



Keystone Town Council Work Session Agenda

The Keystone Town Council will have a Work Session on December 10, 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 FINE AND ADMINISTRATIVE CITATIONS ORDINANCE**
- IV. DISCUSSION OF TOWN FINANCIALS**
- V. DISCUSSION OF FY2025 BUDGET**
- VI. PRESENTATION ON COMPREHENSIVE PLAN PROPOSAL FROM SE GROUP**
- VII. DISCUSSION OF BUSINESS LICENSING**
- VIII. DISCUSSION OF NUISANCE ORDINANCE**
- IX. DISCUSSION OF MANAGER/COUNCIL ISSUES**
- X. ADJOURNMENT**

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: John Crone, Town Manager
FROM: Jennifer Madsen, Town Attorney
DATE: December 10, 2024 – Town Council Work Session
SUBJECT: Discussion of adopting an ordinance regarding penalties, judge, and administrative citation (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 process for ordinance violations in the municipal court. 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 safe guards protects the rights of the individual and the integrity of the municipal enforcement system.

Draft Ordinance on Penalties, Municipal Court Judge Appointment, and Administrative Citations

The draft ordinance implements matters related to handling ordinance violations through the municipal court and handling ordinance violations through an administrative process.

Section 8.1 of the Town Home Rule Charter sets the framework for the municipal court for Keystone:

Section 8.1. Municipal Court.

- (a) There shall be a Municipal Court of record that shall have jurisdiction to hear and determine all cases arising under this Charter or the Ordinances of the Town. The powers of and the procedure in such Municipal Court and the manner of enforcement of its orders and judgments shall be such as is provided for under this Charter, the laws of the State of Colorado, and the Ordinances of the Town with respect to municipal courts of records. The Town Council shall provide a suitable place and all supplies and personnel necessary for the proper functioning of the Court.

- (b) In accordance with state law, the Municipal Court shall be presided over, and its functions exercised by one (1) or more municipal judges, who shall be attorney(s)-at-law authorized to practice in Colorado and otherwise qualified and appointed by the Town Council as established by Ordinance. By the Town Council's Resolution or Ordinance, a municipal judge shall receive compensation not dependent upon the outcome of the matters to be decided by such judge.

- (c) The Town Council shall provide for the enforcement of its Ordinances by fine or imprisonment or both, within the limits established by State law.

Section 2 of the draft ordinance implements Section 8.1(c) of the Charter by specifying the maximum penalty for violations of ordinances. The maximum monetary penalty is \$2,650 for each day of the violation and, for criminal type violations, jail time could be ordered and the maximum jail time is 364 days.

Section 3 of the draft ordinance implements Section 8.1(b) of the Charter to specify a process for appointment and removal of a municipal court judge. The Town Council appoints a Presiding Municipal Judge for an initial term of at least two years, with subsequent terms determined at its discretion. Assistant Municipal Judges may be appointed as needed. If the Presiding Judge position becomes vacant, the Town Council appoints a replacement for the remainder of the term. The judge must be a Colorado licensed attorney. The ordinance also provides the grounds for removal of a judge for cause: (1) Conviction of a felony or crime of moral turpitude; (2) Disability preventing performance of essential duties; (3) Misconduct or ethical violations; (4) Ineffectiveness or failure to meet legal standards; and (5) Neglect of judicial

responsibilities without valid justification.

Section 4 of the draft ordinance provides a different process for handling ordinance violations -- the administrative citation. This process would be conducted outside of 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.

Section 5 of the draft ordinance proposes an amendment to the recently adopted Model Traffic Code ordinance (2024-O-12). That ordinance allowed the Town Council to establish a unique fine schedule for traffic violations. During research into Dillon's fine schedule, it was noted that both Dillon and Silverthorne adhere to the fine schedule set forth in state law for traffic violations. While any municipality, whether home rule or statutory, can create its own fine schedule, adopting a unique schedule involves both advantages and challenges.

Pro of a Unique Fine Schedule:

- The Town Council can adjust the minimum and maximum fine amounts for all traffic violations to reflect Keystone's priorities. Judges would still retain discretion to determine the final fine amount based on the specifics of each case.

Cons of a Unique Fine Schedule:

- Implementing a unique fine schedule requires updates to police department ticketing processes and municipal court procedures.
- Court staff, judges, and prosecutors will need to consistently apply and remember the unique fine structure.

Section 5 of the draft ordinance is the amendment to the Model Traffic Code ordinance to provide that Keystone will follow the state fine schedule. Because Council is contemplating partnering with Dillon on police services and with Dillon and Silverthorne on municipal court services, the recommendation is to align with Dillon's approach (the state fine schedule) for consistency.

Attachment:

- Draft Ordinance on Penalties, Judge, and Administrative Citations
- 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 a process regarding the appointment of a municipal court judge.

Appointment of Municipal Court Judge

I. Appointment of Municipal Judges.

The Town Council, by resolution, may appoint the Presiding Municipal Judge to preside over the Town's Municipal Court for an initial term of not less than two (2) years and, in its discretion, for subsequent term(s), the length of which shall be determined by the Town Council. One or more Assistant Municipal Judge(s) may be appointed by the Town Council for a term as necessary to transact the business of the Court. Upon a vacancy in the position of the Presiding Municipal Judge, the Town Council may appoint a new Presiding Municipal Judge for the remainder of the unexpired term.

II. Qualifications of Judges.

A Municipal Judge shall be an attorney-at-law, licensed as an attorney in the State of Colorado, and otherwise qualified to perform the work of a municipal court judge.

III. Compensation of Judges.

- (a) The compensation of the Presiding Municipal Judge shall be in such amount and on such other terms as set by agreement entered into between the Town and the Presiding Municipal Judge or by resolution of the Town Council, as amended from time to time.
- (b) The compensation of an Assistant Municipal Judge shall be based on hours of service or number of court sessions served and shall be as set by resolution of the Town Council, as amended from time to time, or as agreed to in writing executed by the Town and the Assistant Municipal Judge.

IV. Oath of office.

Before entering upon the duties of office, a Municipal Judge shall take an oath of affirmation, given by the Mayor, the Mayor Pro Tem, or the Town Clerk, to support the Constitution and laws of the United States, the Constitution and laws of the State of Colorado, and the laws of the Town, and will faithfully perform the duties of office.

V. Removal of Judge.

A Municipal Judge may be removed by Town Council during the term of office only for cause. A Municipal Judge may be removed for cause for:

- (1) Conviction of a felony or any crime involving moral turpitude;
- (2) Any disability that renders the Judge unable to perform the essential job functions of the position;
- (3) Misconduct, including, but not limited to, unethical behavior, abuse of judicial power, or a violation of the judicial code of conduct;
- (4) Inability to perform judicial duties effectively or repeated failure to adhere to legal standards; or
- (5) Failure to fulfill the responsibilities of the judicial position without reasonable justification.

Section 4. 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 Arapahoe 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 5. 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 6. 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 7. Codification. This ordinance may be codified and numbered for purposes of codification without the need for further approval by the Town Council.

Section 8. 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

DRAFT

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.

	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								
7		General	Capital	Housing	Conserv	All Funds			
8		Fund	Fund	Fund	Trust Fund	Combined			
9	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 INLFOWS	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 AND FUND EQUITY								
75		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						9 Months	9 Months		
7						Ended	Ended	Variance	Placeholder
8						10/31/24	10/31/24	Favorable	2025
9						Actual	Budget	(Unfavor)	Budget
10	GENERAL FUND								
11	Revenues								
12	Sales Tax (1 mo estimated)		2,614,224	2,614,224	0	2,023,555	1,956,316	67,239	3,323,383
13	Other Tax Revenue					-			
14	Highway Users Tax Fund		48,627	0	(48,627)	0	0	0	66,612
15	Cigarette Tax		5,092	9,867	4,775	6,567	4,244	2,323	7,115
16	Nicotine Tax		59,628	0	(59,628)	0	0	0	83,315
17	Road and Bridges Tax		91,684	91,684	(0)	79,518	76,812	2,706	103,774
18	Specific Ownership Tax		25,348	0	(25,348)	0	0	0	34,723
19	Auto Ownership Tax		9,970	0	(9,970)	0	0	0	13,657
20	Other Tax Revenue		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	
27			203,203	203,203	0	58,317	152,400	(94,083)	362,282
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
33			541,732	546,982	5,250	217,030	541,732	(324,702)	581,873
34	Fines								
35	Municipal Court Fines				0	0	0	0	0
36	Code Enforcement Fines				0	0	0	0	
38			0	0	0	0	0	0	0
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	
45			0	80,728	80,728	28,852	0	28,852	0
47	Total Revenue		3,599,507	3,546,688	(52,819)	2,413,839	2,731,505	(317,665)	4,576,734
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
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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4	Actual, Budget and Forecast for the Periods Indicated									
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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	194,817	575,149	

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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		Budget	Forecast	(Unfavor)	Actual	Budget	(Unfavor)	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 Maint	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 Plowing	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								
158	Miscellaneous Public Safety Exp	0	85,708	(85,708)	55,556	0	(55,556)		
159									
160									
161									
162									
163									
164									
165									
166									
167									
168									
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 Court	0	0	0	0	0	0	584	
176									
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	
185									
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 Balance								
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									

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5	Modified Accrual Basis									
6				2024 ANNUAL			2024 From Inception (2/8/2024)			2025
7				Approved		Variance	9 Months	9 Months	Variance	Placeholder
8				2024	2024	Favorable	Ended	Ended	Favorable	2025
9				Budget	Forecast	(Unfavor)	10/31/24	10/31/24	(Unfavor)	Budget
205	RESTRICTED FUNDS									
206	CAPITAL IMPROVEMENTS									
207	Revenue and Other Financing Sources									
208	Contribution from General Fund			900,000	886,800	13,200	237,734	505,400	(267,666)	200,000
209										
210	Total Revenues			900,000	886,800	13,200	237,734	505,400	(267,666)	200,000
211										
212	Capital and Non-Routine Projects									
213	Repayment for Incorporation Costs			180,000	180,000	0	148,013	228,750	80,737	
214	Summit County fee for Cash advance			5,000	5,000	0	5,000	5,000	0	
215	Office Set Up-Furniture, Supplies and			41,500	41,500	0	0	18,000	18,000	10,500
216	Facility Modifications			50,000	50,000	0	0	0	0	
217	Staff Hiring Expense			5,000	5,000	0	544	5,000	4,456	
218	Start Up Consultant Support (Clerk/Cd			32,500	32,500	0	0	32,500	32,500	
219	IT-Infrastructure/Software/Computers/			109,900	109,900	0	16,288	119,900	103,612	
220	Website			15,000	15,000	0	0	15,000	15,000	
221	Town Signage			30,000	30,000	0	0	30,000	30,000	
222	Interim Town Manager (\$150/hr, 10 w			60,000	67,900	(7,900)	67,890	60,000	(7,890)	
223	Engineering Assessment Town Mainta			40,000	40,000	0	0	40,000	40,000	
224	Flood Plain Plan			20,000	20,000	0	0	0	0	
225	Trails and Open Space Master Plan			30,000	30,000	0	0	0	0	
226	Comprehensive Use Plan					0	0	0	0	100,000
227	2 Police Vehicles and equipment			260,000	260,000	0	0	0	0	
228										
229	Total Capital and Non-Routine Exp			878,900	886,800	(7,900)	237,734	554,150	316,416	110,500
230										
231	Surplus after other sources / uses			21,100	0	21,100	0	(48,750)	48,750	89,500
232										
233	FUND BALANCE - Beginning Capital			0	0	0	0	0	0	21,100
234	FUND BALANCE - Ending Capital			21,100	0	21,100	0	(48,750)	48,750	110,600
235	= = = = = =									
236	Workforce Housing Fund									
237	Revenue and Other Financing Sources									
238	Revenue 5A (17.2%)			788,210	162,997	(625,213)	85,970	0	85,970	214,358
239	Revenue 6B (82.8%)				784,659	784,659	413,854	0	413,854	1,031,910
240	Interest Income				868	868	368	0	368	20,713
241	Total Revenues			788,210	948,524	160,314	500,192	0	500,192	1,266,982
242										
243	Expenditures									
244	Housing Authority Fees			52,064	120,000	(67,936)	120,000	0	(120,000)	58,929
245	Transfer to General Fund			0	0	0	0	0	0	
246										
247	Total Expenditures			52,064	120,000	(67,936)	120,000	0	(120,000)	58,929
248										
249	Surplus after other sources (uses)			736,146	828,524	92,378	380,192	0	380,192	1,208,053
250										
251	Fund bal - Beginning Housing Fund			0	0	0	0	0	0	736,146
252	Fund bal - Ending Housing Fund			736,146	828,524	92,378	380,192	0	380,192	1,944,199
253	= = = = = =									
254	Conservation Trust Fund									
255	Revenue and Other Financing Sources									
256	Conservation Trust Revenue			12,920	0	(12,920)	0	0	0	12,920
257	Interest Income									
258	Total Revenues			12,920	0	(12,920)	0	0	0	12,920
259										
260	Expenditures									
261	Conservation Trust Expenses			0	0	0	0	0	0	
262	Transfer to General Fund			0	0	0	0	0	0	
263										
264	Total Expenditures			0	0	0	0	0	0	0
265										
266	Surplus after other sources / uses			12,920	0	(12,920)	0	0	0	12,920
267										
268	Fund bal - Begin Cons Trust Fnd			0	0	0	0	0	0	12,920
269	Fund bal - Ending Cons Trust Fnd			12,920	0	(12,920)	0	0	0	25,840
270	= = = = = =									

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
FROM: John Crone, Town Manager
DATE: December 10, 2024 – Town Council Meeting
SUBJECT: Fiscal Year 2025 Budget Approval

Executive Summary:

Final Fiscal Year (FY) 2025 Budget Packet for approval.

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

December 10 (No later than December 15, 2024) - Adoption

The FY 2025 budget must be approved by December 15, or we will be forced to operate under the 2024 budget.

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

Notable Changes since Workshop

Since the Budget Workshop on November 12, staff corrected several minor mathematical errors.

Staff also added a line item for \$100,000 for Marketing, Branding, and Economic Development.

Staff moved the Capital and Non-routine projects budget to the General Fund. This was done because the fund was not restricted by state statute or ballot language (unlike our other restricted funds), and the items were funded from General Fund revenue.

Alternatives:

Failure to pass approve the 2025 Budget will mean that the Town will operate under the 2024 Budget.

Financial Considerations:

This action impacts our entire 2025 budget.

Previous Council Actions:

Presentation October 8, 2024

Public Hearing October 22, 2024

Workshop November 12, 2024

Suggested Motions:

If the Council wishes to approve the FY 2025 Budget, it may do so by adopting the following three motions:

I move to approve Resolution 2024-76, a Resolution Adopting the FY 2025 Town of Keystone Budget.

I move to approve Resolution 2024-77, a Resolution Appropriating Funds in the FY 2025 Town of Keystone Budget.

I move to approve Resolution 2024-78, a Resolution Setting a Mill Levy at 0.0 for FY 2025.

Attachment:

- FY 2025 Town of Keystone Budget
- FY 2025 Town of Keystone Budget Message
- Resolution 2024-76, Adopting the Fiscal Year 2025 Town of Keystone Budget
- Resolution 2024-77, Appropriating Funds in the Fiscal Year 2025 Town of Keystone Budget
- Resolution 2024-78, Setting a Mill Levy at 0.0 for Fiscal Year 2025



2025 Town of Keystone Budget

*1628 Sts John Road
Keystone, CO 80435
970-450-3500
www.keystone.colorado.gov*

Town Council

Kenneth Riley, Mayor
Dan Sullivan, Mayor-Pro Tem
Gretchen Davis, Councilmember
Jon Hagenow, Councilmember
Carol Kerr, Councilmember
Aaron Parmet, Councilmember
Valerie Thisted, Councilmember

Town of Keystone Staff

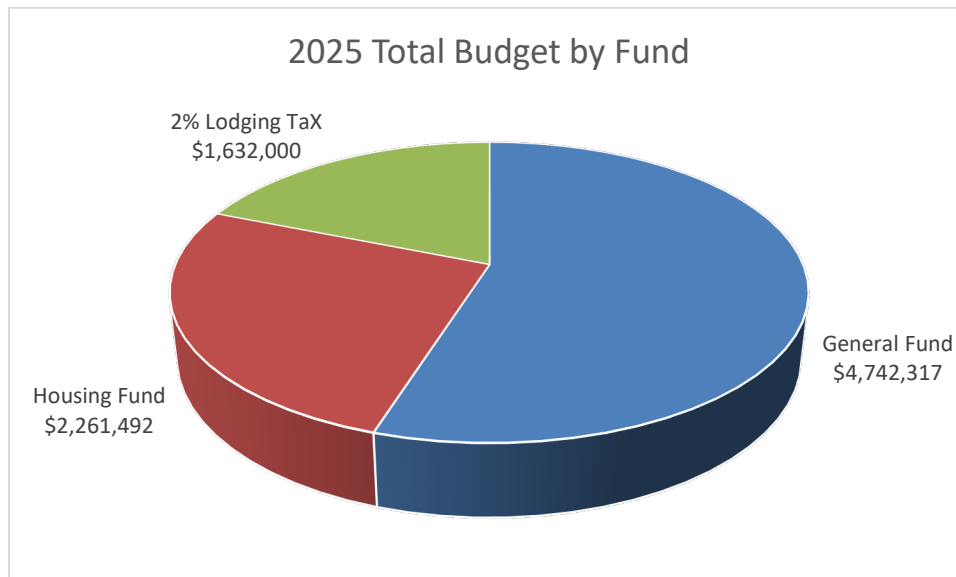
John Crone, Town Manager
Lindsay Hirsh, Community Development Director
Madeleine Sielu, Town Clerk
Joshua Weber, Public Works Director
Andrew Collins, Planner
Gabby Abell, Deputy Town Clerk /Admin. Assistant

**Town of Keystone
Fiscal Year 2025
Budget Message**

The proposed 2025 budget for the Town of Keystone, Colorado was initially presented to the Town Council on October 8, 2024. A formal Public Hearing on the budget was held on October 22, 2024, at the Town Council Regular Meeting, and the Town Council had a workshop on November 12, 2024. The Town Council scheduled the budget for final approval at its meeting on December 10, 2024.

The 2025 budget totals are as follows:

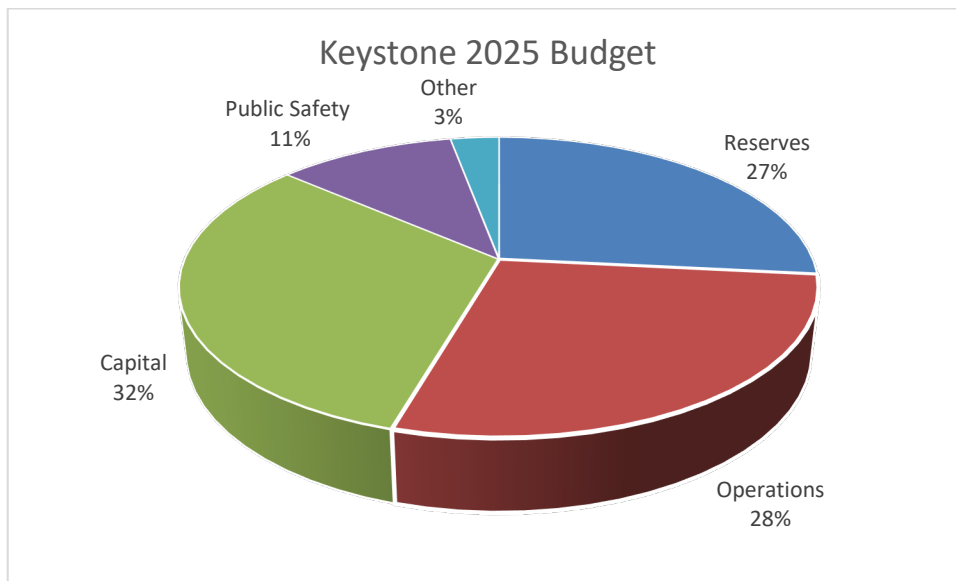
The 2025 Budget per Fund	Estimated Reserves 1/1/2025	Revenue	Expenditures	Ending Balance
General Fund (Total)	\$1,102,678	\$4,742,317	\$3,677,028	\$2,167,967
Housing Fund	\$895,592	\$1,365,900	\$808,929	\$1,452,563
Conservation Trust Fund	\$12,920	\$12,920	\$0	\$25,840
2% Lodging Tax Fund	\$0	\$1,632,000	\$1,195,000	\$437,000
Total:	\$2,011,190	\$7,753,137	\$5,378,857	\$4,083,370



The budget for 2025 has been primarily constructed by building from the 2024 budget, year-to-date estimates, and known expenses. The 2024 budget did not represent the entirety of a fiscal year due to the fact that the Town of Keystone did not exist before February 8, 2024. As a result, the 2025 budget also used extrapolation and informed estimates. We anticipate that sales tax revenues will remain relatively stable for 2025. The 2% lodging tax is a new tax, therefore, the estimated revenue is based on informed estimates.

Management is responsible for the preparation and fair representation of the Town’s financial condition in accordance with accounting principles generally accepted in the U.S.

A focus of the 2025 Budget is to build reserves for future capital projects. In 2025, we will be planning and designing many of these projects while still providing necessary services to our residents and visitors.



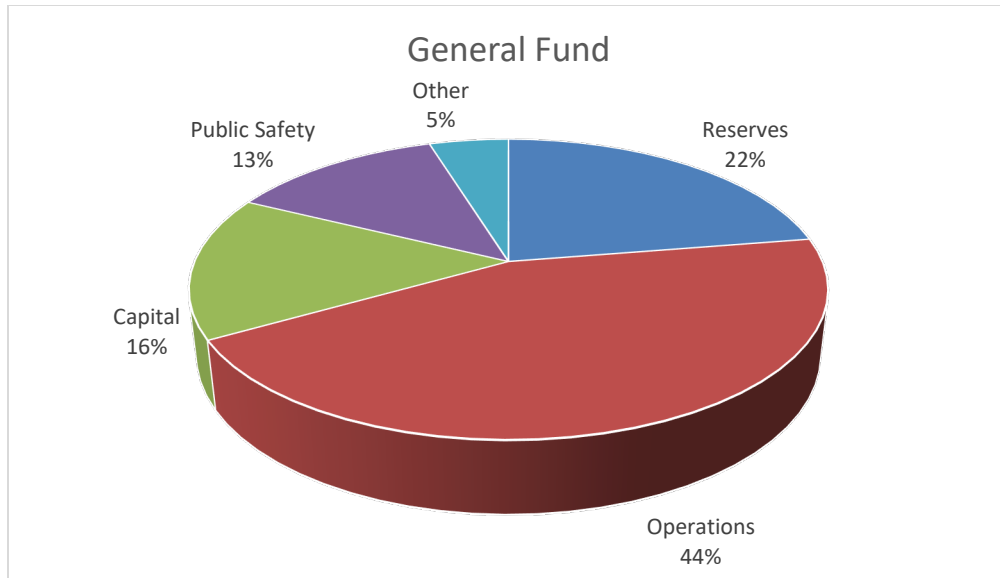
- All charts may contain discrepancies due to rounding of numbers

GENERAL FUND

Services provided by the Town under the General Fund include: Administration; Public Safety; Business Support; Public Works (Streets and Trails); Legal; Municipal Court; Elections; Community Development; Building and Zoning; Economic Development; Public Health and Charitable Donations.

The General Fund utilizes the modified accrual basis of accounting, a method under which revenues are recognized in the period they become available and measurable; and expenditures are recognized in the period the associated liability is incurred.

We expect to begin 2025 with a beginning balance in the General Fund of approximately \$ 1,102,678. We anticipate a fund surplus of \$1,065,289 in 2025. This will bring the total General Fund balance to \$2,167,967 at the end of 2025.



- All charts may contain discrepancies due to rounding of numbers

Notable Budget Items

Revenue

- Sales Tax revenues for 2025 are budgeted using actual February through September 2024 numbers and October-December 2024 and January 2025 estimates. These amounts are expected to be flat with an extrapolated 2024. Other revenues include fees, licenses, specific tax revenues, grants, and other miscellaneous revenue. The Town will seek additional grants to offset special projects.

Operation Expenditures

- **Gross Wages:** Wages are expected to increase in 2025. This increase includes a 3.0% cost of living increase for current staff as well as a 5.0% merit increase pool. It also includes funds for a new Finance Director position. Health insurance and Workman's Comp have increased as well.
- **Public Safety:** The Town currently contracts with the Summit County Sheriff's Department to continue to provide the level of support that was offered before incorporation. We anticipate entering into an agreement with the Town of Dillon to create a joint Police Department (subject to both Town Councils' approval). The expenses for Public Safety are divided between the General Fund (estimated cost to provide the status quo in police service) and the 2% Lodging Tax Fund (additional cost to form joint police department).

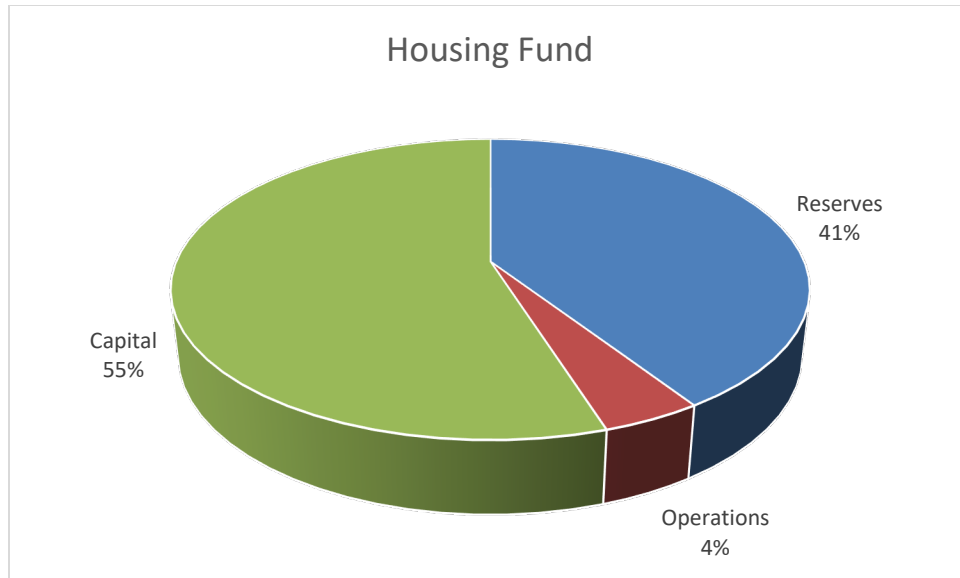
- **Town Council:** includes estimated expenses for travel and training, as well as \$100,000 for community support projects such as childcare tuition assistance.
- **Economic Development:** Keystone is reliant upon a tourist economy. The 2025 budget earmarks \$100,000 to provide for possible marketing, brand development, and business development opportunities
- **Public Works:** Public works budget includes all routine road maintenance (including snow plowing) on certain designated roads. During 2025, the Town will be taking responsibility for most public right of ways within the Town limits
- **STR Support:** the Town invests over \$120,000 in short-term rental support platforms.
- **Finance Department:** with the need to collect the 2% lodging tax, the Town is hiring a finance director who will oversee all finance, accounting, and HR functions.
- **Capital and Non-routine Projects:** the Town is investing significant funds for new software including record keeping and codification services. It is also investing in a Comprehensive Plan, a Strategic Plan, and a Trails and Open Space Plan.

HOUSING FUND

The Housing Fund was created using two county-wide taxes that were approved by voters. The funds are restricted to providing affordable and workforce housing. Revenue is expected to be \$1,365,900.

The Housing Fund utilizes the modified accrual basis of accounting, a method under which revenues are recognized in the period they become available and measurable; and expenditures are recognized in the period the associated liability is incurred.

We expect to begin 2025 with a beginning balance in the General Fund of approximately \$ 895,592. We anticipate a fund surplus of \$556,971 in 2025. This will bring the total General Fund balance to \$1,452,563 at the end of 2025.



- All charts may contain discrepancies due to rounding of numbers

Notable Budget Items

Revenue

- The sales taxes used to generate this fund are expected to bring in \$1,316,050. We also expect to realize \$49,850 in interest income.

Operation Expenses

- The Town will pay the SCHA \$58,929 to oversee the collection and disbursement of funds.

Capital Expenses

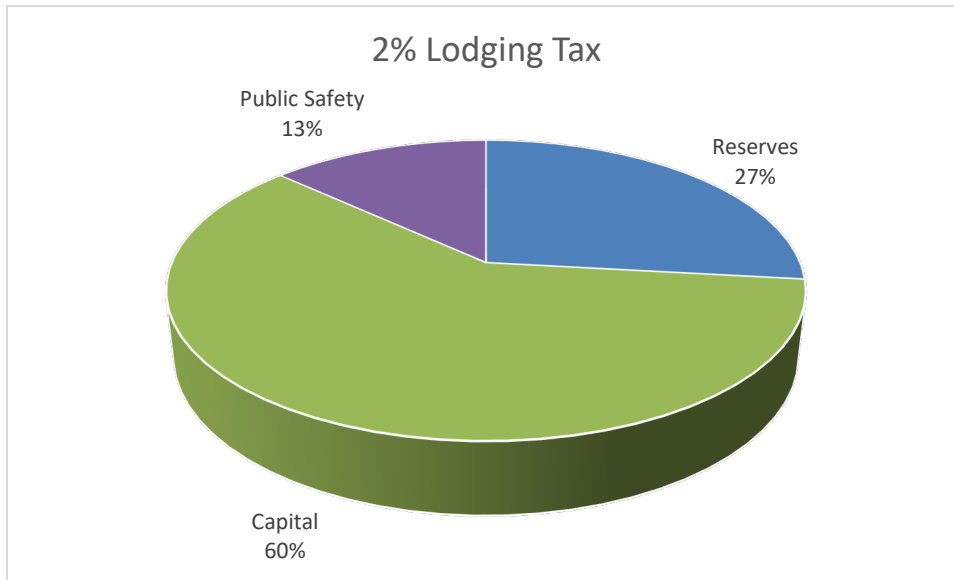
- We expect to spend \$600,000 out of this fund to purchase the 6 acres that the Town Hall sits on. The remainder of the cost of the building will be funded through other means such as lease-purchase agreements. The Town will also spend \$150,000 to start development of site plans for the six acres.

2% LODGING TAX

The electors of the Town of Keystone approved a 2% lodging tax on November 5, 2024. This tax applies to all short-term rentals (less than 30 days). The funds raised are dedicated to capital improvements and public safety.

The 2% Lodging Tax Fund utilizes the modified accrual basis of accounting, a method under which revenues are recognized in the period they become available and measurable; and expenditures are recognized in the period the associated liability is incurred.

As a new tax taking effect on January 1, 2025, there is no balance entering FY2025.. We anticipate a fund surplus of \$437,000 in 2025.



- All charts may contain discrepancies due to rounding of numbers

Notable Budget Items

Revenue

- It is anticipated that the tax will bring in \$1,600,000 in 2025. We also anticipate raising \$32,000 in interest income.

Operation Expenses

- **Police Services and Police Capital Purchases:** The Town expects \$200,000 in police services and \$250,000 in police capital equipment purchases. The remainder of the Police Budget is under the General Fund.
- **Road Construction and Repaving:** the Town has budgeted \$400,000 for road construction and repaving. We will be reconstructing Ranch Road near the stables and will be repairing other roads based upon an engineering study that is being conducted as soon as the weather allows.
- **Trail Construction and Repaving:** The Town has dedicated \$80,000 to new trail construction and repaving of the current Sankle River trail.
- **Engineering and Design Services:** The Town has budgeted \$250,000 for design services for HWY 6 safety improvements. We anticipate construction on these projects to begin in 2026.

CONSERVATION TRUST FUND

The Conservation Trust Fund is funded through state monies distributed based on population. CTF funds can only be used for the acquisition, development, and maintenance of new conservation sites or for capital improvements or maintenance for recreational purposes on any public site.

It is anticipated that the fund will bring in \$12,920 in 2025 (the same as 2024). With no expenditures anticipated in 2025, the year-end balance should be \$25,840.

SUMMARY

The Town Council of the Town of Keystone is committed to continuing to serve the citizens with quality service while maintaining a fiscally responsible budget.

Management will closely monitor revenues and limit expenditures to keep within overall budget parameters. Monthly reviews of departmental budgets will be held with the Town Manager, the Finance Director (when hired) and department directors. Budget expenditure variances of 15% or greater will be reviewed at these monthly meetings and discussed in an effort to keep budgets in line throughout the year.

The Town Council and Town staff will continue to provide the services citizens expect while simultaneously being good stewards of public funds.

	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	
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	
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	
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	
45			0	10,000	283,000	
47		Total Revenue	3,599,507	3,611,258	4,742,317	
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	
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						
7			Approved			
8			2024	2024	2025	
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						
7			Approved			
8			2024	2024	2025	
9			Budget	Forecast	Budget	
187		Miscellaneous Exp Municipal Cout	0		584	
188						
189		Total Court Expenses	0	0	19,382	
190						
191		Capital and Non-Routine Projects				
192		Repayment for Incorporation Costs	180,000	180,000	0	
193		Summit County fee for Cash advance	5,000	5,000	0	
194		Office Set Up-Furniture, Supplies and Equipment	41,500	41,500	45,500	new council dias
195		Facility Modifications	50,000	50,000	0	
196		Staff Hiring Expense	5,000	5,000	1,200	
197		Start Up Consultant Support (Clerk/Community Dev/Public Works)	32,500	32,500	0	
198		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
199		Website	15,000	15,000	4,000	
200		Town Signage	30,000	30,000	30,000	new website with agenda manager
201		Interim Town Manager (\$150/hr, 10 weeks)	60,000	67,900	0	
202		Engineering Assessment Town Maintained Roads	40,000	40,000	8,000	
203		Flood Plain Plan	20,000	20,000	15,000	
204		Trails and Open Space Master Plan	30,000	30,000	30,000	
205		Comprehensive Use Plan			100,000	
206		Strategic Plan			60,000	
207		2 Police Vehicles and equipment	260,000	260,000	0	in 2% fund
208		Vehicle and Equipment			70,000	
209		Total Capital and Non-Routine Exp	878,900	886,800	452,700	
210						
211		Economic Development				
212		Economic Development and Marketing			100,000	
213		Total Economic Development			100,000	
214						
215						
216		Total Operating Expenditures	2,415,355	2,508,580	3,677,028	
217						
218		Total Revenue (from above)	3,599,507	3,611,258	4,742,317	
219						
220		Operating Surplus (Deficit)	1,184,153	1,102,678	1,065,289	
221						
222		Other Sources (Uses)				
223						
224		Transfer to Capital Improvement	(900,000)	0	0	
225		Summit County Adv - Sales Tax	0	1,400,000	0	
226		Summit County Adv - Repayment	0	(1,400,000)	0	
227						
228		Total Other Sources (Uses)	(900,000)	0	0	
229						
230						
231		Beginning Fund Balance - General	0	0	1,102,678	
232						
233		Ending Fund Balance - General	284,153	1,102,678	2,167,967	
234						
235		Components of General Fund Bal				
236		TABOR Restricted Funds	46,094	75,257	110,311	
237		Unrestricted Funds	238,059	1,027,421	2,057,656	
238			284,153	1,102,678	2,167,967	
239						
240		RESTRICTED FUNDS				
241						
242		Workforce Housing Fund				
243		Revenue and Other Financing Sources				
244		Revenue	788,210	947,656	1,316,050	
245		Interest Income		4	49,850	

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

TOWN OF KEYSTONE
Summit County, Colorado

RESOLUTION 2024-76

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE TOWN OF KEYSTONE, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2025 AND ENDING ON THE LAST DAY OF DECEMBER 2025.

WHEREAS, the Town of Keystone Town Council has appointed the Town Manager to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, the Town Manager has submitted a proposed budget to this governing body on October 8, 2024, and workshopped November 12, 2024 for its consideration; and

WHEREAS, upon due and proper notice, published in accordance with the law, said proposed budget was open for inspection by the public at the Keystone Town Hall, a public hearing was held on October 22, 2024, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues or planned to be expended from reserves/fund balances so that the budget remains in balance, as required by law; and

WHEREAS, the electors of the Town of Keystone did, on November 5, 2024, permit the Town of Keystone to collect, retain and expend the full proceeds of the Town's fees, revenues, and non-Federal grants.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO:

Section 1. That the budget as submitted, amended, and summarized by fund hereby is approved and adopted as the budget of the Town of Keystone for the year stated above.

Section 2. That the budget hereby approved and adopted shall be signed by the Mayor and Clerk of the Town of Keystone and made a part of the public records of the Town.

ADOPTED by a vote of __ in favor and __ against, this 10th day of December 2024.

By: _____
Kenneth D. Riley, Mayor

ATTEST:

Approved as to Form:

By: _____
Town Clerk

By: _____
Town Attorney

TOWN OF KEYSTONE
Summit County, Colorado

RESOLUTION 2024-77

A RESOLUTION APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNTS AND FOR THE PURPOSES AS SET FORTH BELOW, FOR THE TOWN OF KEYSTONE, COLORADO, FOR THE 2025 BUDGET YEAR.

WHEREAS, the Town Council has adopted the annual budget in accordance with the Local Government Budget Law and with the Keystone Town Charter, on December 10, 2024; and

WHEREAS, the Town Council has made provision therein for revenues and fund balances in an amount equal to or greater than the total proposed for expenditures as set forth in said budget; and

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues and reserves or fund balances provided in the budget to and for the purposes described below, thereby establishing limitation on expenditures for the operations of the Town of Keystone.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO:

Section 1. That the following sums are hereby appropriated from the revenue of each fund to each fund, for purposes stated:

GENERAL FUND:		
Current Operating Expenses	\$ 2,941,577	
Capital Outlay	\$ 735,451	
TOTAL GENERAL FUND		\$ 3,677,028
2% LODGING TAX FUND:		
Current Operating Expenses	\$ 465,000	
Capital Outlay	\$ 730,000	
TOTAL 2% LODGING TAX FUND		\$ 1,195,000
AFFORDABLE HOUSING FUND		
Current Operating Expenses	\$ 208,929	
Capital Overlay	\$ 600,000	
TOTAL AFFORDABLE HOUSING FUND		\$ 808,929
CONSERVATION TRUST FUND:		
Current Operating Expenses	\$ 0.00	
Capital Outlay	\$ 0.00	
TOTAL CONSERVATION TRUST FUND		\$ 0.00

ADOPTED by a vote of __ in favor and __ against, this 10th day of December 2024.

By: _____
Kenneth D. Riley, Mayor

ATTEST:

Approved as to Form:

By: _____
Town Clerk

By: _____
Town Attorney

**TOWN OF KEYSTONE
RESOLUTION TO SET MILL LEVIES
RESOLUTION NO. 2024-78**

A RESOLUTION LEVYING PROPERTY TAXES FOR THE YEAR 2025, TO HELP DEFRAID THE COSTS OF GOVERNMENT FOR THE TOWN OF KEYSTONE, COLORADO, FOR THE 2025 BUDGET YEAR.

WHEREAS, the Town Council of the Town of Keystone, has adopted the annual budget in accordance with the Local Government Budget Law and the Keystone Town Charter, on December 10, 2024; and

WHEREAS, the amount of money necessary to balance the budget for the general operating purposes from property tax revenue is \$0; and

WHEREAS, the 2024 preliminary valuation for assessment for the Town of Keystone as certified by the County Assessor is \$302,134,600

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO:

Section 1. That for the purpose of meeting all general operating expenses of the Town of Keystone during the 2025 budget year, there is hereby levied a tax of 0.0 mills upon each dollar of the total valuation for assessment of all taxable property within the Town of Keystone for the year 2024.

Section 2. That the Town Manager be authorized and directed to certify to the County Commissioners of Summit County, Colorado, the mill levies for the Town of Keystone as hereinabove determined and set, but as recalculated as needed upon receipt of the final (December) certification of valuation from the county assessor in order to comply with any applicable revenue and other budgetary limits.

ADOPTED by a vote of __ in favor and __ against, this 10th day of December 2024.

By: _____
Kenneth D. Riley, Mayor

ATTEST:

Approved as to Form:

By: _____
Town Clerk

By: _____
Town Attorney

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers

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

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

DATE: December 10, 2024 – Work Session

SUBJECT: Town of Keystone First Comprehensive Plan – Request for
Proposal Update and Presentation from SE Group

Executive Summary:

The Planning Commission has recommended that the SE Group be selected to lead the Town's First Comprehensive Plan, as outlined in the Town's Comprehensive Plan Request for Proposals. The SE Group will have the opportunity to present their proposal and take questions from Council before the selection of a firm is finalized.

Background:

On July 29, 2024, the Town issued its Request for Proposals (RFP) for the Town's First Comprehensive Plan. The RFP sought a professional consulting firm (or team) to assist the Town in the development of the Comprehensive Plan. Seven complete RFP submissions were received, and Town staff identified three top proposals that most satisfied the goals of the RFP. The three finalist teams were Cushing Terrell, SE Group, and MIG.

On October 17th, the Planning Commission interviewed the three finalists to assist the Town in the creation of the Comprehensive Plan. After the consultant teams' presentations were made and interviews conducted, the Planning Commission identified

SE Group as the first-choice consultant team by a majority of the Commissioners. The recommendation for the SE Group was based on their:

- Extensive 25-year experience on planning and economic projects in resort mountain communities,
- Strong project management, led by Gabby Voeller, Senior Community Planner,
- Experience working with the US Forest Service and Vail Resorts,
- Experience understanding infrastructure capacity and reliability,
- Strong sub-consultants that include Economic Planning Systems (EPS), and Fehr & Peers transportation and engineering.

Subsequently on Oct. 18th, the Town was awarded a \$100,000 matching grant from the Department of Local Affairs to help fund the Comprehensive Plan Project.

Next Steps:

The SE Group has been invited to discuss and present their proposal directly to Council. Approximately twenty minutes is allocated for the SE Group presentation with ten minutes for additional questions and follow-up discussion.

Town Council should provide direction to staff whether to proceed with the SE Group to develop the Town's First Comprehensive Plan. A Resolution authorizing Town Staff to finalize and execute a contract for services with the SE Group is on Town Council's Dec. 10, 2024, Council Meeting Consent Agenda for consideration. Please see the Council Meeting agenda packet for a draft of the contract.

Financial Considerations:

The project's Not to Exceed Cost is \$200,000 as outlined in the RFP, and a \$100,000 matching grant from DOLA has been awarded to help fund the contract with the selected firm.

Attachments:

- SE Group Proposal
- RFP for the Town of Keystone First Comprehensive Plan

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
FROM: John Crone, Town Manager
DATE: December 10, 2024 – Town Council 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-incidental 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 Town's offer a second type of license for those businesses that in 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
THROUGH:
FROM: John Crone, Town Manager
DATE: December 10, 2024
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 are 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.

Section 23

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

For the purpose of this section, 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 ENCLOSURE: A fully enclosed structure consisting of four (4) sides and a secure door or cover, which shall have a latching device of sufficient strength and design to prevent access by wildlife, and which shall be constructed to prevent wildlife access to the dumpster. Dumpster enclosures are subject to all planning and zoning requirements and building codes. An enclosure of less than one hundred twenty (120) square feet shall not require a building permit. An enclosure of one hundred twenty (120) square feet or larger requires a building permit.

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 Parks 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.

A. All residential containers that receive refuse edible by wildlife 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 unless the refuse container is wildlife-proof, in which case the container may be left out. Trash operators must close wildlife-proof after emptying the container.

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 either a wildlife-proof refuse container or a dumpster enclosure for all refuse. The container or enclosure shall be kept closed in a secure manner except when refuse is being deposited.

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.

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.

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.

COMMERCIAL REFUSE DISPOSAL:

A. All refuse containers receiving refuse from commercial establishments and restaurants shall be in wildlife-proof containers, or shall be secured in a dumpster enclosure.

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

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.

FEEDING OF WILDLIFE PROHIBITED:

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.

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.

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.

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 a 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 not exceeding _____ for a first offense.

2. A fine not exceeding two hundred dollars _____ for a second offense.
3. A third violation shall constitute a misdemeanor and will require a mandatory appearance in municipal court.

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: 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. Violators are responsible for immediate clean-up of any trash dispersed by wildlife.

COMPLIANCE REQUIRED AND TIME PERIOD: Any container required by this Chapter shall be brought into conformity with the provision of this Chapter by April 15, 2025. Any enclosure required by this Chapter shall be brought into conformity with the provision of this Chapter by August 1, 2025. Upon application to the Town Manager, and 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.