/tracking within the Town of Keystone for the Colorado Bureau of Investigation system. On May 27th, the Town would like to consider hosting a joint workshop with the Town of Dillon to ceremonially swear in the Police Department. Planning for Mountain Towns 2030 has begun.

VIII. REPORT OF MAYOR AND COUNCIL

Councilmember Kerr reminded Councilmembers of the upcoming Coffee with Council at Steep on April 7th at 9:00 a.m. Staff and Council will work together to determine the feasibility and location of doing an evening session for the next Coffee with Council.

Mayor Riley has an upcoming interview with Matt Renoux from 9 News to highlight the work the Town has completed in its first year.

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

Councilmember Kerr shared that the National Repertory Orchestra is interested in having a few performances in Keystone this summer. Council directed staff to confirm additional logistics and bring this back to a future meeting.

Councilmember Parmet asked that the Town continue to work on supporting residents with bear proof refuse containers as soon as practicable.

X. SCHEDULED MEETINGS

XI. EXECUTIVE SESSION

XII. ADJOURNMENT

Seeing no further business to discuss, Mayor Riley adjourned the meeting at 8:06 p.m.

April 8 TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers

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

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

DATE: April 8, 2025

SUBJECT: Consent Agenda TOK25-004: Class 2 Site Plan
Modification – Snake River Water District (SRWD) Base II
Chlorine and Soda Ash Improvements

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 site plan modification has subsequently been approved for the SRWD Base II Chlorine and Soda Ash Improvements project located at 050 Oro Grande Drive, and is now before Council for review. The application materials are available online at <https://keystone.colorado.gov/pz-notices>:

- [Referral: TOK25-004 - Class 2 Site Plan Modification - Snake River Water District Base II Chlorine and Ash Soda Improvements](#)

Recommendation:

The Community Development Department approved the Class 2 Site Plan Modification application for the previously approved Site Plan for the SRWD Base II Improvements, located at 050 Oro Grande Drive, Keystone. The Community Development Department has not identified any reason for Council's review (and call up) of that decision.

Background:

The subject Class 2 application TOK25-004 requested modifications are for the conversion of approximately 26 SF of stairs and entrance area to new interior storage space located at the northeast corner of the building. This minor modification will accommodate water treatment equipment improvements for chlorine and ash soda. In addition, a small rip-rap swale is proposed at the northwest corner of the building to improve site drainage around the building. The application was submitted in March 2025 and after the 15-day review and referral period, the Community Development Department approved the application, as it does not substantially modify the original site plan, and the modifications are consistent with the Town of Keystone Land Use Code and the Keystone Resort PUD.

On March 26, 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 an 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 Site Plan Modification 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.

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers

THROUGH: John Crone, Town Manager
Jennifer Madsen, Town Attorney
Lindsay Hirsh, Community Development Director

FROM: Andrew Collins, Planner

DATE: April 8, 2025

SUBJECT: Consent Agenda TOK24-017: Class 2 Sign Permit for Steep & Snowbird at River Run, located at 195 River Run Road, Black Bear Lodge Units B2, B3, B5

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 sign permit for the Steep & Snowbird at River Run, has been submitted and administratively approved. That decision is now before Council for review, consistent with Ordinance 2024-O-08. The application materials are available online at <https://keystone.colorado.gov/pz-notices>:

- [Referral: TOK24-017 - Class 2 Sign Permit, Steep & Snowbird, Black Bear Lodge at River Run](#)

Recommendation:

The Community Development Department approved the Class 2 Sign Permit for the Steep and Snowbird located at Black Bear Lodge, Units B2, B3, and B5 in River Run Village. The Community Development Department has not identified any reason for Council's review (and call up) of that decision.

Background:

The subject Class 2 Sign Permit application is to allow the replacement of the pre-existing Steep hanging sign and the addition of second hanging sign for the Snowbird brand. The proposed signage meets the requirements of the Town's Land Use Code Sign Regulations, and the Keystone Resort PUD Sign Program. It should be noted that the signs were installed by the applicant prior to receiving Town approval, and obtaining a valid sign permit is required to obtain Town approval and to now bring them into formal compliance. The signage has received approval from the Keystone Architectural Review Committee, as required by the PUD. The Community Development Department subsequently approved the sign permit application on March 24, 2025, as it meets the Town Land Use Code and Keystone Resort PUD Sign Program requirements. On March 25, 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 an 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:

N/A.

Previous Council Actions:

None.

Alternatives:

If there is interest by Council to hear/appeal the item, then Council will need to remove the item from the Consent Agenda and vote on an appeal process of the Community Development Department's decision to approve the subject Class 2 Sign 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.

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH:
FROM: John Crone, Town Manager
DATE: April 8, 2025 – Town Council Meeting
SUBJECT: [Second Reading] Ordinance 2025-O-07, Nuisance –
general provisions

Executive Summary:

This is the second reading and public hearing of the general nuisance provisions of a proposed nuisance ordinance.

Background:

This section contains the general provisions of the General Provisions Nuisance Ordinance.

This ordinance will provide for the enforcement procedures and general regulation of nuisances within the Town of Keystone. This ordinance will be related to the additional nuisance ordinances that have been passed or are being considered by the Town Council.

Previous Council Actions:

February 25, 2025 – workshop on details of proposed program

March 11, 2025 – workshop on details of proposed program

March 25, 2025 – Ordinance passed at First Reading

Financial Impacts:

The proposed ordinance will have a negligible financial impact.

Proposed Motions:

If the Council is interested in adopting the Nuisance Ordinance – General Provisions, it may do so by approving the following motion: *I move to approve Ordinance 2025-O-07, Regarding the Regulation of Nuisances Within the Town of Keystone.*

If the Council does not want to adopt the Nuisance Ordinance – General Provisions, it may do so by approving the following motion *I move to deny Ordinance 2025-O-07, Regarding the Regulation of Nuisances Within the Town of Keystone*

**TOWN OF KEYSTONE
ORDINANCE NO. 2025-O-07**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE,
COLORADO, REGARDING THE REGULATION OF NUISANCES WITHIN THE TOWN
OF KEYSTONE**

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 existence of nuisances within the Town of Keystone will have a detrimental effect on the citizens and visitors in the Town; 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 to adopt an ordinance to regulate and control nuisances within the Town of Keystone.

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 nuisance ordinance – general provisions regarding the regulation and control of nuisances within 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 May 8, 2025.

INTRODUCED, READ AND PASSED AS AN ORDINANCE, ON FIRST READING, AND SCHEDULED FOR PUBLIC HEARING ON April 8, 2025, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS

25th DAY OF MARCH 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 8th DAY OF APRIL 2025.

Kenneth D. Riley, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

Exhibit A

Section 1. – Title.

This ordinance shall be known as the *NUISANCE ORDINANCE – GENERAL PROVISIONS*.

Section 2. - Purpose.

The purpose of this Ordinance is to regulate and control nuisances within the Town of Keystone in order to protect the property, health, welfare, peace or safety of its citizens, inhabitants and visitors.

Section 3. - Author of nuisances.

Any state of things prohibited by this Ordinance shall be deemed to be a nuisance, and any person who shall hereafter make or cause such nuisance to exist shall be deemed to be the author thereof.

Section 4. - Prohibition of nuisances.

It is unlawful for any person, being the owner, agent or occupant of, or having under their control, any building, lot, premises or unimproved real estate within the limits of the Town, to cause, permit, maintain or allow any nuisance to be or remain therein.

Section 5. - Ascertaining nuisances.

Whenever the pursuit of any trade, business or manufacture or the maintenance of any substance or condition of things shall, upon investigation, be considered by the Town Manager dangerous to the health of any of the inhabitants of the Town or injurious to public or private property, the same shall be considered a nuisance and shall be abated.

Section 6. - Constitution of separate offense.

In the case of any nuisance in or upon any street, alley or other public or private grounds, the author thereof shall be guilty of a separate offense for every period of forty-eight (48) hours' continuance thereof after notice has been given to abate the same unless such other time limit is designated in this ordinance or any other ordinance of the Town of Keystone that regulates nuisances. The Town Manager may waive the issuance of separate violations if the Town Manager determines that the author of the nuisance has made reasonable efforts to abate the nuisance.

Section 7. - Emergency abatement.

The Town Manager may conduct an abatement of emergency nuisances that pose an imminent threat to public health, safety, or welfare. An emergency nuisance is a condition that either (1) poses an immediate threat to people or property; or (2) endangers public health or safety. The Town Manager has the authority to order structures to be vacated related to the finding of an emergency nuisance. The Town is authorized to enter the property and take necessary actions to remove the imminent threat to public health, safety, or welfare. The Town shall issue a notice to the property owner and tenant, if any, informing them of the emergency nuisance and the need for immediate action. The property owner is responsible for all costs of abatement.

Section 8. - Right of entry.

(a) The Town Manager or designee is authorized to enter upon all or any portion of private property to ascertain the existence of a nuisance if:

- (1) Emergency conditions dangerous to the public health, safety or welfare are reasonably believed to exist upon such property or upon property which is accessible from the entered property;
- (2) The Town has obtained a warrant authorizing such entry;
- (3) The private property is undeveloped or vacant and is not posted in a manner that would indicate the owner's prohibition of such access;
- (4) The Town Manager or designee has obtained the consent of a person who purports to be in ownership, possession or control of the property; or

(b) The Municipal Court Judge shall have the power to issue a search warrant to permit the investigation of the existence of a nuisance upon a showing by the Town: (1) that there is probable cause that a nuisance exists; or (2) that, upon information and belief made after reasonable investigation, emergency conditions dangerous to the public health, safety or welfare may exist.

(c) The Town Manager or designee is authorized to enter upon private property in the same manner and by the same means as visitors to the property for the purpose of delivering, depositing, posting or otherwise providing a notice, advisement or other information necessary to implement or administer the provisions of these regulations. Such entry will customarily involve reaching the front or primary entrance to the property via the driveway, sidewalk or path. The Town Manager shall not enter private property where the owner or person in possession denies consent except where emergency conditions are believed to exist or a search warrant authorizing entry is obtained.

Section 9. - Notice to abate nuisance.

Whenever a nuisance is found to exist within the Town or within the Town's extraterritorial jurisdiction, the Town Manager shall demand that the violation is corrected on or before a date and time certain, which shall be a reasonable time to correct the action, and in no event less than five (5) days from the date of the notice. The Town Manager is authorized to allow for reasonable extension of the time deadline in the notice. The property owner or tenant may request an administrative hearing on the matter provided in the notice.

Section 10. - Contents of notice.

The notice to abate a nuisance issued under the provisions of this Ordinance shall contain:

- (1) An order to abate the nuisance or to request an administrative hearing within a stated time, which shall be reasonable under the circumstances;
- (2) The location of the nuisance, if the same is stationary;
- (3) A description of what constitutes the nuisance;

- (4) A statement of acts necessary to abate the nuisance; and
- (5) A statement that if the nuisance is not abated as directed and no request for an administrative hearing is made within the prescribed time, the Town will abate such nuisance and assess the cost thereof against such person.

Section 11. - Service of notice.

The notice to abate a nuisance shall be served as any other legal process may be served pursuant to law.

Section 12. - Abatement by Town.

Upon the failure of the person upon whom notice to abate a nuisance was served pursuant to the provisions of this Ordinance to abate the same, the Town Manager shall proceed to abate such nuisance and shall prepare a statement of costs incurred in the abatement thereof.

Section 13. - Interference unlawful.

It shall be unlawful for any person to interfere with or prevent, or attempt to interfere with or prevent, the abatement of any nuisance by any employee or agent of the Town pursuant to these provisions. It is unlawful for any person to interfere with or attempt to interfere with the enforcement of any civil action for nuisance abatement.

Section 14.- Report of costs.

Upon the completion of any work by the Town contemplated by this Ordinance, the Town Manager shall issue a report, in writing, which shall make a clear statement of the work done by the Town and the expense incurred in so doing.

Section 15. - Assessment of property.

The Town Manager shall determine and assess the whole cost for the abatement thereof, including five percent (5%) for the inspection and other incidental costs in connection therewith, upon the lots and tracts of land from which the nuisance was abated.

Section 16. - Notice of assessment.

The Town Clerk, as soon as may be after such assessment is made, shall send by certified mail, return receipt requested, addressed to the owner of such lots or tracts of land at the reputed post office address, a notice of such assessment, which notice shall contain a description of the property, the name of the owner and the amount of the assessment.

Section 17. - Payment of assessment.

- (a) It shall be the duty of the owner to pay such assessment or object thereto, in writing, within thirty (30) days after the receipt of such notice, and in case of his or her failure to do so, he or she shall be liable personally for the amount of the assessment. The same shall be a lien upon the respective lot or parcel of land from the time of such assessment, and the Town shall have all remedies for collection thereof provided by state statutes, for the purpose of having the same placed upon the tax list and collected in the same manner as taxes are now collected. The assessment shall be a lien against each lot or tract of land until it is paid and shall have priority over all other liens except general taxes and prior special assessments.

- (b) The amount of such assessment may be paid to the Town Clerk at any time before the tax list is placed in the hands of the County Treasurer, but thereafter only to the County Treasurer.

Section 18. - Objection to assessment; hearing.

In the event any owner desires to object to said assessment, he or she shall, within thirty (30) days after the receipt of said notice, file a written objection thereto with the Town Clerk, who shall thereupon designate a date within twenty-one days when said objector may appear and have a hearing before the designated hearing officer. In the event that the objector does not prevail in the hearing, the objector may be assessed reasonable fees to offset the cost of the hearing.

Section 19. - Certified assessment.

In case the owner shall fail to pay such assessment or object thereto within the required time as provided above, then it shall be the duty of the Town Clerk to certify the amount of the assessment to the proper county officers, who shall collect the assessment as provided for by state law for the collection of delinquent general taxes.

Section 20. - Cumulative remedies.

No remedy provided herein shall be exclusive, but the same shall be cumulative, and the taking of any action hereunder, including charge, conviction or violation of this Ordinance in the Municipal Court, shall not preclude or prevent the taking of other action hereunder to abate or enjoin any nuisance found to exist.

Section 21. - Concurrent remedies.

Whenever a nuisance exists, no remedy provided for herein shall be exclusive of any other charge or action, and when applicable the abatement provisions of this Ordinance shall serve as and constitute a concurrent remedy over and above any charge or conviction of any municipal offense or any other provision of law. Any application of this Ordinance that is in the nature of a civil action shall not prevent the commencement or application of any other charges brought under this Code or any other provision of law.

Section 22. - Violations and penalties.

Any person who shall violate any of the provisions of this Ordinance shall be subject to the provisions as defined in the Town's general penalty ordinance.

Section 23. – Nuisances Defined

A nuisance is defined as meaning any person doing an unlawful act or omitting to perform a duty or suffering or permitting any condition or thing to be or exist, which act, omission, condition or thing either:

- a. Injures or endangers the health or safety of others;

- b. Offends a reasonable sense of decency;
- c. Is unreasonably offensive to the physical senses;
- d. Unlawfully interferes with, obstructs or tends to obstruct or renders dangerous for passage any public or private street, highway, sidewalk, stream, ditch or drainage;
- e. Renders in other persons a reasonable sense of insecurity in life or the use of property;
- f. Essentially interferes with the comfortable enjoyment of life and property;
- g. Has been declared to be such by state courts or statutes or known as such at common law.

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: John Crone, Town Manager
FROM: Maddy Sielu, Town Clerk
Jennifer Madsen, Town Attorney
DATE: April 8, 2025
SUBJECT: [FIRST READING] 2025-O-08, An Ordinance Of Town Council Of The Town Of Keystone, Colorado, Amending Ordinance 2024-O-03 and Allowing for Administrative Approval of Certain Applications

Executive Summary:

Ordinance No. 2025-O-08 proposes amendments to the Town's liquor licensing regulations, Ordinance No. 2024-O-03, specifically allowing administrative approval of certain liquor license applications and providing discretion to set a public hearing when deemed necessary to allow for additional public input.

Recommendation:

Staff recommends that Council approve Ordinance 2025-O-08 on first reading.

Background:

On April 9, 2024, the Town Council adopted Ordinance 2024-O-03 regulating liquor licensing.¹ In May 2024, the Colorado General Assembly adopted SB 24-231, which allows for administrative approval of liquor license applications without the need for a public hearing unless determined otherwise. To align the Town's Liquor Code with these

¹ The liquor regulations were amended in August 2024 to allow for issuance of optional premises permits. Ordinance No. 2024-O-09.

state-level changes, Ordinance 2025-O-08 amends the liquor code to allow for administrative approval of new liquor applications.

These liquor code amendments should be considered in conjunction with the process of review of a new liquor license application. The liquor license application process involves several steps. Applicants submit a completed application to the Town Clerk with required documentation, including fees, floor plans, proof of possession, and other supporting materials. The Town Clerk conducts a preliminary investigation to confirm eligibility and completeness, performing background checks and assessing premises suitability, with law enforcement assistance. Notices are posted on the premises and published to inform the community, typically for at least 10 days before public comment deadlines. The Liquor License Authority decides on the application after holding a public hearing or the Town Clerk administratively approves the license. After approval, the application is forwarded to the Colorado Department of Revenue's Liquor Enforcement Division for state review, ensuring compliance with state liquor laws. Upon approval by both local and state authorities, the liquor license is issued.

The changes to the Town Liquor Code in Ordinance 2025-O-08 are summarized below:

1. Administrative Approval of New Liquor Licenses

- The Town Clerk is now authorized to administratively review and approve applications for new liquor licenses, including changes of location and ownership. This authority is granted unless the Clerk determines that further public review is warranted.

2. Public Hearing Discretion

- While administrative approval is now allowed, the Town Clerk may refer an application to the Liquor License Authority for a hearing. The Town Clerk will consider factors such as the presence of opposition to the application or any other matters that may warrant further public review.

Alternatives:

Town Council may propose alternative directions for an amendment to the liquor regulations.

Financial Considerations:

There are no financial considerations applicable to this ordinance.

Previous Council Actions:

Based on the discussion at the March 25 meeting, Council provided direction to place on a future agenda an ordinance amending the liquor code to allow for administrative approval of new liquor applications.

Next Steps:

If Council approves this Ordinance on first reading, it will proceed to a second reading and public hearing on April 22. The effective date of the ordinance is thirty days after publication.

Suggested Motions:

Approval:

- I move to APPROVE 2025-O-08, Amending Ordinance 2024-O-03 and Allowing for Administrative Approval of Certain Applications

Denial:

- I move to DENY Ordinance 2025-O-08, Amending Ordinance 2024-O-03 and Allowing for Administrative Approval of Certain Applications

Attachment and Link:

- 2025-O-08, An Ordinance Of The Town Council Of The Town Of Keystone, Colorado, Amending Ordinance 2024-O-03 and Allowing for Administrative Approval of Certain Applications
- Legislative Version, 2025-O-08 (underlines showing amendments with new language and strikeouts showing deleted language)

- [Ordinance 2024-O-03, An Ordinance of the Town Council of the Town of Keystone, Colorado, Regulating the Licensing of the Distribution and Sale of Alcoholic Beverages](#)

**TOWN OF KEYSTONE
ORDINANCE NO. 2025-O-08**

**AN ORDINANCE OF TOWN COUNCIL OF THE TOWN OF KEYSTONE,
COLORADO, AMENDING THE TOWN LIQUOR CODE AND
ORDINANCE 2024-O-03 AND ALLOWING FOR ADMINISTRATIVE
APPROVAL OF CERTAIN APPLICATIONS**

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 § 31-15-501, C.R.S., municipalities have the power to license, regulate, and tax businesses within the limits of the Town; and

WHEREAS, pursuant to Title 44, Articles 3 and 4, C.R.S., the Town has the authority to establish a local liquor licensing authority; and

WHEREAS, on April 9, 2024, Town Council adopted Ordinance 2024-O-03 regulating the licensing of distribution and sale of alcoholic beverages and adopting the Town Liquor Code; and

WHEREAS, in May 2024, the Colorado General Assembly adopted SB 24-231, Alcohol Beverage Liquor Advisory Group Recommendations, which no longer mandates a public hearing on new liquor license applications and allows for administrative approval; and

WHEREAS, the Town Council desires to amend Ordinance 2024-O-03 to allow for administrative approval of liquor license applications and provide discretion to set a public hearing on certain applications.

**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 Paragraph B of Ordinance 2024-O-03 to provide for administrative approval of new liquor license applications. Paragraph B of Ordinance 2024-O-03 is repealed and replaced with the following to allow for administrative approval:

B. Designation of Town Council as Liquor Licensing Authority; duties of Town Clerk.

- (a) The Liquor and Fermented Malt Beverage Licensing Authority for the Town is the Town Council and shall be known as the "Liquor Licensing Authority" or "Authority."
- (b) The Town Clerk shall assist the Liquor Licensing Authority by receiving all applications, coordinating with other Town officers and departments when relevant, scheduling public hearings required and exercising his or her discretion in forwarding renewals, change of ownership, change of officers, directors and stockholders, change of trade name, modification of premises, special event permits and change of manager matters to the Liquor Licensing Authority.
- (c) The Town Clerk is hereby vested with authority to administratively review and approve applications for liquor licenses.
 - (1) New liquor licenses. The Town Clerk is authorized to administratively review and approve an application for issuance of a new liquor license. In considering whether to schedule a public hearing on a new liquor license application as permitted under Section B(c)(3), the Town Clerk will consider factors such as the presence of opposition to the application or any other matters that may warrant further public review. For purposes of this process, the term "new liquor licenses" includes changes of location and changes of ownership.
 - (2) Renewals. The Town Clerk is authorized to administratively review and approve an application for the renewal of any previously approved liquor license where, after reasonable investigation by the Town Clerk and consultation by the Town Clerk with other appropriate administrative and law enforcement personnel, all of the following circumstances are found to exist:
 - a. The applicant has timely and properly submitted a complete license renewal application and tendered all required fees in accordance with this Chapter and the provisions of Title 44 C.R.S;
 - b. The applicant's license is in good standing with the Town and the State, and no violation of law has occurred during the previous year;
 - c. To the knowledge of the Town Clerk, there is no pending or proposed criminal or legal investigation or charges against the applicant or the licensed premises; and
 - d. There is no other information known by the Town Clerk that would cause the Town Clerk, in the Town Clerk's reasonable belief, to believe that some violation of applicable law has occurred or that the license should not be renewed.
 - (3) Notwithstanding any authority delegated to the Town Clerk for the administrative approval of applications under this Section, the Town Clerk may, at the Town Clerk's discretion, refer any licensing decision authorized herein to the Authority if, in the Town Clerk's opinion, the matter should be presented to the Authority.

Section 3. Repeal and Replace Paragraph G of Ordinance 2024-O-03 to provide for administrative approval of liquor license applications. Paragraph G of Ordinance 2024-O-03 is repealed and replaced with the following to allow for administrative approval:

G. Application and hearing procedure.

Upon receipt of a complete application, if the Town Clerk sets the application for a public hearing, the Town Clerk shall notify the Liquor Licensing Authority at its next meeting of the filing of the application, set a hearing date and give notice of the hearing according to the requirements of Section 44-3-311, C.R.S. This procedure applies to hearings scheduled for new licenses applications and applications for a change of location.

Section 4. Repeal and Replace Paragraph H of Ordinance 2024-O-03 to provide for administrative approval of liquor license applications. Paragraph H of Ordinance 2024-O-03 is repealed and replaced with the following to allow for administrative approval:

H. Preliminary investigation; findings.

- (a) The Town Clerk shall, on behalf of the Liquor Licensing Authority, investigate the following except for renewal or transfer of ownership:
 - (1) Whether any of the prohibitions contained in Section 44-3-301(12) or 44-3-313, C.R.S., apply to the applicant.
 - (2) The number and type of outlets of a nature similar to the applicant's within one (1) mile in any direction of the proposed location.
- (b) The Town Clerk may request that law enforcement, on behalf of the Liquor Licensing Authority, investigate the following:
 - (1) All pertinent matters affecting the qualifications of the applicant for the conduct of the type of business proposed.
 - (2) Any financial interests, including notes, mortgages, leases, etc., in other licenses.
 - (3) The applicant's criminal records, if any, including all partners, principals or stockholders holding over ten percent (10%) of the outstanding and issued stock.
 - (4) Other matters as the Liquor Licensing Authority shall direct.
- (c) A written report setting out the results of the investigations performed by the Town Clerk and law enforcement shall be prepared and mailed by certified mail, return receipt requested by the Town Clerk to the applicant and, upon request, to other interested parties, as defined by Section 44-3-311(5)(a) or 44-3-312(a), C.R.S., not less than five (5) days prior to the date of the hearing, if scheduled, upon the application. The original report may be filed as a public record in the Town Clerk's office.

Section 5. Repeal and Replace Paragraph L of Ordinance 2024-O-03 to provide for administrative approval of liquor license applications. Paragraph L of Ordinance 2024-O-03 is repealed and replaced with the following to allow for administrative approval:

L. Change of location.

- (a) Before the location of a licensee is changed, the licensee shall submit an application, on forms provided by the State Licensing Authority and the Town, to the Town Clerk for such change. An application fee, as provided in Paragraph F of these regulations, shall accompany the application.
- (b) All applications for a change in the location of a licensee shall be filed with the Town Clerk and shall be subject to requirements for a new liquor license, except that the character of the applicant shall not be considered.
- (c) If the Town Clerk sets the application for a public hearing, the scheduling and notice of the hearing on a change of location shall be as provided in Section 44-3-311, C.R.S.

Section 6. Repeal and Replace Paragraph M of Ordinance 2024-O-03 to provide for administrative approval of liquor license applications. Paragraph M of Ordinance 2024-O-03 is repealed and replaced with the following to allow for administrative approval:

M. Change of ownership.

- (a) All applicants for the issuance of a license by reason of transfer of ownership of the business or of possession of the licensed premises pursuant to 44-3-303(1)(c) shall file, with the Town Clerk, an application on forms provided by the State Licensing Authority and by the Town. The application form shall be accompanied by application fees and license fees as provided in Paragraph F of these regulations.
- (b) The Town Clerk shall request that law enforcement conduct an investigation of the character of the applicant, including, when applicable, the principals, partners, officers, directors and shareholders holding over ten percent (10%) of the issued and outstanding stock.
- (c) Upon review of the report from law enforcement and the requirements of Section 44-3-307, C.R.S., and 1 CCR 203-2, rule 47-302, the Town Clerk may approve the application for transfer of ownership without setting the matter for a public hearing.
- (d) If after review of the report from the law enforcement and the requirements of Section 44-3-307, C.R.S., and 1 CCR 203-2, rule 47-302, the Town Clerk determines that a public hearing is appropriate, the Town Clerk will schedule the application for a public hearing before the Liquor Licensing Authority. The Town Clerk shall provide it shall hold a public hearing after notice of the hearing pursuant to Section 44-3-303(1)(c)(III), C.R.S. The Liquor Licensing Authority shall consider only the

requirements of Section 44-3-307, C.R.S., and 1 CCR 203-2, rule 47-302, and the applicant shall not be required to submit information, except as it concerns those requirements.

- (e) A temporary permit may be issued to an applicant pending approval by the Liquor Licensing Authority of a change in ownership pursuant to Section 44-3-303(5), C.R.S.

Section 7. 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 8. Codification. This ordinance may be codified and numbered for purposes of codification without the need for further approval by the Town Council.

Section 9. Effective Date. This ordinance shall take effect and be enforced thirty (30) days after final publication.

INTRODUCED, READ AND PASSED AS AN ORDINANCE, ON FIRST READING, AND SCHEDULED FOR PUBLIC HEARING ON _____, 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.

ATTEST:

Kenneth D. Riley, Mayor

Town Clerk

APPROVED AS TO FORM:

Town Attorney

**TOWN OF KEYSTONE
ORDINANCE NO. 2025-O-08**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF
KEYSTONE, COLORADO, AMENDING THE TOWN LIQUOR CODE
AND ORDINANCE 2024-O-03 AND ALLOWING FOR ADMINISTRATIVE
APPROVAL OF CERTAIN APPLICATIONS**

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 § 31-15-501, C.R.S., municipalities have the power to license, regulate, and tax businesses within the limits of the Town; and

WHEREAS, pursuant to Title 44, Articles 3 and 4, C.R.S., the Town has the authority to establish a local liquor licensing authority; and

WHEREAS, on April 9, 2024, Town Council adopted Ordinance 2024-O-03 regulating the licensing of distribution and sale of alcoholic beverages and adopting the Town Liquor Code; and

WHEREAS, in May 2024, the Colorado General Assembly adopted SB 24-231, Alcohol Beverage Liquor Advisory Group Recommendations, which no longer mandates a public hearing on new liquor license applications and allows for administrative approval; and

WHEREAS, the Town Council desires to amend Ordinance 2024-O-03 to allow for administrative approval of liquor license applications and provide discretion to set a public hearing on certain applications.

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B. Designation of Town Council as Liquor Licensing Authority; duties of Town Clerk.

- (a) The Liquor and Fermented Malt Beverage Licensing Authority for the Town is the Town Council and shall be known as the "Liquor Licensing Authority" or "Authority."
- (b) The Town Clerk shall assist the Liquor Licensing Authority by receiving all applications, coordinating with other Town officers and departments when relevant, scheduling public hearings required and exercising his or her discretion in forwarding renewals, change of ownership, change of officers, directors and stockholders, change of trade name, modification of premises, special event permits and change of manager matters to the Liquor Licensing Authority.
- (c) ~~With the exception of issuing new licenses t~~The Town Clerk is hereby vested with authority to administratively review and approve applications for liquor licenses.
 - (1) New liquor licenses. The Town Clerk is authorized to administratively review and approve an application for issuance of a new liquor license. In considering whether to schedule a public hearing on a new liquor license application as permitted under Section B(c)(3), the Town Clerk will consider factors such as the presence of opposition to the application or any other matters that may warrant further public review. For purposes of this process, the term "new liquor licenses" includes changes of location and changes of ownership.
 - (2) Renewals. The Town Clerk is authorized to administratively review and approve an application for the renewal of any previously approved liquor license where, after reasonable investigation by the Town Clerk and consultation by the Town Clerk with other appropriate administrative and law enforcement personnel, all of the following circumstances are found to exist:
 - a. The applicant has timely and properly submitted a complete license renewal application and tendered all required fees in accordance with this Chapter and the provisions of Title 44 C.R.S;
 - b. The applicant's license is in good standing with the Town and the State, and no violation of law has occurred during the previous year;
 - c. To the knowledge of the Town Clerk, there is no pending or proposed criminal or legal investigation or charges against the applicant or the licensed premises; and
 - d. There is no other information known by the Town Clerk that would cause the Town Clerk, in the Town Clerk's reasonable belief, to believe that some violation of applicable law has occurred or that the license should not be renewed.
- (~~3~~2) Notwithstanding any authority delegated to the Town Clerk for the administrative approval of applications under this Section, the Town Clerk may, at the Town Clerk's discretion, refer any licensing decision authorized herein to the Authority if, in the Town Clerk's opinion, the matter should be presented to the Authority.

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Section 4. Repeal and Replace Paragraph H of Ordinance 2024-O-03 to provide for administrative approval of liquor license applications. Paragraph H of Ordinance 2024-O-03 is repealed and replaced with the following to allow for administrative approval:

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 - (1) All pertinent matters affecting the qualifications of the applicant for the conduct of the type of business proposed.
 - (2) Any financial interests, including notes, mortgages, leases, etc., in other licenses.
 - (3) The applicant's criminal records, if any, including all partners, principals or stockholders holding over ten percent (10%) of the outstanding and issued stock.
 - (4) Other matters as the Liquor Licensing Authority shall direct.
- (c) A written report setting out the results of the investigations performed by the Town Clerk and law enforcement shall be prepared and mailed by certified mail, return receipt requested by the Town Clerk to the applicant and, upon request, to other interested parties, as defined by Section 44-3-311(5)(a) or 44-3-312(a), C.R.S., not less than five (5) days prior to the date of the hearing, if scheduled, upon the application. The original report may be filed as a public record in the Town Clerk's office.

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- (c) If the Town Clerk sets the application for a public hearing, ~~the scheduling and notice of the hearing on a change of location shall be as provided in Section 44-3-311, C.R.S.~~

Section 6. Repeal and Replace Paragraph M of Ordinance 2024-O-03 to provide for administrative approval of liquor license applications. Paragraph M of Ordinance 2024-O-03 is repealed and replaced with the following to allow for administrative approval:

M. Change of ownership.

- (a) All applicants for the issuance of a license by reason of transfer of ownership of the business or of possession of the licensed premises pursuant to 44-3-303(1)(c) shall file, with the Town Clerk, an application on forms provided by the State Licensing Authority and by the Town. The application form shall be accompanied by application fees and license fees as provided in Paragraph F of these regulations.
- (b) The Town Clerk shall request that law enforcement conduct an investigation of the character of the applicant, including, when applicable, the principals, partners, officers, directors and shareholders holding over ten percent (10%) of the issued and outstanding stock.
- (c) Upon review of the report from law enforcement and the requirements of Section 44-3-307, C.R.S., and 1 CCR 203-2, rule 47-302, the Liquor Licensing Authority Town Clerk may approve the application for transfer of ownership without setting the matter for a public hearing.
- (d) If after review of the report from the law enforcement and the requirements of Section 44-3-307, C.R.S., and 1 CCR 203-2, rule 47-302, the Town Clerk determines that a public hearing is appropriate, the Town Clerk will schedule the application for a public hearing before the Liquor Licensing Authority determines it is warranted, ~~The Town Clerk shall provide it shall hold a public hearing after notice of the hearing pursuant~~

to Section 44-3-303(1)(c)(III), C.R.S. The Liquor Licensing Authority shall consider only the requirements of Section 44-3-307, C.R.S., and 1 CCR 203-2, rule 47-302, and the applicant shall not be required to submit information, except as it concerns those requirements.

- (e) A temporary permit may be issued to an applicant pending approval by the Liquor Licensing Authority of a change in ownership pursuant to Section 44-3-303(5), C.R.S.

Section 7. 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 8. Codification. This ordinance may be codified and numbered for purposes of codification without the need for further approval by the Town Council.

Section 9. Effective Date. This ordinance shall take effect and be enforced thirty (30) days after final publication.

INTRODUCED, READ AND PASSED AS AN ORDINANCE, ON FIRST READING, AND SCHEDULED FOR PUBLIC HEARING ON _____, 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.

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Kenneth D. Riley, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney