



## **Keystone Town Council Work Session Agenda**

The Keystone Town Council will have a Work Session on May 27, 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](mailto:clerk@keystoneco.gov) via e-mail, at least 72 hours in advance of the meeting.

- I. CALL TO ORDER, ROLL CALL**
- II. PUBLIC COMMENT PERIOD**
- III. PRESENTATION FROM HIGH COUNTRY CONSERVATION CENTER**
- IV. DISCUSSION OF TOWN FINANCIALS**
- V. DISCUSSION OF DRAFT AMENDMENTS TO TOBACCO REGULATIONS**
- VI. DISCUSSION OF ANIMAL CONTROL ORDINANCE**
- VII. DISCUSSION OF ADVISORY COMMITTEES**
- VIII. DISCUSSION OF BEAR PROOF REFUSE CONTAINER GRANT**
- IX. DISCUSSION OF MANAGER/COUNCIL ISSUES**
- X. ADJOURNMENT**



HIGH COUNTRY  
CONSERVATION CENTER

# HC3's Programs

Keystone Town Council | May 27, 2025





# Climate & Energy Programs





# Climate Action

- Climate Action Plan implementation
- GHG inventory updates
- Climate equity
- Community workshops & events



# Community Goal

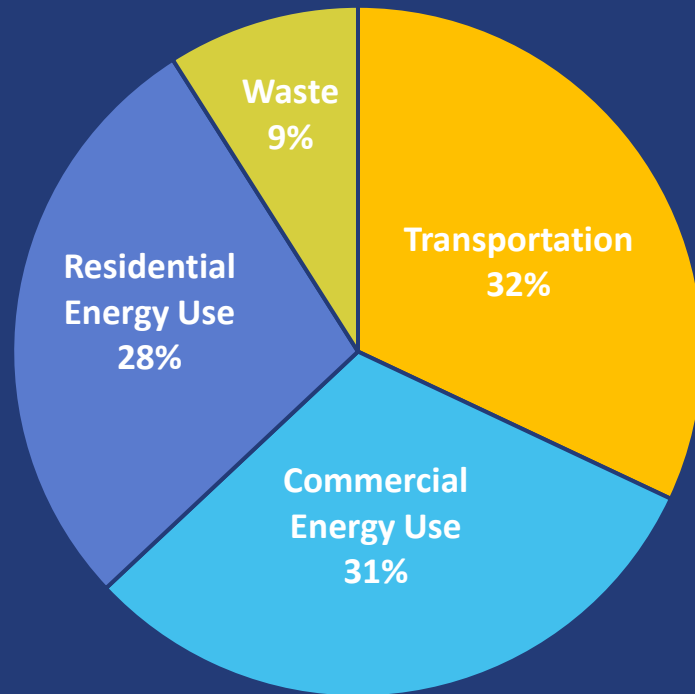
**Decrease greenhouse gas  
emissions 80% by 2050**



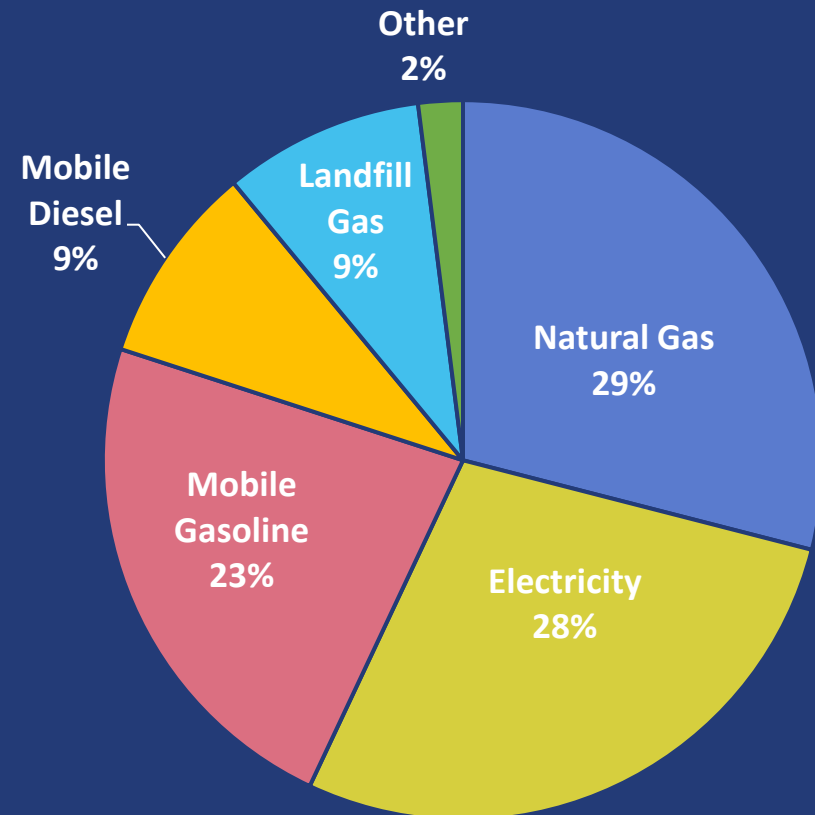


# 2023 Greenhouse Gas Emissions Update

## Emissions by Sector



## Emissions by Source





# Solarize Summit

- Countywide solar bulk-purchase program
- Over 300 participants since 2019
- Average program discount per household: \$1,983
- Average annual electricity savings per household: \$1,468







# Energy Smart Colorado

- \$99 home energy assessments (full cost = \$450)
- Project rebates up to \$3,000 for income-qualified households
- 2022 – 2024 Keystone participation:
  - 14 audits
  - 7 projects
  - \$5,582 annual energy savings



# Resource Wise

- Technical assistance for businesses
- Rebates for improvement projects
- Educational workshops
- 10 Keystone businesses participating





# Climate & Energy: Looking Ahead

- Climate Equity Plan implementation
- Community events:
  - Residential heat pumps: June 11
  - EV Ride & Drives: July 24, Aug 7, Sept 13
  - Climate comedy night: October 1 @ Silverthorne Pavilion
- Builder & Designer workshops







# Zero Waste Programs



# Communitywide Zero Waste Goals

**Increase diversion rate to 40% by 2030**  
**Reduce C&D waste 25% by 2028 (50% by 2035)**

## Municipal Solid Waste

(Recycling & Organics Diversion)

- Increase traditional recycling
- Reduce recycling contamination
- Increase food scrap collection

## Construction & Demolition

- Reduce and recover waste from construction job sites.
- Provide training and support for building professionals on C&D recovery.



# Strong Future Accomplishments

- Silverthorne Recycling Center
- PAYT/URO passed in 3 communities
- Free Food Scrap Program, expanded drop sites
- SCRAP Infrastructure: compost pad, cold storage, upgrades to main MRF, including new baler, new single stream MRF, roto chopper, convenience center, refined data tracking, C&D Specialist
- Supporting local businesses & HOAs
- Hauler relationships
- Glass & carton collection
- Expanding Spanish outreach
- C&D: 5-year plan, pilot, stakeholder engagement & SCRAP capacity
- Outreach & Education: Oops Tags, marketing campaign, etc.



# HC3 Zero Waste Initiatives

HC3 is Summit County government's recycling education and outreach partner. Funded through Strong Future mill levy.

## 2024 Highlights:

- Pay as You Throw
- C&D diversion groundwork
- Latino community outreach
- Strong Future grants
- Increased marketing & outreach





# Pay as You Throw & Universal Recycling

## Individual Bin Service

***Pay as You Throw*** - residents and homeowners' associations (HOAs) who have individual trash carts picked up at their curb

## Dumpster Service

***Universal Recycling*** - all commercial entities, as well as HOAs with residential units that share dumpsters for trash service





# Pay as You Throw (PAYT) & Universal Recycling

## PAYT

- Frisco & Breckenridge - Oct 2023
- Unincorporated Summit County - Aug 31, 2025

## Universal Recycling

- Frisco & Breckenridge – June 2025
- Unincorporated Summit County – Oct 2027





# Pay as You Throw - Local Results

- Countywide single stream recycling increased **10%** from 2023 to 2024 (after Frisco/Breck adoption).
- Residents are saving up to **1/3** on the cost of their previous monthly trash bills.



# Construction & Demolition (C&D) Diversion

- New wood grinder to grind wood into compostable materials or mulch
- SCRAP hired C&D Specialist to support local contractor recycling
- Current recyclable C&D materials in Summit:
  - Wood
  - Concrete/asphalt
  - Cardboard
  - Scrap metal





# Strong Future Grants

## 2024 Projects Underway

- CAFE Food Rescue - The Hub
- Arapahoe Basin - hard to recycle bins
- Summit Fire & EMS - diverted 16,000 lbs. of fire extinguishers since September
- Copper Mountain – improved recycling sorting system
- Town of Frisco – affordable housing project C&D diversion

## 2025 Application - Open until June 1

- \$285,000 available funding
- Targeting underserved and/or workforce populations





# Resident Outreach

- K12: 1,642 students engaged
- Oops Tags: 1,806 bins tagged with 40% households improving between visits
- Stump the Recycling Experts: 17 weeks, 801 residents engaged





# Food Scrap Program

- 402 new participants enrolled
- 393,793 lbs. diverted
- Spanish outreach at Grow to Share WIC Pickups





# HOA/Business Assistance

## Latino Community Outreach

- 28 HOAs/businesses engaged
- 9 Spanish-language business trainings and events

## 50+ businesses & HOAs served

- Onsite assistance & support





# Marketing

- Leveraged \$100,000 in free search marketing through Google Grants
- Launched first Spanish recycling digital campaign - three videos outperformed all other campaigns
- Recycling web page views up 59%, 2<sup>nd</sup> most viewed page







# Zero Waste: Looking Ahead





# 2025 Zero Waste

- PAYT forums, marketing, implementation
- Bilingual position=more Latino community outreach and Spanish marketing
- Commercial composting
- Strong Future grants outreach
- C&D diversion





# Water Conservation: 2024 Highlights



# Turf Replacement

- Pilot Projects Launched
  - 8 Participants
    - 5 single family homes
    - 1 HOA
    - 2 municipal sites
- New low water garden saved 3,500 gallons for one resident
- Generated a lot of community interest for future projects





# Marketing

- New campaign assets designed, focused on turf replacement and watering schedules
- Launched new turf replacement resources on our website including planting plans and best practices



## More Plants, Less Water

Turn your yard into a mountain oasis. Consider replacing unused grassy areas with drought-resistant plants that conserve water, support pollinators, and look beautiful all summer long.





# Education

- 4 Water in the West community engagement events
- 2 professional workshops to help local landscapers
- Watering schedule outreach in partnership with towns and water providers





# Assessments

Focus on Large Water Users:

- Wellington HOA
- Summit Middle School
- Frisco Elementary School
- Blue River Run Townhomes

Increasing demand for assessments—  
both commercial and residential







# Water Conservation: Looking Ahead



# 2025 Water Programs

- EPA and Bureau of Reclamation Grants received (2 yr projects)
  - BOR - Updating Water Efficiency Plans
  - EPA – Environmental Education grant for water conservation
- Demonstration Gardens – Breck Alpine Garden and CSU Extension
- Continue irrigation assessments and turf reduction programs





# Questions?

**Jen Schenk**

Executive Director

[jen@highcountryconservation.org](mailto:jen@highcountryconservation.org)

**Jess Hoover**

Climate Action Director

[jess@highcountryconservation.org](mailto:jess@highcountryconservation.org)

**Heather Allen**

Community Programs Director

[heather@highcountryconservation.org](mailto:heather@highcountryconservation.org)

**Narelle Kipple**

Climate Action Manager

[narelle@highcountryconservation.org](mailto:narelle@highcountryconservation.org)



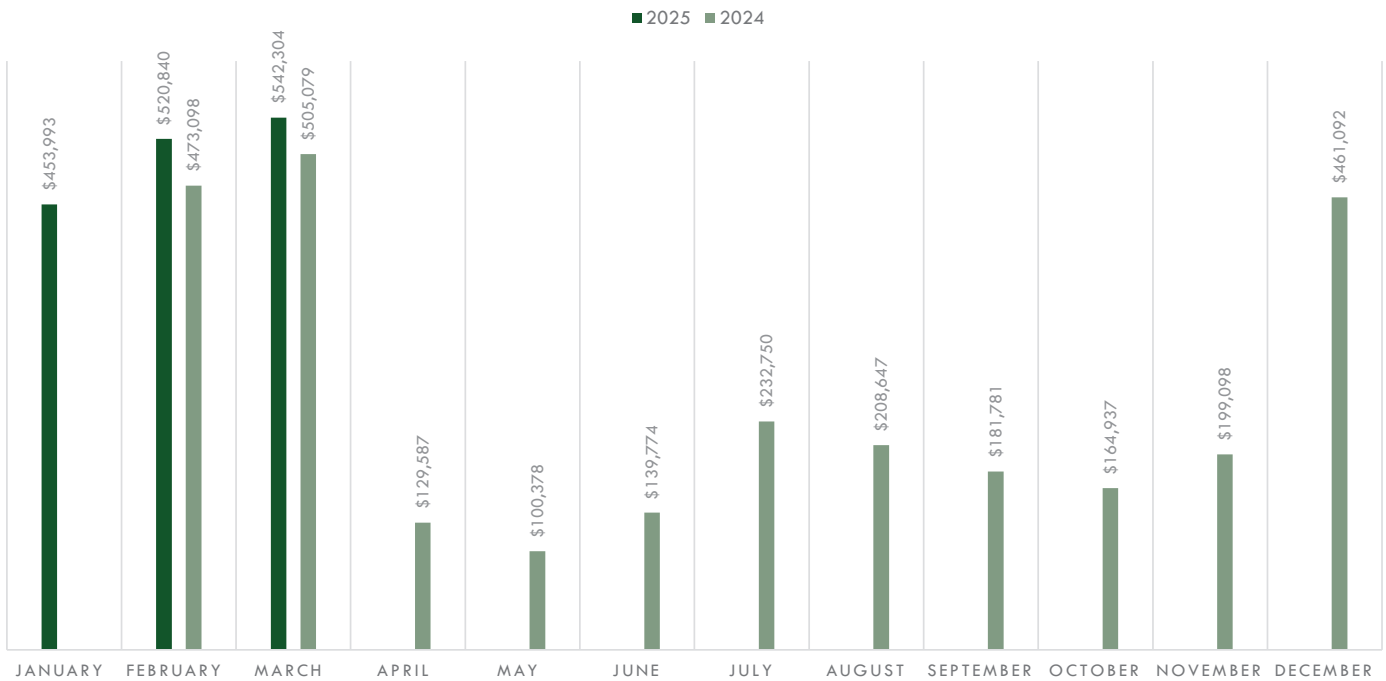




March tax revenues and  
April financials



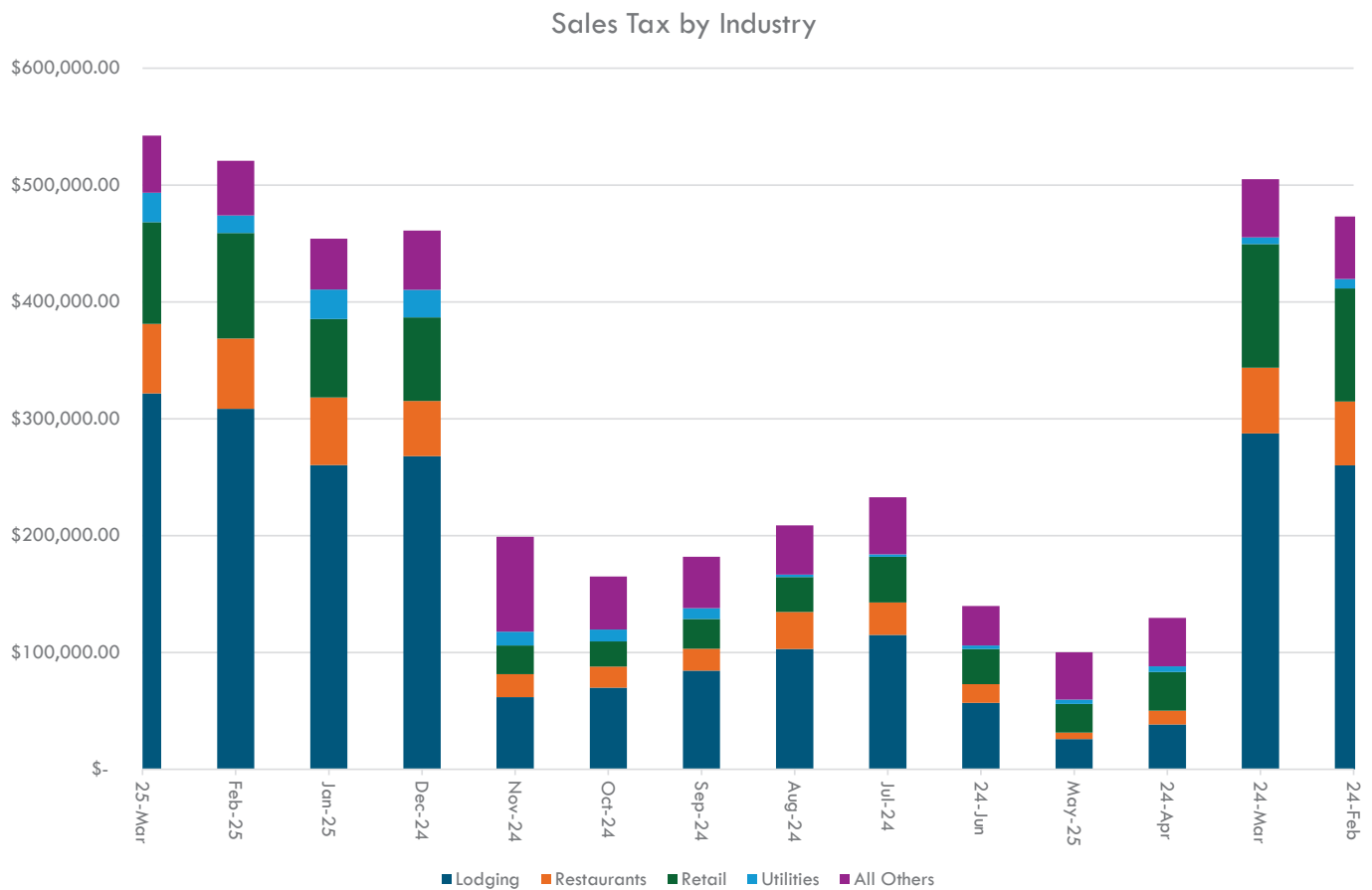
## SALES TAX REVENUE BY MONTH 2024-2025



March 2025 sales tax revenue increased by 7% compared to March 2024. Year-to-date collections now account for 44% of the 2025 budget. March collections also rose by \$37,225 over last March.

For comparison purposes, we used actual sales tax revenue for February. Since Keystone's share was prorated, our portion of the revenue was lower.

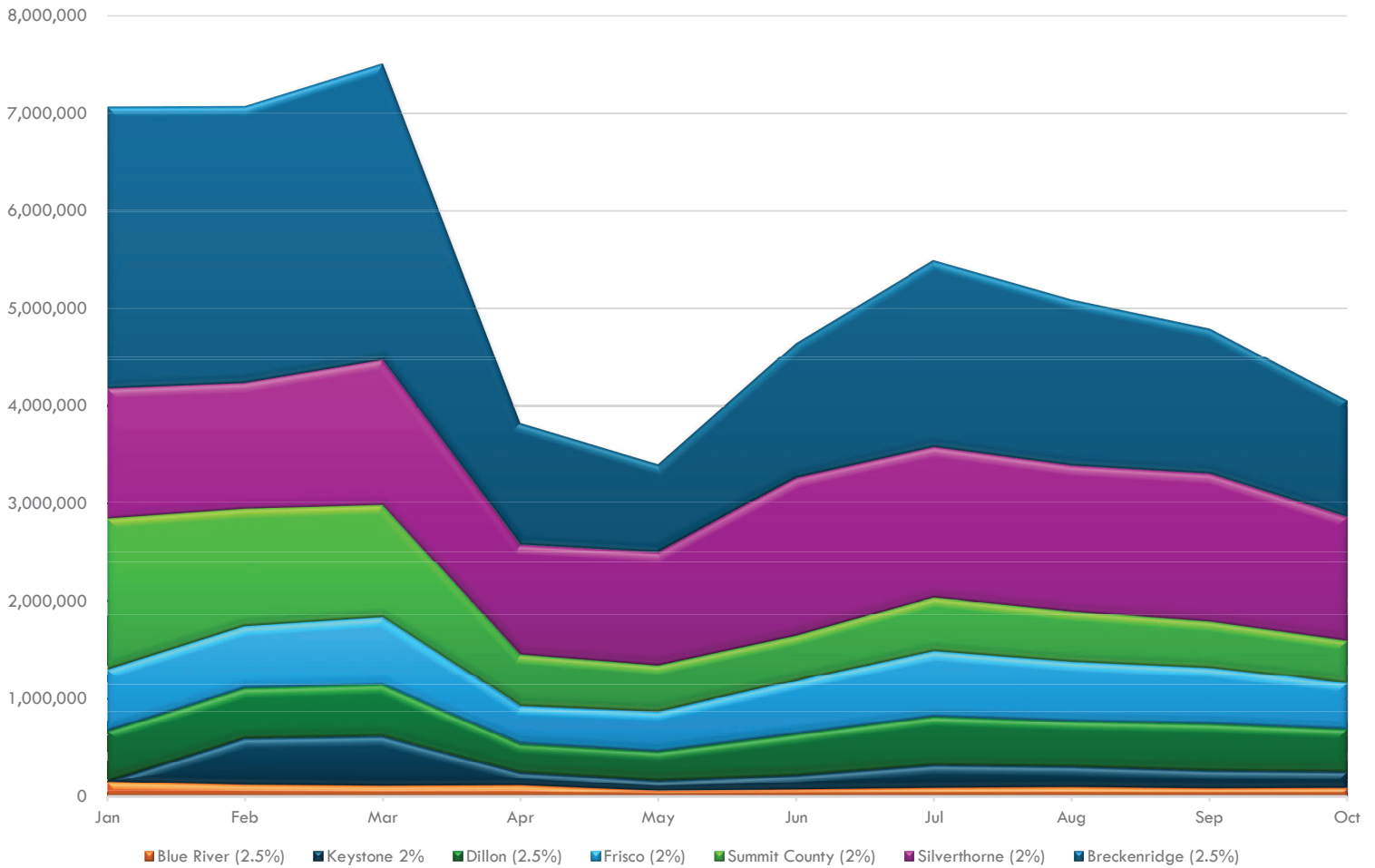




March 25 has the highest total collections, led primarily by Lodging.

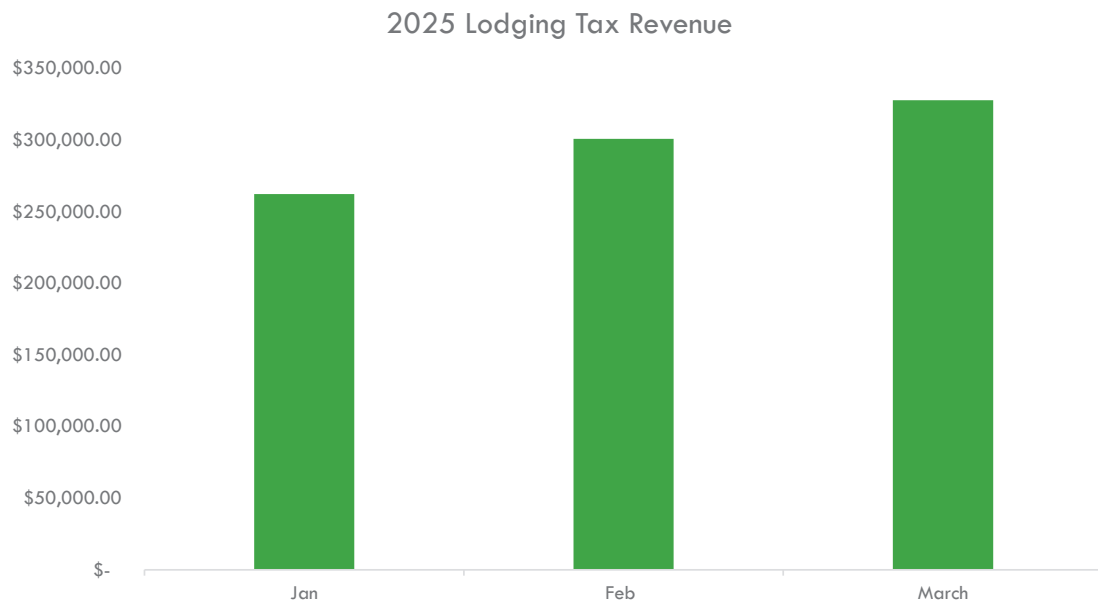


## Sales tax revenue by town for 2024



Data collected by CAST





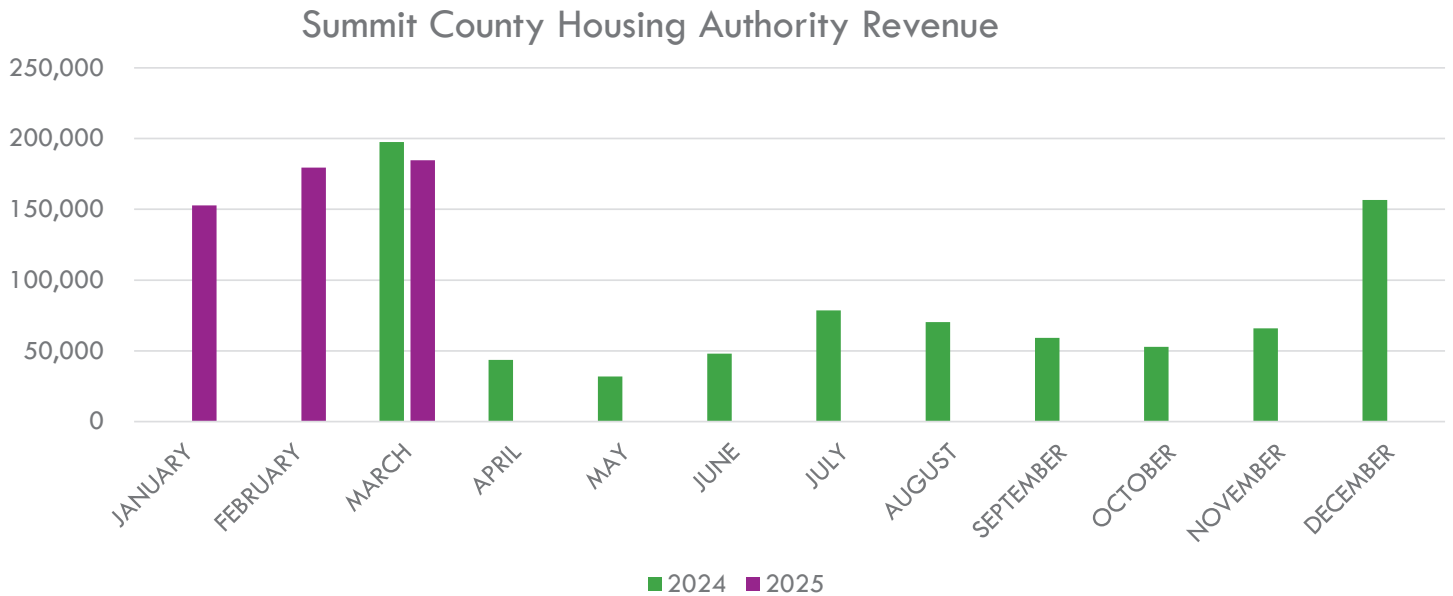
The Town of Keystone began collecting lodging tax in January 2025.

We have collected \$891,029, which represents 56% of the annual lodging tax budget of \$1.6 million.

April through November are slower months for lodging.

March collections up 9% from February

Funds are restricted for capital infrastructure projects, Highway 6 safety, and public safety.



Sales tax is collected at the county level and then distributed to each town based on their set percentage. It's not tied to how much was collected in each specific town. This is why it will not compare to our sales tax revenues.

# MONTHLY SCHL Contributions

The chart displays net Housing Authority revenues received by the Town. It's important to note that the Housing Authority retained a \$90,000 one-time IGA contribution in 2024. This amount was excluded from the revenue graph due to its one-time nature and to allow for accurate year-to-date comparisons.



	F	G	H	I	J	L	M	N	P				
1	Town of Keystone												
2	Statement of Financial Position			5/22/25		Printed:			5/22/25				
3	As of Dates Indicated												
4				Pre-Audit		Preliminary - Subject to Change							
5				Preliminary									
6				2024		April 30, 2025							
7				Combined Funds		General Fund		Housing Fund		Conserv Trust Fund	Lodging Tax Fund	All Funds Combined	
8													
9	ASSETS												
10	Investment Acct - Colotrust			1,701,273		2,147,949		965,843		0		818,019	3,931,811
19	Operating - FirstBank			172,888		450,284							450,284
27	Total Cash in Bank			1,874,161		2,598,233		965,843		0		818,019	4,382,095
28													
29	Sales Tax Receivable			660,190		404,675							404,675
30	Other Tax Receivable			2,227		12,735							12,735
31	Accounts Receivable			222,516		0		237,249		0		0	237,249
38	Interfund & Other Receivables			35,106		1,234							1,234
39	Prepaid Expenses			5,467		1,464							1,464
40	Office Space Security Deposit			4,900		4,900							4,900
41	Loan Receivable - Down Pmt Assist			0				92,996					92,996
42	Interest Receivable on Loan - DPA			0				9,610					9,610
43	Buildings, Property and Equipment			16,288		16,288		0		0		0	16,288
47	Accumulated Depreciation on Assets			(1,629)		(1,629)							(1,629)
49	TOTAL ASSETS			2,819,226		3,037,900		1,305,699		0		818,019	5,161,617
50													
51	LIABILITIES, DEFERRED INFLOWS AND FUND EQUITY												
52	Accounts Payable			135,507		184,302		0		0		0	184,302
59	Payroll Liabilities			2,186		2,134		0		0		0	2,134
65	Wages Payable			0		0							0
66	Due to Summit County (Sales Tax Advance)			0		0							0
67	Misc Liabilities			6,263		5,405							5,405
68	CommDev Compliance Deposit					442,085							442,085
69	Clearing Account			(28)		0							0
71	TOTAL LIABILITIES			143,928		633,926		0		0		0	633,926
72													
73	DEFERRED INFLOWS												
74	Deferred Revenue			0		0							0
76	TOTAL DEFERRED INFLOWS			0		0		0		0		0	0
77													
78	FUND EQUITY												
79	Invested in Capital Assets, Net			14,659		14,659		102,606					117,265
83	Amount to be Provided for Debt Repayment			0		0							0
84	Fund Balance - General Fund			1,943,033		2,389,315							2,389,315
86	Fund Balance - Workforce Housing			717,605				1,203,093					1,203,093
87	Fund Balance - Conservation Trust			0						0			0
88	Fund Balance - Lodging Tax											818,019	818,019
90	TOTAL FUND EQUITY			2,675,297		2,403,974		1,305,699		0		818,019	4,527,692
91													
92	TOTAL LIABILITIES, DEFERRED INFLOWS												
93	AND FUND EQUITY			2,819,226		3,037,900		1,305,699		0		818,019	5,161,617
94	No assurance provided on these financial statements; substantially all disclosures required by GAAP omitted.			=		=		=		=		=	=

	E	F	H	I	J	K	L	M	N	O
2		<b>Town of Keystone</b>								Printed: 5/22/25
3		<b>Statement of Revenues, Expenses and Changes in Fund Balance</b>								
4		<b>Actual, Budget and Forecast for the Periods Indicated</b>								
5		<b>Modified Accrual Basis</b>								
6			<b>2025 ANNUAL</b>				<b>2025 Year to Date</b>			
7		<b>Pre-audit</b>	<b>Approved</b>	<b>Amended</b>		<b>Variance</b>	<b>4 Months</b>	<b>4 Months</b>	<b>Variance</b>	
8		<b>2024</b>	<b>2025</b>	<b>2025</b>	<b>2025</b>	<b>Favorable</b>	<b>Ended</b>	<b>Ended</b>	<b>Favorable</b>	
9		<b>Preliminary</b>	<b>Budget</b>	<b>Budget</b>	<b>Forecast</b>	<b>(Unfavor)</b>	<b>4/30/25</b>	<b>4/30/25</b>	<b>Favorable</b>	
10		<b>GENERAL FUND</b>					<b>Actual</b>	<b>Budget</b>	<b>(Unfavor)</b>	
11		<b>Revenues</b>								
12		<b>Sales Tax</b> (2 mos estimated)	2,682,678	3,440,698	3,440,698	3,440,698	0	1,379,507	1,685,942	(306,435)
13		<b>Other Tax Revenue</b>	-				-			
14		Highway Users Tax Fund	0	66,612	66,612	66,612	0	171	0	171
15		Cigarette Tax	8,815	7,115	7,115	7,115	0	1,875	2,372	(496)
16		Nicotine Tax	0	83,315	83,315	83,315	0	0	27,772	(27,772)
17		Road and Bridges Tax	80,122	103,774	103,774	103,774	0	40,094	25,944	14,151
18		Specific Ownership Tax	0	34,723	34,723	0	(34,723)	0	11,574	(11,574)
19		Auto Ownership Tax	0	13,657	13,657	2,984	(10,673)	12,607	3,414	9,192
20		Other Tax Revenue	0			0	0	0	0	0
21										
22		<b>Total Other Tax Revenue</b>	88,938	309,196	309,196	263,800	(45,396)	54,747	71,076	(16,329)
23		<b>Fees</b>								
24		Building Permits	62,085	40,641	40,641	40,641	0	16,810	13,547	3,263
25		Comm Dev Reimbursable Costs	0	20,000	20,000	20,000	0	0	6,667	(6,667)
26		Franchise Fees	0	1,500	1,500	1,500	0	0	375	(375)
27										
28			62,085	62,141	62,141	62,141	0	16,810	20,589	(3,779)
29		<b>Licenses</b>								
30		Business Licenses	0	34,000	34,000	34,000	0	0	0	0
31		Short Term Rentals	514,240	547,150	547,150	547,150	0	45,600	42,850	2,750
32		Liquor Licenses	4,349	1,750	1,750	1,750	0	1,478	583	894
33		Tobacco Licenses	800	0	0	0	0	0	0	0
34										
35			519,389	582,900	582,900	582,900	0	47,078	43,433	3,644
36		<b>Fines</b>								
37		Municipal Court Fines	0	40,000	40,000	40,000	0	0	0	0
38		Code Enforcement Fines	0	5,000	5,000	5,000	0	0	0	0
39		Court Reimbursable Costs	0	19,382	19,382	19,382	0	0	0	0
40										
41			0	64,382	64,382	64,382	0	0	0	0
42		<b>Other Income</b>								
43		Grants	80,513	215,000	215,000	215,000	0	30,320	53,750	(23,430)
44		Interest on Taxes	0				0	0	0	0
45		Interest on Investments	17,527	68,000	68,000	68,000	0	25,560	22,667	2,893
46		Admin Miscellaneous Income	85	0	0	0	0	105	0	105
47										
48			98,125	283,000	283,000	283,000	0	55,986	76,417	(20,431)
49										
50		<b>Total Revenue</b>	3,451,214	4,742,317	4,742,317	4,696,921	(45,396)	1,554,127	1,897,456	(343,329)
51										
52		<b>Expenditures</b>								
53		<b>Employee Benefits &amp; Taxes</b>								
54		401 A Match	36,345	67,515	67,515	67,515	0	20,811	20,774	(37)
55		457 Match	6,573	25,318	25,318	25,318	0	5,312	7,790	2,478
56		Flexible Spending Account (FSA)	1,200	12,000	12,000	900	11,100	300	4,000	3,700
57		Wellness Reimbursement	8,645	17,500	17,500	17,500	0	5,729	5,385	(344)
58		Health Insurance Premiums	63,627	120,360	120,360	120,360	0	58,483	40,120	(18,363)
59		Health Ins Employee Contributions	(11,841)	0	0	0	0	(11,330)	0	11,330
60		Workers Comp Insurance Premiums	12,288	12,375	12,375	12,375	0	416	6,188	5,772
61		COL and Merit Raises		40,548	40,548	40,548	0	7,530	13,516	5,986
62		Payroll Taxes	12,386	40,137	40,137	40,137	0	4,524	13,379	8,855
63										
64										
65										
66										
67		<b>Total Employee Benefits &amp; Taxes</b>	129,222	335,753	335,753	324,653	11,100	91,774	111,151	19,377



	E	F	H	I	J	K	L	M	N	O
2	Town of Keystone									Printed: 5/22/25
3	Statement of Revenues, Expenses and Changes in Fund Balance									
4	Actual, Budget and Forecast for the Periods Indicated									
5	Modified Accrual Basis		2025 ANNUAL				Preliminary 2025 Year to Date			
6										
7		Pre-audit	Approved	Amended		Variance	4 Months	4 Months		
8		2024	2025	2025	2025	Favorable	Ended	Ended	Variance	
9		Preliminary	Budget	Budget	Forecast	(Unfavor)	4/30/25	4/30/25	Favorable	
68	General Expenditures All Departments									
69	Telephone	2,410	3,168	3,168	3,168	0	820	1,056	236	
70	Office Lease	50,900	196,158	196,158	196,158	0	19,600	19,600	0	
71	Office Building Maintenance	1,350	3,504	3,504	3,504	0	0	1,168	1,168	
72	Office Supplies	8,823	5,000	5,000	5,000	0	4,431	1,667	(2,764)	
73	Prof Services/Membership Fees	16,606	17,000	17,000	17,000	0	11,431	5,667	(5,764)	
74	Dues and Subscriptions	1,782	7,000	7,000	7,000	0	13,501	6,000	(7,501)	
75	Training	6,052	14,011	14,011	14,011	0	5,267	4,670	(597)	
76	Travel/Meals/Ldging	7,300	14,011	14,011	14,011	0	878	4,670	3,793	
77	Uniforms/Clothing	4,105	5,000	5,000	5,000	0	3,173	1,000	(2,173)	
78	Insurance	3,104	7,500	7,500	7,500	0	2,338	3,750	1,412	
79	Bank and Misc Fees	100	0	0	0	0	30	0	(30)	
80	IT/Technology	34,253	60,000	60,000	60,000	0	12,318	20,000	7,682	
81	Website	542	0	0	0	0	4,030	0	(4,030)	
82	Equipment Repairs/Leases	0	7,589	7,589	7,589	0	0	2,530	2,530	
83										
84	Total Gen Exp All Departments	137,327	339,942	339,942	339,942	0	77,817	71,778	(6,039)	
85										
86	Mayor and Town Council									
87	Mayor Wages	10,477	12,000	12,000	12,000	0	3,706	3,692	(14)	
88	Council Wages	30,645	36,000	36,000	36,000	0	10,657	11,077	420	
89	Cell Phone AllowTown Council	5,344	6,300	6,300	6,300	0	2,025	2,100	75	
90										
91		46,465	54,300	54,300	54,300	0	16,388	16,869	481	
92										
93	Community Support Town Council	0	100,000	100,000	100,000	0	31,963	31,963	0	
94	Travel and Training	0	5,000	5,000	5,000	0	0	1,667	1,667	
95	Misc Expense Town Council	5,697	1,401	1,401	1,401	0	4,750	467	(4,283)	
96	Total Mayor and Town Council	52,162	160,701	160,701	160,701	0	53,102	50,966	(2,135)	
97										
98	Administration Services									
99	Town Manager Wages	102,542	178,200	178,200	178,200	0	50,769	54,831	4,061	
100	Administrative Wages	144,560	185,240	185,240	185,240	0	56,707	56,997	290	
103	Cell Phone Administration	1,858	2,700	2,700	2,700	0	900	900	0	
104	Keystone Housing Administration	12,500	18,000	18,000	18,000	0	6,000	6,000	0	
105										
106		261,460	384,140	384,140	384,140	0	114,377	118,728	4,351	
107	Postage	11	2,919	2,919	2,919	0	58	973	915	
108	Printing	965	4,000	4,000	4,000	0	294	1,333	1,040	
109	Community Engagement	22,054	20,000	20,000	20,000	0	3,602	6,667	3,065	
110	Local Travel	102	2,919	2,919	2,919	0	38	973	935	
111	Elections	7,750	0	0	0	0	0	0	0	
112	Town Attorney Contract	144,825	150,000	150,000	150,000	0	41,933	50,000	8,067	
113	Smoking Cessation (fr Nicotine Tax)	0	27,000	27,000	27,000	0	0	9,000	9,000	
114	Payroll Contract (Paylocity)	7,904	9,900	9,900	9,900	0	3,601	3,300	(301)	
115	Accounting Contract (M&W)	52,763	10,000	10,000	22,000	(12,000)	25,031	3,333	(21,697)	
116	Annual Audit Contract	0	19,266	19,266	19,266	0	0	0	0	
117	Short Term Rental Contract Support	86,250	120,264	120,264	120,264	0	34,650	31,250	(3,400)	
118	Miscellaneous Administrative Expense	10	15,000	15,000	15,000	0	169	5,000	4,831	
119										
120	Total Administrative Services	584,094	765,407	765,407	777,407	(12,000)	223,753	230,557	6,804	
121										
122	Finance Department									
123	Finance Department Wages	0	127,000	127,000	127,000	0	30,773	39,077	8,304	
124	Cell Phone Finance	0	900	900	900	0	263	300	38	
125	Keystone Housing Finance	0	6,000	6,000	6,000	0	1,750	2,000	250	
126										
127		0	133,900	133,900	133,900	0	32,786	41,377	8,591	
128										
129	Communications / Postage	0	2,000	2,000	2,000	0	0	667	667	
130	Computer Services	0	18,000	18,000	18,000	0	15,650	18,000	2,350	
131	Miscellaneous Expense	0	4,009	4,009	4,009	0	0	0	0	
132	Total Finance Department	0	157,909	157,909	157,909	0	48,436	60,044	11,608	
133										

	E	F	H	I	J	K	L	M	N	O
2	Town of Keystone									Printed: 5/22/25
3	Statement of Revenues, Expenses and Changes in Fund Balance									
4	Actual, Budget and Forecast for the Periods Indicated									
5	Modified Accrual Basis		2025 ANNUAL					2025 Year to Date		
6										
7		Pre-audit	Approved	Approved		Variance	4 Months	4 Months	Variance	
8		2024	2025	Amended	2025	Favorable	Ended	Ended	Favorable	
9		Preliminary	Budget	Budget	Forecast	(Unfavor)	4/30/25	4/30/25	(Unfavor)	
134	Community Development									
135	Community Development Wages	148,009	241,729	241,729	241,729	0	71,686	74,378	2,692	
138	Cell Phone Comm Dev	926	1,800	1,800	1,800	0	600	600	0	
139	Keystone Housing Incentive Comm	6,500	12,000	12,000	12,000	0	4,000	4,000	0	
140										
141		155,435	255,529	255,529	255,529	0	76,286	78,978	2,692	
142	Building Permit/Inspections	483	0	0	0	0	0	0	0	
143	GIS	0	9,341	9,341	9,341	0	0	3,114	3,114	
144	Professional Services (Contracted)	0	20,000	20,000	20,000	0	0	6,667	6,667	
145	Planning Supplies/Printing	710	5,838	5,838	5,838	0	50	1,946	1,896	
146	Local Travel	0	5,838	5,838	5,838	0	0	1,946	1,946	
147	Communications	365	0	0	0	0	0	0	0	
148	Miscellaneous Comm Dev Expense	0	2,500	2,500	2,500	0	0	833	833	
149										
150	Total Community Develop	156,993	299,046	299,046	299,046	0	76,336	93,484	17,148	
151										
152	Public Works									
153	Public Works Wages	29,307	93,409	93,409	93,409	0	28,307	28,741	434	
154	Cell Phone Public Works	225	900	900	900	0	300	300	0	
155	Keystone Housing Public Works	1,750	6,000	6,000	6,000	0	2,000	2,000	0	
156										
157		31,282	100,309	100,309	100,309	0	30,607	31,041	434	
158	Communications	0	0	0	0	0	0	0	0	
159	Engineer Consultant	0	11,000	11,000	11,000	0	0	2,750	2,750	
160	Planning and Printing Supplies	0	2,500	2,500	2,500	0	0	833	833	
161	Road Maint/Snow Plowing Contract	-					-			
162	Loveland Pass Village	0	22,800	22,800	22,800	0	0	7,600	7,600	
163	Keystone Roads- Currently County Maint	13,621	86,000	86,000	86,000	0	62,388	28,667	(33,721)	
164	Roads not County Maintained	8,890	96,967	96,967	96,967	0	11,675	32,322	20,647	
165	Asphalt Crack Seal	6,400	0	0	0	0	0	0	0	
166	Noxious Weed Control	0	17,514	17,514	17,514	0	0	0	0	
167	Other Maintenance	2,802	40,866	40,866	40,866	0	81	13,622	13,541	
168	Total Road Maintenance/Snow Plowing	31,713	264,147	264,147	264,147	0	74,144	82,211	8,067	
169										
170	Trail Maintenance	0	60,000	50,000	50,000	0	0	0	0	
171	Signage	224	15,500	15,500	15,500	0	0	0	0	
172	Engineering Services	4,267	30,000	30,000	30,000	0	0	10,000	10,000	
173	Miscellaneous Public Works Expense	130	19,000	19,000	19,000	0	0	6,333	6,333	
174										
175	Total Public Works Expenses	67,616	502,456	492,456	492,456	0	104,751	133,169	28,418	
176										
177	Public Safety									
178	Communications	18,141	33,394	33,394	33,394	0	11,801	11,131	(670)	
179	Law Enforcement Contract Support	115,288	556,414	556,414	556,414	0	347,161	185,471	(161,690)	
187	Animal Control	4,189	3,923	3,923	3,923	0	1,571	2,095	524	
188	Miscellaneous Public Safety Exp	0	0	0	0	0	0	0	0	
189										
190	Total Public Safety Expenses	137,618	593,731	593,731	593,731	0	360,533	198,697	(161,836)	
191										
192	Municipal Court									
193	Judge	0	7,589	7,589	7,589	0	0	0	0	
194	Prosecutor	0	11,209	11,209	11,209	0	0	0	0	
195	Miscellaneous Exp Municipal Court	0	584	584	584	0	0	0	0	
196										
197	Total Court Expenses	0	19,382	19,382	19,382	0	0	0	0	
198										



	E	F	H	I	J	K	L	M	N	O
2	Town of Keystone									Printed: 5/22/25
3	Statement of Revenues, Expenses and Changes in Fund Balance									
4	Actual, Budget and Forecast for the Periods Indicated									
5	Modified Accrual Basis		2025 ANNUAL					2025 Year to Date		
6		Pre-audit	Approved	Approved		Variance	4 Months	4 Months		
7		2024	2025	Amended	2025	Favorable	Ended	Ended	Variance	
8		Preliminary	Budget	Budget	Forecast	(Unfavor)	4/30/25	4/30/25	Favorable	
9							Actual	Budget	(Unfavor)	
199	<b>Capital and Non-Routine Projects</b>									
200	Repayment for Incorporation Costs	148,013				0	0	0	0	
201	Summit County fee for Cash advance	5,000				0	0	0	0	
202	Office Set Up-Furniture, Supplies and	0	45,500	45,500	45,500	0	0	0	0	
203	Facility Modifications	0				0	0	0	0	
204	Staff Hiring Expense	544	1,200	1,200	1,200	0	0	0	0	
205	Start Up Consultant Support (Clerk/Cd	0				0	0	0	0	
206	IT-Infrastructure/Software/Computers/	16,288	89,000	89,000	89,000	0	5,274	0	(5,274)	
207	Website	0	30,000	30,000	30,000	0	0	0	0	
208	Town Signage	0	4,000	4,000	4,000	0	0	0	0	
209	Interim Town Manager (\$150/hr, 10 w	67,890	0	0	0	0	0	0	0	
210	Engineering Assessment Town Mainta	0	8,000	8,000	8,000	0	0	0	0	
211	Flood Plain Plan	0	15,000	15,000	15,000	0	0	0	0	
212	Trails and Open Space Master Plan	0	30,000	30,000	30,000	0	0	0	0	
213	Comprehensive Use Plan	5,414	100,000	100,000	100,000	0	65,949	67,000	1,051	
214	Strategic Plan	0	60,000	60,000	60,000	0	0	0	0	
215	2 Police Vehicles and equipment	0	0	0	0	0	0	0	0	
216	Vehicle and equipment	0	70,000	70,000	70,000	0	0	0	0	
217	Buildings	0				0	0	0	0	
218										
219	<b>Total Capital and Non-Routine Exp</b>	243,149	452,700	452,700	452,700	0	71,223	67,000	(4,223)	
220										
221	<b>Economic Development</b>									
222	Economic Development and Marketin	0	100,000	100,000	100,000	0	120	33,333	33,213	
223										
224	<b>Total Economic Development Expense</b>	0	100,000	100,000	100,000	0	120	33,333	33,213	
225										
226	<b>Total Operating Expenditures</b>	1,508,181	3,727,028	3,717,028	3,717,928	(900)	1,107,845	1,050,179	(57,666)	
227										
228	<b>Total Revenue (from above)</b>	3,451,214	4,742,317	4,742,317	4,696,921	(45,396)	1,554,127	1,897,456	(343,329)	
229										
230	<b>Operating Surplus (Deficit)</b>	1,943,033	1,015,289	1,025,289	978,993	(46,296)	446,282	847,277	(400,995)	
232	<b>Other Sources (Uses)</b>									
234	Transfer fr Workforce Housing	0				0	0	0	0	
235	Transfer fr Conservation Trust	0				0	0	0	0	
236	Transfer fr Lodging Tax	0				0	0	0	0	
237	Summit County Adv - Sales Tax	1,400,000	0	0	0	0	0	0	0	
238	Summit County Adv - Repayment	(1,400,000)	0	0	0	0	0	0	0	
239										
240	<b>Total Other Sources (Uses)</b>	0	0	0	0	0	0	0	0	
241										
242	<b>Beginning Fund Balance - General</b>	0	1,102,678	1,102,678	1,943,033	840,355	1,943,033	1,102,678	840,355	
243										
244	<b>Ending Fund Balance - General</b>	1,943,033	2,117,967	2,127,967	2,922,027	794,059	2,389,315	1,949,955	439,360	
245		=	=	=	=	=	=	=	=	
246	<b>Components of General Fund Bal</b>									
247	TABOR Restricted Funds	103,536	111,811	111,511	140,908		33,235	0		
248	Unrestricted Funds	1,839,497	2,006,157	2,016,456	2,781,119		2,356,080	1,949,955		
249		1,943,033	2,117,967	2,127,967	2,922,027		2,389,315	1,949,955		
250										

	E	F	H	I	J	K	L	M	N	O
2	Town of Keystone									Printed: 5/22/25
3	Statement of Revenues, Expenses and Changes in Fund Balance									
4	Actual, Budget and Forecast for the Periods Indicated									
5	Modified Accrual Basis		2025 ANNUAL				Preliminary 2025 Year to Date			
6										
7		Pre-audit	Approved	Approved		Variance	4 Months	4 Months		
8		2024	2025	2025	2025	Favorable	Ended	Ended	Variance	
9		Preliminary	Budget	Budget	Forecast	(Unfavor)	4/30/25	4/30/25	Favorable	
251	RESTRICTED FUNDS						Actual	Budget	(Unfavor)	
282	Workforce Housing Fund									
283	Revenue and Other Financing Sources									
285	Revenue 5A (17.2%) 2 mos Est.	122,870	226,361	226,361	226,361	0	97,967	110,917	(12,950)	
286	Revenue 6B (82.8%) 2 mos Est	591,491	1,089,689	1,089,689	1,089,689	0	471,608	533,948	(62,340)	
287	DPA Loan Interest	0				0	43	0	43	
288	Interest Income on Taxes	3,344	49,850	49,850	49,850	0	8,865	16,617	(7,752)	
289	Total Revenues	717,705	1,365,900	1,365,900	1,365,900	0	578,483	661,481	(82,998)	
290										
291	Expenditures									
292	Housing Authority Fees	100	58,929	58,929	0	58,929	0	19,643	19,643	
293	Land Purchase	0	600,000	600,000	600,000	0	0	0	0	
294	Professional Services	0	150,000	150,000	150,000	0	0	0	0	
295	Down Payment Assistance	0		100,000	100,000	0	93,382	100,000	6,618	
296	DPA Loan Principal Payment (contra)	0				0	(386)	0	386	
297	Transfer to General Fund	0	0	0	0	0	0	0	0	
298										
299	Total Expenditures	100	808,929	908,929	850,000	58,929	92,996	119,643	26,647	
300										
301	Surplus after other sources (uses)	717,605	556,971	456,971	515,900	58,929	485,487	541,838	(56,351)	
302										
303	Fund bal - Beginning Housing Fund	0	895,592	895,592	717,605	(177,987)	717,605	895,592	(177,987)	
304	Fund bal - Ending Housing Fund	717,605	1,452,563	1,352,563	1,233,505	(119,057)	1,203,093	1,437,430	(234,338)	
305		=	=	=	=	=	=	=	=	
306	Conservation Trust Fund									
307	Revenue and Other Financing Sources									
308	Conservation Trust Revenue	0	12,920	12,920	0	(12,920)	0	4,307	(4,307)	
309	Interest Income	0			0	0	0	0	0	
310	Total Revenues	0	12,920	12,920	0	(12,920)	0	4,307	(4,307)	
311										
312	Expenditures									
313	Conservation Trust Expenses	0	0	0	0	0	0	0	0	
314	Transfer to General Fund	0	0	0	0	0	0	0	0	
315										
316	Total Expenditures	0	0	0	0	0	0	0	0	
317										
318	Surplus after other sources / uses	0	12,920	12,920	0	(12,920)	0	4,307	(4,307)	
319										
320	Fund bal - Begin Cons Trust Fnd	0	12,920	12,920	0	(12,920)	0	12,920	12,920	
321	Fund bal - Ending Cons Trust Fnd	0	25,840	25,840	0	(25,840)	0	17,227	(17,227)	
322		=	=	=	=	=	=	=	=	
323	Lodging Tax									
324	Revenue and Other Financing Sources									
325	Lodging Tax	0	1,600,000	1,600,000	1,600,000	0	886,344	784,000	102,344	
326	Interest Income		32,000	32,000	32,000	0	4,402	10,667	(6,264)	
327										
328	Total Revenues	0	1,632,000	1,632,000	1,632,000	0	890,747	794,667	96,080	
329										
330	Expenditures									
331	Police Services	0	200,000	200,000	200,000	0	72,728	66,667	(6,061)	
332	Police Capital Equipment	0	250,000	250,000	250,000	0	0	83,333	83,333	
333	Misc. Public Safety Expenses	0	15,000	15,000	15,000	0	0	5,000	5,000	
334	Road Construction / Repaving	0	400,000	400,000	400,000	0	0	133,333	133,333	
335	Trail Construction / Repaving	0	80,000	80,000	80,000	0	0	26,667	26,667	
336	Engineering / Design Services	0	250,000	250,000	250,000	0	0	83,333	83,333	
337	Transfer to (from) General Fund	0	0	0	0	0	0	0	0	
338										
339	Total Lodging Tax Expenitures	0	1,195,000	1,195,000	1,195,000	0	72,728	398,333	325,605	
340										
341	Surplus after other sources / uses	0	437,000	437,000	437,000	0	818,019	396,333	421,686	
342										
343	FUND BALANCE - Beginning Lodge Tax	0	0	0	0	0	0	0	0	
344	FUND BALANCE - Ending Lodge Tax	0	437,000	437,000	437,000	0	818,019	396,333	421,686	
345		=	=	=	=	=	=	=	=	



# TOWN OF KEYSTONE, COLORADO

## STAFF REPORT

TO: Mayor & Town Councilmembers  
FROM: John Crone, Town Manager  
Jennifer Madsen, Town Attorney  
DATE: May 27, 2025  
SUBJECT: Discussion of draft amendments to tobacco regulations

---

### **Executive Summary:**

The purpose of this work session is to present and discuss an amended tobacco retailer licensing ordinance. The amendments include a prohibition on the sale of flavored nicotine/tobacco products as well as a prohibition on discounts on the sale of tobacco products.

### **Background:**

Currently, Summit County communities are considering updating their tobacco regulations to include a ban on flavored tobacco and to ban the use of discounts or coupons for tobacco products. Summit County Public Health has encouraged municipalities to impose these regulations. Breckenridge, Dillon, and Silverthorne have adopted ordinances to impose the flavor ban and to impose prohibition on tobacco coupons and discounts.

These amendments for the flavor ban and coupon ban to the Town's current tobacco regulations are included as underlined in the attached ordinance. There is one additional amendment to require examination of an id for individuals appearing under the age of fifty. The draft ordinance if adopted would go into effect on January 1, 2026.

This draft ordinance was discussed at the May 13 work session. During the work

session, Council provided direction to include enhanced penalties for selling products to minors. The ordinance has been revised on page 12 of 15 for Paragraph M(e) to include presumptions on license suspensions and revocations as follows:

- M. (e) In determining whether a License should be suspended or revoked, and in determining whether to impose conditions in the event of a suspension, the Hearing Officer shall consider the following factors:
- (1) The nature and circumstances of the violation;
  - (2) Corrective action, if any taken by the licensee;
  - (3) Prior violations, if any by the licensee;
  - (4) The likelihood of recurrence of the violation;
  - (5) Whether the violation was willful; and
  - (6) Previous sanctions, if any, imposed on the licensee.

Violations involving the sale of tobacco products to individuals under the minimum legal sales age shall carry a presumption of a one-month license suspension. A second violation involving the sale of tobacco products to individuals under the minimum legal sales age—regardless of when it occurs during the period the license has been held—will result in consideration of a suspension of at least six months. Upon a third or subsequent violation—at any time during the period the license is held—involving the sale of tobacco products to individuals under the minimum legal sales age, the presumption will be that the license shall be revoked.

Council may provide other direction related to these presumptions on suspensions and revocations.

Council also discussed amending the draft ordinance to regulate only flavored-smoke products and requested a draft definition of flavored smoke tobacco product which could be added to the draft ordinance. Here is the definition of flavored smoke tobacco product:

**Flavored Smoke Tobacco Product** means any tobacco product intended for smoking that contains a constituent, including but not limited to an artificial or natural flavor additive or sweetener, that imparts a characterizing flavor. A characterizing flavor is a distinguishable taste or aroma other than the taste or



aroma of tobacco, including but not limited to fruit, candy, menthol, mint, chocolate, vanilla, honey, cocoa, dessert, alcoholic beverages, herbs, or spices. This definition includes flavored cigars, cigarillos, pipe tobacco, and any other smoked tobacco product, whether the flavor is stated or implied by the product's labeling, packaging, marketing, or advertising. For purposes of this definition, intended for smoking refers to a product that is designed, marketed, or reasonably expected to be ignited and inhaled through combustion, typically involving the inhalation of smoke into the lungs or mouth.

If Council provides direction to prohibit the sale of flavored smoke tobacco-product, that prohibition would be included under Section D(d) and Section E(e) and substituted for the words "flavored tobacco products."

The Council may wish to consider amending this ordinance to include a local Town of Keystone violation for selling tobacco to a minor. Currently, such offenses are prosecuted under state law as civil infractions, carrying a \$200 fine, and are handled in Summit County Court by the county prosecutor and judge. By establishing a municipal violation, the Town could handle these cases through its own municipal court. This would allow the municipal prosecutor and judge to oversee the process, potentially giving the Town Council greater oversight and control over enforcement. A local violation could read like this:

- (1) (a) A person shall not give, sell, distribute, dispense, or offer for sale a cigarette, tobacco product, or nicotine product to any person who is under twenty-one years of age.
- (b) Before giving, selling, distributing, dispensing, or offering to sell to an individual any cigarette, tobacco product, or nicotine product, a person shall request from the individual and examine a government-issued photographic identification that establishes that the individual is twenty-one years of age or older.
- (c) A person who violates subsection (1)(a) or (1)(b) of this section commits a civil infraction and, upon conviction thereof, shall be punished by a fine of \_\_\_ hundred dollars.
- (d) It is an affirmative defense to a prosecution under subsection (1)(a) of this section that the person furnishing the cigarette, tobacco product, or nicotine product was presented with and reasonably relied upon a government-issued photographic identification that identified the individual receiving the cigarette, tobacco product, or nicotine product as being twenty-one years of age or older.

- (2) (a) As used in this section, “cigarette, tobacco product, or nicotine product” means:
- (I) A product that contains nicotine or tobacco or is derived from tobacco and is intended to be ingested or inhaled by or applied to the skin of an individual; or
  - (II) Any device that can be used to deliver tobacco or nicotine to the person inhaling from the device, including an electronic cigarette, cigar, cigarillo, or pipe.
- (b) Notwithstanding any provision of paragraph (a) of this subsection (5) to the contrary, “cigarette, tobacco product, or nicotine product” does not mean a product that the food and drug administration of the United States department of health and human services has approved as a tobacco use cessation product.

Staff is seeking direction from Council on the following matters:

- (1) Does the Council wish to amend the presumptions related to enhanced penalties for selling to a minor in connection with license suspension or revocation proceedings?
- (2) Does the Council intend to implement a total ban on flavored tobacco products, take a more incremental approach by initially banning flavored smokeable tobacco products only, or no flavor ban?
- (3) Does the Council wish to establish a local Town of Keystone ordinance making it a municipal violation to sell tobacco to a minor?

**Attachment:**

- Draft Amendment of Tobacco License Regulations



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

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE,  
COLORADO, AMENDING ORDINANCE 2024-O-04 REGULATING THE  
LICENSING OF THE DISTRIBUTION AND SALE OF TOBACCO PRODUCTS  
TO INCLUDE A PROHIBITION ON THE SALE OF FLAVORED TOBACCO  
PRODUCTS**

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,  
Colorado law, pursuant to C.R.S. § 29-30-101, provides that home rule municipalities may regulate the sale of cigarettes, tobacco products, or nicotine products to minors; and

WHEREAS, on April 9, 2024, the Town Council approved Ordinance 2024-O-04 regulating the distribution and sale of tobacco products in the Town of Keystone; and

WHEREAS, the Town Council discussed limiting flavored nicotine product sales within the Town and determined that it was in the best interest of the health, safety, and welfare of the Town to disallow the sale of flavored nicotine products; and

WHEREAS, there is a special interest in reducing the number of individuals of all ages, but particularly young people, from the use of tobacco products, which cause nicotine dependence, illness, and premature death due to tobacco product use; and

WHEREAS, in light of the foregoing, the Town Council wishes to institute an amendment to the Tobacco Product Retailer License regulations in the interest of the health, safety, and welfare of the Town.

**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. Amendment to Section 2 of Ordinance 2024-O-04. Section 2 of Ordinance 2024-O-04 is amended to include a ban on flavored tobacco products, a ban on discounted sales of tobacco products, and enhanced enforcement for violations of sale to minors to read as follows:

## TOBACCO LICENSE REGULATIONS

A. Purpose and applicability.

- (a) The purpose of these regulations is to establish license requirements for tobacco product retailers and to set forth the requirements for the sale of tobacco products to persons under twenty-one (21) years of age to protect the health, safety and welfare of individuals in Town, to encourage responsible tobacco product retailing and to reduce illegal sales of said products in Keystone, Colorado.
- (b) These regulations apply to tobacco product retailers, as defined herein.

B. Definitions.

The following words and phrases, as used in these regulations, shall have the following meanings:

*Accessory* means any product that is intended or reasonably expected to be used with or for the human consumption of a tobacco product; does not contain tobacco and is not made or derived from tobacco; and meets either of the following: (1) is not intended or reasonably expected to affect or alter the performance, composition, constituents, or characteristics of a tobacco product; or (2) is intended or reasonably expected to affect or maintain the performance, composition, constituents, or characteristics of a tobacco product but (a) solely controls moisture and/or temperature of a stored tobacco product; or (b) solely provides an external heat source to initiate but not maintain combustion of a tobacco product. Accessory includes, but is not limited to, carrying cases, lanyards and holsters.

*Cigarette* means any product that contains tobacco or nicotine, that is intended to be burned or heated under ordinary conditions of use, and consists of or contains:

- (1) Any roll of tobacco wrapped in paper or in any substance not containing tobacco;
- (2) Tobacco in any form that is functional in the product, which, because of its appearance, the type of tobacco used in the filler, or its packaging or labeling, is likely to be offered to, or purchased by consumers as a cigarette; or
- (3) Roll of tobacco wrapped in any substance containing tobacco that, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in subparagraph (1) above.
- (4) The term includes all "roll-your-own," i.e., any tobacco that, because of its appearance, type, packaging, or labeling, is suitable for use and likely to be offered to, or purchased by, consumers as tobacco for making cigarettes.



*Component or part* means any software or assembly of materials intended or reasonably expected:

- (1) To alter or affect the tobacco product's performance, composition, or characteristics; or
- (2) To be used with or for the human consumption of a tobacco product or electronic smoking device. Component or part excludes anything that is an accessory, and includes, but is not limited to e-liquids, cartridges, certain batteries, heating coils, programmable software and flavorings for electronic smoking device.

*Coupon* means any voucher, rebate, card, paper, note, form, statement, ticket, image or any other form or issue, used for commercial purposes to obtain a product, service or accommodation without charge or at a discounted price.

*Electronic smoking device* means any product containing or delivering nicotine intended for human consumption that can be used by an individual to simulate smoking in the delivery of nicotine or any other substance, even if marketed as nicotine-free, through inhalation from the product. Electronic smoking device includes any refill, cartridge or component part of a product, whether or not marketed or sold separately. Electronic smoking device does not include any product that has been approved or certified by the United States Food and Drug Administration for sale as a tobacco cessation product or for other medically approved or certified purposes.

*Flavored tobacco product* means any one of the following:

- (1) Any tobacco product that contains a taste or smell, other than the taste or smell of tobacco, that is distinguishable by an ordinary consumer either prior to or during the consumption of the product, including, but not limited to, any taste or smell relating to chocolate, cocoa, menthol, mint, wintergreen, vanilla, honey, fruit or any candy, dessert, alcoholic beverage, herb or spice; or
- (2) Any tobacco product that imparts a cooling or numbing sensation distinguishable by an ordinary consumer either prior to or during the consumption of such tobacco product; or
- (3) Any public statement or claim, whether express or implied, made or disseminated by the manufacturer or retailer of a licensed product, or by a person authorized or permitted by the manufacturer to make or disseminate public statements concerning such products that a product has or produces a taste or smell other than a taste or smell of tobacco or a cooling or numbing sensation will constitute preemptive evidence that the product is a flavored product. Presumptive evidence may include, but is not limited to the use of terms such as, "cool," "chill," "ice," "fresh," "artic or "frost," to describe the product.

*Hearing Officer* means the person appointed by the Town Manager.

*Licensee* means the owner or holder of a Tobacco Product Retailer License.

*License* refers to the tobacco product retailer license.

*Licensing administrator* means the person(s) within the Town government designated with responsibilities by the Town Manager for license issuance, renewal and collection of fees.

*Minimum legal sales age* means twenty-one (21) years of age or older.

*Mobile vending* means any sales other than at a fixed location.

*Person* means natural person, a joint venture, joint-stock company, partnership, association, firm, club, company, corporation, business, trust or organization, or the manager, lessee, agent, servant, officer or employee of any of them.

*Self-service display* means the open display or storage of tobacco products in a manner that is physically accessible in any way to the general public without the assistance of the retailer or employee of the retailer and a direct person-to-person transfer between the purchaser and the retailer or employee of the retailer. A vending machine is a form of self-service display.

*Tobacco product* means:

- (1) Any product which contains, is made or derived from tobacco or used to deliver nicotine, synthetic nicotine or other substances intended for human consumption, whether heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any other means, including, but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, bidis, snus, nicotine product, mints, hand gels; and
- (2) An electronic smoking device;
- (3) Notwithstanding any provision of subsections (1) and (2) above to the contrary, "tobacco product" includes any component, part, accessory or associated tobacco paraphernalia of a tobacco product whether or not sold separately.
- (4) The term "tobacco product" does not include:
  - (i) Any product that contains marijuana; and
  - (ii) Any product made from or derived from tobacco and approved by the Food and Drug Administration (FDA) for use in connection with cessation of smoking.



*Tobacco product retail location* or *retail location* means any premises where tobacco products are sold or distributed to a consumer including, but not limited to, hookah bar, lounge or cafe, any grounds occupied by a retailer, any store, stand, outlet, vehicle, cart, location, or vending machine.

*Tobacco product retailer* means any person who sells, offers for sale, or does or offers to exchange for any form of consideration, tobacco products.

*Tobacco retailing* shall mean the doing of any of these things. This definition is without regard to the quantity of tobacco products sold, offered for sale, exchanged, or offered for exchange.

*Tobacco product retailing* means the selling, offering for sale, or exchanging for any form of consideration a tobacco product.

*Tobacco paraphernalia* means any item designed for or reasonably expected to be used for the consumption, use or preparation of tobacco products.

*Vending machine* shall mean any mechanical, electrical, or electronic self-service device which, upon insertion of money, tokens, or any other form of payment dispenses product.

**C. Minimum legal sales age.**

Tobacco products shall not be sold to any person younger than the minimum legal sales age.

**D. License requirements and prohibitions.**

(a) Tobacco product retailer license required.

(1) It shall be unlawful for any person to act as a tobacco product retailer in the Town unless he or she has obtained a license and maintains the same in full force and effect pursuant to these regulations for each location where tobacco product retailing occurs.

(2) No license shall be issued to authorize tobacco product retailing anywhere other than at a fixed location that is designated in the License application and approved by the Licensing Administrator. Tobacco product retailing by persons on foot, from vehicles or through mobile vending is prohibited.

(3) Tobacco product retailing without a valid license is a violation.

(b) Display of license. Each License shall be prominently displayed in a publicly visible location at the licensed tobacco product retail location.

(c) Display of minimum legal sales age requirements. The requirement of the minimum legal sale age for the purchase of tobacco retail product shall be prominently displayed in the entrance (or other clearly visible location) of the tobacco product retail location.

(d) Sale of flavored tobacco products prohibited. The sale or offer for sale of flavored tobacco products is prohibited.

(de) Prohibition of Tobacco Product Coupons and Discounts. No tobacco product retailer shall:

(1) Honor or redeem, or offer to honor or redeem, a coupon to allow a consumer to purchase a tobacco product for less than the full retail price; or

(2) Sell any tobacco product to a consumer through a multiple-package discount or otherwise provide any such product to a consumer for less than the full retail price in consideration for the purchase of any tobacco product or any other item; or

(3) Provide any free or discounted item to a consumer in consideration for the purchase of any tobacco product.

(f) Other prohibitions.

(1) A tobacco product retail location may only have one active License at one time. Every license is separate and distinct and specific to a designated location. The license cannot be assigned, delegated, sold, inherited or otherwise transferred between persons or transferred to a different location, except as provided in these regulations. No licensee shall exercise the privileges of any other license or delegate the privileges of its own license.

(2) A person or entity may not apply for a License for a two-year period after a License has been revoked.

(3) No license shall be issued to any person under twenty-one (21) years of age.

#### **E. Conditions of the tobacco product retail license.**

The following conditions shall apply to the Licensee:

(a) Minimum age for persons handling tobacco products. No person who is younger than eighteen years of age shall, while employed at a tobacco product retail location, sell, stock, retrieve, or otherwise handle tobacco products or tobacco paraphernalia.

(b) Prohibition of self-service displays. Licensees shall stock and display all tobacco products and tobacco paraphernalia in a manner so as to make all such products inaccessible to customers without the assistance of a retail clerk, thereby



requiring a direct face-to-face exchange of the tobacco product or tobacco paraphernalia from an employee of the business to the customer except in an adult-only establishment.

- (c) Requirements of positive identification. No person engaged in tobacco product retailing shall sell or transfer a tobacco product to another person who appears to be under the age of fifty (50) years without first examining the government-issued identification of the recipient to confirm that the recipient is at least the minimum legal sales age.
- (d) No licenses within five hundred (500) feet of schools. No Licenses shall be issued to retailers located within five hundred (500) feet from any public or parochial school as determined by the licensing administrator. This restriction shall not apply to an existing retail location within five hundred (500) feet of a school as of the effective date of the ordinance from which these regulations derive.
- (e) Flavored tobacco products shall not be sold or offered for sale at any location in the town.
- (f) Any person who sells or offers to sell tobacco products shall display the license and the below warning sign in a prominent place in the building at all times. Such sign must have a minimum height of 3 inches and width of 6 inches and must read as follows:

WARNING

IT IS ILLEGAL TO SELL TOBACCO PRODUCTS TO ANY PERSON UNDER TWENTY-ONE YEARS OF AGE. STATE LAW REQUIRES THAT, TO PURCHASE, TOBACCO PRODUCTS, OR NICOTINE PRODUCTS AT THIS RETAIL LOCATION, A PERSON MUST PRESENT A VALID GOVERNMENT-ISSUED PHOTOGRAPHIC IDENTIFICATION AT THE TIME OF PURCHASE IF THE PERSON APPEARS TO BE UNDER FIFTY YEARS OF AGE. THE SALE OF FLAVORED TOBACCO PRODUCTS IS PROHIBITED IN KEYSTONE, CO.

**F. Application procedure.**

- (a) An application for a license shall be submitted and signed by an individual authorized by the person or entity making application for the license. It is the responsibility of each applicant and/or Licensee to be informed regarding all laws applicable to tobacco retailing, including those laws affecting the issuance of said license. No applicant and/or licensee may rely on the issuance of a license as a determination by the Town that the proprietor has complied with all applicable tobacco retailing laws.

- (b) All applications shall be submitted on a form supplied by the licensing administrator.
- (c) A licensed tobacco product retailer shall inform the licensing administrator in writing of any change in the information submitted on an application for a license within thirty (30) business days of a change.
- (d) All license applications shall be accompanied by the payment in full of all fees as required.

**G. Issuance of a tobacco product license.**

Upon the receipt of a completed application for a License as required by these regulations, the licensing administrator shall sign and issue a license within thirty (30) days which period may be extended by the licensing administrator for good cause unless substantial evidence demonstrates that one or more of the following bases for denial exists:

- (a) The information presented in the application is incomplete, inaccurate or false;
- (b) The applicant seeks authorization for a license at a location where these regulations prohibit the issuance of a license;
- (c) The applicant seeks a License for a location that is not appropriately zoned for the use;
- (d) The applicant seeks authorization for a license and the applicant's current license is suspended or revoked;
- (e) The applicant is not qualified to hold the requested license under the provisions of these regulations;
- (f) The applicant and/or retail location is not in compliance with all Town, state or federal laws;
- (g) The applicant is indebted to, or obligated in any manner to the Town for unpaid taxes, liens or other monies;
- (h) The payment of the licensing fee in the full amount chargeable for such license does not accompany such License application; or
- (i) The applicant's previous license issued under this section has been revoked in the past two (2) years.



**H. Denial of tobacco product license.**

- (a) If the Licensing Administrator denies the issuance of the license, the Licensing Administrator shall notify the applicant in writing by regular mail postage prepaid on the address shown in the application. The notice shall include the grounds for denial. Notice is deemed to have been properly given upon mailing.
- (b) An applicant has the right to appeal the Licensing Administrator's denial of an application to the Hearing Officer that shall be appointed by the Town Manager. Such an appeal shall be initiated by filing a written request with the Licensing Administrator within twenty (20) days of the date of the notice of denial of the issuance of a license.
- (c) The applicant's failure to timely appeal the decision of the Licensing Administrator is a waiver of the applicant's right to contest the denial of the issuance of the license.
- (d) The appeal, including any right to further appeals, shall be conducted and controlled by the provisions of Rule 106(a)(4) of the Colorado Rules of Civil Procedure. The standard of proof at such appeal shall be a preponderance of the evidence and the burden of proof shall be upon the applicant. The licensee's failure to timely appeal the decision is a waiver of the licensee's right to contest the suspension or revocation of the license.

**I. License term, renewal and expiration.**

- (a) Term. All Licenses issued under this Code shall be for the period of one (1) year from the date of issuance.
- (b) Renewal of license. A licensee shall apply for the renewal of the license and submit the renewal license fee no later than thirty (30) days prior to expiration of the existing term. The Licensing Administrator shall renew the license prior to the end of the term, provided that the renewal application and fee were timely submitted, and the Licensing Administrator is not aware of any fact that would have prevented issuance of the original license or issuance of the renewal.
- (c) Expiration of license. A license that is not timely renewed shall expire at the end of its term. The failure to timely obtain a renewal of a license requires submission of a new application. There shall be no sale of any tobacco products after the license expiration date and before the new License is issued.

**J. License non-transferable.**

- (a) A license shall not be transferred from one (1) person to another or from one location to another.
- (b) When a license has been issued to a husband and wife, or to general or limited partners, the death of a spouse or partner shall not require the surviving spouse or

partner to obtain a new license for the remainder of the term of that license. All rights and privileges granted under the original license shall continue in full force and effect as to such survivors for the balance of the term of the license.

**K. Fee for license.**

- (a) The fee to issue or to renew a License shall be pursuant to a Town Council resolution, which may be changed from time to time. The fee shall be calculated so as to recover the direct and indirect costs of administration and enforcement of these regulations, including, for example, issuing a license, administering the License program, retailer education and training, retailer inspection, community outreach and education, documentation of violations, and prosecution of violators, but shall not exceed the cost of the regulatory program authorized by these regulations. Fees are nonrefundable except as may be required by law.
- (b) The amount of fees charged by the Town pursuant to this Section shall be reviewed and, if necessary, adjusted to reflect the direct and indirect costs incurred by the Town in connection with the adoption, administration and enforcement of these regulations.

**L. Compliance monitoring.**

- (a) Compliance monitoring of these regulations shall be by the Law enforcement. The Law enforcement shall have discretion to consider previous compliance check history or prior violations of a licensee in determining how frequently to conduct compliance checks of the licensee with respect to individual licensees.
- (b) The Law enforcement may inspect each tobacco product retailer two (2) times per License term.
- (c) Compliance checks shall be conducted by the Law enforcement, including the use of decoys, so as to allow the Law enforcement to determine, at a minimum, if the tobacco product retailer is conducting business in a manner that complies with laws regulating access to tobacco products. When the Law enforcement deems appropriate, the compliance checks shall determine compliance with other laws applicable to tobacco products.
- (d) All licensed premises must be open to inspection by law enforcement or other authorized Town official during regular business hours. The Town may conduct compliance checks by engaging with persons over the age of fifteen (15) but less than twenty-one (21) years to enter a Licensed premises to attempt to purchase Tobacco Products.
- (e) Prior written consent is required for any minor who participates in a compliance check. Under-aged individuals participating in compliance checks will be supervised by law enforcement or other designated personnel and will not be guilty of illegal



possession or illegal procurement when those items are obtained as a part of the compliance check. The Town shall not enforce any law establishing a minimum age for tobacco product purchases or possession against an individual who otherwise might be in violation of such law because of the individual's age (hereinafter "underage operative") if the potential violation occurs when:

- (1) The underage operative is participating in an inspection supervised by a peace officer, code enforcement official, or the Department designated by the Town to monitor compliance with these regulations;
  - (2) The underage operative is acting as an agent of an individual, Department or group designated by the Town to monitor compliance with these regulations; or
  - (3) The underage operative is participating in an inspection funded in part, either directly or indirectly through subcontracting, by the Summit County health department, Colorado Department of Public Health and Environment or the Colorado Department of Revenue].
- (f) All licensed locations with compliance or inspection violations may be re-checked by the Police Department for compliance within forty-five (45) days of a violation.
- (g) Nothing in this paragraph shall create a right of action in any licensee or other person against the town or its agents.

**M. Suspension or revocation of license.**

- (a) The following shall be grounds for suspension or revocation of the licensee's license:
- (1) A violation by a licensee or licensee's officers, agents, or employees of any of the provisions of these regulations, or any laws of the United States, the State of Colorado or ordinances of the Town relating to the sale of tobacco products to persons under the minimum legal sales age, or the storage or display of cigarettes or tobacco products.
  - (2) Violations of any conditions imposed by the Licensing Administrator or Hearing Officer in connection with the issuance or renewal of a license.
  - (3) Failure to pay State or local taxes that are related to the operation of the business associated with the license.
  - (4) Loss of right to possession of the licensed premises.
  - (5) Fraud, misrepresentation, or a false statement of material fact contained in the original or renewal license application;

- (b) The Town Manager shall appoint a Hearing Officer to hear all actions relating to the suspension or revocation of licenses pursuant to these regulations. The Hearing Officer shall have the authority to suspend, revoke, or impose remedial sanctions for violations.
- (c) The Licensing Administrator shall commence suspension or revocation proceedings by petitioning the Hearings Officer to issue an order to the licensee to show cause why the licensee's license(s) should not be suspended or revoked. The Hearing Officer shall issue such an order to show cause if the petition demonstrates that probable cause exists to determine that one or more grounds exist pursuant to subsection (a) to suspend or revoke the licensee's license. The order to show cause shall set the matter for a public hearing before the Hearing Officer.
- (d) Notice of the order to show cause order and hearing date shall be mailed to licensee by regular mail, postage prepaid, at the address shown on the license no later than thirty (30) days prior to the hearing date. Notice is deemed to have been properly given upon mailing.
- (e) In determining whether a License should be suspended or revoked, and in determining whether to impose conditions in the event of a suspension, the Hearing Officer shall consider the following factors:
  - (1) The nature and circumstances of the violation;
  - (2) Corrective action, if any taken by the licensee;
  - (3) Prior violations, if any by the licensee;
  - (4) The likelihood of recurrence of the violation;
  - (5) Whether the violation was willful; and
  - (6) Previous sanctions, if any, imposed on the licensee.

Violations involving the sale of tobacco products to individuals under the minimum legal sales age shall carry a presumption of a one-month license suspension. A second violation involving the sale of tobacco products to individuals under the minimum legal sales age—regardless of when it occurs during the period the license has been held—will result in consideration of a suspension of at least six months. Upon a third or subsequent violation—at any time during the period the license is held—involving the sale of tobacco products to individuals under the minimum legal sales age, the presumption will be that the license shall be revoked.



**N. Penalties and fines.**

- (a) Licensees: penalties and fines. In addition to any other penalty authorized by law, and if the Hearing Officer determines based on a preponderance of the evidence, that the licensee, or any of the licensee's agents or employees, has violated any of the requirements, conditions, or prohibitions of these regulations, or has pleaded guilty, "no contest" or its equivalent, or admitted to a violation of any law relating to the sale of tobacco products to minors including but not limited to C.R.S. sections 18-13-121 and 44-7-103, the Hearing Officer may consider a fine pursuant to the Town's general penalty and/or suspension or revocation of the license.
- (b) In addition to any revocation proceedings pursuant to Paragraph M, violations of these regulations may be subject to the penalties as set forth by resolution adopted by the Town Council. Each separate act in violation of these regulations, and each and every day or portion thereof during which any separate act in violation of these regulations is committed, continued, or permitted, shall be deemed a separate offense.
- (c) After the effective date of the ordinance from which these regulations derive, it shall be unlawful for any tobacco product retailer to sell a tobacco product without a license as mandated under these regulations, or with a suspended or revoked license. A retailer whose license has been suspended or revoked:
  - (1) Shall not display tobacco products in public view during the timeframe in which the license is suspended or revoked; and
  - (2) Shall not display advertisements relating to tobacco products that promote the sale or distribution of such products from the location that could lead a reasonable person to believe that such products can be obtained from that location.

**O. Enforcement.**

- (a) The remedies provided by these regulations are cumulative and in addition to any other remedies available at law or in equity. In addition to other remedies provided by these regulations or by other law, any violation of these regulations may be remedied by a civil action brought by the Town Attorney, including but not limited to nuisance abatement proceedings and injunctive relief.
- (b) Causing, permitting, aiding, abetting, or concealing a violation of any provision of these regulations shall cause the offender to be subject to the penalties set forth herein.

**P. No rights in license.**

Every license issued under these regulations confers only a limited and conditional privilege subject to the requirements, conditions, limitations and qualifications of these regulations. The license does not confer a property right of any kind. The license and privilege created by the license may be further regulated, limited or completely extinguished at the discretion of Town Council or the electorate of the Town, as provided in these regulations, without any compensation to the licensee. Nothing contained in these regulations grants to any licensee any vested right to continue operating under the provisions of these regulations as they existed at the time the license was approved or issued, and every license shall be subject to any ordinance or prohibition adopted after the license was approved or issued.

**Q. Effective date.**

These regulations shall become effective as of January 1, 2026, and enforceable on and after that date.

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

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

Section 5. Effective Date. This ordinance shall take effect on January 1, 2026.

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

\_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

READ, PASSED AND ADOPTED AS AN ORDINANCE ON SECOND READING, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

\_\_\_\_\_  
Kenneth D. Riley, Mayor

Ordinance No. 2025-O-XX  
Page **15** of **15**

ATTEST:

---

Town Clerk

APPROVED AS TO FORM:

---

Town Attorney



# TOWN OF KEYSTONE, COLORADO

## STAFF REPORT

TO: Mayor & Town Councilmembers  
THROUGH:  
FROM: John Crone, Town Manager  
DATE: May 27, 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. It also addresses dangerous animals, vaccinations, and the impoundment of animals.

## **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.

### **Section 3.** - Animals at Large

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, under an electronic control device, or which is 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 paragraph 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.

#### Section 4. Rabies Control

- A.     Vaccinations. Every person owning or harboring a dog or cat three (3) months of age or older, for forty-eight (48) hours or more, shall cause such dog or cat to have a current vaccination against rabies with a vaccine approved by the State Department of Health, by a veterinarian licensed to practice veterinary medicine. If other species of animals are vaccinated, such vaccination shall be with a vaccine approved by the State Department of Health. . In any proceeding or prosecution under this Ordinance, the burden of proving that a dog or cat has been vaccinated for the calendar year in question under the ordinances or regulations of another state, city, town or county shall be upon the person charged with a violation of this Ordinance.
- B.     Certificate of Vaccination. Upon vaccination, the veterinarian administering the vaccine shall execute and furnish to the owner of the animal as evidence thereof a certificate of vaccination, such issuer to retain a duplicate copy and deliver one (1) copy thereof to be retained by the owner. Such certificate shall contain the following information:
1.     The name, address and telephone number of the owner or harborer of the inoculated animal;
  2.     The date of inoculation;
  3.     The type of vaccine used and the period of time for which it is effective;
  4.     The year and series number of the rabies tag; and
  5.     The breed, age, color and sex of the inoculated animal.

- C. Rabies Tags. Concurrent with the issuance and delivery of the certificate of vaccination referred to in Section 4(B) above, the owner of the animal shall attach to the collar or harness of the vaccinated animal a metal tag, to be acquired from the veterinarian who administered the vaccine referenced in Section 4(B) above, serially numbered and bearing the year of issuance and the name of the jurisdiction and state.
- D. Duplicate Tags. In the event of loss or destruction of the original tag provided in Section 4(B) above, the owner of the animal shall obtain a duplicate tag from the veterinarian who administered the vaccine referenced in Section 4(B) above upon presentation of the above-described certificate or of other evidence satisfactory to the veterinarian that an original tag was issued and has been lost or destroyed. The owner of the animal shall also, within five (5) days of loss or destruction of the original tag, report, in writing, such events to the Town Clerk and to the agency responsible for the issuance of the original tag.
- E. Proof. It is unlawful for any owner or harbored of any dog, cat or other animal to fail to cause an animal owned or harbored by him or her to be vaccinated as required by this Ordinance or to fail or refuse to exhibit his or her copy of the certificate of vaccination upon demand to any police officer, animal control officer or other person charged with the enforcement of this Ordinance.

## Section 5. – Reporting of Bites

- A. Duty to Report. Any person having knowledge of an animal bite or attack or of any other infliction of injury by an animal upon a human being or other animal shall promptly, but in any event within twenty-four (24) hours, report the incident to the animal control officer, any police officer, the public health veterinary section of the State Department of Health or the County Health Officer.
- B. Quarantine. Any animal which has bitten, or is suspected of biting, a human being or other animal shall be placed under observation for a period of ten (10) days from the date of the bite. The procedure and place of observation shall be designated by the animal control officer or other investigating officer, with the preference being given to confinement at the owner's premises if, in the sole judgment of such officer, the owner can and will adequately assure confinement. If the animal is not confined on the owner's premises, confinement shall be in the Town or County animal shelter or at any veterinary hospital of the owner's choice. Such confinement shall be at the expense of the owner. Stray animals whose owners cannot be located shall be confined in the Town or County animal shelter. The owner of any animal that has been reported as having inflicted a bite on any human being or other animal shall, on written demand of an animal control officer, produce the animal for quarantine as prescribed in this Section. It shall be unlawful for any owner to fail to comply with any such demand to produce an animal for quarantine, and each day of such refusal shall constitute a separate and individual violation.
- C. Removal from Quarantine. It is unlawful for any person to remove from any place of isolation or quarantine any animal which has been isolated or



quarantined as authorized, without the consent of the impounding agency or animal control officer.

- D. Observation during Quarantine. The purpose of quarantine under this Ordinance shall be to determine whether such animal is afflicted with rabies or other disease which may be communicable to human beings or other animals and to prevent, during such period, further contact between such animal and human beings or other animals. Accordingly, any animal control officer, police officer, representative of the public health veterinary section of the State Department of Health or any veterinary designated by any such officer or representative or by the Town shall have the right to examine such animal at any reasonable time; and any owner or other person in custody or control or harboring such animal during such quarantine period shall permit such examination and make the quarantined animal available therefor.

#### Section 6. – Impoundment

- A. Animal Shelter. Until further resolution or ordinance by the Town Council, the animal shelter owned and operated by the County is hereby designated as the animal shelter for the Town.
- B. Removal of Animals. It is unlawful for any person to remove any impounded animal from the animal shelter without consent of the animal control officer.
- C. Removal of Animals from Quarantine. Animals impounded because of bites, or suspicion thereof, shall not be removed from the pound until after expiration of a ten-day observation period and until a release has been

obtained from the County Health Officer.

- D. Disposition of Licensed and Vaccinated Animals. As soon as practicable after impoundment, notice of impoundment shall be posted in a conspicuous place at the Town Hall for not less than ten (10) business days. If the owner or reputed owner of the impounded animal is known to the animal control officer, he or she shall make a reasonable effort to give prompt written, telephonic or verbal notice to such owner or reputed owner. Notice in writing shall be deemed sufficiently given as of the date of posting in the United States mail, if mailed by regular mail, postage prepaid, addressed to any owner or reputed owner known to the animal control officer at his or her last known address as shown in the animal licensing records of the Town or by the last issue of the Town telephone directory. In no event shall the Town or any animal control officer be liable for failure or inability to notify an owner of such animal. Any impounded animal which is licensed and vaccinated for rabies pursuant to the terms of this Ordinance may be redeemed by the owner upon payment of the impound fee and care and feeding charges fixed by this Division, or by any subsequent resolution or ordinance adopted by the Town Council, any veterinary charges incurred for such animal, and such other reasonable and necessary costs as have been incurred in the keeping of such animal and are set by the animal control officer. If such animal is not removed from impoundment within ten (10) business days after the posting of notice of impoundment, it shall be deemed abandoned and the animal control officer may humanely euthanize the animal under the supervision of a licensed veterinarian, or take such other steps, such as placing the animal for adoption, as is in the best interests of the community.

E. Disposition of Unlicensed or Unvaccinated Animals. As soon as practicable after impoundment, notice of impoundment shall be posted in a conspicuous place at the Town Hall for not less than ten (10) business days. If the owner or reputed owner of the impounded animal is known to the animal control officer, he shall make a reasonable effort to give prompt written, telephonic or verbal notice to such owner or reputed owner. Notice in writing shall be deemed sufficiently given as of the date of posting in the United States mail, if mailed by regular mail, postage prepaid, addressed to any owner or reputed owner known to the animal control officer at his or her last known address as shown in the animal licensing records of the Town or by the last issue of the Town telephone directory. In no event shall the Town or any animal control officer be liable for failure or inability to notify an owner of such animal. Any impounded animal which is not licensed or vaccinated for rabies pursuant to the terms of this Ordinance may be redeemed by the owner upon payment of the impound fee and care and feeding charges fixed by this Section, or by any subsequent resolution or ordinance adopted by the Town Council, any veterinary charges incurred for such animal, and such other reasonable and necessary costs as have been incurred in the keeping of such animal and are set by the animal control officer, and in the case of a dog required to be licensed under this Ordinance and/or a dog or cat required to be vaccinated under this Ordinance, upon purchase of such license and/or completion of such vaccination, or proof that such vaccination has occurred, as the case may be. If such animal is not removed from impoundment within ten (10) business days after the posting of notice of impoundment, it shall be deemed abandoned and the animal control officer may humanely euthanize the animal under the supervision of a licensed veterinarian, or take such other steps as



placing the animal for adoption, as is in the best interests of the community.

F. Pound Fees and Charges.

1. The owner or keeper of any animal impounded under this Ordinance shall pay the impoundment, feeding, keeping and other charges as established by the County, and no person may reclaim any animal until such fees are paid. If the owner or keeper fails or refuses to pay when due any charge imposed under this Section, the Town may, without limitation, certify the charge to the County Treasurer for collection by the County in the same manner as delinquent general taxes upon property are collected. Fees may include:
  - a. Any veterinary charges incurred for such animal.
  - b. Any such other reasonable and necessary costs as have been incurred in the keeping of such animal and are verified by the animal control officer.
  - c. Any and all costs of euthanasia of such animal or of placing the said animal for adoption.
2. Any amounts payable by the owner of an animal pursuant to this Section shall be nonrefundable.

# TOWN OF KEYSTONE, COLORADO

## STAFF REPORT

TO: Mayor & Town Councilmembers  
THROUGH:  
FROM: John Crone, Town Manager  
DATE: May 27, 2025  
SUBJECT: Advisory Committees

---

### **Executive Summary:**

The purpose of this work session item is to discuss the formation and operation of advisory committees that are organized by the Town.

### **Background:**

Recently, with the advancement of the Comprehensive Plan and the completion of stage 1 of the RTAP program, the Town has reached a point where the Council could greatly benefit from the efforts and insights of various advisory committees. The Town has already established a Planning Commission. It is in the process of forming trails and open space committee, a business advisory committee, and a marketing and tourism committee.

The Town Charter calls out the need for committee membership to be “representative of the entire Keystone community.” However, when establishing committees, the Council needs to focus on the purpose of the committee and determine membership based on needs. For example, the marketing committee will be used to inform the Council on marketing opportunities and practices, as well as tourism

partnerships. Members on this committee should exhibit a degree of industry knowledge if they are to be valuable contributors to any recommendations. Other committees will be better served by encouraging a wide range of skills, knowledge, and viewpoints among the members. For example, members of the trails and open space committee will not need to know details about how to build trails, they will only need an opinion about where trails, parks, and open space should be located.

The Keystone Town Charter, sections 9.1 and 9.2, outline the minimal regulations that the Town must meet when setting up committees. Section 9.1 gives the Council the authority to create committees by resolution or ordinance. Section 9.2 requires that the members of a committee “shall be appointed by the Town Council in accordance with an Ordinance or Resolution setting forth the number of members, qualifications, terms, appointment procedures and compensation, if any, for each board, commission or committee.”

The Charter goes on to limit participation in committees by Councilmembers and employees. Councilmembers “shall only sit as advisory members or liaison members. on a board, commission, or committee.” Employees “may not serve on a board, commission , or committee related to their work function.” However, employees can (and should) serve as staff on committees.

The reason to limit Council and staff participation on these committees is because staff and Council have multiple opportunities to influence policies outside of committees. The committees are only established to give advice to the Council (and staff). The committees, unlike the Council, do not determine any Town policies.



# TOWN OF KEYSTONE, COLORADO

## STAFF REPORT

TO: Mayor & Town Councilmembers  
THROUGH:  
FROM: John Crone, Town Manager  
DATE: May 27, 2025  
SUBJECT: Bear-Proof refuse Container Grants

---

### **Executive Summary:**

The purpose of this work session item is to discuss a grant program for bear-proof refuse containers.

### **Background:**

Town Council recently passed an ordinance requiring most residents to have bear-proof refuse containers. This ordinance goes into effect in August 2025 for individuals and August 2026 for dumpsters.

The ordinance requires that individuals either store their refuse in an enclosed area or that they have bear-proof refuse containers. There are over 600 single-family homes and duplexes in our community. However, most of these units use common dumpsters. Staff estimates that there are well less than two hundred individuals with refuse containers in the Town. Many of these customers already keep their containers in sheds or garages.

Bear-proof refuse containers generally run from \$300-\$500 per can. Customers can rent bear-proof containers from most garbage haulers, however, staff believes that

any grant program would be too difficult to administer if the Town made rental subsidies. Some refuse haulers rent bear-proof containers for prices ranging from \$15-\$20 per month.

Dumpster enclosures are required by August 2026. Most enclosures are already wildlife-proof or can be readily changed. Costs for a new enclosure, including design, can top \$60,000. There are several hundred dumpsters located throughout Keystone.

Summit County recently ran a grant program that gave up to \$400 to residents who upgrade their trash bin or \$600 for trash enclosures, and up to \$3,000 toward commercial dumpster or garbage enclosure upgrades. There is still some money available in this program

CPW is running a grant program for bear-proof refuse containers. The program focuses on funding organizations that fund individuals. Staff has talked to the person in charge of this grant. CPW has \$1,000,000 in grants that they will fund this year. The applications are due May 30, and the grants will be awarded in July. The CPW staff believes that Keystone will likely be given an award of up to \$50,000.

Staff recommends that we consider a two-part grant proposal. Depending on how much the Council desires to guarantee in funding (before CPW grants are awarded), we could start a program this year for individual containers. It may be possible in August to open the program to dumpster owners. Depending on funding, the dumpster grants could be limited to around \$1000 to fund design or the Town could pay a higher amount. Council can reconsider the dumpster portion of the grant later this summer when we are sure of a CPW award.

In order to create the grant program, staff needs input from the Council on how it wishes to proceed. Staff recommends that the Council establish an initial grant fund of \$40,000 to \$50,000 (there is sufficient surplus in our budget to create this program). This money could serve as a match for CPW funds if they are awarded to the Town.

Staff is seeking guidance but recommends that at the start the program be limited to individual containers. It would be helpful to limit the grant to a percentage of the cost (80%) with a maximum grant award (\$300). The program could also include a reimbursement of rental cost after the first year. Rental reimbursement should also be limited by percentage of cost and maximum amounts.

Staff also recommends that the program be set up as a first-come / first-served program. The awards should be limited to the amount budgeted by the Council. If there is a greater need than anticipated, the Town Council can readdress the apportionment.

After analysis of the program, it may be expanded to assist with dumpster enclosure design and construction in 2026.