Town of KEYSTONE Colorado

Keystone Town Council
Agenda

The Keystone Town Council will have a Special Meeting on October 14, 2025, at 4:00 p.m. at 1628 Sts. John Rd, Keystone, CO 80435.

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

I. Call to Order, Roll Call

II. Pledge of Allegiance

III. Approval of Agenda

IV. Town Council Member Vacancy

- **A. Council Member Vacancy Interviews**
    1. **Interview of Applicant Christy Camp**
    2. **Interview of Applicant Blaine Rhoden**
    3. **Interview of Applicant Jay Allen**
    4. **Interview of Applicant Don Thomas**
- **B. Nomination of Candidates and Voting**
- **C. Resolution 2025-34, A Resolution of Town Council of the Town of Keystone, Colorado, Appointing an Individual to Fill a Councilmember Vacancy on Town Council**
- **D. Oath of Office**

V. Communications to Council

VI. Discussion

A. Discussion of Speed Limits

B. Discussion of Bear Ordinance Changes

C. Discussion of A51 Plans

D. Discussion Regarding Certain Charitable Donations

VII. Consent

A. First Reading of Ordinances

1. Ordinance 2025-O-17, An Ordinance of Town Council of the Town of Keystone, Colorado, Adopting a Code of Ethics and Imposing Penalties for Violations Thereof

B. Resolutions

C. Meeting Minutes

1. September 23, 2025 – Meeting Minutes

D. Excused Absences

E. Other

VIII. Business

A. Consideration of Ordinances

1. [First Reading] Ordinance 2025-O-16, An Ordinance of Town Council of the Town of Keystone, Colorado, Adopting Regulations Related to Natural Medicine

B. Resolutions

1. Resolution 2025-35, A Resolution of Town Council of the Town of Keystone, Colorado, Supporting the Acquisition of a Post Office and a Unique Zip Code

C. Other

IX. Planning Matters

X. Report of Town Manager and Staff

XI. Report of Mayor and Council

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

XIII. Scheduled Meetings

XIV. Executive Session

XV. Adjournment

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: John Crone, Town Manager
FROM: Madeleine Sielu, Town Clerk
DATE: October 14, 2025 – Council Meeting
SUBJECT: Interviews, Selection, and Appointment of Vacancy for Town Councilmember

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Executive Summary:

On August 21, 2025, Valerie Thisted submitted her resignation from the Keystone Town Council, effective immediately. The Town Council discussed the vacancy at its next regular meeting on August 26, 2025. Town Council decided to open an appointment process to fill the vacancy. Interviews, selection, and appointment of a new Councilmember to fill the vacancy were scheduled for October 14, 2025.

Background:

Town Council discussed the vacancy at its regular meeting on August 26, 2025, and decided to open an appointment process to fill the vacancy. Interested candidates were given an opportunity to submit applications to the Keystone Town Clerk until October 6, 2025. Notice was posted on the Town website, the Town's Nextdoor and Facebook pages, and in the Summit Daily. Candidates were directed to submit a letter of interest to the Town Clerk and were notified that interviews were scheduled to take place on Tuesday, October 14, 2025.

The Town Clerk received four submissions for the vacancy. The Town Clerk verified with the Summit County Clerk and Recorder, that the applicants were registered electors of the Town at the time of appointment (October 14, 2025), as is indicated as a qualification in the Keystone Town Charter Section 2.6 (a). Additionally, applicants were asked to attest that they met the eligibility requirements outlined in the Town Charter Section 2.6 (a), which read “I verify that I am eligible to hold Town Elective Office, and at the time of appointment (October 14, 2025), I will be a Primary Resident as defined by the laws of the State of Colorado and registered elector of the Town. Additionally, I verify that at the time of appointment, I will have had Primary Residency, as residency is defined in C.R.S. 31-10-201(3) within the boundaries of the Town for at least one year immediately preceding appointment.”

All applicants were identified as registered electors within the Town of Keystone and returned the signed attestation. Submission materials provided by the applicants have been attached to this staff report for reference.

Town Council will hold an interview with each of three applicants at this afternoon’s meeting in the following order: beginning with Christy Camp, then Blaine Rhoden, then Jay Allen, and then Don Thomas. Interviews are expected to take approximately a half hour per candidate.

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

Suggested Motions:

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

FOR APPOINTMENT:

I move to approve Resolution 2025-34, a Resolution Of Town Council Of The Town Of Keystone, Colorado Appointing An Individual To Fill A Councilmember Vacancy On Town Council and appointing ___________________ as Councilmember.

Attachments:

- Christy Camp Application Materials
- Blaine Rhoden Application Materials
- Jay Allen Application Materials
- Don Thomas Application Materials
- Resolution 2025-34, A Resolution of Town Council of The Town of Keystone, Colorado Appointing an Individual to Fill a Councilmember Vacancy on Town Council
- Oath of Office

TOWN OF KEYSTONE
Summit County, Colorado

RESOLUTION 2025-34

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

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

WHEREAS, on August 21, 2025, Councilmember Valerie Thisted submitted her resignation effective immediately, and such resignation created a vacancy on Town Council; and

WHEREAS, on August 26, 2025, at the regular meeting, Town Council directed staff to prepare applications for an appointment process to fill the vacancy on Town Council; and

WHEREAS, at its regular meeting on October 14, 2025, Town Council interviewed applicants for the appointment to Town Council; and

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

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

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

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

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

ADOPTED by a vote of ___ in favor and ___ against, this 14th day of October 2025.

By: ______________________________

Kenneth D. Riley, Mayor

ATTEST:

By: ____________________________
Town Clerk

Approved as to Form:

By: _______________________________
Town Attorney

Outlook

Re: Town Council Vacancy

From Christy CAMP <christy.camp@icloud.com>
Date Thu 10/9/2025 12:17 PM
To Maddy Sielu <msielu@keystoneco.gov>

2 attachments (271 KB)
Eligibility_Affidavit.pdf; Christy_Camp_Resume Keystone.pdf;

Hi Maddy

Here are PDF files of my affidavit and resume. I am also including my original letter of interest in this email. Please let me know if you need anything else.

Best,
Christy Camp
Camp Grants

christy.camp@icloud.com

Dear Keystone Town Council,

I'm writing to express my strong interest in becoming a member of the town council. As a Keystone resident, I'm especially invested in the future of our mountain community. Towards this aim, I've proactively sought out opportunities to educate, engage, and empower our youth. I've been organizing and teaching Creative Source Funding for Environmental Action and Living Soil-How and Why to Compost for two years at Keystone Science School's Community Day, Summit School District (pre-k through middle school), Blue River Watershed Group's Volunteer Celebration (all ages) and the Dillon Farmers Market (all ages) with Friends of Dillon Ranger District and other volunteers.

From a young age, service has been a vehicle to give back to my local community. As a teen, I successfully led the effort to restore a student/pro dance party at summer tennis camp. In college, I organized and led study groups for my fellow students. When my sons were in elementary school, I coordinated an effort to bring together the local water company, district irrigation team, and parent volunteers to donate and install a water-wise garden on campus grounds. Additionally, I led the district as Chairperson for the Gifted and Talented Education Committee for three years.

I consider myself a “forever student” with a passion for learning all I can about environmental stewardship and natural resources so that I can pass that knowledge on to the future leaders of the community. I recently pursued a certificate in Water Studies through Metropolitan State University of Denver. I feel confident that my background in global and local water studies would allow me to support Keystone’s efforts to educate the community around water use and efficiency. In that way, I believe we can build a bridge with agricultural and other Colorado communities.

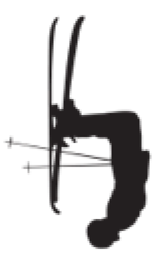
Thank you for considering me for this position. Feel free to contact me with any questions or concerns.

Sincerely,

Christy Camp
407.242.0108

Camp Grants
christy.camp@icloud.com
Lead Environmental Stewardship

Programs - Shane McConkey Foundation
shanemcconkey.org



"Pawsitive Impact" | GHS ILC

Christy Camp

christy.camp@icloud.com

(407) 242-0108

Equipped with strong problem-solving abilities, willingness to learn, and excellent communication skills. Poised to contribute to team success, achieving positive results. Ready to embrace new challenges, advancing the Town of Keystone's objectives with dedication and enthusiasm.

Skills

- Data analysis
- Grant research, administration, and compliance
- Team and project management
- Strategic planning

Work History

2023 - Current

Outreach & Grant Research *Shane McConkey Foundation*

- Collaborate with organizations in Summit County: Friends of Dillon Ranger District, Blue River Watershed Group, High Country Conservation Center
- Recruit National Partners: Earth Force, Green Schools Campaign
- Organize and lead fundraisers at Snobahn, engaging local schools- families
- Establish events benefiting Shane McConkey Foundation Eco Challenge

2009 - Current

Owner *Camp Grants, Keystone CO*

- Establish Community Programs (Summit School District and Conejo Valley Unified School District): Afterschool, Half-Day, Earth Day, Eco-Art Program, Recycling, Xero scaping
- Create and teach courses in recycling and composting
- Research, write, attain grants for recycling cans and afterschool programs
- Assess campus compliance with trash audit performed by local Waste Management
- Prepare cost/benefit analysis, recruit speakers for events such as Parent Support, Noetic Math and Problem-Solving Clubs as G.A.T.E. Chair

Education

2002

Bachelor of Science in Business Administration
Minor in Managerial Accounting Pepperdine University, Malibu, CA

- 3.55 GPA

2023-2024

Recent Coursework: *Grant Writing, Excel I & II, Fundraising for Non-Profits, Non-Profit Leadership, Colorado Water & American West, Water Law, Global Water*

Blaine Rhoden
379 Meisel Drive
Keystone, CO 80435
blainerhoden@gmail.com
772-643-6764
September 30, 2025

Town of Keystone
Keystone Town Council
1628 Saints John Rd
Keystone, CO 80435

Re: Letter of Interest – Keystone Town Council Vacancy

Dear Members of the Keystone Town Council,

My name is Blaine Rhoden, and I am writing to express my interest in serving on the Keystone Town Council. I have lived in Colorado for the past six years and, for the last year, have been proud to call Keystone my home. Though originally from Florida, Keystone has become deeply meaningful to me and my family. My wife has been visiting Keystone for over twenty years, and together we have created some of our most cherished memories here. I proposed on our street in Keystone, and we celebrated our wedding on the mountain at Timber Ridge just last year. We now look forward to starting our family here, as we truly see Keystone as one of the most family-friendly towns in the state.

What makes Keystone so special is its unique small-town character. While growth is inevitable, I am committed to ensuring that our community maintains its charm, warmth, and identity as it evolves. I want to leverage my education and professional experience to help guide that growth in a way that benefits both residents and visitors. As a graduate of the University of Denver's Sturm College of Law and now an associate at a Colorado-based private equity firm, I bring both legal training and business expertise that I believe will be valuable to the Council's work.

Equally important, I moved to the mountains to be more engaged in my community and to contribute to making Keystone an even better place to live. I am particularly interested in working on issues that I know affect our residents and visitors every day. These include:

- **Safety on U.S. Highway 6**: My wife and I are acutely aware of how dangerous this stretch of road can be, and I believe enhancing safety must be a priority as Keystone continues to grow.

- **Access to nature**: Our access to trails, mountains, and open spaces is one of the greatest assets of Keystone, and I want to ensure these opportunities are both preserved and enhanced.
- **Efficient, lean government**: I believe Keystone can serve as a model for how small towns deliver effective, transparent services while respecting taxpayers and staying responsive to community needs.

I am enthusiastic about the opportunity to contribute to the Council's work and to help Keystone continue to thrive as a safe, welcoming, and family-oriented town. I would be honored to serve and to bring my skills, experience, and passion for this community to the Council.

Thank you for considering my application. I look forward to the possibility of contributing to Keystone's future and to discussing how I can best serve our community.

Sincerely,

Blaine Rhoden

Blaine A. Rhoden

379 Meisel Drive, Keystone, Colorado, United States | 7726436764 | blainerhoden@gmail.com

PROFILE

Dynamic investment professional with over five years of experience in venture capital, growth equity, and cannabis-related projects. As an Associate at a private equity fund with a Juris Doctor degree, I support all aspects of operations, from LP outreach, fund audits, and valuations to financial modeling and portfolio management. I drafted due diligence materials, conducted underwriting and valuation analysis, and actively contributed to Investment Committee meetings to drive informed decision-making. My role spans the full life cycle of the investment process, including initial company calls, management questionnaires, and legal collaboration on compliance and structuring. Working at a boutique firm has equipped me with a broad, hands-on skill set that enhances operational efficiency while fostering growth across diverse investment opportunities.

EDUCATION

University of Denver Sturm College of Law – J.D. – 3.47 GPA

May 2019 — May 2022

Sturm Law Scholar – Awarded full-tuition merit-based scholarship – Vice President of DU's Student International Cannabis Bar Association – Pioneer Venture Group Member

University of Florida – B.S. in Food and Resource Economics and a Minor in Agricultural Law – 3.65 GPA

May 2018

Graduated Cum Laude - Founding member of Big Heart Gators Club, helping enroll students in an organ donor program - College of Agriculture and Life Sciences Dean's List - Brannan Family Scholarship recipient - Hal W. Lively Scholarship recipient - Wayne Hawkins Scholarship recipient - Phi Kappa Phi Honor Society

WORK EXPERIENCE

Associate, KEY Investment Partners, LLC, Denver

2023 — 2025

- Supported operations in venture capital and growth equity, focusing on cannabis-related projects through the life cycle of deals, including initial company calls, management questionnaires, due diligence, underwriting, and valuation analysis.
- Drafted and organized due diligence materials for Investment Committee meetings to facilitate informed decision-making.
- Managed portfolio performance through financial modeling, quarterly valuations, and fund audits.
- Led LP outreach efforts and enhanced fund operations by streamlining processes and data management.
- Collaborated with legal teams on compliance and structuring matters to ensure regulatory adherence.

Analyst, KEY Investment Partners, LLC

2020 — 2023

- Analyzed VC and growth equity deals at KEY Investment Partners, contributing to informed decision-making processes.
- Drafted due diligence documents and valuation analyses for Investment Committee meetings.
- Participated in LP outreach efforts, enhancing relationships with potential investors.
- Conducted portfolio management and compliance reviews, ensuring adherence to legal and financial standards.
- Collaborated on financial modeling to support investment strategies.

Law Clerk, Wysocki Law Group, PC

2021

- Managed diverse cannabis and hemp projects across jurisdictions, enhancing compliance and strategic insights.
- Drafted and reviewed corporate documents, including trademark applications and transfer agreements, streamlining client processes.
- Created comprehensive hearing packets for Needs and Desires hearings, ensuring thorough preparation.
- Analyzed and responded to deficiency notices, improving client outcomes through diligent legal support.

Operations Support Assistant, University of Florida, Gainesville

2018 — 2019

- Designed and maintained Excel reports to track undergraduate admissions data and support daily operations for the enrollment management team, while supervising a team of 10+ student workers across diverse responsibilities.

PERSONAL

Interests

Cycling, traveling, cooking, finance, and researching cryptoassets.

VOLUNTEER EXPERIENCE

DU Sturm College of Law Alumni Council Member, Denver

Aug 2025

- Selected as one of 25 alumni to serve on the Alumni Council, collaborating with the Dean and peers to strengthen alumni engagement and student support.
- Contribute to initiatives that enhance the alumni network, mentor students, and support philanthropic efforts for the law school.

Oct. 5, 2025

Dear Members of the Keystone Town Council,

I am writing to express my interest in filling the vacant seat on the Keystone Town Council. Having been an active part of the Keystone community since 2012, I care deeply about the future of our town and the well-being of its residents.

As a retired Colonel in the United States Air Force and a physician with over two decades of leadership experience in family and aerospace medicine, I have built my career on service, collaboration, and problem-solving. I have had the privilege of working across diverse communities and organizational levels—from small rural clinics overseas to executive hospital leadership in the U.S.—where I partnered with colleagues to improve systems, allocate resources wisely, and make data-driven decisions.

Since making Keystone our home, I have become familiar with the unique opportunities and challenges facing our town as it grows. I believe my background in public health, organizational leadership, and policy oversight would allow me to contribute meaningfully to Council discussions and decisions. Most importantly, I bring a strong commitment to listening, building consensus, and representing the voices of Keystone's residents with fairness and integrity.

If selected, I would be honored to serve out the current term through April 2026, and to work with the Council to help ensure Keystone remains a vibrant, welcoming, and sustainable community for all who live, work, and visit here.

I would be glad to provide personal references from fellow community members if desired, and I welcome the opportunity to meet with you to further discuss how I can contribute to the Council's work.

Thank you for your consideration.

Respectfully,

Jay Ronald Allen, MD, MPH
Colonel, United States Air Force (Ret.)
37 Rasor Court, Keystone CO 80435
rballen3@hotmail.com
781-605-7815

Jay Ronald Allen, MD, MPH

Colonel United States Air Force (Ret.) | Family Medicine | Aerospace/ Preventive Medicine
22864 US Hwy 6, Keystone, CO | rballen3@hotmail.com | 781-605-7815

A dedicated leader, executive, and public health expert with diverse experience across a broad spectrum of operational, community, and hospital settings throughout the world. Critical thinker with expertise ranging from acute patient-centered care to contingency operations and US Air Force policy generation, evaluation, and oversight. Excellent collaborator on all levels, from partnering with small rural clinics in Iraq to establishing an Air Force-wide benchmark program revamping Emergency Medical Services for MacDill AFB and the city of Tampa, FL. Focused, data-driven decision maker with eight years of hospital executive-level experience. Collaborated, critically assessed, analyzed, and problem-solved with military Leaders for efficient utilization of resources while fostering innovation. Partnered with local community leaders to improve environmental, public health, and contingency operations. Integrated and developed health care networks for US military beneficiaries throughout Europe and Africa.

EDUCATION:
2013 Residency of Aerospace Medicine, USAF School of Aerospace Medicine, Wright-Patterson AFB, OH
2012 Master of Public Health, Harvard University, Cambridge, MA
2000 Chief Resident, University of Colorado Swedish Family Medicine Residency, Littleton, CO
1997 Doctor of Medicine, University of South Alabama College of Medicine, Mobile, AL
1992 Bachelor of Science, Biomedical Sciences, Auburn University, Auburn, AL

PROFESSIONAL LICENSE: Medical Doctor, Colorado #37419

CERTIFICATIONS:
Board-certified in Family Medicine
Board eligible in Aerospace/Preventive Medicine

EMPLOYMENT HISTORY:

- Jan 2025 - present, Retired
- Aug 2023 - Jan 2025, Regional Medical Director Eurasia-Africa, International SOS
- Aug 2020 - Aug 2023, Contract staff physician for federal medical treatment facilities
- July 2017 - Aug 2020, Dept. of the Air Force Inspector General, Medical Inspector, Kirtland AFB, NM
- July 2015 - July 2017, Aerospace Medicine Squadron Commander, MacDill AFB, FL
- July 2013 - July 2015, Chief of Aerospace Medicine, Kirtland AFB, NM
- June 2012 - July 2013, Resident of Aerospace Medicine, Wright Patterson Air Force Base, OH
- July 2011 - May 2012, MPH Student, Harvard University, Cambridge, MA
- Sept 2008 - June 2011, Chief of Aerospace Medicine, RAF Lakenheath, UK
- Aug 2005 - July 2008, Chief of Aerospace Medicine, Buckley AFB, CO
- Sept 2002 - July 2005, Contingency Response Group physician, Ramstein Air Base, Germany
- Aug 2000 - Aug 2002, Staff Physician, Buckley AFB, CO

PUBLICATIONS:
“You’re the Flight Surgeon: Irritable Bowel Syndrome,” Aviation, Space & Environmental Medicine
“Obstructive Sleep Apnea in Aviators,” Federal Aviation Administration Bulletin
“Irritable Bowel Syndrome,” United States Air Force Waiver Guide
“Colorectal Cancer,” United States Air Force Waiver Guide

PRESENTATIONS:
“Traumatic Brain Injury in USAF Aviators,” Aerospace Medical Association Annual Meeting
“Case Report: Hydrocephalus in a USAF Aviator,” Aerospace Medical Association Annual Meeting

Donald Thomas

464 Montezuma Road

Keystone, CO 80435

970-409-9133

dnldthomas@gmail.com

August 27, 2025, 2025

Town Clerk

Town of Keystone

1628 Sts John Road

Keystone, CO 80435

Re: Letter of Interest – Keystone Town Council Vacancy

Dear Clerk,

Please accept this letter as my formal expression of interest in the recently announced vacancy on the Keystone Town Council. As a full-time resident of Keystone for more than twenty-five years, a registered elector, and someone who has been deeply involved in the life of this community, I would be honored to serve in this interim capacity through the April 2026 municipal election.

My background combines decades of experience as a Realtor in Summit County with a strong understanding of the challenges and opportunities facing Keystone as a newly incorporated town. I have a deep familiarity with our land-use, housing, and development issues, as well as the unique balance between sustaining our resort economy and preserving the character of our community. I have worked closely with local homeowners, prospective buyers, and long-standing community members, giving me a broad perspective on the needs and aspirations of Keystone residents.

I am fully able to commit to the Council's schedule, including work sessions and meetings on the second and fourth Tuesdays of each month. I am also available on October 14, 2025, for interviews.

I believe my long-term commitment to Keystone, my professional expertise, and my collaborative approach would allow me to contribute meaningfully to the Town Council during this period of important growth and decision-making.

Thank you for considering my application. I look forward to the opportunity to serve Keystone in this capacity.

Sincerely,

Don

Donald Thomas

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH:
FROM: John Crone, Town Manager
DATE: October 14, 2025
SUBJECT: Town Speed Limits

Executive Summary:

The purpose of this itemis to discuss imposing speed limits on Town roads.

Background:

In becoming a town, Keystone took ownership of all previously county-owned right-of-ways (ROWs). The attached map shows these roads in red. Since our last road discussion, the Town has determined that North Fork Road, Meisel Road, Gondola Road, and Wayback Drive are actually public roads that had private maintenance required instead of being maintained by the County.

Some of the roads are still posted with the County speed limits (Montezuma – 30; Soda Ridge Rd. – 30). The Model Traffic Code, as adopted by the Town, has speed limits for certain types of roads; however, the Town can set its own specific speed limits.

MTC:

(2) Except when a special hazard exists that requires a lower speed, the following speeds shall be
lawful:

(a) Twenty miles per hour on narrow, winding mountain highways or on blind curves;

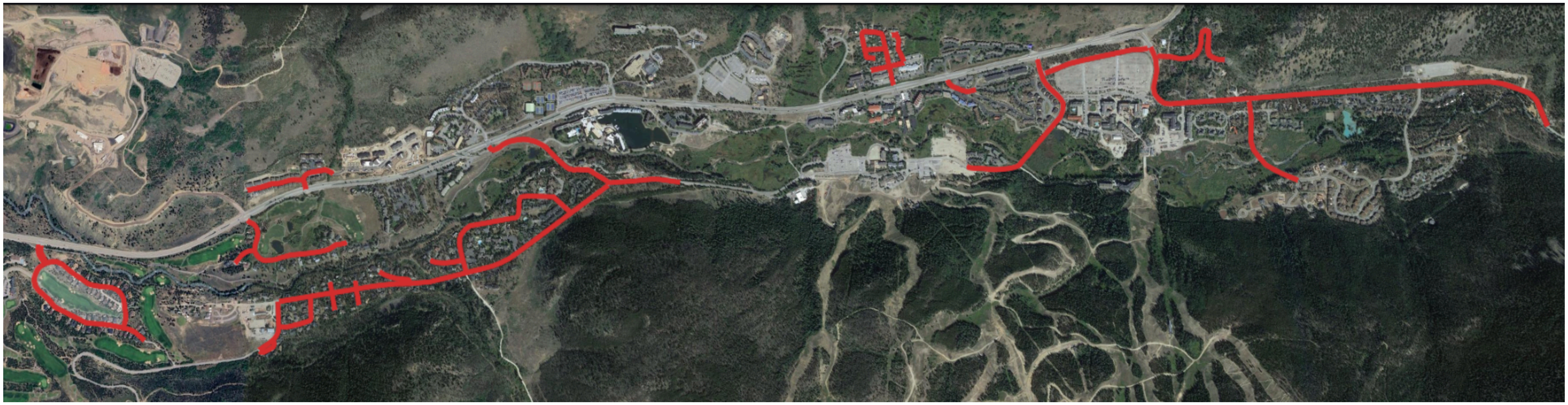
(b) Twenty-five miles per hour in any business district, as defined in section 42-1-102(11);

(c) Thirty miles per hour in any residence district, as defined in section 42-1-102(80);

(d) Forty miles per hour on open mountain highways;

Next Steps:

Staff would like guidance on recommended speeds for each of the Town-owned roads. Staff will then draft an ordinance setting such speed limits.



TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers

THROUGH:

FROM: John Crone, Town Manager

DATE: October 14, 2025

SUBJECT: Bear-Proof refuse Container

Executive Summary:

The purpose of this item is to discuss amending the Town's bear-proof refuse containers.

Background:

On March 11, 2025, Town Council 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 dumpster enclosures.

The Town was just awarded a $40,000 grant to help pay for the new equipment that may be required by individuals and businesses in order to comply with the ordinance.

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.

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.

The ordinance as adopted does allow for the Town Manager to grant exemptions for commercial dumpsters that cannot build enclosures. This exemption allows businesses to use a bear-proof dumpster if it is impossible to build an enclosure.

After discussions with CPW, staff is recommending that we make two changes to the ordinance.

The first change is in Section 3 – Definitions. The current definition for wildlife-proof refuse containers reads: WILDLIFE-PROOF REFUSE CONTAINER: A container used for the storage of refuse that has been certified to be wildlife-proof by the Colorado division of wildlife, the U.S. park service, or the U.S. forest service. A container not so certified, is considered a wildlife-proof refuse container if it is fully enclosed, of sturdy construction, and includes a latching mechanism suitable to prevent wildlife from opening the container. Latching mechanisms shall allow a gap between the container lid of no more than one- half inch ($^{1}/_{2}$"). Latching mechanisms shall keep the lid closed in the event the container is turned on its side or upside down. Wildlife-proof refuse containers may include drain holes no larger than one inch (1") in any dimension.

Staff recommends that the definition be changed to allow for containers approved by the Interagency Grizzly Bear Committee and remove the consideration of non-certified containers. The new definition would read: WILDLIFE-PROOF REFUSE CONTAINER: A container used for the storage of refuse that has been certified to be wildlife-proof by the Colorado division of wildlife, the U.S. Park Service, Interagency Grizzly Bear Committee, or the U.S. Forest Service. ~~A container not so certified, is considered a wildlife-proof refuse container if it is fully enclosed, of sturdy construction, and includes a latching mechanism suitable to prevent wildlife from opening the container. Latching mechanisms shall allow a gap between the container lid of no more~~

~~than one- half inch ($^1/_2$"). Latching mechanisms shall keep the lid closed in the event the container is turned on its side or upside down~~. Wildlife-proof refuse containers may include drain holes no larger than one inch (1") in any dimension.

The second recommended change is in Section 5(B), which allows for exemptions to the requirement for dumpster enclosures. The proposed change would allow any establishment (not just commercial), to meet the requirements of the ordinance by using a certified dumpster. The proposed change would read: B. ~~If a commercial~~ An establishment ~~cannot construct a dumpster enclosure, it~~ may petition the Town Manager to allow the use of a wildlife-proof refuse container as an alternative.

Next Steps:

If the Council approves of these changes, staff will draft an ordinance implementing the proposed changes..

TOWN OF KEYSTONE
ORDINANCE NO. 2025-O-06

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

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

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

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

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

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

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

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

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

Section 3. Any and all Ordinances or Codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such Ordinance or Code or part thereof shall not revive any other section or part of any Ordinance or Code provision heretofore repealed or superseded.

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

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

INTRODUCED, READ AND PASSED AS AN ORDINANCE, ON FIRST READING, AND SCHEDULED FOR PUBLIC HEARING ON MARCH 11, 2025, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS

11th DAY OF FEBRUARY, 2025.

____
Kenneth D. Riley, Mayor

ATTEST:

____
Town Clerk

APPROVED AS TO FORM:

____
Town Attorney

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

____
Kenneth D. Riley, Mayor

ATTEST:

____
Town Clerk

APPROVED AS TO FORM:

____
Town Attorney

Exhibit A
Town of Keystone Wildlife-Proof Refuse Container Ordinance

Section 1. – Title.

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

Section 2. - Purpose.

The purpose of this Ordinance is to require wildlife-proof enclosures and/or wildlife-proof containers for all refuse that might be considered a wildlife attractant in order to protect the property, health, welfare, peace or safety of its citizens, inhabitants and visitors.

Section 3. - Definitions.

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

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

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

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

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

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

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

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

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

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

<u>Section 4.</u> – Residential Refuse Disposal

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

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

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

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

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

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

Section 5. – Commercial Refuse Disposal:

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

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

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

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

Section 6. – Special Event Refuse Disposal:

Outdoor special event sites shall be kept free from the accumulation of refuse. Refuse must be collected from the grounds at the close of each day's activities and shall be deposited into appropriate wildlife-proof containers or dumpster enclosures, as provided in this chapter, or shall be removed to an appropriate disposal site.

Section 7. – Construction Site refuse Disposal:

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

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

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

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

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

Section 9. - Compactors:

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

Section 10. – Feeding of Wildlife:

Intentional Or Unintentional: No person shall intentionally or unintentionally feed or provide food in any manner for wildlife on public or private property within the town of Keystone. A person will be considered to be in violation of this chapter if they leave or store any garbage, refuse or attractant in a manner which would create or does create a lure or enticement for wildlife.

Section 11. - Exceptions:

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

1. Any individual, company or corporation that is duly licensed by the state of Colorado or is entitled under law to possess wildlife of any kind.

2. Any action that is officially sanctioned by the state of Colorado, federal agencies, or the town of Keystone that would require feeding, baiting, or luring of wildlife (i.e., capturing and tagging wildlife for relocation or scientific projects and study).

3. Bird feeders are allowed provided that, between April 1 and December 1 of each year, all bird feeders must be suspended on a cable or other device at a height above the ground or structure so as to be inaccessible to bears.

Section 12. - Enforcement:

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

1. State that a wildlife-proof container shall be obtained for the property within seven (7) days.

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

Section 13. – Violations and Penalties; Penalty Assessment:

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

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

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

Section 14. – Violator's Responsibility:

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

Section 15. – Compliance Required and Time Period:

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

Any enclosure required by this Chapter shall be brought into conformity with the provision of this Chapter by August 15, 2026. ~~Upon application to the Town Manager, showing hardship by an owner of an enclosure or container required hereunder, the Town Manager may grant an extension, for a reasonable period of time, with which to comply with the provision of this Chapter. If a party cannot provide an enclosure by the date required, it must provide a wildlife-proof container within the timeframe herein.~~

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH:
FROM: John Crone, Town Manager
DATE: October 14, 2025
SUBJECT: A51 Lift Replacement

Executive Summary:

The purpose of this item is to discuss Keystone Resort's request of the US Forest Service to replace the A51 chairlift.

Background:

Keystone Resort has requested permission from the US Forest Service to replace the A51 chairlift with a new, higher capacity chairlift. This request is currently with the forest service which is accepting public comments. The details of the project are in the attached documents.

Staff would like to know if the Council wants to take an official position on the resort's request and, if so, what response would the Council like staff to relay to the forest service.

United States Department of Agriculture

Forest Service

White River National Forest

900 Grand Ave
Glenwood Springs, CO 81601-3602

File Code:2720

Date: September 25, 2025

Dear Interested Party,

The USDA Forest Service, White River National Forest (WRNF) is soliciting comments on a project proposal from Keystone Resort (Keystone), which is subject to approvals. The primary project components include replacement of the A-51 lift in its current alignment with a detachable four-person lift, power and communication line replacements in existing utility corridors, removal of an existing building, and relocation of ski area equipment storage to the operator building at the top A-51 lift terminal. The project would occur entirely on National Forest System lands within Keystone's existing Special Use Permit (SUP) area. The proposed action is identified in Keystone's previously accepted 2009 Master Development Plan (2009 MDP) which notes that the A-51 lift began operations in 1976 and does not efficiently service the associated terrain.

For more information visit the project webpage: https://www.fs.usda.gov/r02/whiteriver/projects/68482

The following sections provide details specific to the proposed action and how to provide public comments on the proposed action.

PURPOSE AND NEED

The purpose of the proposed action is to replace the A-51 lift infrastructure to improve the guest experience and operational efficiency at Keystone. The A-51 lift began operations in 1976 and has since been modified and reconstructed from components produced by various manufacturers. The proposal replaces the current fixed-grip double-chair with a detachable quad.

The following needs would be addressed by this lift replacement project:

1. A replacement lift would meet current construction and maintenance standards.
2. The lift upgrade would provide increased uphill capacity to serve the associated terrain, including beginner trails and novice terrain.
3. A detachable grip lift would provide a better loading and unloading experience for novice guests compared to the current fixed grip lift.
4. Associated grading at the top and bottom terminals would improve skier circulation and increase space for the lift maze and milling area.

PROPOSED ACTION

A-51 Lift Replacement

Keystone proposes replacing the existing, fixed grip two-person A-51 lift with a four-person detachable lift. The replacement lift would have a capacity of approximately 2,400 people per hour (pph) and would follow the same alignment as the existing A-51 lift. The new lift would support both the A-51 terrain park and multiple teaching trails in the A-51 terrain pod. Additionally, the building on Main Street would be removed and ski area equipment storage would be relocated to the operator building at the top terminal. The new lift would require power and communication line replacements in existing utility corridors.

Existing parking lots in the Mountain House base area would be used for equipment and materials storage.

New towers and tower arms would be pre-assembled in the parking lots and transported to final locations within the A-51 lift corridor via helicopter. Terminal and lift components, such as the haul rope, would be staged in both the parking lots and on the mountain adjacent to the existing top and bottom terminal locations until installed. Keystone currently anticipates between 8 and 10 lift towers for the new A-51 lift. Tower heights would be kept to a minimum to maintain a low profile in the A-51 terrain pod. Additional laydown and staging details will be provided in Keystone's construction implementation plan, which will be prepared following the environmental review process. Keystone will continue to work with the Forest Service to identify opportunities to minimize effects to drainage and proximity to wetlands during the project planning stage.

Approximately 0.1 acres of tree removal near the bottom alignment of the A-51 lift corridor would be required to accommodate the larger lift. A 200-square-foot vault toilet would be installed at the top of the new A-51 lift to serve both employees and guests. Proposed grading for the new terminal areas would total approximately 4.0 acres. Refer to **Figure 1**, which depicts the proposed action and the proposed limits of grading and tree removal.

CATEGORICAL EXCLUSION

Based on resource information gathered to date, it is anticipated that this proposed plan falls within a USDA Forest Service category of actions under 7 Code of Federal Regulations (CFR) § 1b.4(d). USDA-44d-USFS

"Construction, reconstruction, decommissioning, or disposal of buildings, infrastructure, or improvements at an existing recreation site, including infrastructure or improvements that are adjacent or connected to an existing recreation site and provide access or utilities for that site. Recreation sites include but are not limited to campgrounds and camping areas, picnic areas, day use areas, fishing sites, interpretive sites, visitor centers, trailheads, ski areas, and observation sites. Activities within this category are intended to apply to facilities located at recreation sites managed by the Forest Service and those managed by concessioners under a special use authorization."

Scoping comments, along with resource analysis will determine whether this proposal can be categorically excluded or whether an EA or EIS should be prepared.

HOW TO COMMENT AND TIMEFRAME

Please submit comments concerning the proposed action by **October 31, 2025,** and reference the Keystone A-51 Lift Replacement Project. Electronic comments are encouraged and can be submitted online at https://www.fs.usda.gov/r02/whiteriver/projects/68482.Written comments must be submitted to: Brian Glaspell Forest Supervisor c\o Sarah Strehle, Dillon Ranger District, PO Box 620, Silverthorne, CO 80498-0620. Persons commenting should include: 1) name, address, telephone number, organization represented, if any; 2) name of the proposal on which the comment is being submitted; and 3) specific facts and supporting reasons for consideration. For more information about this project, contact Forest Service project manager Sarah Strehle at (970) 401-0863 or sarah.strehle@usda.gov.

Sincerely,

BRIAN GLASPELL Digitally signed by BRIAN GLASPELL
Date: 2025.09.25 15:57:00 -06'00'

Brian Glaspell
FOREST SUPERVISOR

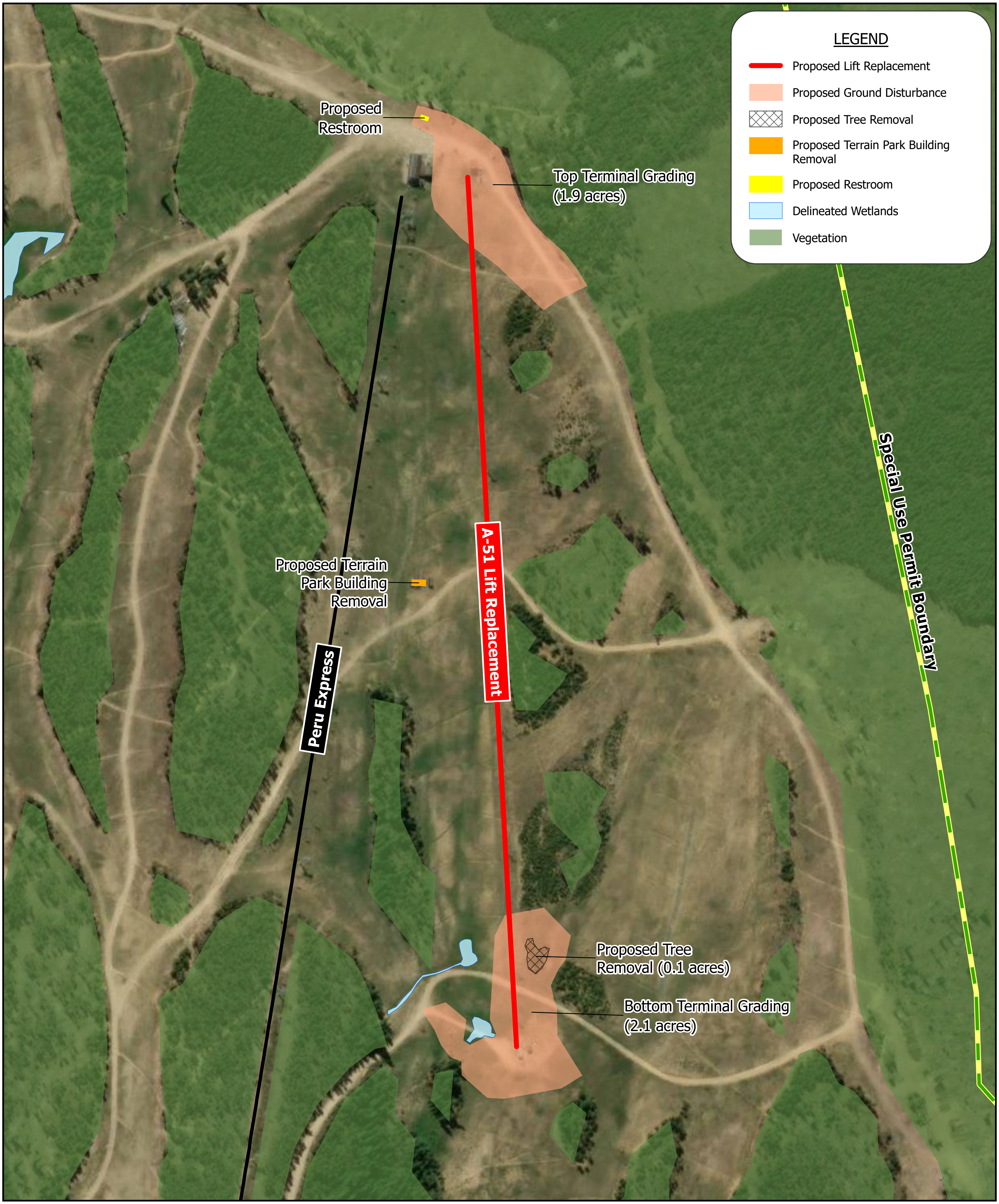


Figure 1: Proposed Action - Keystone A-51 Lift Replacement

KEYSTONE RESORT

Dillon Ranger District, Summit County, Colorado

TOWN OF KEYSTONE, COLORADO
STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH:
FROM: John Crone, Town Manager
DATE: October 14, 2025
SUBJECT: Certain Charitable Contributions

Executive Summary:

The purpose of this item is to discuss certain charitable requests that the Town has received..

Background:

Summit County Housing Authority

The SCHA runs many programs to help locals and our workforce get into housing. One of the most popular programs has been the Summit Revolving Loan Down Payment Assistance Loan (SRLF). This fund provides down payment assistance loans for people below 160% AMI. The loans can be up to $40,000 at 2% interest for up to twenty years. The loans are secured and the SCHA has not had significant problems with repayments. Many Keystone residents have been beneficiaries of the fund.

Recently, the loan fund has become exhausted. The SCHA has asked all the jurisdictions to contribute $75,000 out of scheduled disbursements to restore the fund. The other jurisdictions in the county (except for Frisco) have all committed to contributing the $75,000.

Staff feels that this is a valuable program that has benefitted, and will continue to benefit, Keystone residents. We recommend that the Town Council approve the SCHA retaining the funds to continue this program.

FIRC

The Family Intercultural Resource Center has run a rental assistance fund providing short-term relief to people undergoing emergencies who are unable to meet their current rental payments. Recently, FIRC reached out to the Mayors, Managers, and Commissioners asking for emergency $10,000 donations to help restore the fund given current needs. Their email is below.

Dear Mayors, Managers, and Commissioners,

Thank you for your leadership and for those of you who were able to join the community meeting on Sunday. We are grateful for your service and for the way you care for our community.

At FIRC our focus is on families in crisis and coordinating resources so there are no gaps and no duplication. The ripple effects are real. Schools saw high absenteeism. Some businesses closed because workers did not report for shifts. Nearly 300 food boxes went unclaimed last week, most from households with children, because parents were afraid to come out even for essentials. As well as no one showing up to the Food Mank of the Rockies truck, leaving FIRC with pallets of food that needed to be distributed. Luckily, staff worked through the weekend to distribute the food when people felt safer, so nothing was wasted, but it placed a heavy last-minute load on the team. The point is that this is bigger than any one family and any one agency, and it calls for all of us to step in and work together.

Children feel the effects most. Financial stress and unstable housing make it hard to focus, to learn, and to keep routines. When a parent is removed from the home, fear and disruption grow and it becomes even harder to keep children in school and families rooted here.

Families are telling us what they need to stay in our community. Help with rent and utilities to prevent eviction and shutoffs. Food support so scarce dollars can go to housing and health. Some circumstances are outside a family's control, including serious injury or illness, the loss of a parent, job layoffs, and now the possibility of a federal government shutdown that could interrupt WIC benefits and freeze wages. In a community like ours, we need to stand by each other.

Rental help is the most immediate gap and current resources are not enough. This is a community stability measure, not a narrow response to one event. Keeping workers housed keeps children in school and businesses open. The Workforce Rental Assistance program has ended due to funding constraints. **We are asking each town and the county to commit 10,000 dollars toward reviving these opportunities.** There are two tracks. One is a one-time emergency payment made directly to the landlord for short term crises. The other is a deeper rental stipend for four to six months paid directly to the landlord while we so connect families to every possible resource, prevent displacement, keep children in school, and help parents remain in the workforce. Short-term aid stops immediate harm. Longer stipends create real stability. With our valued partner, Mountain Dreamers, identifying households and confirming contacts, FIRC will administer the emergency payments and stipends, so the right families receive help without delay.

FIRC is also committed to being a steady resource for public communication. We can push clear, consistent messages in English and Spanish through text, social media, and our front desk. This includes the importance of sending children to school, especially on key count days, the importance of continuing to rely on local police for crimes and safety issues, and the importance of keeping medical and other essential appointments whenever possible. We will keep messages focused on safety, privacy, and practical steps families can take.

Thank you for considering this request and for the time you have already invested. With collaboration and modest local funding, we can keep families housed, keep children in school, keep parents working, and protect the community we all love.

Staff also feels that this is a very valuable program and wants to know if the Town Council is interested in making the requested contribution.

Both of these requests are compliant with our 2025 budget.

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO:	Mayor & Town Councilmembers
THROUGH:	John Crone, Town Manager
FROM:	Council Member Steve Martin Jennifer Madsen, Town Attorney
DATE:	October 14, 2025
SUBJECT:	[FIRST READING] Ordinance 2025-O-17 Adopting A Code Of Ethics And Imposing Penalties For Violations Thereof

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Executive Summary:

Town Council is asked to consider, on first reading, Ordinance 2025-O-17 regarding the adoption of a local Code of Ethics. This proposed Code is intended to guide the conduct of elected officials, appointed officials, board and commission members, and employees.

The draft Code of Ethics reflects Keystone's home rule authority under its Charter and establishes clear standards, enforcement processes, and procedures for addressing ethical concerns locally. Adoption of this Code will align Keystone's practices with best governance standards, ensure consistency across all roles in Town government, and provide residents with confidence in the fairness of decision-making.

Background:

Introduction

In 2006, Colorado voters approved Article XXIX of the state constitution, establishing a "gift ban" and statewide ethics standards for public officials and the state's Independent Ethics Commission (IEC). Section 7 of Article XXIX provides that these state provisions do not apply to home-rule municipalities that adopt their own charter or ordinance addressing the same matters. In effect, this allows a municipality to create and enforce its own ethics code rather than remain under the jurisdiction of the state's IEC.

For background, municipalities that do not adopt their own ethics code fall under the jurisdiction of the five-member IEC, which investigates and decides complaints related to the state's gift ban. The IEC process has proven frustrating for many public officials because the commission typically meets only once a month, and it can take a significant amount of time for decisions to be issued. As a result, ethics complaints often remain unresolved for extended periods, creating prolonged uncertainty for both the officials involved and the public.

Section 2.11 of the Town of Keystone's Home Rule Charter, "Standards of Conduct," contemplated that the Town Council would adopt its own code of ethics. Section 2.11 of the Charter requires the Town Council to adopt, by April 2026, an ordinance governing conflicts of interest, recusals from voting, and other standards of conduct or ethics that supersede state or constitutional provisions on the same topics. Until that ordinance is enacted, the Keystone public officials must comply with the standards in state law.

Rationale for a Local Code

Adopting a local ethics code provides several advantages. It preserves local control and autonomy, allowing the Town to design standards that reflect its governance structure and community expectations rather than relying on a statewide body. A local code also offers clarity and flexibility by defining key issues such as conflicts of interest, gifts, and recusals in more precise terms than the broad constitutional provisions enforced by the IEC. Finally, a municipal process can be more efficient, timely, and accessible than state-level investigations.

Benefits of Exemption from the IEC

In addition, a properly adopted local code avoids duplication of authority and conflicting outcomes by ensuring ethics matters are handled exclusively at the municipal level. It also insulates local officials from statewide political dynamics, keeping disputes closer to the community. Importantly, recent case law confirms that once a home-rule municipality adopts a code addressing the matters in Article XXIX, the IEC no longer has jurisdiction.

Overview of the Draft Code of Ethics

Division 1 – Legislative Intent and Definitions

- **Purpose:** Establishes the Town's intent that all Public Servants maintain high standards of honesty, integrity, and accountability.
- **Authority:** Adopted under Keystone's Home Rule Charter, superseding conflicting provisions of state law.
- **Applicability:** Applies to elected officials (Mayor and Council), appointed officials, Town Manager, Town Attorney, employees, and all board/commission members.
- **Definitions:** Provides precise definitions for terms such as *business, direct official action, employee, financial interest, gift, immediate family, personal interest, public body,* and *relative*. These definitions create clarity and consistency when interpreting the Code.

Division 2 – Prohibited Acts

Establishes clear boundaries on conduct that is not allowed. Key provisions include:

- **Gifts:** Prohibits Public Servants from accepting gifts from parties with business before the Town. Includes exceptions (e.g., campaign contributions, low-value tokens, family gifts, professional awards, nonprofit event tickets).
- **Fraudulent Activity:** Prohibits bribery, misappropriation of Town funds, falsification of records, forgery, or improper benefits from vendors.
- **Nepotism:** Restricts hiring or supervising immediate family members without an approved waiver.
- **Conflicts of Interest:** Requires disclosure and prohibits participation in decisions where a Public Servant or their relative has a financial or personal interest.

- **Employment Restrictions:** Establishes "cooling-off" periods for matters involving former employers.
- **Outside Employment:** Requires written disclosure of outside jobs, business interests, or board service that may intersect with Town responsibilities. Prohibits use of Town resources for outside activities.
- **Discrimination & Harassment:** Explicitly bans bias or prejudice in official duties, covering protected characteristics (race, gender, religion, disability, etc.).
- **Criminal Conduct:** Conviction of crimes involving fraud, theft, or government operations may constitute an ethics violation.
- **Special Consideration:** Forbids special treatment or favoritism not available to the public at large.
- **Misuse of Resources/Position:** Prohibits using Town property, time, or confidential records for private gain, or leveraging official position for personal benefit.
- **Aiding Violations:** Prohibits knowingly assisting others in violating the Code.

Division 3 – Discouraged Acts

Encourages higher standards by addressing situations that may not be formal violations but still risk undermining public confidence.

- **Post-Employment Restrictions:** Former Public Servants should avoid accepting roles tied directly to matters they handled while in office for six months after leaving.
- **Appearances of Impropriety:** Even without a formal conflict, Public Servants are encouraged to disclose and recuse themselves when impartiality might reasonably be questioned (e.g., involving close friends, property interests, or previously stated biases).

Division 4 – Disclosure and Recusal Procedures

Provides mechanisms for transparency and fairness.

- **Disclosure:** Outlines how Public Servants must disclose conflicts or potential improprieties, depending on their role (Council, staff, board members).
- **Recusal:** Requires abstaining from decisions where conflicts exist, including leaving the room during deliberations. Provides a quorum exception when necessary.
- **Challenges:** Allows residents or officials to challenge a failure to disclose or recuse. Council, Manager, or boards then determine whether a conflict exists.
- **Advisory Opinions:** Public Servants can request written advice from the Town Attorney, which provides safe-harbor protection if followed.
- **Waivers:** Council or Town Manager may grant waivers if serving the Town's best interest.

Division 5 – Enforcement

Establishes processes for handling ethics complaints.

- **Filing a Complaint:** Any person may file a verified complaint; it must include specific facts, supporting evidence, and a sworn statement.
- **Initial Review:** The Board of Ethics (Town Council) reviews complaints to determine jurisdiction, merit, and next steps. Complaints may be dismissed if frivolous, moot, or outside jurisdiction.
- **Enforcement Options:**
    - **Informal Administrative Review:** A streamlined process for resolving most complaints with proportional penalties.
    - **Investigation:** Independent review with subpoena powers for complex or fact-intensive cases.
    - **Formal Hearing:** For serious or contested allegations; may include appointment of a Hearing Officer or panel, presentation of evidence, cross-examination, and formal findings.
- **Penalties:** Range from oral/written reprimands and restitution to suspension, removal from appointed positions, or financial penalties. Removal from elected office requires a 2/3 Council vote.

- **Employee Cases:** Enforcement against employees is handled by the Town Manager under the Charter, with guidance from the Code.

The draft Keystone Code of Ethics addresses the key matters in Article XXIX of the Colorado Constitution by prohibiting improper gifts, conflicts of interest, and misuse of office, while establishing clear disclosure, recusal, and enforcement processes under the Town's home rule authority.

Alternatives:

Town Council may propose alternative directions for the Code of Ethics.

Financial Considerations:

There are no financial considerations applicable to this ordinance.

Previous Council Actions:

Town Attorney Jennifer Madsen worked with Councilmember Steve Martin on the drafting of this Code of Ethics. Council discussed the Code of Ethics at the work session on September 23, 2025.

Next Steps:

If Council approves this Ordinance on first reading, it will proceed to a second reading and public hearing on October 28. The effective date of the ordinance is thirty days after publication.

Suggested Motions:

Because the ordinance is on the consent agenda, a motion to approve the consent agenda will be an approval on first reading.
If the Council would like to discuss the item on first reading, here are the motion for approval on first reading:
Approval:

- I move to APPROVE Ordinance 2025-O-17 Adopting A Code Of Ethics And Imposing Penalties For Violations Thereof

Denial:

- I move to DENY Ordinance 2025-O-17 Adopting A Code Of Ethics And Imposing Penalties For Violations Thereof

Attachment:

- Ordinance 2025-O-17 Adopting A Code Of Ethics And Imposing Penalties For Violations Thereof

TOWN OF KEYSTONE
ORDINANCE NO. 2025-O-17

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, ADOPTING A CODE OF ETHICS AND IMPOSING PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, the Town of Keystone (the "Town") is a Colorado home rule municipality organized pursuant to Article 20, Section 6, of the Colorado Constitution; and

WHEREAS, Article 20, Section 6 of the Colorado Constitution confers upon a home rule municipality the authority to regulate the jurisdiction, power, and duties of the municipality's municipal court; and

WHEREAS, Article 20, Section 6 of the Colorado Constitution confers upon a home rule municipality the authority to impose, enforce, and collect fines and penalties for the violation of the municipality's charter or adopted ordinances; and

WHEREAS, pursuant to Section 2.11 of the Home Rule Charter of the Town of Keystone ("Town"), the Town Council is authorized to adopt an ordinance governing conflicts of interest, recusals from voting, and other standards or code of conduct or ethics; and

WHEREAS, the Town Council has determined that the adoption of this ordinance is legislative in nature and will further the public health, safety, and welfare of the residents of the Town; and

WHEREAS, it is the intent of the Town that its elected officials, appointees, and employees adhere to high levels of ethical conduct, honesty, integrity, and accountability so that the public will have confidence that persons in positions of public responsibility are acting for the benefit of the public; and

WHEREAS, the Code of Ethics is intended to clarify which actions are permitted and which constitute a breach of public trust, specifically relating to the use of public office for private gain, employment and supervision of family members, gifts, conflicts of interest, prior employment, outside employment, subsequent employment, improper use of confidential information or records, and other ethics matters consistent with the Charter; and

WHEREAS, the Code of Ethics is intended to establish a system that enables citizens to report possible wrongdoing and seek local enforcement so that any breach of public trust may be discovered and appropriately addressed; and

WHEREAS, the Code of Ethics is hereby deemed to be a matter exclusively within the Town's home rule authority and a proper exercise of the Town Council's legislative authority on behalf of the Town; and

WHEREAS, the Code of Ethics supersedes any other applicable Colorado law; and

WHEREAS, the Code of Ethics is in compliance with, addresses all matters raised in, and therefore supersedes by its own terms, Colorado Constitution, Article XXIX; and

WHEREAS, the Town Council, through a proper exercise of its legislative authority, considered and evaluated all topics addressed in the Colorado Constitution, Article XXIX, "Ethics in Government;" and

WHEREAS, in legislatively enacting the Keystone Code of Ethics, the Town Council intended to and did address each provision addressed in the Colorado Constitution, Article XXIX, "Ethics in Government," and rendered a decision to incorporate the provision, modify the provision, or not incorporate or modify the provision.

NOW THEREFORE, THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, ORDAINS:

Section 1. The foregoing recitals are affirmed and incorporated herein.

Section 2. The Town Council adopts the following Code of Ethics.

TOWN OF KEYSTONE

Code of Ethics

Division 1 - Legislative Intent and Definitions

Sec. 1. Legislative intent.

It is the intent of the Town that its elected officials, appointees, and employees uphold the highest standards of ethical conduct, honesty, integrity, and accountability. By doing so, the Town seeks to ensure that the public has confidence that those serving in positions of public trust are acting in the best interests of the community.

All officials, appointees, and employees are expected to comply with both the letter and the spirit of this Code of Ethics and to actively avoid situations that may result in ethical conflicts or the appearance of impropriety.

Recognizing that ethical challenges may arise in the course of public service, the purpose of this Code of Ethics is to:

(1) Define acceptable conduct and identify actions that constitute a breach of the public trust, particularly in areas such as the use of public office for private gain, employment or supervision of family members, gifts, conflicts of interest, prior and outside employment, post-employment restrictions, improper use of confidential information, and other ethical matters consistent with the Town Charter;

(2) Establish a clear and accessible process that allows residents and stakeholders to report potential ethical violations and pursue local enforcement, ensuring that any breach of the public trust can be properly investigated and addressed.

In accordance with the Town of Keystone Home Rule Charter Section 2.11, the Town of Keystone Code of Ethics is adopted as an exercise of the Town's exclusive home rule authority and reflects a proper exercise of the Town Council's legislative power on behalf of the Town. This Code supersedes any conflicting provisions of Colorado state law, including those found in Article XXIX of the Colorado Constitution ("Ethics in Government").

The Town Council has deliberately considered and evaluated all subject areas addressed in Article XXIX. Where this Code addresses the same topics, it does so intentionally and with the purpose of governing them under local law. Where this Code omits or addresses such topics differently, the Council has likewise acted intentionally, having reviewed and determined an alternative local approach is appropriate.

Sec. 2. Applicability.

This Code of Ethics applies to Public Servants of the Town of Keystone. A "Public Servant" means:

(1) The elected or appointed Mayor; and

(2) Any elected or appointed council member; and

(3) Officials appointed by the Town Council to serve such as: Town Manager and Town Attorney; and

(4) Employees of the Town; and

(5) Appointed officials including all members of all boards, commissions, and bodies regardless of whether such member is a regular, or alternate member.

Sec. 3. No private right of action.

Nothing in this Code of Ethics is intended to, or does, create a private right of action against the Town or against any Public Servant based upon noncompliance with its provisions. Authority to enforce compliance with this Code of Ethics is vested exclusively in the Town pursuant to the provisions of the Code.

Sec. 4. Definitions.

For purposes of this Article, the following terms have the assigned meaning:

(a) *Business* means a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, activity or entity.

(b) *Town* means the Town of Keystone, Colorado.

(c) *Direct official action* means any action which involves:

(1) Approving, disapproving, administering, negotiating, enforcing, or recommending for or against an application, contract, purchase order, lease, concession, franchise, grant, vendor, concessionaire, land use, or any other matter to which the Town is a party.

(2) Enforcing laws or regulations or issuing, enforcing, or administering permits and licenses;

(3) Appointing, supervising, managing, and terminating employees, temporary workers, and independent contractors.

Direct official action does not include acts that are purely ministerial and mandated by law, including *pro forma* or perfunctory signing of documents on behalf of the Town and approval of documents as to form. Also, a person who abstains from a vote is not exercising direct official action.

(d) *Employee* means any person in the employ of the Town or of any of its agencies or departments but excluding the Mayor, Town Council Members, Town Manager and Town Attorney. Independent contractors and volunteers are not deemed employees.

(e) *Financial interest* means any interest equated with money or its equivalent. Financial interest shall not include the interest that a Public Servant or relative has as:

(1) an employee of a business, or as a holder of an ownership interest in such business, in a decision of any public body, when the decision financially benefits or otherwise affects such business but entails no foreseeable, measurable financial benefit to the officer, employee or relative;

(2) a non-salaried officer or member of a nonprofit corporation or association or of an educational, religious, charitable, fraternal or civic organization in the holdings of such corporation, association or organization;

(3) a recipient of public services when such services are generally provided by the Town on the same terms and conditions to all similarly situated citizens, regardless of whether such recipient is a Public Servant or relative;

(4) a recipient of a commercially reasonable loan made in the ordinary course of business by a lawfully established financial or lending institution;

(5) a shareholder in a mutual or common investment fund in the holdings of such fund unless the shareholder actively participates in the management of such fund;

(6) a policyholder in an insurance company, a depositor in a duly established savings association or bank, or a similar interest-holder, unless the discretionary act of such person, as a Public Servant, could immediately, definitely and measurably affect the value of such policy, deposit or similar interest;

(7) an owner of government-issued securities unless the discretionary act of such owner, as a Public Servant, could immediately, definitely and measurably affect the value of such securities; or

(8) the interest that a Public Servant has in the compensation received from the Town for services provided to the Town as a Public Servant.

(f) *Gift* means a payment, subscription, advance, favor, promise of future employment, forbearance, discount, promise of future employment, or deposit of money, goods, services, or anything of value given, unless consideration of equal or greater value is received in exchange.

(g) *Immediate family* means a spouse, civil union partner, domestic partner, fiancé/fiancée, parents, children, brothers, sisters, aunts, uncles, nieces, nephews, grandparents, grandchildren, great grandparents, great grandchildren, first cousins, including step relatives and in-laws, and any person with whom he or she is cohabiting.

(h) *Personal interest* means any interest (other than a financial interest) by reason of which a Public Servant, or a relative of such Public Servant, would, in the judgment of a reasonably prudent person, realize or experience some direct and substantial benefit or detriment different in kind from that experienced by the general public. Personal interest shall not include:

(1) The interest that a Public Servant or relative has as a member of a board, commission, committee, or authority of another governmental entity, nonprofit corporation, association, or civic organization shall not be considered a personal interest unless the circumstances suggest that the Public Servant could realize a direct and substantial benefit or detriment distinct from that of the general public, such as holding a leadership position or when the organization is directly affected by the matter under consideration;

(2) the interest that a Public Servant or relative has in the receipt of public services when such services are generally provided by the Town on the same terms and conditions to all similarly situated citizens; or

(3) the interest that a Public Servant has in the compensation, benefits, or terms and conditions of his or her employment with the Town.

Examples of personal interest include an increase in the value of a real property interest or advancement of an employment opportunity.

(i) *Public body* means the Town Council or any authority, board, committee, commission, department, or office of the Town.

(j) *Relative* means the spouse, civil union partner, or minor child of the Public Servant, any person claimed by the officer or employee as a dependent for income tax purposes, or any person residing in and sharing with the Public Servant the expenses of the household.

Division 2 - Prohibited Acts

Sec. 1. Gifts.

(a) Gifts Prohibited: A Public Servant shall not accept any gift (as defined) if:

(1) The Public Servant is in a position to take direct official action with regard to the giver of the gift; or

(2) The Town has or is known to be likely to have a transactional, business, or regulatory relationship with the giver of the gift.

A gift made to a relative of the Public Servant shall be considered a gift made to the Public Servant notwithstanding the Public Servant's knowledge of such gift.

(b) Exceptions and Items not Considered Gifts: Provided that the gift could not be reasonably considered a bribe or a means of improper influence on a direct official action, the following shall not be considered gifts for purposes of this section:

(1) Campaign contributions as permitted by law.

(2) An unsolicited item or items of value less than the dollar amount established and adjusted in Colorado Constitution, article XXIX, Section 3(6), per vendor or third-party per year. As of January 1, 2023, that amount is seventy-five dollars ($75.00) and the amount increases periodically in accordance with Colorado Constitution, article XXIX, Section 3(6). In valuing the unsolicited item or items:

a. The cost of the gift is the retail value of the item unless the receiver has knowledge that the giver paid more than the retail value, in which case the cost is the amount actually paid.

b. For a charity event, the cost of the event is the amount the event organizer reports to the Internal Revenue Service as the non-deductible portion of the event.

c. It is not permissible to pay part of the cost of a gift that is offered with a value exceeding the amount set forth in subsection (b)(2) of this section to reduce the value to less than the amount set forth in subsection (b)(2) of this section in order to accept the gift.

(3) An unsolicited token or award of appreciation that is reasonable in value and purpose given the position and responsibility of the Public Servant, such as plaques and professional awards.

(4) Items of perishable or nonpermanent value, including but not limited to meals, lodging, travel expenses, or tickets to sporting, recreational, education, or cultural events provided that the value of the item is reasonable and would be customarily

accepted when considering the Public Servant's position, responsibility, and role in the Town.

(5) Tickets or entry fees to an event expressly advertised for the purpose of benefiting and advancing the purpose of a non-profit organization, *e.g.*, greens fees for a golf event benefiting a recognized local charity.

(6) Unsolicited informational material, publications, or subscriptions related to the recipient's performance of duties within the scope of elected or appointed office or employment.

(7) Admission to, and the cost of food or beverages consumed at, a reception, meal or meeting by an organization before whom the recipient appears in an official, representative capacity to speak or to answer questions as part of a scheduled program.

(8) Reasonable expenses paid by a nonprofit organization or federal, state, or local government for attendance at a convention, fact-finding mission or trip, or other meeting if the person is scheduled to deliver a speech, make a presentation, participate on a panel, or represent the state or local government, provided that the non-profit organization receives less than five percent (5%) of its funding from for-profit organizations or entities.

(9) A gift from an individual who is an immediate family member or personal friend on a special occasion.

(10) A component of compensation paid or other recognition given in the normal course of employment, appointment, volunteer services, or business.

(11) Any scholarship or grant or other financial aid for education given to any Public Servant or immediate family member for any reason.

(12) Awards or prizes given at competitions or drawings at events open to the public.

(13) Discounts that are similarly available to all employees of the Town, or discounts that are offered to the public generally or to a large segment of the public (i.e., all uniformed personnel, all government employees, or all first responders).

(14) Any exemption granted or exception recognized pursuant to Federal or State law.

(15) Any other exceptions as may be specified in an Advisory Opinion as described in Section 2 of Division 4.

Sec. 2. Fraudulent activity.

(a) A Public Servant shall not engage in any of the following activities:

(1) Receipt of a bribe or kickback, or willing participation in a scheme of bribery;

(2) Misappropriation of Town funds, supplies, assets, or resources;

(3) Falsification of Town records, including personnel records;

(4) Forgery or alteration of any public record;

(5) Accepting, requesting, or seeking any material item or pecuniary benefit from contractors, vendors, or parties providing services or materials to the Town where such item or benefit may be reasonably viewed as intending to improperly influence the Public Servant.

Sec. 3. Employment and supervision of immediate family members.

(a) Unless he or she obtains a waiver pursuant to Section 2 of Division 4, a Public Servant shall not appoint or hire a member of his or her immediate family for any type of employment, including, but not limited to, full time employment, part time employment, permanent employment, and temporary employment.

(b) A Public Servant shall not supervise or be in a direct line of supervision over a member of his or her immediate family. If a Public Servant comes into a direct line of supervision whether by employment or contractual relationship of a member of his or her immediate family, he or she shall have six (6) months to come into compliance or to obtain a waiver pursuant to Section 2 of Division 4.

Sec. 4. Conflict of interest.

(a) *Conflicts of Interest* as defined by this Section are prohibited.

(b) Sales to the Town. A Public Servant, or relative of such Public Servant, shall not have a financial interest in the sale to the Town of any real or personal property, equipment, material, supplies or services, except personal services provided to the Town as a Public Servant, if:

(1) such Public Servant is a member of Town Council;

(2) such Public Servant exercises, directly or indirectly, any decision-making authority on behalf of the Town concerning such sale; or

(3) in the case of services, such Public Servant exercises any supervisory authority in his or her role as a Town officer or employee over the services to be rendered to the Town.

(c) Purchases from the Town. A Public Servant or relative shall not, directly or indirectly, purchase any real or personal property from the Town, except such property as is offered for sale at an established price, and not by bid or auction, on the same terms and conditions as to all members of the general public.

(d) Interests in other decisions. Any Public Servant who has, or whose relative has, a financial or personal interest in any decision of any public body of which he or she is a member or to which he or she makes recommendations, shall, upon discovery thereof, disclose such interest in the manner prescribed in Section 2(a) of Division 4, and shall refrain from taking direct official action in the manner prescribed in Section 2(b) of Division 4, attempting to influence, or otherwise participating in such decision in any manner as a Public Servant.

(e) A Public Servant who determines that his or her actions arise to a Conflict of Interest is required to disclose the conflict in the manner prescribed in Section 2(a) of Division 4, and shall refrain from taking direct official action in the manner prescribed in Section 2(b) of Division 4.

Sec. 5. Prior employment.

No person shall be disqualified from service with the Town as a Public Servant solely because of his or her prior employment. However, Public Servants shall not take any direct official action with respect to matters involving their former employers for a period of six (6) months from the date of termination of the prior employment.

Sec. 6. Outside employment or business activity.

(a) A Public Servant's outside employment and business activities may create ethical issues addressed by this Code of Ethics and, in particular, potential conflicts of interest addressed by Section 4 of Division 2.

(b) Disclosure of Employment and Other Business Activities: All Public Servants shall report in writing to the Town Clerk any existing or proposed outside employment or other outside business interests such as membership on volunteer, non-profit, homeowners' association (HOA), or for-profit boards or commissions that engages with or seeks to influence decisions by the Town, or that may reasonably be perceived to affect their responsibilities to the Town. After being hired, elected, or appointed, all Public Servants shall report to the Town Clerk any changes of employment or changes to outside business interests that may affect the person's responsibilities to the Town, within thirty days after accepting the same. An employee must obtain approval as required by the Town's Human Resources guideline before engaging in outside employment.

(c) The Town Clerk shall maintain for public inspection all reporting made by Public Servants pursuant to this section.

(d) Town resources may not be used for any outside employment or outside business activity.

(e) Public Servants serving on governing boards of homeowners' associations (HOAs) must disclose such affiliations to the Town Clerk. If the HOA is directly affected by a matter before the Council or relevant Town board, commission, or committee, the Public Servant shall consider recusal to avoid a conflict of interest or the appearance thereof, particularly if the individual holds a leadership role (e.g., president, vice president). The decision to participate should be guided by the principles set forth in Section 4 of Division 2 on Conflict of Interest and the standard of a reasonably prudent person.

Sec. 7. Discrimination and harassment prohibited.

(a) General Rule. Town affairs must be conducted without bias or prejudice. A Public Servant shall not, in the performance of official duties, manifest by words or conduct any bias, prejudice, or discrimination toward any person, group, or entity. This includes, but is not limited to, bias or prejudice based on race, color, ethnicity, national origin, ancestry, religion or creed, sex, gender, gender identity or expression, sexual orientation, marital or familial status, age, disability, genetic information, military or veteran status, socioeconomic status, or any other characteristic protected by law. A Public Servant shall also not permit others under their direction or control to engage in such conduct.

(b) Exceptions. A Public Servant is not liable under subsection (a) for:

(1) conduct undertaken in good faith

(i) to implement an existing Town policy, or

(ii) to carry out the direction of a superior; or

(2) conduct involving the legitimate advocacy of a position relating to race, sex, religion, national origin, disability, age, sexual orientation, or socioeconomic status

(i) in litigation or similar proceedings, or

(ii) incidental to the formation of Town policy.

(c) Definitions. For purposes of this section:

(1) "Words or conduct" manifesting "bias or prejudice" includes, but is not limited to, physical abuse, verbal abuse, threats, intimidation, harassment, coercion, assault, stalking, hate speech, and other conduct that threatens or endangers the health or safety of any person.

(2) "Good faith" means that the Town official or employee has a reasonable basis for believing, and does believe, that the conduct in question is lawful and not discriminatory.

(3) "Legitimate advocacy" means that the position espoused is not frivolous.

Sec. 8. Criminal offenses.

All Public Servants are expected to comply with the law. It is a violation of the Code of Ethics to be convicted (including a plea of *nolo contendre* or no contest) of a crime that reasonably demonstrates an unfitness for public service or intentional disregard for the public trust or public property. Such offenses include, but are not limited to, crimes against fellow Public Servants or their property, theft or vandalism of public property, offenses involving fraud (see Article 5, Title 18, C.R.S.), offenses relating to morals (see Article 7, Title 18, C.R.S.), or offenses involving governmental operations (see Article 8, Title 18, C.R.S.). It is not the intent of this section to recognize as an ethical violation traffic offenses or misdemeanors which are unrelated to the Public Servant’s official duties or employment.

Sec. 9. Special consideration.

A Public Servant shall not request or provide any special treatment, favors, or advantages to any individual that are not equally available to others in similar situations or with similar needs. All actions and decisions must be based on fairness, consistency, and impartial application of rules and policies.

Sec. 10. Use of public property.

A Public Servant shall not use or authorize the use of Town time, facilities, equipment or supplies for personal or private benefit. It is not a violation of the section to communicate or correspond with a Public Servant’s constituents, family members, or co-workers.

Sec. 11. Use of public office for private gain.

A Public Servant shall not use their official position or confidential information to seek or secure personal benefit for themselves, their immediate family, any business with which they are associated, or any person or organization with whom they are negotiating or have an agreement for future employment.

Sec. 12. Use of confidential records.

A Public Servant shall not disclose or use any non-public information or records obtained through their official duties, except when required to do so in the performance of those duties or as mandated by law or court order.

Sec. 13. Aiding others.

A Public Servant shall not knowingly aid or assist any Public Servant in the violation of any provision of this Code of Ethics.

Division 3 - Discouraged Acts

Sec. 1. Subsequent employment or appointment.

(a) For a period of six (6) months after leaving Town office or employment—whether by expiration of term, resignation, or termination—a former Public Servant should not accept any appointment or employment that:

- (1) Was not available to others through a competitive process, and
- (2) Involves acting on the same matters over which the individual exercised direct official action during their service with the Town.

(b) For the purposes of this section, “unavailable to others” refers to positions obtained through a non-competitive process. Positions filled by public election or appointment by elected officials are not considered “unavailable to others.”

Sec. 2. Appearances of impropriety discouraged.

(a) An appearance of impropriety arises when a Public Servant is expected to take, or may take, direct official action that—while not amounting to a formal Conflict of Interest—could reasonably be perceived as compromising the Public Servant's integrity, impartiality, or competence. Examples of situations that may create such an appearance include, but are not limited to:

(1) Taking official action involving a close personal friend.

(2) Receiving an official notice of a quasi-judicial hearing due to the Public Servant's ownership or lease of property affected by the matter.

(3) Participating in a quasi-judicial decision after having publicly expressed a personal opinion, position, or bias on the issue.

(b) If a Public Servant believes that their involvement may create an appearance of impropriety, they are strongly encouraged—but not required—to disclose the situation under Section 1 of Division 4. They may also choose to recuse themselves from participation if they believe it is appropriate.

(c) A violation of this section does not constitute a violation of the Code of Ethics. However, compliance with this section does not excuse or defend a violation of any other provision of the Code.

Division 4 - Disclosure and Recusal Procedure

Sec. 1. Disclosure and recusal procedure and challenges.

(a) Disclosure.

(1) A Public Servant shall disclose any potential or actual Conflict of Interest, and may voluntarily disclose any appearance of impropriety, as soon as the issue becomes reasonably known to them.

(i) For Town Council members, disclosure shall be made either orally at a public meeting or in writing to all other Council members.
(ii) For the Town Manager or Town Attorney, disclosure shall be made either orally at a public meeting or in writing to the Town Council.
(iii) For appointed officials, disclosure shall be made either orally at a meeting or in writing to all other members of the relevant board or commission.
(iv) For employees, disclosure shall be made in writing to their immediate supervisor.

(2) A disclosure must state whether it concerns a Conflict of Interest or an appearance of impropriety, describe the general nature of the interest involved, indicate

whether the matter may result in an economic or financial benefit or detriment, and include the estimated value of any such benefit or detriment.

(b) Recusal. When recusal is required due to a Conflict of Interest, or voluntarily undertaken due to an appearance of impropriety, the Public Servant shall:

(1) Avoid any communication with other Public Servants regarding the matter and not attempt to influence their decisions.
(2) Abstain from voting on or taking any official action related to the matter.
(3) Physically leave the room or premises during discussion, deliberation, or decision-making on the matter.

The Town Council may, by majority vote, require the recusal of a Council member in accordance with subsection (c)(1). The Town Manager may require the recusal of an employee in accordance with subsection (c)(2). Failure to comply with a required recusal shall be considered a violation of this Code of Ethics.

Exception: A Town Council member may participate and vote on a matter involving a Conflict of Interest if necessary to achieve a quorum or allow Council action, and if the member complies with the disclosure requirements set forth in Section 24-18-110, C.R.S.

(c) Challenges for Conflict of Interest

(1) Challenge of Town Council Member:

Any person may challenge a Council member's failure to disclose a Conflict of Interest or failure to recuse. The challenge must be submitted in writing to the Town Council or stated orally during a public meeting and must include the supporting facts. The Council shall promptly investigate the challenge, may request an opinion from the Town Attorney, and may determine by majority vote (excluding the challenged member) whether a Conflict exists and whether recusal is required. This determination is final and not subject to appeal.

(2) Challenge of Employee:

Any person may submit a written challenge regarding an employee's failure to disclose or recuse, addressed to the Town Manager and copied to the Mayor. The Town Manager shall promptly investigate and determine whether a Conflict exists and whether recusal is required. This determination is final and not subject to appeal.

(3) Challenge of Other Public Servants:

Challenges concerning any other Public Servant must be submitted either in writing or orally during a public meeting to the person's appointing authority or board/commission chair, and must include facts supporting the challenge. The appointing authority or the relevant board/commission shall investigate and determine whether a Conflict exists and whether recusal is required. This determination is final and not subject to appeal.

Sec. 2. Advisory opinions and waivers.

(a) Any Public Servant may submit a written request to the Town Attorney for an advisory opinion on whether a specific action would violate the Code of Ethics. If the Town Attorney's opinion is based on full and accurate disclosure of all relevant facts, it shall serve as a specific defense against enforcement for failure to disclose a Conflict or to recuse, under this Code.

(b) Noncompliance with advisory opinions. If the Town Attorney believes an advisory opinion has not been followed, they shall notify the individual and their appointing authority. The appointing authority shall, after consulting with the Town Attorney, take appropriate action to ensure compliance.

(c) Waivers. Any current, former, or prospective Public Servant may submit a written request for a waiver of any provision of the Code of Ethics before taking the action in question.

(1) For elected or appointed officials, the Town Council may grant a waiver upon finding that it serves the best interests of the Town. The Council shall provide appropriate public notice, and the waiver request shall be heard in an open public meeting.

(2) For employees, the Town Manager may grant a waiver if they find that the benefit to the Town outweighs any potential harm.

Division 5 - Enforcement Process for Code of Ethics

Sec. 1. Flexibility in enforcement process intended.

The enforcement provisions of this Code of Ethics are intended to strike a balance between several important considerations: the seriousness of the alleged violation, the need for a fair and timely resolution, the equitable treatment of all parties involved, and the responsible use of public resources. To achieve this balance, the Code allows the Town Council, acting as the Board of Ethics, the flexibility to determine the most appropriate method of enforcement based on the circumstances of each case.

These enforcement procedures apply to ethics allegations involving all Public Servants, excluding employees. Alleged ethical violations by employees are addressed separately in Section 11 of Division 5.

Sec. 2. Definitions for enforcement process.

For purposes of the enforcement process under this Code of Ethics, the following terms are defined as follows:

(a) *Business day* means a calendar day that is not a Saturday, Sunday, or official Town holiday on which Town offices are closed to the public.

(b) *Complainant* means the individual who files a Verified Complaint with the Town pursuant to Section 4 of Division 5.

(c) *Respondent* means the individual alleged in a Verified Complaint to have violated the Code of Ethics.

(d) *Verified Complaint* means a written complaint that meets the content requirements of Section 4(c) of Division 5.

Sec. 3. General provisions related to enforcement.

(a) The Complainant shall not participate in the enforcement process beyond serving as a witness, unless otherwise permitted by the Code of Ethics.

(b) Disqualification. If the Mayor or a Town Council member is named as the Respondent in a Verified Complaint, that individual must disqualify themselves from participating in any proceedings related to the complaint.

(c) No Ex Parte Communications. Neither the Respondent nor the Complainant—or their representatives—may engage in ex parte communications with the Town Council, Board of Ethics, Hearing Body, or Hearing Officer regarding any aspect of the Verified Complaint, except as expressly authorized by the Code of Ethics. All communications or inquiries must be directed to the Town Attorney.

(d) The Town Attorney shall serve as legal advisor to the Board of Ethics. If the Town Attorney is named as the Respondent in a Verified Complaint, has a Conflict of Interest, or declares an appearance of impropriety, the Board of Ethics shall appoint an alternative advisor.

(e) Members of the Board of Ethics must remain unbiased and neutral in processing all Verified Complaints. A prior professional relationship between a Board member and the Respondent does not, by itself, create an appearance of impropriety. However, any Board member who cannot remain impartial or who has a Conflict of Interest shall recuse themselves in accordance with Section 1 of Division 4.

(f) Administrative meetings of the Board of Ethics shall be held during regular or special meetings of the Town Council. However, Informal Administrative Reviews and Formal Hearings may be scheduled separately at dates and times set by the Board of Ethics. A quorum of the Board shall consist of three (3) or more members, and unless otherwise specified in the Code of Ethics, a majority vote of a quorum present is required for any decision.

Sec. 4. Filing a complaint.

(a) Verified Ethics Complaint.

(1) An ethics action is initiated by submitting a formal written ethics complaint ("Verified Complaint") with the Town.

(2) Any person, either individually or on behalf of an organization, may file a Complaint with the Town.

(b) Contents of the Verified Complaint. A Verified Complaint must set forth the following:

(1) The name of the individual submitting the Verified Complaint, either personally or on behalf of an organization, along with their mailing address, telephone number, and, if available, email address. Anonymous submissions will not be accepted.

(2) The name of the person(s) alleged to have violated the Code of Ethics.

(3) A detailed description of the facts supporting the alleged violation, along with a specific citation to the provision(s) of the Code of Ethics alleged to have been violated.

(4) The names of any witnesses with knowledge of the relevant facts, along with sufficient contact information for each witness.

(5) The signature of the person submitting the complaint, accompanied by the following verification statement:

> "The undersigned hereby certifies or affirms that the information contained within this Verified Complaint is true to the best of my knowledge, information, and belief formed after reasonable reflection. I have not filed this Verified Complaint for the purpose of harassment or to falsely disparage the individual(s) claimed to have committed violations of the Keystone Code of Ethics."

(c) Filing of the Verified Complaint. A Verified Complaint must be submitted by mail or hand delivery to any one of the following:

(1) The Mayor (or, if the Complaint concerns the Mayor, the Mayor Pro Tem);

(2) The Town Clerk (or, if the Complaint concerns the Town Clerk, the Town Manager); or

(3) The Town Attorney (or, if the Complaint concerns the Town Attorney, the Town Manager).

The Complaint shall be considered filed on the date it is received by any of the persons listed above.

(d) Processing of the Verified Complaint

(1) Within five (5) business days of the filing date, the Town Attorney shall deliver a copy of the Verified Complaint to the Respondent, along with a dated cover letter and a copy of the Code of Ethics.

(2) The Respondent may submit a written response ("Answer") to the allegations within twenty-one (21) calendar days from the date shown on the cover letter.

(3) Within five (5) business days of the filing date, the Town Attorney shall also distribute a copy of the Verified Complaint to:

(i) All members of the Board of Ethics, and

(ii) The Town Manager.

The Town Attorney shall also deliver the Respondent's Answer (if submitted) to both the Board of Ethics and the Complainant.

Sec. 6. Initial administrative review.

No sooner than thirty (30) calendar days after the Verified Complaint is filed, the Board of Ethics shall convene during a regular or special public meeting to review the Verified Complaint and any Answer received. This review may occur in executive session as permitted under Section 24-6-402, C.R.S.

Based on the Verified Complaint and the Respondent's Answer (if any), the Board of Ethics may make one or more of the following determinations:

(a) Proceed with Review. That the Verified Complaint alleges facts that may constitute a violation of the Code of Ethics and warrants further review.

(b) Dismiss the Complaint. That one or more claims in the Verified Complaint should be dismissed without further action for any of the following reasons:

(1) The Board lacks jurisdiction over the individual(s) named;

(2) Even if true, the alleged conduct would not constitute a violation of the Code of Ethics;

(3) The allegations were previously raised in another Verified Complaint and are already under consideration or were resolved;

(4) The alleged violation is minor in nature and does not justify use of public resources;

(5) The conduct occurred more than one year before the complaint was filed, and due to the passage of time, evidence, witnesses, or recollections are likely unavailable, making prosecution impractical;

(6) The Complaint is frivolous, groundless, or brought for purposes of harassment;

(7) The alleged violation is unlikely to be proven by a preponderance of the evidence due to reliance on conflicting oral testimony or unverifiable statements;

(8) The Respondent has admitted wrongdoing and made or committed to make sufficient redress or corrective action acceptable to the Board of Ethics;

(9) The matter is moot or will become moot because the Respondent is no longer (or will soon no longer be) a Public Servant before the conclusion of the process;

(10) The Respondent previously received an advisory opinion under Section 2 of Division 4 indicating that the conduct did not violate the Code of Ethics;

(11) The Board has referred the matter to a more appropriate agency with jurisdiction, such as law enforcement, the District Attorney, the State Attorney General, or another public body better positioned to address the complaint;

(12) Any other reason based on legal principles applicable to civil cases.

A decision to dismiss any claim, along with the written reason for dismissal, shall be made publicly available. The Board of Ethics retains the authority to dismiss allegations at any time during the enforcement process.

Sec. 7. Prosecution of allegations.

Following the Initial Administrative Review, if the Board of Ethics determines that the Verified Complaint alleges facts that may be sufficient to constitute a violation of the Code of Ethics, the Board may initiate one or more of the following enforcement processes:

(a) Assignment to Investigation. An investigation may be initiated when the allegations involve serious and disputed factual issues that could be resolved through the independent review of evidence and interviews with witnesses. This process is appropriate when additional fact-finding is necessary to determine whether a violation occurred.

(b) Informal Administrative Review. An Informal Administrative Review may be used to address significant ethical concerns while ensuring the efficient and reasonable use of public resources. This process is intended to serve as the primary and more common method for resolving ethical allegations. It allows for resolution without the formality of a hearing when the issues can be fairly addressed through a streamlined process.

(c) Formal Hearing. A Formal Hearing is reserved for cases involving serious and contested allegations of unethical conduct that may require a public proceeding to fully address the facts and to restore public confidence in the Town's governance and the integrity of its Public Servants. This process typically involves greater procedural formality and use of public resources.

Sec. 8. Investigation.

(a) Scope of Investigation. When the Board of Ethics refers a Verified Complaint for investigation, the referral must include the following elements:

(1) The individual, firm, or agency assigned to conduct the investigation;

(2) A clear statement of the scope and purpose of the investigation, including the specific issues the Board seeks to have addressed;

(3) A budget for the investigation;

(4) A timeline for completion, including delivery of the investigator's report or work products. The investigation must be completed within forty-five (45) days, unless the Board of Ethics approves an extension;

(5) The name of the Town staff member or contractor responsible for administering and overseeing the investigation;

(6) Authorization for the Board of Ethics to enter into contracts necessary to carry out the investigation.

(b) Confidential work product investigation report. If requested by the Board of Ethics, the appointed investigator shall prepare a written report. This report is considered a confidential work product and is not subject to public disclosure, as it is an inter-agency advisory or deliberative document prepared for the benefit of the Town Council to assist in decision-making. See Section 24-72-202(6.5), C.R.S.

(c) Subpoena power. The investigator is authorized to issue and serve administrative subpoenas, in a form approved by the Town Attorney, to compel the production of documents or the appearance of witnesses for interviews. A party's failure to comply with a subpoena shall be noted in the investigator's report, and the Board of Ethics may draw reasonable inferences from such failure as it deems appropriate.

(d) After submitting the investigation report, the investigator shall have no further role in the complaint process except to serve as a witness, if called upon.

Sec. 9. Informal administrative review.

(a) Purpose. The Informal Administrative Review process allows the Board of Ethics to consider allegations from a Verified Complaint using an expedited and cost-effective procedure. The process may be modified at the discretion of the Board based on the nature and complexity of the allegations, without formal amendment to this Code of Ethics.

(b) Notice of Hearing. Notice of the Informal Administrative Review hearing shall be provided to both the Respondent and Complainant at least twenty-one (21) days before the scheduled date. The notice will include the date, time, location, and purpose of the hearing.

The Town may also post notice on its official website to inform the public of the upcoming proceeding.

(c) Submission of Materials. The notice will specify the deadline for submission of any supporting documentation, affidavits, or witness statements. Materials submitted after the deadline will not be accepted. The notice shall also inform parties that they may have individuals present at the hearing to respond to questions posed by the Board of Ethics; however, no formal testimony will be scheduled.

(d) Hearing Procedure. At the designated hearing, the Board of Ethics may consider all documentation submitted before the deadline. Board members may ask questions of individuals in attendance. However:

(1) Formal testimony is not required or scheduled;

(2) Oral presentations are not expected;

(3) Cross-examination is not permitted.

(e) **Deliberation and Decision.** After reviewing the materials and any informal responses, the Board of Ethics shall deliberate and determine whether the allegations in the Verified Complaint have been proven by a preponderance of the evidence. A majority vote of the quorum present is required for any decision.

If the Board finds a violation, it may impose one or more of the following penalties, by majority vote of all Board members:

(1) Oral or written reprimand delivered to the Respondent;

(2) Public reprimand announced or read during a Town Council meeting;

(3) Suspension or removal from a Town-appointed committee, board, liaison role, or representative position;

(4) Restitution or reimbursement of damages to the Town or a harmed party, not to exceed the Respondent’s remaining salary or compensation for their term in office;

(5) A financial penalty equal to twice the amount of any benefit gained through unethical conduct;

(6) Any other penalty deemed just and appropriate, based on the severity of the violation and any mitigating factors.

Important Limitation: The Board of Ethics may not impose suspension or removal from elected office through the Informal Administrative Review process.

Sec. 10. Formal hearing.

(a) Referral to Formal Hearing. If one or more allegations are not dismissed following the initial review, the Board of Ethics may direct that the matter proceed to a Formal Hearing as outlined in this section.

(b) Appointment of Ethics Prosecutor. Subject to Town Council contract approval, the Board of Ethics may appoint an Ethics Prosecutor, who must be a licensed attorney. The Ethics Prosecutor is authorized to perform all duties under this section and their contract. Once appointed, the Prosecutor's name shall be provided to the Respondent via hand delivery or mail.

(c) Notice of Formal Hearing. A Notice of Formal Hearing will be mailed to the Respondent and the Ethics Prosecutor. The notice shall include:

(1) A summary of the alleged violations;

(2) Notification that the Respondent may be represented by legal counsel or another representative at their own expense;

(3) An invitation for the Respondent to submit a new or updated Answer to the Verified Complaint within 21 calendar days of receiving the Notice. The updated Answer shall be promptly delivered to the Ethics Prosecutor.

(d) Appointment of Hearing Officer or Hearing Body. The Board of Ethics shall appoint one of the following to preside over the Formal Hearing:

(1) A Hearing Officer, or

(2) A Hearing Body, which may consist of:

(i) A three-member panel of the Board of Ethics;

(ii) The full Board of Ethics; or

(iii) An odd-numbered panel of Town residents (not to exceed seven), selected randomly from volunteers. Alternate members may be selected in case of unavailability.

The chairperson of the Hearing Body or the Hearing Officer shall manage pre-hearing matters and preside at the hearing. Their names shall be mailed to the Respondent and the Ethics Prosecutor.

(e) Challenges for Bias or Prejudice. Within seven (7) days of receiving notice of appointments, the Respondent or Complainant may submit a written challenge to any Hearing Officer, Hearing Body member, or the Ethics Prosecutor for alleged bias or prejudice. The Board of Ethics will rule on such challenges and, if warranted, appoint a replacement. Late challenges will not be considered.

(f) Pre-Hearing Procedures

(1) Setting the Hearing Date: The Town Attorney or Board-appointed representative shall coordinate with the parties to schedule a hearing. Notice of the hearing will be mailed to all involved parties. Any rescheduling must be approved by the Hearing Officer or Hearing Body.

(2) Pre-Hearing Statements: At least 21 days before the hearing, each party shall submit a pre-hearing statement including:

(i) Final witness list with a summary of testimony and estimated time for direct examination;

(ii) Final exhibits; and

(iii) Any stipulations agreed upon. Evidence not disclosed by the deadline shall be inadmissible unless good cause is shown.

(3) Pre-Hearing Conference: The chairperson or Hearing Officer may schedule a conference to issue a hearing order and resolve procedural or evidentiary issues.

(4) Subpoenas: The Hearing Officer or Hearing Body may issue subpoenas to compel witness attendance or evidence production, upon motion with an offer of proof.

(i) Subpoenas must follow Colorado Rule of Civil Procedure 45 and be served at least 48 hours before the hearing. Proof of service must be shared with all parties.

(ii) Non-parties may move to quash or modify a subpoena; decisions will be made in consultation with the Town Attorney or assigned legal representative.

(iii) Subpoenas may be enforced as authorized by law.

(iv) Witnesses unable to appear may be required to respond to written interrogatories, participate in a deposition, or testify remotely. Costs for remote or alternative testimony shall be paid by the requesting party.

(g) Conduct of Hearing

(1) The Hearing shall be conducted in an informal but fair manner.

(i) The Hearing Officer or Chairperson may administer oaths, rule on evidence, and maintain order.

(ii) Use of the Colorado Rules of Evidence is at their discretion.

(2) Hearing Procedure:

(i) Stipulated evidence is admitted at the beginning.

(ii) The party with the burden of proof presents first, followed by the opposing party.

(iii) Rebuttal evidence is allowed.

(iv) Witnesses may be cross-examined, and all testimony shall be under oath or affirmation.

(v) The Hearing Officer may limit or direct testimony to ensure relevance and professionalism.

(vi) Parties may make closing arguments or submit written briefs with the chairperson's consent.

(h) Record of Hearing. An official electronic or stenographic record will be made and retained by the Town Clerk for two (2) years. No unofficial recordings shall be recognized.

(i) Deliberation and Decision. After the hearing, the Hearing Officer or Body will deliberate and determine whether the alleged violations were proven by a preponderance of the evidence.

(1) A written decision will be issued, including findings of fact and conclusions based on the Code of Ethics.

(2) Only members who were present for the full hearing may participate.

(3) Any findings and recommendations must be adopted by a two-thirds majority of the quorum present.

(4) The written decision shall be delivered to the Board of Ethics, which will schedule formal acceptance and approval at a public meeting, also by two-thirds vote of a quorum.

Once accepted, a copy of the final findings, conclusions, and order shall be mailed to the Respondent, Complainant, and Ethics Prosecutor.

(j) Available Penalties. If a violation is found, the Hearing Officer or Body may recommend one or more of the following:

(1) Oral or written reprimand (private or public);

(2) Removal or suspension from any Town-appointed role;

(3) Ineligibility for future Town appointments;

(4) Restitution for damages caused by the ethical violation;

(5) A penalty equal to double the financial benefit obtained;

(6) Any other just and appropriate penalty based on the seriousness of the violation and mitigating factors.

(k) Suspension or Removal from Office. If suspension or removal from elected or appointed office is recommended, the Board of Ethics must consider the recommendation at a public meeting.

(1) The Respondent shall be recused if they are a member of the Town Council.

(2) A decision to suspend or remove requires a two-thirds (2/3) vote of all Council members in office at the time of such vote.

(l) Appeal. Any party may appeal the final decision through Colorado Rule of Civil Procedure 106(a)(4). The date of the final decision is the date it is hand-delivered or mailed by certified mail to the parties.

Sec. 11. Enforcement of ethical violations committed by employees.

The method and manner of enforcing this Code of Ethics for allegations made against Employees shall be at the discretion of the Town Manager, who, under Keystone Charter Section 7.4, holds authority over the supervision, suspension, transfer, and termination of Employees.

In addressing ethical allegations involving Employees, the Town Manager may be guided by the purpose and intent of the enforcement provisions of this Code of Ethics, including its principles, processes, and procedures, to ensure a fair, effective, and transparent outcome that promotes employee accountability and public confidence.

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. Minor Revision or Correction Authorized. The Town Manager, in consultation with the Town Attorney, is authorized to make minor revisions or corrections to the codified version of the provisions of this Ordinance provided that such revisions or corrections are grammatical, typographical, numerical, or non-substantive and do not alter or change the meaning and intent of this Ordinance.

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

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

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

____
Kenneth D. Riley, Mayor

ATTEST:

____
Town Clerk

APPROVED AS TO FORM:

____
Town Attorney

Town of KEYSTONE Colorado

Keystone Town Council
Minutes

The Keystone Town Council held a Regular Meeting on September 23, 2025, at 7:00 p.m. at 1628 Sts. John Rd, Keystone, CO 80435. Full and timely notice of the meeting had been posted, and a quorum of the body was present.

I. CALL TO ORDER, ROLL CALL

Mayor Riley called the meeting to order at 7:01 p.m. The roll was called, and it was found there were present and participating at that time the following members: Councilmember Jonathan Hagenow, Councilmember Carol Kerr, Councilmember Aaron Parmet, Councilmember Dan Sullivan, and Mayor Ken Riley.

II. PLEDGE OF ALLEGIANCE

Mayor Riley led the Council in reciting the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Mayor Riley presented the agenda.

Councilmember Hagenow moved to approve the agenda as presented. Councilmember Sullivan seconded.

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

IV. COMMUNICATIONS TO COUNCIL

Mayor Riley opened the floor for public comment.

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

V. CONSENT

A. FIRST READING OF ORDINANCES

B. MEETING MINUTES

1. **September 9, 2025 – Meeting Minutes**

C. EXCUSED ABSENCES

1. **Steve Martin – October 14, 2025 – remote attendance**

D. OTHER

1. **Accounts Payable List**

Mayor Riley presented the consent agenda.

Councilmember Kerr moved to approve the consent agenda. Councilmember Parmet seconded.

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

VI. DISCUSSION

A. SECOND READING / CONSIDERATION OF ORDINANCES

1. **Ordinance 2025-O-15, An Ordinance of Town Council of the Town of Keystone, Colorado, Establishing the Structure of Financial Funds Pursuant to the Home Rule Charter, Including Creation of Special Funds, Lodging Tax, Conservation Trust, and Workforce Housing Purposes**

Mayor Riley recognized Town Clerk Madeleine Sielu to read the title of Ordinance 2025-O-15, Establishing the Structure of Financial Funds Pursuant to the Home Rule Charter, Including Creation of Special

Funds, Lodging Tax, Conservation Trust, and Workforce Housing Purposes, into the record for consideration.

Mayor Riley opened the public hearing.

Mayor Riley recognized Town Manager John Crone, Finance Director Heikela Fawkes, and Town Attorney to introduce the ordinance and provide a staff presentation.

Mayor Riley opened the floor for public comment on Ordinance 2025-O-15.

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

Mayor Riley closed the public hearing.

Councilmember Sullivan moved to approve Ordinance 2025-O-15. Councilmember Kerr seconded.

By roll call, the result was:
Ayes: Councilmember Hagenow, Councilmember Kerr, Councilmember Martin, Councilmember Parmet, Councilmember Sullivan, Mayor Riley (6)
Nays: **(**0)

The motion passed, and Ordinance 2025-O-15 was approved.

B. RESOLUTIONS

1. **Resolution 2025-32, A Resolution of Town Council of the Town of Keystone, Colorado, Appointing and Setting the Terms for the First Members of the Business Advisory Committee**

Mayor Riley recognized Town Manager Crone and Town Clerk Sielu to introduce Resolution 2025-32, Appointing and Setting Terms for the First Members of the Town of Keystone Business Advisory Committee.

Councilmember Hagenow moved to approve Resolution 2025-32. Councilmember Sullivan seconded.

By roll call, the result was:
Ayes: Councilmember Hagenow, Councilmember Kerr, Councilmember Martin, Councilmember Parmet, Councilmember Sullivan, Mayor Riley (6)
Nays: **(**0)

The motion passed and Resolution 2025-32 was approved.

2. **Resolution 2025-33, A Resolution of Town Council of the Town of Keystone, Colorado, Appointing and Setting Terms for the First Members of the Town of Keystone Marketing Committee**

   Mayor Riley recognized Town Manager Crone to introduce Resolution 2025-33, Appointing and Setting Terms for the First Members of the Town of Keystone Marketing Committee.

   Councilmember Kerr moved to approve Resolution 2025-33.

   By voice vote, the motion passed unanimously, and Resolution 2025-33 was approved.

VII. PLANNING MATTERS

VIII. REPORT OF TOWN MANAGER AND STAFF

The Town Manager reminded everyone that the Town Council vacancy will be posted until October 6, and interviews will take place at the next Town Council meeting. For Short-Term Rental licensing, approximately 70% of individually managed licenses have been renewed. Mountain Towns 2030, the Colorado

Municipal League dinner, and the Colorado Association of Ski Towns meeting are all taking place in Summit County prior to the next Town Council meeting. Discussions related to the purchase of a building for Town Hall have continued. Summit County is no longer in support of a Regional Transit Authority at this time, so discussion has stalled on this item. Vail Resorts and Keystone are proposing changes to their bus service to eliminate certain bus routes.

IX. REPORT OF MAYOR AND COUNCIL

Councilmember Sullivan noted that the Town Council would need to pass a resolution in support of Keystone having its own zip code to support the efforts at the federal level for establishing a new zip code. He also noted the Northwest Colorado Council of Governments (NWCCOG) has a community business development fund with no current business participants from Keystone. This could be a future area of interest for outreach with the business community. He attended the Keystone Owners Association's (KOA) annual meeting, where several items of discussion came up, including questions about the Town's role in providing Christmas lighting. KOA also announced that they are initiating a Short-Term Rental (STR) Advisory Board, and it was noted at this meeting that Keystone is a "global model" for STR community relations.

Councilmember Hagenow attended the Tenderfoot HOA meeting where discussions of natural medicine, nuisance ordinances, and a broken streetlight were mentioned by constituents, were noted.

Mayor Riley attended Soda Springs I and Soda Springs II HOA meetings, and no major issues were identified. There are a few upcoming HOA meetings on September 27 that will be attended by Councilmember Martin and Town Clerk Sielu. In the most recent discussions with Keystone Resort, it was noted that there has not yet been a decision related to the hours for the bike park in 2026.

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

Councilmember Kerr announced that there were two new businesses within Keystone, Pat + Bear Macaron and Keystone Nutrition Club.

Councilmembers discussed the possibility of plowing or grooming some or all parts of the recreation path in the winter.

Without objection, Councilmember Kerr was selected to be the council liaison for the Marketing Advisory Committee.

Without objection, Mayor Riley was selected to be the council liaison for the Business Advisory Committee.

XI. SCHEDULED MEETINGS

XII. EXECUTIVE SESSION

Councilmember Martin moved to enter an Executive Session pursuant to CRS sec. 24-6-402(4)(b) and (e)(I) to discuss matters that are subject to negotiation, develop strategies for negotiation, or to instruct negotiators and to receive legal advice related to the purchase of a building and property, and to enter an Executive Session pursuant to CRS sec. 24-6-402(4)(b) to receive legal advice related to zoning within the Town. Councilmember Hagenow seconded.

By voice vote, the motion passed unanimously and the Town Council entered Executive Session at 8:07 p.m.

The Executive Session concluded at 8:56 p.m.

XIII. ADJOURNMENT

Seeing no further business to discuss, the Town Council meeting adjourned immediately following the conclusion of the Executive Session at 8:56 p.m.

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: John Crone, Town Manager
Lindsay Hirsh, Community Development Director
FROM: Jennifer Madsen, Town Attorney
DATE: October 14, 2025
SUBJECT: [FIRST READING] Ordinance 2025-O-16, Regulations on Natural Medicine Uses

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Executive Summary:

The proposed Ordinance 2025-O-16 revises the Town's Land Use Code to establish specific regulations governing the location and operation of Natural Medicine Businesses, including cultivation facilities, healing centers, product manufacturers, and testing facilities.

As required under Section 1454 of the Land Use Code, the Town must determine that the proposed revisions:

1. Meet the purpose and intent of the Code;
2. Give due consideration to the goals and policies set forth in both the Master Plan and the Snake River Master Plan; and
3. Remain consistent with applicable State Statutes.

Pursuant to Section 1453 of the Code, the Planning & Zoning Commission is tasked with reviewing the proposed amendment and forwarding a recommendation to Town Council. The Commission may recommend approval, denial, or approval with revisions.

The draft ordinance provides a comprehensive regulatory framework to ensure Natural Medicine Businesses are regulated in a manner that protects the Town's public health, safety, and welfare objectives, while aligning with state law and adopted community planning policies.

It is important to note that Town Council approved Ordinance 2024-O-15 to implement a moratorium on the operation of natural medicine businesses, uses, and services until February 1, 2026. Thus, regulations should be adopted before that date.
Planning and Zoning Commission recommended approval at its September 2025 meeting.

Background:

In 2022, Colorado voters approved the Natural Medicine Health Act (the "NMHA") through a statewide ballot measure (Proposition 122). The NMHA decriminalized the personal use, possession and growth of certain natural medicines, such as psilocybin and psilocin, for individuals over the age of 21. The NMHA also established a regulating framework for the use of these substances in therapeutic settings, including the creation of licensed healing centers where natural medicines can be administered under the supervision of trained facilitators. State decriminalization and legalization of natural medicine is a recent development. In November 2020, Oregon voters passed ballot measure 109 and Oregon became the first state to create a state-legal, regulated market for psychedelic psilocybin products. Colorado became the second state when voters approved decriminalization and regulation in November 2022.

The first phase of Colorado's legalization and licensing regime focuses on psilocybin, a naturally occurring psychedelic compound found in more than 200 species of mushrooms that grow naturally around the world. Other substances related to mushrooms and in the state definition of natural medicine will be the focus of future roll out of licensing and state regulations in coming years.

Licensing requirements: The NMHA, as amended in 2023 by SB-23-290, creates occupational licensing requirements for facilitators that are to be administered by the Colorado Department of Regulatory Agencies (DORA) (such as requirements for training and experience) and business licensing requirements for healing centers, products manufacturers, cultivation faculties, and testing facilities that are to be administered by the Colorado Department of Revenue (DOR Natural Medicine Division).

It is important to note state law requires natural medicine facilities must be located at least 1,000 feet from any school, unless the local law allows allow a shorter distance.

What follows is an overview of the state regulations on operating requirements for the natural medicine businesses:

Facility Security and Access

- All business operations must occur within licensed, secure, enclosed facilities.
- Access to restricted areas (where cultivation, testing, manufacturing, or storage occurs) is limited to licensed personnel.
- Security plans must include video surveillance, secure storage of natural medicine, and restricted public access.

General Sanitary Standards and Hygiene

Natural Medicine Businesses must:

- Exclude ill individuals (those with open wounds, infections, or microbial contamination) from operations involving direct contact with products.
- Require all employees working with natural medicine to maintain personal cleanliness and handwashing before and during duties.
- Maintain clean, sanitary floors, walls, ceilings, and provide adequate lighting in processing and storage areas.

Facility and Contamination Controls

Facilities must:

- Be protected against pests, odors, and microbial growth.
- Store materials and products to prevent growth of undesirable microorganisms.

- Handle toxic cleaning chemicals in accordance with local, state, and federal safety laws, with all Safety Data Sheets (SDS) maintained on-site.

Handwashing, Toilets, and Water Supply

Facilities must have:

- At least one toilet and hand-washing station, with hot water, soap, and drying supplies.
- Sanitized restroom facilities on a regular schedule.
- Potable drinking water for employees and participants.

Fire, Building & Local Health Inspections

Natural Medicine Businesses are subject to:

- Fire safety, building, and zoning inspections by local authorities.
- These inspections may impose additional requirements (e.g., installation of fire suppression systems or verification of compliance with time/place/manner regulations).

Operations and Environmental Standards

- Outdoor cultivation or clinical sessions are prohibited unless specifically approved (e.g., secured outdoor administration areas).
- Businesses must include Environmental, Social, and Governance (ESG) plans, with specific goals such as:
    - Sustainable practices (e.g., renewable energy, recyclable materials)
    - Social impact goals (e.g., inclusive hiring, community benefit sharing)
    - Public transparency (e.g., publishing ESG plans online)

Licensing, Zoning, and Local Control

- Licensees must comply with local zoning and land use laws.
- Local governments may regulate the time, place, and manner of business operations but may not ban them outright.

- Premises cannot be shared with other regulated substances (e.g., marijuana), with limited exceptions.

Staffing and Background Checks

- Natural Medicine Handler Licenses are required for anyone handling or accessing regulated medicine.
- All personnel must pass criminal background checks and be 21 years or older.
- Certain felony convictions and past regulatory violations may disqualify applicants.

Taxes, Fees, and Recordkeeping

- All taxes must be current; failure to file or pay taxes can result in denial or revocation of licenses.
- All changes in ownership, location, or business status require prior approval and proper filing.
- Licensees must keep detailed records of financial interests, visitor logs, operations, and security data.

Inspections and Enforcement

- The State Licensing Authority may conduct random inspections and require compliance documentation at any time.
- Noncompliance can result in warnings, license suspension or revocation, and administrative sanctions.

Complaints and Community Impact

- Businesses must report adverse health events and may be required to respond to public health orders.
- Law enforcement retains full authority to investigate unlawful conduct despite state licensure.

Local government role: As discussed on October 22, 2024, the NMHA provides that local governments may not prohibit the provision of “natural medicine services” within their jurisdiction when conducted by a state-licensed facilitator as defined by state law. A local jurisdiction may also not prohibit the establishment or operation of state-licensed natural medicine businesses (such as healing centers) within the jurisdiction.

However, local governments retain authority to enact reasonable regulations regarding the time, place, and manner of the operation of such businesses. These regulations must not constitute a de facto ban or undermine access to services permitted under state law.

The State of Colorado, through the Department of Revenue's Natural Medicine Division, anticipates beginning to accept applications for natural medicine businesses in the first quarter of 2025.

Here are examples of time, place, and manner regulations for operation of natural medicine businesses.

Time: Local governments may restrict the operational hours of the business. Other municipalities have adopted 12-hour operation regulation: 7:00 a.m. to 7:00 p.m. or 8:00 a.m. to 8:00 p.m., Monday through Sunday.

Place: This regards the location of the natural medicine use. There are two categories of uses: natural medicine healing centers and natural medicine business (for cultivation, manufacturing, and testing). Other municipalities have zoned natural medicine businesses in an industrial zone with some communities allowing placement in commercial zones. Other municipalities have zoned natural medicine healing centers in commercial, business, and/or industrial. Municipalities can adopt the states 1,000 foot distance from any school or a shorter distance. Some municipalities have adopted a 1,000 foot distance regulation from residential dwellings or a certain distance between natural medicine facilities.

Manner: Municipalities have implemented regulations that complement or impose stricter requirements related to the operation of the businesses. A majority of municipalities have imposed security provisions for doorways, windows, and other openings: to prevent seeing in from outside. Several municipalities require clear illumination to provide visibility of entrances, parking, and exterior walkways. Other municipal regulations require businesses to be located in a permanent building; not in a trailer, tent or motor vehicle. Some municipalities prohibit the natural medicine to be placed within the facility's exterior refuse containers. Other municipalities require that natural medicine businesses use an air filtration and ventilation system designed to reduce odors emitted from the facility.

As with all land use regulations, any requirement must have a rational relation to legitimate public interest, such as public health, safety, welfare, or local concern.

Proposed regulations on Natural Medicine uses:

As a preliminary matter, the Town’s Land Use Code, Section 1454, requires a finding that (1) the proposed revision meets the purpose and intent of the Code; (2) the proposed revision gives consideration to the goals and policies in the Master Plan and the Snake River Master Plan; and (3) the proposed revision is consistent with any applicable State Statutes.

Per Section 1453 of the Land Use Code, the review process for any code amendments is that Planning & Zoning Commission reviews the amendment and makes a recommendation for Town Council. Thus, your role is to recommend or not recommend the draft ordinance. You may also suggest revisions.

Proposed Ordinance 2025-O-16 provides reasonable time, place, and manner regulations and establish a local regulatory framework for natural medicine businesses and personal use cultivation in the Town, consistent with the Town’s zoning authority and Colorado state law.

1. **Proposed New Use Definitions:** The recommendation is to add the following use definitions to the Land Use Code:

   Natural Medicine has the same meaning as in Section 44-50-103(13), C.R.S. [Currently, defined as psilocybin and psilocin. As of June 1, 2026, it may include dimethyltryptamine, ibogaine, or mescaline.]

Natural Medicine Business means any of the following entities licensed under the Natural Medicine State Licensing Authority and includes a Natural Medicine Healing Center, a Natural Medicine Cultivation Facility, a Natural Medicine Products Manufacturer, a Natural Medicine Testing Facility, or another licensed entity created by the Natural Medicine State Licensing Authority.

Natural Medicine Cultivation Facility means a facility that is licensed by the Natural Medicine State Licensing Authority where regulated Natural Medicine is grown, harvested, and prepared in order to be transferred and distributed to either a Healing Center, Facilitator, a Natural Medicine Products Manufacturer, or to another Natural Medicine Cultivation Facility.

Natural Medicine Healing Center means a facility licensed by the Natural Medicine State Licensing Authority that permits a facilitator, as defined by the Natural Medicine Code, to provide and supervise natural medicine services for a participant, as defined by the Natural Medicine Code.

Natural Medicine Products Manufacturer means a facility that is licensed to manufacture regulated natural medicine products for transfer to a Healing Center, Facilitator, or to another Natural Medicine Products Manufacturer pursuant to the terms and conditions of the Natural Medicine State Licensing Authority.

Natural Medicine Testing Facility means a facility that is licensed by the Natural Medicine State Licensing Authority to perform testing and research on Natural Medicine and Natural Medicine Product.

2. **Zoning and Permitted Use Areas[1]: The proposed regulations** allow natural medicine businesses and uses in the Highway Business, B-1 zone district. The parcels in the B-1 zone district are located along Highway 6. The zoning map (see

[1] The Town of Keystone does not have commercial or industrial zone districts.

attachment) shows the location of these B-1. The regulation would require that natural medicine uses are 1,000 from schools (identical to the state requirement).

The proposal is to allow these uses as uses by right within the designated zone district. This approach is based on the fact that natural medicine businesses are subject to extensive state regulation. There must be a minimum 50 foot separation form properties used for residences and a minimum 1,000 foot separation from licensed childcare or residential childcare facilities, preschools, elementary, middle, junior, or senior high schools.

3. **Operational Restrictions:**
    - All business operations must occur within a fully enclosed, permitted principal building.
    - All such uses shall not cause odors, smoke, heat, glare or light that is detectable to a person of normal senses beyond the property line of the property upon which the use is being conducted, or in an adjacent unit or public area.
    - Natural Medicine Businesses are not permitted as home occupations.
    - Allowed to operate 8:00 a.m. to 7:00 p.m., Monday through Sunday.
    - Businesses must provide adequate on-site security that meets or exceeds Colorado's minimum standards for Natural Medicine Businesses.
    - Outdoor operations, including cultivation or clinical sessions, are prohibited.
    - Personal cultivation must occur in enclosed, locked spaces and not be visible or detectable from outside the property.
4. **State Compliance:** All natural medicine businesses must be licensed by the State of Colorado and comply with state regulatory standards.

For consistency with the Town's Land Use Code, Figures 3-2 and 3-3 have been are amended. The ordinance only includes parts of those figures. Here is the complete Figure 3-2 and Figure 3-3.

For your consideration, here are examples of other municipalities' regulations related:

Silverthorne: natural medicine business allowable in Commercial 2 zone, and conditional in Commercial 1.

Breckenridge: prohibits natural medicine businesses in the downtown area (along Main St) unless collocated with existing health care facility (subject to the basic 1000 ft distance to child/school centers).

Frisco: in zone districts that allow for medical office use; and at any private residential location at which such service is allowed by state regulations.
Colorado Springs: a mile from school, child center or residential dwelling

Fountain: intended to follow C. Springs example, but found that any geographical measure they might use in that small town would be unreasonably discriminatory — so they compromised with a 1,000 foot min. pedestrian distance to any school, childcare center, or residential dwelling.

Alternatives:

Town Council may propose alternative directions for the natural medicine regulations.

Financial Considerations:

There are no financial considerations applicable to this ordinance.

Previous Council Actions:

Council previously implemented a moratorium on natural medicine uses to allow time to consider regulation. The moratorium expires on February 1, 2026. Town Council briefly discussed natural medicine uses at its August 26, 2025, meeting.

Next Steps:

If Council approves this Ordinance on first reading, it will proceed to a second reading and public hearing on October 28. The effective date of the ordinance is thirty days after publication.

Suggested Motions:

Approval of the consent agenda includes first reading of the ordinance. If the Council wishes to discuss it, use one of the following motions:

APPROVE: I move to approve Ordinance 2025-O-16, Adopting regulations related to Natural Medicine.

DENIAL: I move to deny Ordinance 2025-O-16, Adopting regulations related to Natural Medicine.

Attachment:

- Ordinance 2025-O-16, Adopting regulations related to Natural Medicine
- B-1 Zoning Summary

TOWN OF KEYSTONE
ORDINANCE NO. 2025-O-16

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, AMENDING ORDINANCE NO. 2024-O-05, TOWN OF KEYSTONE LAND USE CODE, ADOPTING REGULATIONS RELATED TO NATURAL MEDICINE USES AND REPEALING THE TEMPORARY MORATORIUM REGARDING THE SAME

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

WHEREAS, on April 23, 2024, through Ordinance No. 2024-O-05, the Town adopted by reference the *Summit County Land Use and Development Code*, subject to such amendments and revisions deemed necessary to properly and appropriately apply the adopted code to property within the Town of Keystone and has labeled it the Town of Keystone Land Use Code; and

WHEREAS, in 2022, Colorado voters approved the Natural Medicine Health Act (the "NMHA") through a statewide ballot measure Proposition 122, which decriminalized the personal use, possession, and cultivation of certain natural medicines, such as psilocybin and psilocin, for individuals over 21 years of age; and

WHEREAS, the NMHA also established a framework for using these substances in therapeutic settings, including the creation of licensed Healing Centers where natural medicines may be administered under the supervision of trained facilitators; and

WHEREAS, in May 2023, the Governor signed Senate Bill 23-290, entitled "Natural Medicine Regulation and Legalization," into law, which sets the regulatory framework for natural medicine in Colorado; and

WHEREAS, Senate Bill 23-290 authorizes the Town to regulate the time, place, and manner of the operation of state-licensed natural medicine business and uses; and

WHEREAS, the Town imposed a temporary suspension on natural medicine use and operations by Ordinance No. 2024-O-15, which expires February 1, 2026; and

WHEREAS, during the temporary suspension, Town staff investigated, reviewed, analyzed, and suggested natural medicine regulations; and

WHEREAS, based on the recommendations of staff, the Town desires to create regulations pertaining to natural medicine in the Town as set forth in this Ordinance; and

WHEREAS, the Planning and Zoning Commission considered and recommended approval of this Ordinance; and

WHEREAS, the Town Council has determined that the adoption of this Ordinance is legislative in nature and will further the public health, safety, and welfare of the residents 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. Chapter 3 of the Town of Keystone Land Use Code, Ordinance 2024-O-05 adopting by Reference the *Summit County Land Use and Development Code*, as such code existed on May 1, 2024, is amended to include a new Section 3822 and to read as follows:

CHAPTER 3. ZONING REGULATIONS

A new section 3822 regarding Natural Medicine is added to read as follows:

3822: Natural Medicine

A. **Purpose, Intent, and Definitions:** It is the purpose and intent of these regulations to govern the uses and activities associated with natural medicine and ensure that such uses and activities all operate in a safe manner that does not endanger the public welfare.
   1. As used herein, the following terms are defined as follows:
      a. *Natural Medicine* has the same meaning as in Section 44-50-103(13), C.R.S.
      b. *Natural Medicine Business* means any of the following entities licensed under the Natural Medicine State Licensing Authority and includes a Natural Medicine Healing Center, a Natural Medicine Cultivation Facility, a Natural Medicine Products Manufacturer, a Natural Medicine Testing Facility, or another licensed entity created by the Natural Medicine State Licensing Authority.
      c. *Natural Medicine Cultivation Facility* means a facility that is licensed by the Natural Medicine State Licensing Authority where regulated Natural Medicine is grown, harvested, and prepared in order to be transferred and distributed to either a Healing Center, Facilitator, a Natural Medicine Products Manufacturer, or to another Natural Medicine Cultivation Facility.
      d. *Natural Medicine Healing Center* means a facility licensed by the Natural Medicine State Licensing Authority that permits a facilitator, as defined by the Natural Medicine Code, to provide and supervise

natural medicine services for a participant, as defined by the Natural Medicine Code.

e. *Natural Medicine Products Manufacturer* means a facility that is licensed to manufacture regulated natural medicine products for transfer to a Healing Center, Facilitator, or to another Natural Medicine Products Manufacturer pursuant to the terms and conditions of the Natural Medicine State Licensing Authority.

f. *Natural Medicine Testing Facility* means a facility that is licensed by the Natural Medicine State Licensing Authority to perform testing and research on Natural Medicine and Natural Medicine Product.

B. **Adoption of State Statutory Provisions and State Administrative Regulations:** Except where the provisions set forth under Section 3822 et seq. are inconsistent with or differ from the Colorado Natural Medicine Code, C.R.S. Title 44, Article 50, and the state administrative regulations promulgated thereunder (including, without limitation, the Colorado Regulated Natural Medicine Rules, 1 CCR 213-1, and the Natural Medicine Licensure Rules and Regulations, 4 CCR 755-1), as each may be amended from time to time, all such statutes and regulations are adopted by reference and apply to all applications received and licenses issued by the local licensing authority. In the event of a conflict between this Section and the Colorado Natural Medicine Code or the applicable state administrative regulations, the provisions of this Section control to the fullest extent permitted by law.

3822.01: General Provisions

A. **Zoning districts where Natural Medicine Businesses are permitted:** Natural Medicine Cultivation Facility, Natural Medicine Healing Center, Natural Medicine Products Manufacturer, and Natural Medicine Testing Facility are only permitted in the B1 Zoning District in accordance with all applicable provisions set forth in Section 3822 et al., state law, and all other applicable codes and regulations.

B. **Natural Medicine Businesses Proximity to Other Land Uses:** Distances shall be computed by direct measurement from the nearest property line of the land use listed below to the nearest portion of the building of the Natural Medicine Business. Distances shall be verified by the applicant via a method deemed acceptable by the Town. At a minimum, no Natural Medicine Business shall be located within the following distances from the specified land uses listed below:

1. fifty (50) feet of any property (a) used primarily for residential purposes, (b) located within a residential zoning district, or (c) containing a residential use within a Planned Unit Development (PUD); provided, however, that this restriction shall not apply where the residential use is located exclusively on an upper floor of a mixed-use building and is separated

from the Natural Medicine Business by a nonresidential use; or
2. 1,000 feet of a licensed childcare facility or residential childcare facility, preschool, elementary, middle, junior, or senior high school;

C. **Home occupations:** A Natural Medicine Business shall not be permitted as a home occupation.
D. **Hours of operation:** A Natural Medicine Business may open no earlier than 8:00 a.m. and shall close no later than 7:00 p.m. on the same day, Monday through Sunday.
E. **Security systems:** A Natural Medicine Business shall provide adequate security on the premises which meets the minimum security standards set forth in Colorado law and codes and regulations related to Natural Medicine Businesses.
F. **Operations:** A Natural Medicine Business must occur within a fully enclosed, permitted principal building. All such uses shall not cause odors, smoke, heat, glare or light that is detectable to a person of normal senses beyond the property line of the property upon which the use is being conducted, or in an adjacent unit or public area. Outdoor operations, including cultivation or clinical sessions, are prohibited.
G. **Personal cultivation:** Personal cultivation is permitted in compliance with state law. Personal cultivation must occur in enclosed, locked spaces and not be visible or detectable from outside the property.

Section 3. Figure 3-2, Land Use Matrix is amended to include a new *Natural Medicine Business* use listed under COMMERICIAL in alphabetical order to read as follows:

FIGURE 3-2 LAND USE MATRIX

FIGURE 3-2 LAND USE MATRIX(17)												
P - Permitted C - Conditional A - Accessory T - Temporary NA - Not Allowed												
	A1	**B1**	**NR2** 1	**OS**	**PUD** 2	**RE**	**R1**	**R2**	**R3**	**R4**	**R-25**	**NOTES**
COMMERCIAL												
Natural Medicine Business	NA	**P**	NA	NA	NA	NA	NA	NA	NA	NA	NA	Permitted in accordance with Section 3822.

Section 4. Figure 3-3, Land Use Matrix is amended to include a new *Natural Medicine Business* use inserted in alphabetical order to read as follows:

FIGURE 3-3 LAND USE BY DISTRICT

FIGURE 3-3 LAND USE BY DISTRICT					
LAND USE	**PERMITTED**	**CONDITIONAL**	**ACCESSORY**	**TEMPORARY**	**NOTES**
Natural Medicine Business	X				See Section 3822

Section 5. 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 6. Minor Revision or Correction Authorized. The Town Manager, in consultation with the Town Attorney, is authorized to make minor revisions or corrections to the codified version of the provisions of this Ordinance provided that such revisions or corrections are grammatical, typographical, numerical, or non-substantive and do not alter or change the meaning and intent of this Ordinance.

Section 7. Repeal of Temporary Moratorium on Natural Medicine Uses. Ordinance No. 2024-O-15, which imposed a temporary moratorium on the establishment and operation of natural medicine uses within the Town of Keystone, is hereby repealed in its entirety. The repeal of Ordinance No. 2024-O-15 shall become effective concurrently with the effective date of this Ordinance. Upon repeal, no further restrictions shall be imposed under Ordinance No. No. 2024-O-15, and any applications or activities previously suspended under the moratorium may proceed subject to compliance with applicable state and local laws.

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

Section 9. Effective Date. After adoption by the Town Council, this ordinance shall take effect on __________________.

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

____
Kenneth D. Riley, Mayor

ATTEST:

____
Town Clerk

APPROVED AS TO FORM:

____
Town Attorney

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

____
Kenneth D. Riley, Mayor

ATTEST:

____
Town Clerk

APPROVED AS TO FORM:

____
Town Attorney

TOWN OF KEYSTONE, COLORADO
STAFF REPORT

TO:	Mayor & Town Councilmembers
THROUGH:	
FROM:	John Crone, Town Manager
DATE:	September 23, 2025
SUBJECT:	Resolution 2025-35, Supporting the Acquisition of a Post Office and Unique Zip Code

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Executive Summary:

The purpose of this resolution is to support the acquisition of a post office and a unique zip code, and to instruct staff to take the necessary steps to facilitate such acquisitions..

Background:

One of the initial reasons for incorporating the Town of Keystone was the effect that such incorporation would have on the acquisition of a post office and a unique zip code. The Town and certain individuals have been working through the federal government to acquire these items.

We have been informed that our requests of the federal government would be better received if the Town Council took official action in support of the requests. The attached resolution clearly indicates the Town Councils desires for such actions.

Proposed Motion:

If Council would like to officially support the acquisition of a post office and unique zip code, it may do so by approving the following motion: *I move to approve resolution 2025-35, Supporting the Acquisition of a Post Office and a Unique Zip Code*

TOWN OF KEYSTONE
Summit County, Colorado

RESOLUTION 2025-35

A RESOLUTION OF TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO SUPPORTING THE TOWN OF KEYSTONE'S EFFORTS TO ACQUIRE A POST OFFICE AND ZIP CODE AND INSTRUCTING STAFF TO TAKE ALL NECESSARY STEPS TO FACILITATE SUCH ACTIONS

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

WHEREAS, the Town of Keystone has determined that it is in the best interest of its citizens to have its own unique post office and zip code; and

WHEREAS, the Town Council has appointed a committee to pursue these goals; and

WHEREAS, the United States Congress and the United States Postal Service are considering requests for such post office and zip code; and

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

Section 1. The Town Council declares that it fully supports the efforts to acquire a post office within the Town limits.

Section 2. The Town Council declares that it fully supports the efforts to acquire a unique zip code for the Town of Keystone and surrounding unincorporated areas.

Section 3. The Town Council instructs staff to take the necessary steps to facilitate the acquisition of a post office and unique zip code.

Section 4. Effective Date. This Resolution shall be effective immediately upon adoption.

ADOPTED by a vote of ___ in favor and __ against, this 14th day of October 2025.

By: ______________________________
Kenneth D. Riley, Mayor

ATTEST:

By: ____________________________
Town Clerk

Approved as to Form:

By: _______________________________
Town Attorney