



Keystone Town Council Work Session Agenda

The Keystone Town Council will have a Work Session on November 26, 2024, 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. DISCUSSION WITH CALE OSBORN, TOWN OF DILLON POLICE CHIEF**
- III. DISCUSSION OF TOWN FINANCIALS**
- IV. DISCUSSION OF FINE AND ADMINISTRATIVE CITATIONS ORDINANCE**
- V. DISCUSSION ON BUSINESS LICENSES**
- VI. DISCUSSION OF NUISANCE ORDINANCE**
- VII. DISCUSSION OF FY2025 BUDGET**
- VIII. DISCUSSION OF MANAGER/COUNCIL ISSUES**
- IX. ADJOURNMENT**

	F	G	H	I	J	K	L	M
1	Town of Keystone							
2	Statement of Financial Position		Printed: 11/22/24					
3	As of Date Indicated							
4			<i>Preliminary - Subject to Change</i>					
5								
6	October 31, 2024		General	Capital	Housing	Conserv	All Funds	
7			Fund	Fund	Fund	Trust Fund	Combined	
8	ASSETS							
9	Investment Acct - Colotrust		848,902		309,931	0	1,158,833	
17	Operating - FirstBank		171,022				171,022	
23								
24	Total Cash in Bank		1,019,924	0	309,931	0	1,329,855	
25								
26	Sales Tax Receivable		347,785				347,785	
27	Other Tax Receivable		1,027				1,027	
28	Accounts Receivable		0	0	70,261	0	70,261	
33	Interfund & Other Receivables		0				0	
34	Prepaid Expenses		0				0	
35	Office Space Security Deposit		4,900				4,900	
36								
37	TOTAL ASSETS		1,373,637	0	380,192	0	1,753,829	
38								
39	LIABILITIES, DEFERRED INFLOWS AND FUND EQUITY							
40	Accounts Payable		78,523	0	0	0	78,523	
46	Payroll Liabilities		17,612	0	0	0	17,612	
52	Wages Payable		0				0	
53	Due to Summit County (Sales Tax Advance)		0				0	
54	Misc Liabilities		0				0	
55	Clearing Account		0				0	
56								
57	TOTAL LIABILITIES		96,135	0	0	0	96,135	
58								
59	DEFERRED INFLOWS							
60	Deferred Revenue		0				0	
61								
62	TOTAL DEFERRED INFLOWS		0	0	0	0	0	
63								
64	FUND EQUITY							
65	Invested in Capital Assets, Net		0				0	
66	Amount to be Provided for Debt Repayment		0				0	
67	Beg Fund Balance - General Fund		0				0	
68	Beg Fund Balance - Capital Improv Fund			0			0	
69	Beg Fund Balance - Workforce Housing				0		0	
70	Beg Fund Balance - Conservation Trust					0	0	
71	Current Surplus (Deficit)		1,277,502	0	380,192	0	1,657,694	
72	TOTAL FUND EQUITY		1,277,502	0	380,192	0	1,657,694	
73								
74	TOTAL LIABILITIES, DEFERRED INFLOWS							
75	AND FUND EQUITY		1,373,637	0	380,192	0	1,753,829	
76	No assurance provided on these financial statements; substantially all disclosures required by GAAP omitted.		=	=	=	=	=	

	E	F	H	I	J	K	L	M	N	
2	Town of Keystone								Printed: 11/22/24	
3	Statement of Revenues, Expenses and Changes in Fund Balance								<i>Preliminary</i>	
4	Actual, Budget and Forecast for the Periods Indicated									
5	Modified Accrual Basis			2024 ANNUAL			2024 From Inception (2/8/2024)		2025	
6				Approved		Variance	9 Months	9 Months	Placeholder	
7				2024	2024	Favorable	Ended	Ended	2025	
8				Budget	Forecast	(Unfavor)	10/31/24	10/31/24	Budget	
9							Actual	Budget	(Unfavor)	
10	GENERAL FUND									
11	Revenues									
12	Sales Tax (1 mo estimated)									
13		2,614,224	2,614,224	0	2,023,555	1,956,316	67,239		3,323,383	
14	Other Tax Revenue									
15	Highway Users Tax Fund	48,627	0	(48,627)	0	0	0		66,612	
16	Cigarette Tax	5,092	9,867	4,775	6,567	4,244	2,323		7,115	
17	Nicotine Tax	59,628	0	(59,628)	0	0	0		83,315	
18	Road and Bridges Tax	91,684	91,684	(0)	79,518	76,812	2,706		103,774	
19	Specific Ownership Tax	25,348	0	(25,348)	0	0	0		34,723	
20	Auto Ownership Tax	9,970	0	(9,970)	0	0	0		13,657	
21	Other Tax Revenue	0	0	0	0	0	0		0	
22	Total Other Tax Revenue	240,348	101,551	(138,797)	86,085	81,057	5,029		309,196	
23	Fees									
24	Building Permits	203,203	203,203	0	58,317	152,400	(94,083)		362,282	
25	Franchise Fees	0	0	0	0	0	0		0	
26		203,203	203,203	0	58,317	152,400	(94,083)		362,282	
27										
28	Licenses									
29	Business Licenses			0	0	0	0		34,723	
30	Short Term Rentals	541,732	541,732	(0)	213,830	541,732	(327,902)		547,150	
31	Liquor Licenses		5,250	5,250	3,200	0	3,200		0	
32		541,732	546,982	5,250	217,030	541,732	(324,702)		581,873	
33										
34	Fines									
35	Municipal Court Fines			0	0	0	0		0	
36	Code Enforcement Fines			0	0	0	0		0	
37		0	0	0	0	0	0		0	
38										
39	Other Income									
40	Grants		70,728	70,728	20,136	0	20,136			
41	Interest on Taxes			0	0	0	0			
42	Interest on Investments		10,000	10,000	8,716	0	8,716			
43	Admin Miscellaneous Income			0	0	0	0			
44		0	80,728	80,728	28,852	0	28,852		0	
45										
46										
47	Total Revenue	3,599,507	3,546,688	(52,819)	2,413,839	2,731,505	(317,665)		4,576,734	
48										
49	Expenditures									
50	Employee Benefits & Taxes									
51	401 A Match	44,414	44,414	0	25,203	36,339	11,136		60,000	
52	457 Match	16,655	16,655	0	4,131	13,627	9,496		130,000	
53	Flexible Spending Account (FSA)	5,774	1,425	4,349	1,050	4,724	3,674		6,500	
54	Wellness Reimbursement	12,158	9,166	2,992	6,041	9,947	3,906		9,600	
55	Health Insurance Premiums	79,834	63,627	16,207	46,862	65,319	18,457		0	
56	Health Ins Employee Contributions		(12,385)	12,385	(8,500)	0	8,500		0	
57	Workers Comp Insurance Premiums	11,381	15,359	(3,978)	12,288	9,312	(2,976)		0	
58	Payroll Taxes	18,543	12,636	5,907	9,041	15,172	6,131		900	
59										
60										
61										
62										
63	Total Employee Benefits & Taxes	188,759	150,897	37,862	96,115	154,439	58,324		207,000	

	E	F	H	I	J	K	L	M	N	
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3	Statement of Revenues, Expenses and Changes in Fund Balance						<i>Preliminary</i>			
4	Actual, Budget and Forecast for the Periods Indicated									
5	Modified Accrual Basis		2024 ANNUAL			2024 From Inception (2/8/2024)			2025	
6						9 Months	9 Months			
7		Approved		Variance		Ended	Ended	Variance	Placeholder	
8		2024	2024	Favorable		10/31/24	10/31/24	Favorable	2025	
9		Budget	Forecast	(Unfavor)		Actual	Budget	(Unfavor)	Budget	
64	General Expenditures All Departments									
65	Telephone	2,830	2,410	420		2,120	2,430	310	3,168	
66	Office Lease	50,700	50,900	(200)		41,100	40,900	(200)	196,158	
67	Office Building Maintenance	3,700	3,700	0		1,350	3,200	1,850	3,504	
68	Office Supplies	3,754	8,848	(5,094)		7,848	3,004	(4,844)	4,203	
69	Prof Services/Membership Fees	10,429	16,711	(6,281)		15,111	10,429	(4,682)	10,742	
70	Dues and Subscriptions	7,936	1,625	6,311		1,311	6,322	5,011	7,006	
71	Training	6,802	6,802	0		5,206	6,802	1,596	14,011	
72	Travel/Meals/Ldging	6,802	8,300	(1,498)		7,300	6,802	(498)	14,011	
73	Uniforms/Clothing	1,700	3,795	(2,095)		3,795	1,200	(2,595)	1,751	
74	Insurance	5,000	3,880	1,120		3,104	5,000	1,896	70,056	
75	Bank and Misc Fees	0	100	(100)		80	0	(80)	0	
76	IT/Technology	68,016	68,016	0		30,023	51,860	21,837	93,409	
77	Website	6,802	6,802	0		542	5,442	4,900	7,006	
78	Equipment Repairs/Leases	5,526	5,526	0		0	4,422	4,422	7,589	
79										
80	Total Gen Exp All Departments	179,996	187,414	(7,418)		118,889	147,813	28,924	432,616	
81										
82	Mayor and Town Council									
83	Mayor Wages	11,000	11,000	0		8,169	9,000	831	12,000	
84	Council Wages	33,000	33,000	0		23,375	27,000	3,625	36,000	
85	Cell Phone AllowTown Council	5,775	5,775	0		4,238	4,725	487	6,300	
86										
87		49,775	49,775	0		35,782	40,725	4,943	54,300	
88										
89	Misc Expense Town Council	1,251	5,596	(4,345)		4,502	1,025	(3,477)	1,401	
90	Total Mayor and Town Council	51,026	55,371	(4,345)		40,284	41,750	1,466	55,701	
91										
92	Administration Services									
93	Town Manager Wages	127,530	127,530	0		69,810	99,190	29,380	175,141	
94	Town Clerk Wages	95,047	95,047	0		72,323	77,381	5,058	106,411	
95	Office Clerk Wages	58,333	58,333	0		34,615	46,667	12,052	65,308	
96	Cell Phone Administration	2,250	2,250	0		1,408	1,800	392	0	
97	Keystone Housing Administration	15,000	15,000	0		9,500	12,000	2,500	0	
98										
99		298,160	298,160	0		187,655	237,038	49,383	346,860	
100	Postage	2,607	2,607	0		11	2,088	2,077	2,919	
101	Printing	7,300	7,300	0		684	5,840	5,156	8,173	
102	Community Engagement	8,502	8,502	0		0	3,500	3,500	8,757	
103	Local Travel	2,607	2,607	0		102	2,133	2,031	2,919	
104	Elections	12,000	12,000	0		0	0	0	0	
105	Town Attorney Contract	90,688	152,344	(61,656)		127,344	77,000	(50,344)	93,409	
106	Smoking Cessation (from Nicotine Tax)	59,628	59,628	0		0	46,375	46,375	83,315	
108	Payroll Contract (Paylocity)	4,950	4,950	0		3,762	4,050	288	5,099	
109	Accounting Contract (M&W)	63,494	63,494	0		43,609	45,000	1,391	64,958	
110	Annual Audit Contract	0	0	0		0	0	0	19,266	
111	Short Term Rental Contract Support	116,761	116,761	0		86,250	116,761	30,511	120,264	
112	Miscellaous Adminstrative Expense	0	10	(10)		10	0	(10)		
113										
114	Total Administrative Services	666,697	728,363	(61,665)		449,428	539,785	90,357	755,938	
115										
116	Community Development									
117	Comm Dev Director Wages	124,431	124,431	0		89,530	100,431	10,901	148,320	
118	Planner2 Wages	60,489	60,489	0		11,017	45,366	34,349	93,409	
119	Cell Phone Comm Dev	1,350	1,350	0		626	1,050	424	1,800	
120	Keystone Housing Incentive Comm	9,500	9,500	0		4,500	7,500	3,000	6,300	
121										
122		195,770	195,770	0		105,673	154,347	48,674	249,829	
123	Building Permit/Inspections	162,562	162,562	0		483	121,920	121,438	289,826	
124	GIS	9,069	9,069	0		0	7,256	7,256	9,341	
125	Professional Services (Contracted)	11,336	11,336	0		0	9,072	9,072	11,676	
126	Planning Supplies/Printing	5,668	5,668	0		535	4,477	3,942	5,838	
127	Local Travel	2,834	2,834	0		0	2,322	2,322	5,838	
128	Communications	2,721	2,721	0		0	2,114	2,114	2,802	
129	Miscellaneous Comm Dev Expense	0	0	0		0	0	0		
130										
131	Total Community Develop	389,960	389,960	0		106,691	301,508	194,814	460,149	

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4	Actual, Budget and Forecast for the Periods Indicated								
5	Modified Accrual Basis		2024 ANNUAL			2024 From Inception (2/8/2024)		2025	
6		Approved		Variance	9 Months	9 Months	Variance	Placeholder	
7		2024	2024	Favorable	Ended	Ended	Favorable	2025	
8		Budget	Forecast	(Unfavor)	10/31/24	10/31/24	(Unfavor)	Budget	
9					Actual	Budget			
132	Public Works								
133	Public Works Director Wages	45,344	45,344	0	10,615	30,229	19,614	93,409	
134	Cell Phone Public Works	450	450	0	75	300	225	900	
135	Keystone Housing Public Works	3,000	3,000	0	750	2,000	1,250	6,000	
136									
137									
138		48,794	48,794	0	11,440	32,529	21,089	100,309	
139	Communications	2,721	2,721	0	0	2,271	2,271	2,802	
140	Engineer Consultant	5,668	5,668	0	0	3,780	3,780	11,676	
141	Planning and Printing Supplies	2,834	2,834	0	0	1,700	1,700	5,838	
142	Road Maint/Snow Plowing Contracts				-				
143	Loveland Pass Village	0	0	0	0	0	0	35,028	
144	Keystone Roads- Currently County M	0	0	0	0	0	0	81,733	
145	Roads not County Maintained	0	66	(66)	66	0	(66)	166,968	
146	Asphalt Crack Seal	0	6,400	(6,400)	6,400	0	(6,400)	16,697	
147	Noxious Weed Control	0	0	0	0	0	0	17,514	
148	Other Maintenance	0	302	(302)	302	0	(302)	40,866	
149	Total Road Maintenance/Snow Plowin	0	6,768	(6,768)	6,768	0	(6,768)	358,806	
150									
151	Signage	0	0	0	0	0	0	11,676	
152	Engineering Services	0	3,427	(3,427)	3,427	0	(3,427)	21,855	
153	Miscellaneous Public Works Expense	0	130	(130)	130	0	(130)		
154									
155	Total Public Works Expenses	60,017	70,342	(10,325)	21,766	40,280	18,514	512,962	
156									
157	Public Safety								
168	Miscellaneous Public Safety Exp	0	85,708	(85,708)	55,556	0	(55,556)		
169									
170	Total Public Safety Expenses	0	85,708	(85,708)	65,431	0	(65,431)	686,974	
171									
172	Municipal Court								
173	Judge	0	0	0	0	0	0	7,589	
174	Prosecutor	0	0	0	0	0	0	11,209	
175	Miscellaneous Exp Municipal Cout	0	0	0	0	0	0	584	
177									
178	Total Court Expenses	0	0	0	0	0	0	19,382	
179									
180	Total Operating Expenditures	1,536,455	1,668,055	(131,600)	898,603	1,225,575	326,972	3,245,722	
181									
182	Total Revenue (from above)	3,599,507	3,546,688	(52,819)	2,413,839	2,731,505	(317,665)	4,576,734	
183									
184	Operating Surplus (Deficit)	2,063,053	1,878,633	(184,419)	1,515,236	1,505,930	9,307	1,331,012	
186									
187	Other Sources (Uses)								
188	Transfer to Capital Improvement	(900,000)	(886,800)	13,200	(237,734)	(505,400)	267,666	(200,000)	
189	Transfer fr Workforce Housing	0	0	0	0	0	0		
190	Transfer fr Conservation Trust	0	0	0	0	0	0		
191	Summit County Adv - Sales Tax	0	1,400,000	1,400,000	1,400,000	1,400,000	0		
192	Summit County Adv - Repayment	0	(1,400,000)	(1,400,000)	(1,400,000)	(1,400,000)	0		
193									
194	Total Other Sources (Uses)	(900,000)	(886,800)	13,200	(237,734)	(505,400)	267,666	(200,000)	
195									
196	Beginning Fund Balance - General	0	0	0	0	0	0	991,833	
197									
198	Ending Fund Balance - General	1,163,053	991,833	(171,219)	1,277,502	1,000,530	276,972	2,122,845	
199		=	=	=	=	=	=		
200	Components of General Fund Bal								
201	TABOR Restricted Funds	46,094	50,042		26,958	36,767		97,372	
202	Unrestricted Funds	1,116,959	941,792		1,250,544	963,762		2,025,474	
203		1,163,053	991,833		1,277,502	1,000,530		2,122,845	
204									

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: John Crone, Town Manager
FROM: Jennifer Madsen, Town Attorney
DATE: November 26, 2024 – Work Session
SUBJECT: Discussion of adopting an ordinance regarding penalties and fines (Part 2)

Executive Summary:

This work session is a follow up to discussion at the October 22 work session regarding penalties in the municipal court. At the October 22 work session, Council provided direction for the consideration of an administrative citation process in addition to the municipal court process. A draft ordinance is provided with this staff report.

Background:

Overview of Municipal Court Violations

Municipalities in Colorado are empowered to adopt and enforce ordinances that regulate various activities within their jurisdictions. These regulations help maintain public safety, protect property, and enhance the quality of life for residents. To ensure compliance, municipalities may impose penalties and fines for violations of such ordinances. Colorado law allows municipalities to adopt a fine schedule, provided that such fines are reasonable and comply with state statutes.

Under Colorado Revised Statutes, municipalities have the authority to adopt fines and penalties for ordinance violations, subject to statutory limits. Per C.R.S. § 31-16-101, a municipality may impose fines up to a maximum amount for any ordinance violation, provided such penalties are not excessive or arbitrary. State law provides that the

maximum penalty for an ordinance violation is \$2,650 (this amount may be adjusted for inflation based the Denver-Boulder CPI since 2013). In addition, the municipality may enforce an ordinance violation by imprisonment of not more than 364 days. The ability to impose a jail sentence is limited to ordinance violations which are criminal in nature and there is a corresponding criminal state law.

The issuance of a citation for violating a municipal ordinance must adhere to the principles of due process as guaranteed by the United States Constitution and the Colorado Constitution. Due process requires that any governmental action depriving any individual of life, liberty, or property follow established legal procedures that are fair, reasonable, and impartial.

For municipal code violations, this means that citations must be issued in accordance with clearly defined laws and procedures. The procedure is that individuals must receive adequate notice of the alleged violation, including specific detail about what condition is violating the ordinance. The process also requires that the individual has the opportunity to contest the citation in a neutral forum, such as a municipal court or hearing process. Failure to comply with these due process requirements of notice and an opportunity for a hearing could render the citation invalid and a legal challenge. Adherence to these safeguards protects the rights of the individual and the integrity of the municipal enforcement system.

Draft Ordinance on Penalties and Administrative Citation

The draft ordinance provides for two different processes for handling ordinance violations in Keystone – complaints handled in the Municipal Court and administrative citations. The first process (identified as Section 2) relates to issuance of a summons and complaint for appearance in Municipal Court. The individual would be issued a summons to appear in court on a date certain and the citation would provide notice of the condition violated the ordinance. All the traffic offenses under the Model Traffic Code would be handled under through a summons and complaint process in the Municipal Court. Other ordinances violations could also be processed through the

Municipal Court by issuing a summons and complaint of the ordinance violation.

The second process is an administrative citation process and that is included in Section 3. This process would not be handled through the Municipal Court. The following is an outline of that administrative process. The ordinance dictates the form of the administrative citation. That citation identifies the violation and requires payment of a penalty for the violation. Payment is required even if the individual later remedies the violation. A second and a third citation, each requiring payment of a penalty, may be issued if the property owner does not remedy the violation. A failure to pay the penalty may result in imposition of a late fee and any penalties and fees may be referred to collections. In addition, if the violation is not repaired after issuance of an administrative citation, the Town may use court enforcement to achieve resolution. An individual may request a hearing on the citation and that hearing would be handled through a Hearing Officer.

The third section of the draft ordinance includes an amendment to the Model Traffic Code adopted by Town Council. Upon research into the Town of Dillon's processes for traffic violations, it was learned that Dillon follows the fine schedule set forth in state law for model traffic code violations. Ordinance 2024-O-12 removes the state fine schedule because many municipalities have adopted their own fine schedule for traffic violations. If Council wants to be consistent with Dillon's practices, Ordinance 2024-O-12 will need to be amended to add in the state fine schedule.

Attachment:

- Draft Ordinance
- Chart on speeding fines under state law (example of fine schedule under state law)

**TOWN OF KEYSTONE
ORDINANCE NO. 2024-O-XX**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE,
COLORADO, ADOPTING A GENERAL PENALTY PROVISION, CREATING AN
ADMINISTRATIVE CITATION PROCESS, AND AMENDING ORDINANCE 2024-O-
12 TO FOLLOW THE STATE SCHEDULE FOR TRAFFIC FINES**

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, the Town Council finds that the adoption of this Ordinance is a proper exercise of its authority to adopt a general penalty provision, an administrative citation process, and the State’s fine schedule for traffic violations.

**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. The Town Council adopts General Penalty provision.

General Penalty

I. Violations.

It is a violation of this Code for any person to do any act which is forbidden or declared to be unlawful or perform any required by the ordinances of the Town of Keystone.

II. General penalty for violation.

- (a) Any person who pleads guilty or no contest or who, after trial, is found guilty of violating any municipal ordinance designed as a major offense or crime, shall be fined in an amount not to exceed two thousand six hundred fifty dollars (\$2,650.00) or shall be incarcerated for a period not to exceed three hundred sixty-four (364)

- days, or both such fine and imprisonment, except as may be otherwise imposed within the context of a specific section, subsection or chapter.
- (b) Any person found liable or responsible for a violation of any ordinance designated as a minor offense or civil infraction may be ordered to pay a civil penalty or fine for such infraction of not more than two thousand six hundred fifty dollars (\$2,650.00), plus costs, damages, and expenses. In addition, the Municipal Judge may issue any orders necessary to abate a nuisance.
 - (c) Each person violating any provision of an ordinance shall be guilty of a separate offense for each and every day during any portion of which any violation of the ordinance is committed, continued or permitted by such person, and shall be punished accordingly.

Section 3. The Town Council adopts an Administrative Citation Process provision.

Administrative citation process

I. Purpose; scope.

The purpose of this Article is to encourage prompt compliance with the ordinances of the Town of Keystone and prompt payment of penalties for violations thereof. This Article provides for administrative penalties that may be imposed for violation of the following regulations:

- Nuisances
- Land Use Code
- Building Regulations
- Other regulations as defined in the ordinance

II. Definitions.

For the purposes of this Article the following terms shall have the meanings assigned to them below.

Administrative Hearing Officer or AHO means the person with exclusive authority to hear appeals from administrative citations issued under this Article.

Code Officer means the Town Manager or the Town Manager's designee, including but not limited to a code enforcement officer, the building official or designee, or any other Town official or employee charged with enforcing the regulation.

Manager means the Town Manager or the Town Manager's designee.

Municipal Court means the Municipal Court for the Town of Keystone, Colorado.

Responsible party means a person who is alleged to have violated the regulation.

III. Authority.

- (a) Any responsible party violating regulation may be issued an administrative citation by a Code Officer as provided in this Article.

- (b) Notwithstanding any other provision of this Code, responsible parties cited under the provisions of this Article shall have only the appeal rights granted herein.
- (c) Administrative citations shall be issued only after the responsible party has received a notice and demand and has been given time to comply as stated in the notice and demand.
- (d) Upon issuance of an administrative citation for a violation of an applicable section, no additional administrative citation shall be issued for the same violation for ten (10) days or, if the responsible party appeals, until after the appeal has been heard and the responsible party has not complied with an order of the AHO within ten (10) days of its issuance or such other time as the AHO has specified.
- (e) A fine assessed by means of an administrative citation issued by the Code Officer shall be payable directly to the Municipal Court, and if not timely paid, shall be collected in accordance with the procedures specified in this Article.
- (f) Enforcement actions for violations of regulation are intended to be alternative in nature. At any one time, the Town may pursue a civil, criminal, or administrative action against a responsible party. The Town may also choose to pursue an alternative action upon staying the original action.

IV. Notice and demand.

- (a) Upon becoming aware of a violation of an applicable section, a Code Officer may issue a notice and demand to the responsible party. The notice shall provide the following information, where applicable:
 - (1) The location of the violation;
 - (2) The date and approximate time the violation was observed;
 - (3) The property in violation by address or legal description;
 - (4) The applicable section violated together with a description of the violation;
 - (5) A description of the action required to correct the violation;
 - (6) A demand that the violation be corrected or abated on or before a specified time and date. The time and date shall be not less than seven (7) days from the date of the notice; and
 - (7) A statement that, if the nuisance is not corrected or abated on or before the date and time stated in the notice, the Town may at its option pursue enforcement alternatives including issuance of an administrative citation.
- (b) Service of a notice and demand on the responsible party shall be by any of the following means:
 - (1) The Code Officer may personally deliver a copy of the notice and demand to a responsible party; or
 - (2) A copy of the notice may be mailed by first class mail to the last known address of a responsible party as reflected in the County real estate records; or
 - (3) A copy of the notice and demand may be posted in a conspicuous place at the site of the violation. In addition, a copy of the document, with a statement of the date, time, and place at which the posting was made, must be mailed to the property owner's last known address as stated on the County Assessor's website. Prior to posting a property, the Code Officer must first consult with the Town Attorney's Office regarding this method of service.

- (c) The Town's provision of notice pursuant to Paragraph (b)(2) of this Section to the last known address of a responsible party as reflected in the records of the Summit County Clerk and Recorder's Office shall be considered adequate notwithstanding any error in the County's records. An officer may reasonably rely upon current County records to obtain an accurate address for a responsible party.
- (d) At any appeal hearing conducted pursuant to Section IX, the AHO may consider evidence of actual notice received by a responsible party in determining whether adequate notice of a violation or of a citation has been provided. The AHO may find that notice is adequate despite a lack of technical compliance with subsection (b) hereof upon evidence that a responsible party received actual notice of a notice and demand at least ten (10) days prior to the issuance of an administrative citation for the specified violation(s) or actual notice of an administrative citation.

V. Administrative citation.

- (a) If the responsible party has failed to correct the violation noted in the notice and demand within the time provided on such notice, a Code Officer may issue an administrative citation to the responsible party.
- (b) The Code Officer may require that the responsible party provide evidence of identity and residential or working address.
- (c) The Code Officer shall attempt to issue the administrative citation to the responsible party at the site of any violation. The Code Officer may issue the administrative citation to the responsible party by the methods described in Section VI.
- (d) The Code Officer shall attempt to obtain the signature of the person receiving the administrative citation on the citation. If that person refuses or fails to sign the administrative citation, the failure or refusal to sign shall not affect the validity of the citation and subsequent proceedings.
- (e) Notice shall be deemed served on the earliest of: (i) the date of receipt by the responsible party, if personally served; (ii) the fifth day after the mailing of the administrative citation; or (iii) the fifth day after posting the administrative citation.

VI. Contents of administrative citation.

- (a) The administrative citation shall state the location of the violations and the date and approximate time the violations were observed. Where applicable, the administrative citation shall identify the property in violation by address or legal description.
- (b) The administrative citation shall refer to the regulation violated and describe the violations.
- (c) The administrative citation shall describe the action required to correct the violations.
- (d) The administrative citation shall require the responsible party to correct the violations immediately and shall explain the consequences of failure to correct said violations.
- (e) The administrative citation shall state the amount of fine imposed for the violation.
- (f) The administrative citation shall explain how the fine shall be paid, the time period by which it shall be paid, and the consequences of failure to pay the fine.

- (g) The administrative citation shall briefly state the process for appealing the administrative citation.
- (h) The administrative citation shall contain the signature of the Code Officer and the signature of the responsible party if it can be obtained.

VII. Appeal of administrative citation.

- (a) A person served with an administrative citation may file a notice of appeal within five (5) days from the service of the administrative citation. Compliance with this time limit shall be a jurisdictional prerequisite to any appeal brought under this Article, and failure to comply shall bar any such appeal.
- (b) The notice of appeal shall be made in writing and shall be filed with the Municipal Court in person, by facsimile transmission or by mail. Regardless of the manner of filing such appeal, the notice of appeal must be filed with the Municipal Court within five (5) days from the date the administrative citation was served.
- (c) As soon as practicable after receiving the written notice of appeal, the Municipal Court shall assign an AHO who shall schedule a date, time and location for the hearing.
- (d) Written notice of the date, time and location of the hearing shall be personally served upon or sent by first class mail to the responsible party at least five (5) calendar days prior to the date of the hearing. The hearing shall be held no more than twenty-one (21) days after a timely filed notice of appeal.
- (e) In computing the day a notice of appeal must be filed or the day by which a hearing must be held, the first day is excluded and the last day is included. If the last day of any period is a Saturday, Sunday, or legal holiday, the period is extended to the first day thereafter which is not a Saturday, Sunday, or legal holiday.

VIII. Administrative hearing officers.

- (a) The AHO must be an attorney licensed to practice law in the State of Colorado with a minimum of three (3) years of experience.
- (b) Any person designated to serve as an AHO is subject to disqualification for bias, prejudice, interest, or for any other reason for which a judge may be disqualified in a court of law.

IX. Administrative appeals.

- (a) Administrative appeals are intended to be informal in nature. Formal rules of evidence and discovery do not apply. The procedure and format of the administrative hearing shall follow the procedures provided in this Section.
- (b) The parties to an administrative appeal shall be the responsible party and the Town. Parties may be represented by legal counsel. Each party may call and question witnesses, cross-examine witnesses and present evidence in support of its case.
- (c) The AHO shall have the power to administer oaths, issue subpoenas to require the presence of witnesses and, when necessary, grant continuances. Subpoenas may be issued to require the presence of persons and production of papers, books and records necessary to the determination of any hearing which the AHO conducts. It is unlawful for any person to fail to comply with any subpoena issued by the AHO. A

subpoena shall be served in the same manner as a subpoena issued by the District Court of the State. Subpoenas issued pursuant to this Section may be enforced by the Municipal Court judge.

- (d) The only issue to be decided by the AHO is whether the Code Officer exceeded his/her authority in issuing the administrative citation. To do so, the Town bears the burden of proof to establish the existence of a violation of the Code. The Town's meeting of this burden of proof shall constitute prima facie evidence that the Code Officer did not exceed his/her authority. The appellant shall have the burden of rebutting such evidence.
- (e) The standard of proof required in an administrative appeal is a preponderance of the evidence.
- (f) Hearings shall be recorded by electronic means and transcripts of such recordings shall be made at the expense of the party requesting the transcript.
- (g) Whenever it appears that an appeal is not filed within the time permitted by this Article, particular law or ordinance involved, or that the AHO for some other reason lacks jurisdiction, the appeal may be dismissed on the motion of any party or on the AHO's own motion.
- (h) The decision of the AHO shall be known as an administrative enforcement order.
- (i) The AHO may uphold the administrative citation and all penalties or dismiss the administrative citation and all penalties or may waive or conditionally reduce the penalties assessed by the administrative citation. The AHO may also impose conditions and deadlines to correct the violations or require payment of any outstanding penalties.
- (j) In the event that the AHO does not dismiss the administrative citation, the AHO shall assess reasonable administrative costs of not less than twenty-five dollars (\$25.00), but not to exceed fifty dollars (\$50.00).
- (k) The administrative enforcement order shall become final on the date of mailing the order to the responsible party. A copy of the order shall be provided to the Town.

X. Failure to attend administrative appeal.

Any responsible party who fails to appear at the hearing is deemed to waive the right to a hearing and the adjudication of the issues related to the hearing, provided that proper notice of the hearing has been provided. The AHO may take testimony, evidence and argument from the Town and issue an administrative enforcement order.

XI. Penalties assessed.

- (a) The penalties assessed for each administrative citation issued for violations of the applicable code sections are as follows:
 - (1) First administrative citation: one hundred fifty dollars (\$150.00).
 - (2) Second administrative citation on the same violation within a twelve (12) month period: three hundred dollars (\$300.00)
 - (3) Third and each subsequent administrative citation on the same violation occurring in a twelve (12) month period: five hundred dollars (\$500.00).
- (b) If the responsible party fails to correct the violation, subsequent administrative citations may be issued for violations of the same applicable section.

- (c) Payment of the fine shall not excuse the failure to correct the violations nor shall it bar further enforcement action by the Town.
- (d) All fines assessed shall be payable to the Town of Keystone.

XII. Failure to pay fines.

- (a) The failure of any responsible party to pay the fines assessed by an administrative citation within the time specified on the citation or administrative enforcement order, if an administrative hearing was held, may result in the imposition of a late fee of fifty dollars (\$50.00).
- (b) In the event of failure to pay all fines assessed, the manager may refer the matter for collection by whatever means are available to the Town.
- (c) An action or other process provided by law may be maintained by the Town to recover or collect any amounts, including late fees, interests, and administrative costs, owing under this Article.

Section 4. Amendment to Ordinance 2024-O-12 to include Section 1701 of the Model Traffic in the Town of Keystone. Paragraph (8) of Section 3 of Ordinance 2024-O-12 is deleted in its entirety.

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

Section 7. Effective Date. The Ordinance shall be effective 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 _____, 2024.

Kenneth D. Riley, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

I hereby certify that the above Ordinance was introduced to the Town Council of the Town of Keystone at its meeting of _____, 2024 and ordered published by _____ on _____, 2024, and in full on the Town web site.

ATTEST:

SEAL

By: Town Clerk or Deputy Town Clerk

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 _____, 2024.

Kenneth D. Riley, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

Penalties for speeding violations that are traffic infractions and misdemeanor traffic offenses are shown in the table below.

Penalties for Speeding Violations

Violation	Fine	Surcharge	Jail Time
1 to 4 mph over the reasonable and prudent speed, or over the maximum lawful speed of 75 mph (Class A traffic infraction)	\$30	\$6	None
5 to 9 mph over the reasonable and prudent speed, or over the maximum lawful speed of 75 mph (Class A traffic infraction)	\$70	\$10	None
10 to 19 mph over the reasonable and prudent speed, or over the maximum lawful speed of 75 mph (Class A traffic infraction)	\$135	\$16	None
20 to 24 mph over the reasonable and prudent speed, or over the maximum lawful speed of 75 mph (Class A traffic infraction)	\$200	\$32	None
25 or more mph over the reasonable and prudent speed, or over the maximum lawful speed of 75 mph (a fine, or jail time, or both may be imposed) (Class 2 misdemeanor traffic offense)	Minimum \$150 Maximum \$300	Not Applicable	Minimum 10 days Maximum 90 days
25 or more mph over the reasonable and prudent speed, or over the maximum lawful speed of 75 mph in a construction zone (a fine, or jail time, or both may be imposed) (Class 1 misdemeanor traffic offense)	Minimum \$300 Maximum \$1,000	Not Applicable	Minimum 10 days Maximum 1 year
Driving at a speed that is not reasonable and prudent given road conditions (Class A traffic infraction)	\$100	\$10	None
Driving at such a slow speed that the normal and reasonable forward movement of traffic is impeded (Class A traffic infraction)	\$50	\$6	None
Exceeding a safe speed on a bridge or elevated structure (Class A traffic infraction)	\$30	\$6	None

Source: Section 42-4-1701 (4)(a)(I)(L), C.R.S.

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
FROM: John Crone, Town Manager
DATE: November 26, 2024 – Work Session
SUBJECT: Discussion of Business Licensing

Executive Summary:

Staff is seeking guidance on whether the Town Council wants to institute a business licensing program.

Background:

Many municipalities require businesses that either have a physical location in the Town or conduct non-incident business in the Town to acquire a Town issued business license. Keystone is the only municipality in Summit County that does not currently require business licensing.

Business licenses are usually required for anyone who sells goods or services or operates a commercial enterprise within the Town limits. Most Towns only charge a nominal administrative fee for business licenses.

Reasons for Business Licensing

There are several reasons that Towns require business licensing. Not all situations will apply to all businesses.

Administrative Compliance – Requiring a license will help Town staff efficiently determine whether a business is complying with local requirements and regulations. This includes being able to quickly determine whether a business is paying all required

taxes and fees, and ensuring that the Town has a valid contact for anyone doing business here.

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

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

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

Types of Licenses

Most Towns offer several different types of licenses depending on the types of goods or services that they offer, where the businesses are located, and the amount of business that is conducted in the Town. There are also many types of businesses that are required to obtain additional licenses from either the state or from the Town. These include regulated professions such as doctors or massage therapists and regulated businesses such as liquor sellers or marijuana facilities. State regulations also limit the ability of Towns to require licenses for non-incidentual businesses (think of delivery services or on-line vacation rental sites. In general, Towns tend to provide for at least two types of licenses:

Regular License – This is the standard license required for anyone who regularly conducts business within the Town limits. Many towns separate these licenses into two types of businesses:

- Fixed Premise – Fixed premise licenses are for those businesses that occupy a brick and mortar building within the Town limits.
- Remote Location – Some Towns offer a second type of license for those businesses that operate in a remote location but provide goods or services to people within the Town limits. Building contractors are often required to obtain remote location licenses.

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

Next Steps:

If the Council is interested in creating a business licensing program, it should instruct staff to prepare the necessary ordinance for future Council consideration.

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
FROM: John Crone, Town Manager
DATE: November 26, 2024 – Work Session
SUBJECT: Nuisance ordinance

Executive Summary:

The purpose of this work session item is to provide a proposed nuisance ordinance and to get Council input on the types of items that it desires in the Town's nuisance ordinance.

Background:

Nuisance ordinances are adopted to protect the Town from actions that may not always rise to a criminal level but are made illegal because they create a health or safety risk, are serious detriment to people's quiet enjoyment of their own property, or create a situation that is an antithesis to the Town's stated goals and objections. A nuisance ordinance will define the Town's positions, and it is often enforced through either the police department or the town's code enforcement procedures.

Town Council has had two workshops on the proposed ordinance in July of this year. The attached ordinance attempts to take into account the comments received in those workshops.

The attached ordinance also includes enforcement procedures. I have mirrored the enforcement provisions in the Dillon town code. This would make it much easier for any joint code officers or police departments to enforce the ordinance.

As previously mentioned, nuisance codes and ordinances tend to be dynamic with sections added as necessary.

**TOWN OF KEYSTONE
ORDINANCE NO. 2024-O-xx**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE,
COLORADO, REGARDING ADMINISTRATION AND ABATEMENT OF NUISANCES**

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 Council of the Town of Keystone is responsible for protecting the health, safety, and welfare of the citizens of Keystone, including timely and efficiently abating nuisances from time to time; 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 abate such nuisances in a cost effective, efficient, expedient, and effective manner.

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

Section 1. The Town Council adopts the items in attached Exhibit A as the Town’s nuisance ordinance regarding the abatement of certain activities identified as nuisances.

Section 2. Legislative Intent. The legislative intent of the Town Council in enacting this Ordinance is that every person who, for consideration, leases or rents any hotel room, motel room or other accommodation located in the Town shall pay, and every person who furnishes for lease or rental any such accommodation shall collect, the tax imposed by this Ordinance.

Section 3. 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 4. 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 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. 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 _____, 2024.

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 _____, 2024.

Kenneth D. Riley, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

Exhibit A
Town of Keystone Nuisance Ordinance

Section 1. - Author of nuisances.

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

Section 2. - Prohibition of nuisances.

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

Section 3. - Ascertaining nuisances.

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

Section 4. - Constitution of separate offense.

In the case of any nuisance in or upon any street, alley or other public or private grounds, the author thereof shall be guilty of a separate offense for every period of forty-eight (48) hours' continuance thereof after notice has been given to abate the same.

Section 5. - Filing complaint.

In addition to or in lieu of any procedure for abatement, a direct complaint may be filed by any person against any person who violates any provision of this Ordinance.

Section 6. - Emergency abatement.

When, in the opinion of the Town Manager there is actual and immediate danger to the public or occupants of a particular premises caused by a nuisance on such premises, the Town Manager is hereby authorized and empowered, without any notice or hearing, to order and require such premises to be vacated. The Town Manager or the Town Manager's designee shall immediately post the premises, warning of the dangerous condition, and shall then abate such nuisance and prepare a statement of costs incurred in the abatement thereof.

Section 7. - Right of entry.

The Town Manager or any other authorized person may enter upon or into any lot, house or other building or premises, with the proper respect of the occupant's constitutional rights, to examine the same and to ascertain whether any such nuisance exists, and shall be free from any action of liability on account thereof.

Section 8. - Notice to abate nuisance.

Whenever a nuisance is found to exist within the Town or within the Town's extraterritorial jurisdiction, the Town Manager shall give five (5) days' written notice to the owner or occupant of the property upon which such nuisance exists or upon the person causing or maintaining the nuisance.

Section 9. - Contents of notice.

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

- (1) An order to abate the nuisance or to request a hearing within a stated time, which shall be reasonable under the circumstances;
- (2) The location of the nuisance, if the same is stationary;
- (3) A description of what constitutes the nuisance;
- (4) A statement of acts necessary to abate the nuisance; and
- (5) A statement that if the nuisance is not abated as directed and no request for hearing is made within the prescribed time, the Town will abate such nuisance and assess the cost thereof against such person.

Section 10. - Service of notice.

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

Section 11. - Abatement by Town.

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

Section 12. - Report of costs.

Upon the completion of any work by the Town contemplated by this Ordinance, the Public Works Director shall report, in writing, to the Town Manager, which report shall make a clear statement of the work done by the Town and the expense incurred in so doing, so that the Town Manager may determine the cost of such work. The Public Works Director shall make a separate report for each lot or parcel of land.

Section 13. - Assessment of property.

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

Section 14. - Notice of assessment.

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

Section 15. - Payment of assessment.

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

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

Section 16. - Objection to assessment; hearing.

In the event any owner desires to object to said assessment, he or she shall, within thirty (30) days after the receipt of said notice, file a written objection thereto with the Town Clerk, who shall thereupon designate the next regular meeting of the Town Council as the date when said objector may appear and have a hearing before the Town Manager and Town Council.

Section 17. - Certified assessment.

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

Section 18. - Cumulative remedies.

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

Section 19. - Concurrent remedies.

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

Section 20. - Violations and penalties.

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

Section 21 – Nuisances Defined

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

- a. Injures or endangers the comfort, repose, health or safety of others;
- b. Offends decency;
- c. Is offensive to the senses;
- d. Unlawfully interferes with, obstructs or tends to obstruct or renders dangerous for passage any public or private street, highway, sidewalk, stream, ditch or drainage;
- e. In any way renders other persons insecure in life or the use of property; or

- f. Essentially interferes with the comfortable enjoyment of life and property or tends to depreciate the value of the property of others.
- g. Has been declared to be such by state courts or statutes or known as such at common law.

Section 22.

In addition to the nuisances identified in Section 21 of this Ordinance, the following are declared to be nuisances by the Town Council of the Town of Keystone.

- 1) Noise – It is prohibited to make and/or amplify sound in an excessive manner which can or does annoy, injure, or endanger the comfort, repose, health, or safety of others and emits sounds or vibrations that can be felt or heard outside of the property boundary.

It shall be a nuisance to make excessive noise between the hours of 11:00 pm and 6:00 am.

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

- 2) Fireworks – It is prohibited to set off fireworks that explode or leave the ground, with the exception of pre-approved public displays. This includes firecrackers, bottle rockets, Roman candles, cherry bombs, and mortars.

- 3) Open Fires –

A: Open burning is prohibited at all times in the town, except under the following conditions:

- 1. The burning is for the noncommercial cooking of food for human consumption;
- 2. The burning is for recreational purposes and is located within an established campfire ring, fire pit, or other similar protective enclosure, and the fire is no larger than three feet (3') in diameter and two feet (2') in height;
- 3. The burning is a smokeless flare or safety flare used to indicate danger or distress to the public or public safety officials; or
- 4. The burning is conducted in compliance with a permit issued by the town manager or designee, which permit may be issued by the town manager or designee if the town manager or designee finds that such burning can be accomplished in a safe manner and in compliance with all other applicable regulations.

B. Notwithstanding subsection A of this section, the town council may by resolution, in its sole discretion, place additional restrictions on open burning upon receipt of credible evidence of the need for additional restrictions or bans.

C. Notwithstanding subsection A of this section, all open burning is prohibited in the town during any periods of time when the board of county commissioners of the county of Summit, state of Colorado has adopted burning restrictions, in accordance with such restrictions, provided that the town may, at the discretion of the town manager or designee, exempt certain locations or devices from the burning restrictions adopted by the board of county commissioners, or adopt additional restrictions on locations or devices that are more restrictive than those adopted by the board of county commissioners.

4) Noxious Fumes or Smokes – It is prohibited to cause or allow the transmission or emission of an odor that a reasonable person would consider an offensive odor; endangers the public health or welfare; or unreasonably interferes with another person's health, safety, peace, comfort or enjoyment of property.

5) Animals –

A. It is prohibited to allow an animal to run at large under circumstances where the animal is not either restrained by means of a leash, rope, chain or other physical restraint of sufficient strength to control the animal or is not under the effective and immediate control of the owner or other responsible person present with the animal and immediately obedient to that person's commands.

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

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

2. An animal is not considered to be running at large if it is confined within a motor vehicle or secured within the confines of the bed of a pickup truck, in compliance with the provisions of this chapter, in such manner that it cannot exit the vehicle or pose a risk to any person outside the confines of the vehicle by its own volition.

B. It is prohibited to keep a dog that disturbs the peace with loud, persistent barking, yelping, or whining.

6) Camping – (I do not recall the Council's wishes on prohibiting camping on private property or public property)

7) Noxious and Dangerous Liquids – This will allow the Town to regulate the storage of chemicals on private property.

8) Noxious Weeds and Rank Vegetation – Leafy spurge, Canadian thistle, Russian knapweed, spotted knapweed, and diffuse knapweed, and all other plants designated "undesirable plants" by the Town are declared to be a public nuisance. Such action may be taken as is available for nuisance abatement under the laws of this state and the Town of Keystone, and as the Town Council, in its sole discretion, deems necessary.

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
FROM: John Crone, Town Manager
DATE: November 26, 2024 – Work Session
SUBJECT: FY 2025 Budget Workshop

Executive Summary:

Town Council workshop on FY 2025 Budget, part 2.

Background:

Pursuant to our Town Charter, the Town Council must adopt a budget containing the following items:

Section 10.7. Scope of Annual Budget.

- (a) The budget adopted by the Town Council shall contain:
 - (1) an estimate of anticipated revenue from all sources for the ensuing year;
 - (2) an estimate of the general fund cash surplus at the end of the current fiscal year or of the deficit to be made up by appropriation;
 - (3) the estimate of expenditures for the operation of the departments, offices and agencies of the Town;
 - (4) debt service requirements for the ensuing fiscal year;
 - (5) an estimate of the sum required to be raised by any tax levy for the ensuing fiscal year and the rate of levy necessary to produce such sum;
and
 - (6) a balance between the total estimated expenditures, including any deficit to be met and monies set aside for public improvements, and total anticipated revenue, plus any surplus.
- (b) All estimates shall be in detail showing revenues by source and expenditures by

This workshop will allow Council input before the final budget is presented for adoption on December 10, 2024.

Remaining Timeline

November 26 (No later than December 15, 2024) - Adoption

The Town has a meeting scheduled for December 10. We also have a second November meeting scheduled on November 26.

January 31, 2025 – Certified copy of the adopted budget must be filed with the Division of Local Government

June 30, 2025 – Deadline for auditor to submit report to Town Council

July 31, 2025 – Deadline to submit audit report to the Office of the State Auditor

	A	B	C	D	E	F
2	TOWN OF KEYSTONE FY 2025 BUDGET					
3	Statement of Revenues, Expenses and Changes in Fund Balance					
4	Actual, Budget and Forecast for the Periods Indicated					
5	Modified Accrual Basis					
6			2024 ANNUAL		2025	Notes
7			Approved			
8			2024	2024	2025	
9			Budget	Forecast	Budget	
10	GENERAL FUND					
11	Revenues					
12		Sales Tax	2,614,224	2,614,224	3,440,698	Although revenue is up, I am projecting a flat budget from 2024 estimate
13		Other Tax Revenue				
14		Highway Users Tax Fund	48,627	48,627	66,612	
15		Cigarette Tax	5,092	5,092	7,115	
16		Nicotine Tax	59,628	59,628	83,315	
17		Road and Bridges Tax	91,684	91,684	103,774	
18		Specific Ownership Tax	25,348	25,348	34,723	
19		Auto Ownership Tax	9,970	9,970	13,657	
20		Other Tax Revenue	0	0	0	
21						
22		Total Other Tax Revenue	240,348	240,349	309,196	
23		Fees				
24		Building Permits	203,203	203,203	40,641	
25		Reimbursable Comm Dev Costs			20,000	
26		Franchise Fees	0	0	1,500	
27						
28			203,203	203,203	62,141	
29		Licenses				
30		Business Licenses			34,000	if adopted, estimate \$75
31		Short Term Rentals	541,732	541,732	547,150	
32		Liquor Licenses		1,750	1,750	
33						
34			541,732	543,482	582,900	
35		Fines				
36		Municipal Court Fines			40,000	estimate - this number could be significantly higher
37		Code Enforcement Fines			5,000	
38		Court Costs			19,382	
39			0	0	64,382	
40		Other Income				
41		Grants			215,000	comp plan, Town Manager (we will likely apply for several more high value grants)
42		Interest on Investments		10,000	68,000	colotrust
43		Admin Miscellaneous Income			0	
44						
45			0	10,000	283,000	
46						
47		Total Revenue	3,599,507	3,611,258	4,742,317	
48						
49	Expenditures					
50		Employee Benefits & Taxes				
51		401 A Match	44,414	44,414	67,515	
52		457 Match	16,655	16,655	25,318	
53		Flexible Spending Account (FSA)	5,774	5,774	12,000	
54		Wellness Reimbursement	12,158	12,158	17,500	
55		Health Insurance Premiums	79,834	79,834	120,360	13.5% increase in rates
56		Health Ins Employee Contributions		(1,572)	0	
57		Workers Comp Insurance Premiums	11,381	11,381	12,375	
58		COL and Merit Raises			40,548	3% COL + 5% merit pool (excludes Town Manager)
59		Payroll Taxes	18,543	18,543	40,137	
60						
61						
62		Total Employee Benefits & Taxes	188,759	187,187	335,753	
63		General Expenditures All Departments				
64		Telephone	2,830	2,830	3,168	
65		Office Lease	50,700	50,700	196,158	
66		Office Building Maintenance	3,700	3,700	3,504	
67		Office Supplies	3,754	3,754	5,000	
68		Prof Services/Membership Fees	10,429	10,429	17,000	

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6						
7			Approved			
8			2024	2024	2025	
9			Budget	Forecast	Budget	
69		Dues and Subscriptions	7,936	6,802	7,000	
70		Training	6,802	6,802	14,011	
71		Travel/Meals/Ldging	6,802	6,802	14,011	
72		Uniforms/Clothing	1,700	1,700	5,000	
73		Insurance	5,000	5,000	7,500	
74		Bank and Misc Fees	0	90	0	
75		IT/Technology	68,016	68,016	60,000	IT support,
76		Website	6,802	6,802	0	moved to capital
77		Equipment Repairs/Leases	5,526	5,526	7,589	
78		Professional Services				
79		Membership Fees				
80						
81		Total Gen Exp All Departments	179,996	178,952	339,942	
82						
83		Mayor and Town Council				
84		Mayor Wages	11,000	11,000	12,000	
85		Council Wages	33,000	33,000	36,000	
86		Cell Phone AllowTown Council	5,775	5,775	6,300	
87		Community Support			100,000	Child care tuition assistance - 71,000, Summit Foundation Passes - 8000, Treetop - 10,000
88		Travel and Training			5,000	
89		Misc Expense Town Council	1,251	3,409	1,401	
90						
91		Total Mayor and Town Council	51,026	53,184	160,701	
92						
93						
94						
95		Administration Services				
96		Town Manager Wages	127,530	127,530	178,200	
97		Town Clerk Wages	95,047	95,047	0	
98		Office Clerk Wages	58,333	58,333	0	
99		Administrative Wages			185,240	excludes Town Manager
100		Cell Phone	2,250	2,250	2,700	
101		Keystone Housing Incentive	15,000	15,000	18,000	
102						
103			298,160	298,160	384,140	
104		Postage	2,607	2,607	2,919	
105		Printing	7,300	7,300	4,000	
106		Community Engagement	8,502	8,502	20,000	
107		Local Travel	2,607	2,607	2,919	
108		Elections	12,000	12,000	0	
109		Town Attorney Contract	90,688	90,688	150,000	based upon 2024 billing
110		Smoking Cessation (from Nicotine Tax)	59,628	59,628	27,000	
112		Payroll Contract (Paylocity)	4,950	4,950	9,900	
113		Accounting Contract (M&W)	63,494	63,494	10,000	Town to hire finance director
114		Annual Audit Contract	0	0	19,266	
115		Short Term Rental Contract Support	116,761	116,761	120,264	
116		Miscellaous Adminstrative Expense	0	10	15,000	
117						
118		Total Administrative Services	666,697	666,707	765,407	
119						
120						
121		Finance Department				
122		Finance Department Wages	0	0	127,000	
123		Cell Phone Finance	0	0	900	
124		Keystone Housing Finance	0	0	6,000	
125		Communications / Postage	0	0	2,000	
126		Computer Services	0	0	18,000	
127		Miscellaneous Expense	0	0	4,000	

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6						
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9			Budget	Forecast	Budget	
128						
129		Total Finance Expenses	0	0	157,909	
130						
131		Community Development				
132		Comm Dev Director Wages	124,431	124,431	0	
133		Planner 2 Wages	60,489	60,489	0	
134		Community Development Wages			241,729	
135		Cell Phone Comm Dev	1,350	1,350	1,800	
136		Keystone Housing Incentive Comm Dev	9,500	9,500	12,000	
137						
138						
139			195,770	195,770	255,529	
140		Building Permit/Inspections	162,562	162,562	0	
141		GIS	9,069	9,069	9,341	
142		Professional Services (Contracted)	11,336	11,336	20,000	
143		Planning Supplies/Printing	5,668	5,668	5,838	
144		Local Travel	2,834	2,834	5,838	
145		Communications	2,721	2,721	0	
146		Miscellaneous Comm Dev Expense	0	0	2,500	
147						
148		Total Community Develop	389,960	389,960	299,046	
149						
150		Public Works				
151		Public Works Director Wages	45,344	45,344	0	
152		Public Works Wages			93,409	
153		Cell Phone Public Works	450	450	900	
154		Keystone Housing Public Works	3,000	3,000	6,000	
155						
156			48,794	48,794	100,309	
157		Communications	2,721	2,721	0	
158		Engineer Consultant	5,668	5,668	11,000	
159		Planning and Printing Supplies	2,834	2,834	2,500	
160		Road Maint/Snow Plowing Contracts				
161		Loveland Pass Village	0	0	22,800	
162		Keystone Roads- Currently County Maintained	0	0	86,000	
163		Roads not County Maintained	0	66	96,967	
164		Noxious Weed Control	0	0	17,514	
165		Other Maintenance	0	0	40,866	
166		Total Road Maintenance/Snow Plowing Contracts	0	66	264,147	
167						
168		Trail Maintenance			10,000	
169		Signage	0	0	15,500	
170		Engineering Services	0	0	30,000	
172		Misc Maintenance			15,000	
173						
174		Total Public Works Expenses	60,017	60,083	452,456	
175						
176		Public Safety				
177		Communications	0	0	33,394	
178		Law Enforcement	0	0	556,414	
179		Animal Control	0	0	3,923	
180		Miscellaneous Public Safety Exp	0	85,708	0	
181						
182		Total Public Safety Expenses	0	85,708	593,731	\$465,000 in 2% fund
183						
184		Municipal Court				
185		Judge	0	0	7,589	
186		Prosecutor	0	3	11,209	

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6			Approved			
7			2024	2024	2025	
8			Budget	Forecast	Budget	
9						
187		Miscellaneous Exp Municipal Cout	0		584	
188						
189		Total Court Expenses	0	0	19,382	
190						
191		Total Operating Expenditures	1,536,455	1,621,780	3,282,228	
192						
193		Total Revenue (from above)	3,599,507	3,611,258	4,742,317	
194						
195		Operating Surplus (Deficit)	2,063,053	1,989,478	1,460,089	
197						
198		Other Sources (Uses)				
199		Transfer to Capital Improvement	(900,000)	(886,800)	(431,600)	
200		Summit County Adv - Sales Tax	0	1,400,000	0	
201		Summit County Adv - Repayment	0	(1,400,000)	0	
202						
203		Total Other Sources (Uses)	(900,000)	(886,800)	(431,600)	
204						
205		Beginning Fund Balance - General	0	0	1,102,678	
206						
207		Ending Fund Balance - General	1,163,053	1,102,678	2,131,167	
208			=	=		
209		Components of General Fund Bal				
210		TABOR Restricted Funds	46,094	48,653	98,467	
211		Unrestricted Funds	1,116,959	1,054,025	2,032,700	
212			1,163,053	1,102,678	2,131,167	
213						
214		RESTRICTED FUNDS				
215		CAPITAL IMPROVEMENTS				
216		Revenue and Other Financing Sources				
217		Contribution from General Fund	900,000	886,800	431,600	
218						
219		Total Revenues	900,000	886,800	431,600	
220						
221		Capital and Non-Routine Projects				
222		Repayment for Incorporation Costs	180,000	180,000	0	
223		Summit County fee for Cash advance	5,000	5,000	0	
224		Office Set Up-Furniture, Supplies and Equipment	41,500	41,500	45,500	new council dias
225		Facility Modifications	50,000	50,000	0	
226		Staff Hiring Expense	5,000	5,000	1,200	
227		Start Up Consultant Support (Clerk/Community Dev/Public Works)	32,500	32,500	0	
228		IT-Infrastructure/Software/Computers/Printers/Set up	109,900	109,900	89,000	subscriptions - 4,000, records management system - 10,000, printer - 5,000, conferencing equipment
229		Website	15,000	15,000	4,000	
230		Town Signage	30,000	30,000	30,000	new website with agenda manager
231		Interim Town Manager (\$150/hr, 10 weeks)	60,000	67,900	0	
232		Engineering Assessment Town Maintained Roads	40,000	40,000	8,000	
233		Flood Plain Plan	20,000	20,000	15,000	
234		Trails and Open Space Master Plan	30,000	30,000	30,000	
235		Comprehensive Use Plan			100,000	
236		Strategic Plan			60,000	
237		2 Police Vehicles and equipment	260,000	260,000	0	in 2% fund
238		Vehicle and Equipment			70,000	
239		Total Capital and Non-Routine Exp	878,900	886,800	452,700	
240						
241		Surplus after other sources / uses	21,100	0	(21,100)	
242						
243		FUND BALANCE - Beginning Capital	0	0	21,100	
244		FUND BALANCE - Ending Capital	21,100	4 0	0	

	A	B	C	D	E	F
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7			2024	2024	2025	
8			Budget	Forecast	Budget	
9						
245			=	=		
246	Workforce Housing Fund					
247	Revenue and Other Financing Sources					
248	Revenue		788,210	947,656	1,316,050	
249	Interest Income				49,850	
250	Total Revenues		788,210	947,656	1,365,900	
251						
252	Expenditures					
253	Housing Authority Fees		52,064	52,064	58,929	
254	Land Purchase				600,000	
255	Professional Services				150,000	conceptual site plans
256						
257	Total Expenditures		52,064	52,064	808,929	
258						
259	Surplus after other sources (uses)		736,146	895,592	556,971	
260						
261	Fund bal - Beginning Housing Fund		0	0	895,592	
262	Fund bal - Ending Housing Fund		736,146	895,592	1,452,563	
263			=	=		
264	Conservation Trust Fund					
265	Revenue and Other Financing Sources					
266	Conservation Trust Revenue		12,920	12,920	12,920	
267	Interest Income					
268	Total Revenues		12,920	12,920	12,920	
269						
270	Expenditures					
271	Conservation Trust Expenses		0	0	0	
272						
273	Total Expenditures		0	0	0	
274						
275	Surplus after other sources / uses		12,920	12,920	12,920	
276						
277	Fund bal - Begin Cons Trust Fnd		0	0	12,920	
278	Fund bal - Ending Cons Trust Fnd		12,920	12,920	25,840	
279			=	=		
280	2% Lodging Tax					
281	Revenue and Other Financing Sources					
282	2% Lodging tax		0	0	1,600,000	
283	Interest Income				32,000	
284	Total Revenues		0	0	1,632,000	
285						
286	Expenditures					
287	Police Services		0	0	200,000	
288	Police Capital Equipment				250,000	
289	Misc. Public Safety Expenses		0	0	15,000	
290	Road Construction / Repaving				400,000	
291	Trail Construction / Repaving				80,000	
292	Engineering / Design Services				250,000	Razor Drive Intersection, HWY 6 pathways, road repair plans
293						
294	Total Expenditures		0	0	1,195,000	
295						
296	Surplus after other sources / uses		0	0	437,000	
297						
298	Fund bal - Begin 2% Lodging Tax Fnd		0	0	0	
299	Fund bal - Ending 2% Lodging Tax Fnd		0	0	437,000	