



## City Council Regular Meeting

448 E 1st Street, Room 190 Salida, Colorado 81201  
July 7, 2026 at 6:00 PM

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### Agenda

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Please register, **BY 4:30 pm the day of the meeting** for Regular City Council Meeting  
[https://zoom.us/webinar/register/WN\\_IJlzcmlQTgqcTEDomhRz5A](https://zoom.us/webinar/register/WN_IJlzcmlQTgqcTEDomhRz5A)  
After registering, you will receive a confirmation email containing information about joining the  
webinar. To watch live meetings:  
<http://www.youtube.com/@cityofsalidacolorado>

#### Call to Order

Pledge of Allegiance

Roll Call

#### Amendment(s) to Agenda

#### Consent Agenda

All matters listed under the Consent Agenda, are considered to be routine business matters by the Council and will be enacted with a single motion and a single vote by roll call. There will be no separate discussion of these items. If discussion is deemed necessary by any member of the Council, that item should be removed from the Consent Agenda and considered separately.

1. Approve Agenda
2. Approve June 16, 2026 Minutes
3. Approve the Updated Purchasing Policy
4. Approve a Memorandum of Understanding (MOU) between the City of Salida and Chaffee County for the Co-response program
5. Approve Special Events Liquor License for Brew and Bloom
6. **Ordinance 2026-19** An Ordinance of the City Council of the City of Salida, Colorado Imposing a Temporary Moratorium on the Submission, Acceptance, Processing, and Approval of Applications for the Establishment of Data Centers in the City of Salida, Colorado. **Approve on first reading and set second reading and public hearing for August 4, 2026**
7. **Ordinance 2026-20** An Ordinance of the City Council of the City of Salida, Colorado Enacting Section 2-2-90 of Chapter 2 of the Salida Municipal Code, Regarding Administration and Personnel, to add Removal and Sanction Procedures for Members of City Council. **Approve on first reading and set second reading and public hearing for August 4, 2026**

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the City Clerk at 448 E. 1st Street, Ste. 112, Salida, CO 81201, Ph.719-530-2626 at least 48 hours in advance.

## **Citizen Comment–Three (3) Minute Time Limit**

### **Proclamations**

8. Celebrating the 250th Anniversary of the United States of America and the 150th Anniversary of the State of Colorado

### **Unfinished Business / Action Items**

9. **Ordinance 2026-16** An Ordinance of the City Council of the City of Salida, Colorado, Adopting by Reference the 2025 Colorado Wildfire Resiliency Code and Making Conforming Amendments to Chapter 18 of the Salida Municipal Code. **Second reading and public hearing**
10. **Ordinance 2026-17** An Ordinance of the City Council of the City of Salida, Colorado, Approving the Transfer and Conveyance of Real Property from the City of Salida, Approving the Transfer and Conveyance of Real Property to the City of Salida, and Approving the Lichtenegger – City of Salida Boundary Line Adjustment. **Second reading and public hearing**
11. **Ordinance 2026-18** An Ordinance of the City Council of the City of Salida, Colorado, Approving Corrections to the Official Zoning Map of the City of Salida and Adopting an Updated Zoning Map. **Second reading and public hearing**

### **New Business / Action Items**

12. **Resolution 2026-18** A Resolution of the City Council of the City of Salida, Colorado, Declaring July 11, 2026 as Salida Museum Day,
13. **Resolution 2026-19** A Resolution of the City Council of the City of Salida, Colorado, Amending the Salida City Council Handbook to Include a Decorum, Removal, and Sanctions Policy.
14. **Resolution 2026-20** Resolution 2026-20 A Resolution of the City Council of the City of Salida, Colorado, approving a Coordinated Mail Ballot Election and Adopting the Uniform Election Code.
15. **Resolution 2026-21** A Resolution of the City Council of the City of Salida, Colorado, Submitting a Ballot Question to the Electors of the City on the November 3, 2026, Ballot, Regarding Publication of Ordinances by Title Only.
16. **Resolution 2026-22** A Resolution of the City Council of the City of Salida, Colorado, Approving a Citizen Appointment to the Salida Airport Advisory Board.

## **Councilors, Mayor and City Treasurer Reports**

### **Council Reports**

Martin - Sustainability Committee  
Pappenfort - CHA  
Rovinsky - PROST Board  
Schreiner - Finance Committee and ACAC

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Stephens - Airport Board  
Fontana - Finance Committee and Greater Salida Recreation Corporation Board

**Mayor Report**  
Mayor Critelli

**Attorney Report**

**Treasurer Report**

**Department Updates**

**Adjourn**



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City Clerk | Deputy City Clerk

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Mayor

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## City Council Regular Meeting

448 E 1st Street, Room 190 Salida, Colorado 81201  
June 16, 2026 at 6:00 PM

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### Minutes

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Please register for Regular City Council Meeting

[https://zoom.us/webinar/register/WN\\_IJlzcmlQTggcTEDomhRz5A](https://zoom.us/webinar/register/WN_IJlzcmlQTggcTEDomhRz5A)

After registering, you will receive a confirmation email containing information about joining the webinar. To watch live meetings:

<http://www.youtube.com/@cityofsalidacolorado>

**Call to Order** at 6:00 PM

**Pledge of Allegiance**

**Roll Call**

PRESENT

Council Member Joey Rovinsky  
Council Member Wayles Martin  
Council Member Shelley Schreiner  
Council Member Alisa Pappenfort  
Council Member Suzanne Fontana  
Council Member Aaron Stephens  
Treasurer Ben Gilling  
Mayor Justin Critelli

**Amendment(s) to Agenda**

**Consent Agenda**

All matters listed under the Consent Agenda, are considered to be routine business matters by the Council and will be enacted with a single motion and a single vote by roll call. There will be no separate discussion of these items. If discussion is deemed necessary by any member of the Council, that item should be removed from the Consent Agenda and considered separately.

Council Member Martin moved to combine and approve items on the consent agenda, seconded by Council Member Fontana.

Voting Yea: Council Member Pappenfort, Council Member Fontana, Council Member Stephens, Council Member Martin, Council Member Schreiner, Council Member Rovinsky

Approve Agenda

Approve June 2, 2026 Minutes

**Ordinance 2026-16** An Ordinance of the City Council of the City of Salida, Colorado, Adopting by Reference the 2025 Colorado Wildfire Resiliency Code and Making Conforming Amendments to Chapter 18 of the Salida Municipal Code. **Approve on first reading and set second reading and public hearing for July 7, 2026**

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### **Motion Passed**

### **Citizen Comment–Three (3) Minute Time Limit**

Joyce Levine and Adam Martinez spoke during citizen comment.

### **Liquor Licensing Authority – Approve a new Tavern Liquor License for The Velveten Lounge**

Mayor Critelli opened the Public Hearing. Merrell Bergin spoke during the public hearing. Hearing no further comments, the mayor closed the public hearing.

Council Member Schreiner moved to approve a new Tavern Liquor License for The Velveten Lounge, seconded by Council Member Rovinsky.

Council Member Pappenfort, Council Member Fontana, Council Member Stephens, Council Member Martin, Council Member Schreiner, Council Member Rovinsky

### **MOTION PASSED**

### **Unfinished Business / Action Items**

**Ordinance 2026-15** An Ordinance of the City Council of the City of Salida, Colorado, Amending Chapter 10, Article IX of The Salida Municipal Code, Regarding Noise Control and Sound Permits. **Second reading and public hearing**

Mayor Critelli opened the public hearing. Merrell Bergin, Susan Spohn, Eric Lubell, Jason Maxwell and Paul Byars spoke during the public hearing. Hearing no further comments, the mayor closed the public hearing.

Council Member Schreiner moved to approve Ordinance 2026-15, seconded by Council Member Rovinsky.

Council Member Pappenfort, Council Member Fontana, Council Member Stephens, Council Member Martin, Council Member Schreiner, Council Member Rovinsky

### **MOTION PASSED**

### **New Business / Action Items**

### **Councilors, Mayor and City Treasurer Reports**

#### **Council Reports**

Pappenfort - CHA

Martin – Sustainability Committee

Stephens - Airport Board  
Fontana - Finance Committee and Greater Salida Recreation Corporation Board  
Rovinsky – PROST Board  
Schreiner - Finance Committee

Reports were given.

**Mayor Report**

Mayor Critelli

Report was given.

**Attorney Report**

**Treasurer Report**

Report was given

**Department Updates**

**Adjourn** Meeting adjourned at 7:39 pm



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City Clerk | Deputy City Clerk

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Mayor



# City Council Action Form

<b>Department</b> Finance	<b>Presented By</b> Taylor Webb - Finance Director	<b>Date</b> July 7, 2026
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## **Agenda Item**

Consent Agenda - Adopt the updated purchasing policy.

## **Background**

In January 2023, City Council adopted the current purchasing policy. The policy was revised in February 2024. The current revision to the policy, as shown in red text in the following pages, updates and adds language in the existing Appendix A, related to federally funded programs. The City's attorney has reviewed these proposed updates.

## **Recommendation**

To approve the updated purchasing policy.

## **Fiscal Impact**

There is no fiscal impact.

## **Motion**

A Councilmember should make a motion to "combine and approve the items on the consent agenda", followed by a second and a roll call vote.

# Purchasing Policy



## Introduction:

The purpose of this policy is to ensure purchases are made in accordance with Colorado Revised Statutes and cash is disbursed only for authorized expenditures after the receipt of acceptable goods or services is verified. In addition, this policy helps ensure that all expenditures are properly recorded and reported in financial reports as required by state law and by government accounting standards. The purchasing levels in this policy are subject to periodic review and may be changed with City Council approval based on inflation and other factors.

## Scope:

This policy applies to all purchases of goods or services, including the award of construction contracts.

## Purchasing Levels and Required Documentation – for Budgeted Purchases:

Expenditures are pre-authorized by City Council in the budget process. Individual purchases of goods or services included in the approved budget shall be committed by authorized personnel in accordance with the purchasing levels shown below:

	<b>Up to \$500</b>	<b>Up to \$5,000</b>	<b>Up to \$10,000</b>	<b>Up to \$50,000</b>	<b>Over \$50,000</b>
<b>Approval Required</b>	Staff or Higher Level	Supervisor/ Experienced Staff or Higher Level	Department Head, Asst. City Admin or Higher Level	City Administrator	City Administrator (see additional considerations below)
<b>Documentation Required</b>	Receipt, Invoice, or Check Request	Receipt, Invoice, or Check Request	Receipt, Invoice, or Check Request	<b>Purchase Order Process/Informal Bid Process*:</b> - A minimum of three (3) documented telephone/email bids/quotes/proposals, <b>and</b> - Contract, as appropriate, <b>and</b> - Purchase Order Form - Invoice or Check Request to be provided to the Finance Department <b>upon receipt of acceptable goods or services</b>	<b>Competitive Bid Process*</b>
<b>Amendments &amp; Change Orders</b>				Increases greater than 10% require additional approval by City Administrator	

\*See Purchase Orders section and Bid Processes section for more detail and for purchases exempt from the Purchase Order Process and Bid Process, respectively.

### **Additional Considerations:**

Any proposed purchase in the following categories shall require City Council approval prior to commitment of funds:

- Any proposal for consulting services over \$50,000;
- Any expense greater than \$50,000 **not** in the approved annual budget.

Staff must be authorized by Department Head and Finance Department to purchase items on open account from vendors of small items such as supplies, fuel for City vehicles, clothing allowance items, etc. Requested changes to the list of authorized users must be submitted to the Finance Department.

When a Department Head is out of the office, they may designate a staff member to approve check requests/invoices in their absence up to the level of the Department Head's approval authority. Such designation shall be in writing (or via email) and provided to the Finance Department.

If the City Administrator is out of the office, the Assistant City Administrator, or the corresponding Department Head and the Finance Director, may provide their joint approvals in substitution of the City Administrator's.

The City Administrator and Department Heads must manage their expenditures within the level of detail as approved by Council. For example, if Council approves total expenditures for a department, staff may allocate those dollars differently between line items. However, if Council approves expenditures by type (personnel, supplies, purchased services, etc.), staff must manage dollars within those categories.

Staff should make reasonable efforts to compare prices of goods and/or services, and proof of price comparing should be documented.

### **General Purchasing Procedures**

Purchases can be made by one of the following means:

1. Open account – The preferred method of payment for most City purchases is through an open account, where the vendor sends invoices for goods and services directly to the Accounts Payable department.
  - a. Only the Assistant Finance Director, Finance Director and City Administrator have authority to apply for credit to open revolving accounts with vendors.
  - b. An IRS Form W-9 must be obtained from all vendors prior to issuing payment.
  - c. If employees are authorized to make small purchases on open accounts with vendors, they must sign off on the charge slip to acknowledge their receipt of the goods. The charge slip is to be turned into Finance, with proper sign off and coding, to match with the vendor statement.
  - d. Invoices or, in the case of certain open accounts, statements are mailed directly to Accounts Payable by the vendor and then routed to the corresponding department for review and proper approval.
  - e. By signing off on the invoice, the approver is verifying all of the following:

- i. The purchase was for City business.
    - ii. The purchase was made within the approved budget.
    - iii. The delivered goods or services were acceptable to you.
    - iv. The invoice agrees to what was agreed to pay upon ordering the item (amount, terms, etc.).
    - v. The charge is within the approval authority.
  - f. Approval of invoices must be evidenced by the authorized employee's signature or distinguishable initials and the date.
  - g. All invoices in excess of \$10,000 must also be approved by the City Administrator, unless they relate to a contract that has already been signed by the City Administrator and/or City Council.
2. City credit card – In accordance with the Credit Card policy, certain employees are issued a City credit card to use for travel and the purchase of miscellaneous goods and services. Please refer to the City Credit Card policy and section 6.20 of the Personnel Manual for further detail regarding authorized uses of credit cards, ethical considerations, allowable expenses, etc.
- a. Employees shall submit an expense report monthly to document usage of the credit card. Documentation submitted with the expense report must include the corresponding invoice or receipt related to each expense. The business purpose must be clearly documented.
  - b. A standard expense report form is to be used to code each item purchased on the credit card.
  - c. Complete a separate expense report for each credit card billing cycle and ensure that the total being reported on the expense report agrees to the total per the credit card statement.
  - d. The cardholder must obtain their supervisor's approval on the expense report, regardless of dollar amount.
3. Expense Reimbursements – Employee may submit an expense reimbursement form for mileage reimbursement, per diem and/or the infrequent occasion when items have been purchased for City business using the employee's own funds. Expenses incurred by an employee personally must be reasonable and customary and must be related to the conduct of official business or attendance at professional meetings, conferences, or training sessions which promote overall job knowledge. For an expense to be reimbursed, adequate appropriations must be available, the expenses must be authorized in advance, and the employee must comply with the procedures and policies identified in Section 6.20 "Travel and Expense Reimbursement" of the Personnel Manual. Employees are encouraged to sign up for ACH reimbursement payments, for which the Finance Department can provide instructions, otherwise a check will be mailed to the employee per the employee's mailing address on file within the City's payroll system.
- a. Documentation submitted with the expense report must include the invoice, receipt or other appropriate documentation (mileage calculations with maps showing mileage driven, evidence of training being attended, etc.) related to each expense. The business purpose must be clearly documented.
  - b. Expense reports must be submitted within 30 days of the purchase.
  - c. Further instructions on where to find per diem information and calculate mileage reimbursement are located on the Expense Report form. The Finance Department will update these instructions annually, or more frequently, as needed, to reflect current reimbursement rates.
  - d. Supervisor approval is required on all expense reports, regardless of dollar amount.
  - e. Any reimbursement claims brought forward to the City related to damages to property must first submit a quote of the work to be performed, including scope of work and corresponding price, to the City Administrator for evaluation and approval prior to work being performed. At that time, the City Administrator will determine if an insurance claim is required to be made. Additionally, any reimbursement claims related to property damage that are less than the City's insurance deductible shall not be paid out until the

claimant has signed the City's Insurance Claim Release Form.

4. Check request – Should be used on the infrequent occasion that a purchase is initiated when a vendor invoice or contract is not available to submit to the Finance Department.
  - a. The purchaser should always attempt to obtain an invoice or some form of documentation from the vendor. The check request is only to be used when the vendor documentation is unavailable or does not provide the necessary information to describe the nature of the expense, payment due dates, etc.
  - b. The requestor must sign the check request and, if the purchase amount exceeds the requestor's purchase authority, the requestor's supervisor must also approve the check request.
  - c. The requirements in 1.e. above also apply to check requests.
  - d. There is no need to complete a check request to attach to expense reports or vendor invoices.
  
5. Petty cash – Used only in approved locations for small items that cannot be charged to a credit card or open account.

Any time that an expense is incurred for multiple City employees, the employee with the highest seniority must pay the bill. This will avoid a situation where a manager may be approving his or her own expenses. (For example, if a manager and staff members attend an out of town training seminar and one bill is incurred for a meal for all employees, the manager must be the one to pay the bill.)

When an invoice is paid, separation of duties between the check signer and check processor shall be maintained.

### **Tax-Exempt Status:**

As a government municipality, the City is exempt from sales and use taxes and fuel excise taxes. Every attempt, within reason, should be made to ensure the City is not billed for taxes. A copy of the City's tax exemption certificates may be obtained through the Finance Department.

### **Multiple Year Obligations:**

Article X of the Colorado Constitution prohibits municipalities from entering into direct or indirect multiple fiscal year financial obligations without prior voter approval or without adequate cash reserves pledged irrevocably and held for payments in all future years. The Colorado Court of Appeals has held that contracts which are expressly subject to annual appropriation or non-renewal are not obligations within the meaning of this provision.

### **Conflict of Interest:**

Purchases over \$10,000 from family members, Council members, City employees or any other person where an actual or perceived conflict of interest may exist must be preceded with either an informal or formal bid process. The purchase must be disclosed at an open City Council meeting prior to the actual award of the bid or commitment to purchase. Purchases under \$10,000 from family members, Council members, City employees or any other person where an actual or perceived conflict of interest may exist must be preceded with City Administrator approval.

## **Professional Services:**

One-time or expected ongoing professional services over \$10,000 are required to have a written contract in place for services to be performed. Copies of signed contracts should be distributed to the Finance Department and the Clerk's office for document retention. Selection of a vendor/consultant for professional services should not be based solely on the lowest offered price, and department heads should also consider the below criteria when selecting a vendor/consultant. The below list is not meant to be exhaustive, and any other necessary criteria specific to the scope of the work should also be considered. Consideration of the below and any other applicable criteria used in the selection of a vendor/consultant should be documented.

- Vendor/consultant applicable qualifications
- Institutional knowledge of facilities and infrastructure
- Vendor/consultant's past success working with the City and other various governmental agencies (e.g., CDOT, CDPHE, etc.)
- Requirements to use certain vendors/consultants, as stipulated by other governmental agencies or utility contractors on the project, as applicable

In the event of a new vendor/consultant or if a change in vendor/consultant is needed for an ongoing professional service (e.g., on-call engineering services, etc.), department heads should engage in a Request for Qualification (RFQ) process in addition to obtaining price estimates in order to select the best vendor/consultant.

## **Purchase Orders**

A standard purchase order is to be used and appropriate approvals are to be obtained for all purchases included in the budget of \$10,000 or more (individually, or as a total project) excluding items listed in the 'Exempt Items' listing below. **Approval of the Purchase Order must be obtained from the City Administrator and the Finance Department before the order is placed** and should be evidenced by signatures; however, email approvals and/or electronic signatures will also be accepted. Departments are responsible for obtaining contractor proof of insurance, as applicable, based on the scope of work to be performed.

Invoices will be matched to the approved Purchase Order prior to being routed for approval. Invoices related to a Purchase Order will not be paid until the corresponding Department has communicated to the Finance Department the acceptable receipt of the goods or services. Should the actual charges exceed the amount approved on the Purchase Order by ten percent (10%) or more, an amended Purchase Order must be completed with additional approval from the City Administrator. Department heads are responsible for working with contractors and vendors to ensure charges are within the approved amounts. If a Purchase Order results in a budget overage, a budget amendment must be taken to the Finance Committee and City Council for their review and approval at the Finance Director's discretion. Budget amendments are to be obtained prior to the commitment of additional funds, except in emergency situations or where it is impractical to do so.

While departments should consider overall life cycle cost when selecting vendors/contractors to work with, the lowest priced vendor/contractor may not always be the most appropriate choice. Department heads should also consider other qualifications and historical experience working

with vendors/contractors, and document these considerations in writing.

### **Exempt Items**

- Council or City Administrator Approved Contracts
- Debt Service Payments
- Annual/Recurring Dues & Subscriptions
- Insurance
- Investment Transactions
- Recurring Lease Payments
- Maintenance and Support Licensing Agreements (associated with an approved contract)
- Payroll (direct deposit, checks, taxes, deductions and other payroll related expenditures)
- Professional Services (associated with an approved contract)
- Sole source items (see Sole Source section below)
- Utilities
- Emergency-related Purchases

### **Bid Processes**

Competitive bids are required according to the thresholds identified in the purchasing level matrix above. Depending on the nature of the product or service, bids are not necessarily awarded to the lowest bidder. For those situations where the low bid is not accepted, the basis for the award must be documented in writing.

The City is not required to advertise for and receive bids for technical, professional, or incidental assistance. Hiring outside help to address an emergency situation that poses a threat to public health and safety is deemed “incidental assistance” for purposes of this policy. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract file.

1. The City Administrator’s approval shall be obtained before the bid is advertised.
2. A request for open bids must be advertised in a newspaper of general circulation in the City, in local online publications, and on the City website, and must be posted to any bidding portal the City is under contract with.
3. The City shall always reserve the right to reject any and all bids.
4. The primary criteria for a bid award are conformance with all bid specifications including all bonding and licensing requirements and low amount of bid. However, department heads should also consider other qualifications of the bidder including, but not limited to: historical experience with the bidder, and the bidder’s institutional knowledge of facilities and infrastructure. Department heads are encouraged to utilize a Request for Qualifications (RFQ) process in order to obtain a vendor/contractors qualifications as it relates to the proposed project.

5. Where no bids are received or, if in the opinion of the City Council, all bids received are too high, the City may enter into negotiations concerning the contract. No negotiated price shall exceed the lowest responsible bid previously received.
6. City Council shall award the contract to the successful bidder, considering bidder's qualifications, bid amount, and other relevant specifications.

Alternate contract delivery methods may also be appropriate and acceptable based on the scope of the public improvement project. Department heads should use their professional judgement in determining if a design-build contract or a Construction Manager At-Risk (CMAR) contract is most appropriate given the public improvement project.

Contractors who are working under a Public Works contract must meet the eighty percent (80%) Colorado labor requirements, unless waived by the City Council pursuant to the Colorado Revised Statutes. Refer to the Colorado Division of Labor and Employment Keep Jobs in Colorado Act for further information. <https://cdle.colorado.gov/keep-jobs-in-colorado-act>

## **Types of Bids**

### Competitive (Formal) Bid Process

A formal, competitive bid process is generally recommended for all purchases estimated to cost in excess of \$50,000 excluding the items in the areas listed in the 'Exempt Items' list below. A Formal Invitation for Bid (IFB) or Request for Proposals (RFP) shall be required. *Capital improvement projects cannot be exempt.*

1. The City Administrator shall approve all purchases being initiated through a formal bidding before the bid is advertised. City Council shall award the contract to the successful bidder. The bidding procedure shall follow what is described above for public improvement projects.
2. A request for open bids (IFB or RFP) must be advertised in a newspaper of general circulation in the City, on the City website, with local online publications, and must be posted to any bidding portal the City is under contract with.
3. The award shall be made to the vendor meeting the specifications of the bid, having the lowest price and giving consideration to service, quality, references and delivery. The City shall reserve the right to reject any and all bids.

### Informal Bids

- a. Department heads or their designees may obtain informal bids on purchases of goods or services with a cost of less than \$50,000. This may be accomplished by phone calls, emails or similar communication and a written quote or bid must be obtained and documented.
  - a. Informal bids or quotations must include the name of the firm, name of person providing the information, delivery date and terms, and payment terms.
  - b. A minimum of three quotations shall ordinarily be required.
  - c. A refusal to bid constitutes a bid but cannot be the only other bid received. Every effort must be made to receive at least three actual bids.
  - d. The award shall be made to the vendor meeting the specifications of the bid, giving consideration to service, quality, references and delivery, and having the lowest price. The City shall reserve the right to reject any and all bids.

- e. Copies of all bid documents shall be submitted to the Finance Department for filing and will be kept in accordance with the Document Retention Schedule.

#### Local Vendor Preference

Bids by vendors with their primary operations located within the City of Salida will receive preference within a five percent (5%) price difference. Bids by vendors with their primary operations located within Chaffee County will receive preference within a three percent (3%) price difference. The provisions for local preference apply to consideration of cost only. Bids that include other requirements regarding product specifications, vendor qualifications, or other criteria based on the nature of the product or service, may not necessarily be awarded to the lowest cost bidder.

Justification for any other exceptions to the bid process must be approved by the City Administrator. A sole source purchase (the designation of a manufacturer or "brand name only" for goods or a specific vendor for service) is permitted only when fully justified by the requester (refer to Sole Source Exemption section below for criteria that need to be met). Competitors' deficiencies shall also be documented. All requests for sole source purchase must have a statement addressing conflict of interest (refer to Sole Source section for further information related to sole source items and documentation required).

#### **Items/Purchases Exempt from Bidding Process**

- Sole source items (see Sole Source section)
- Compatible Parts
- Used or Pre-Owned Items
- Emergency-related Purchases
- Council Approved Service Contracts
- Debt Service Payments
- Insurance
- Investment Transactions
- Lease Payments
- Maintenance and Support Licensing Agreements (associated with an approved contract)
- Payroll (checks, taxes, deductions and other payroll related expenditures)
- Professional Services (associated with an approved contract)
- Utilities
- Cooperative Purchasing

## Requirements Specific to Construction of Works of Public Improvement

In accordance with C.R.S. §31-15-712, all work done by the City in the construction of works of public improvement with a cost of \$5,000 or more must be done by contract to the lowest responsible bidder on open bids after ample advertisement. It is unlawful to divide work into two or more separate projects for the sole purpose of evading or attempting to evade this statutory requirement, as it relates to construction of works of public improvement.

### Sole Source Exemption from Formal Procurement

Sole source purchases may be made if it has been determined that there is only one good or service that can reasonably meet the need and there is only one vendor who can provide the good or service and is in the best interest of the City. To take advantage of the exemption, the following criteria must be met:

1. The vendor is the original equipment supplier/manufacturer/service provider and similar parts, equipment or services are not available from another manufacturer; or
2. The vendor is the only source of equipment, materials, goods or services compatible with or conforming to City-owned equipment, materials, goods or services and addition of nonconforming equipment, materials, goods or services would require the expenditure of additional funds; or
3. No other equipment, materials, goods or services are available that can meet the specialized needs of the department or perform the intended function; or
4. Detailed justification is available which reasonably establishes that the vendor is the only source practicably available to provide the item or service required; or
5. The product, equipment or service is functionally superior to all other competitive products.

Up to \$25,000. To take advantage of the sole source exemption for purchases between \$10,000 and \$25,000, Department Heads are responsible for selection and contract administration. Semiformal procurement processes are not required; however, Department Heads are responsible for selection based on applicable and appropriate qualifications, experience, referenced successes and cost factors. The City Administrator must approve reliance on this exemption in writing in advance.

Over \$25,000. To take advantage of the sole source exemption for purchases with a total cost of over \$25,000, Department Heads are responsible for selection and contract administration. Formal procurement processes are not required; however, Department Heads are responsible for providing the written justification for the exemption and obtaining written approval before engaging any such exempted services or procuring exempted goods. Approval must be obtained in accordance with the following:

- a) The Department Head requesting the exemption must complete the Exemption Approval Form (Exhibit C) as provided by the Finance Department,
- b) The completed Exemption Approval Form must be submitted to the Finance Department for a recommendation and signature; and
- c) The Exemption Approval Form with the Finance Department's recommendation must be submitted to the City Administrator for final authorization of the exemption.

## **Cooperative Purchasing**

City staff may use State of Colorado bids (solicited through the Bid Information and Distribution System), bids from the Multiple Assembly of Procurement Officials (MAPO), the General Services Administration (GSA), National Cooperative Purchasing Alliance (NCPA), NPPGov or Sourcwell (formerly National Joint Power Alliance) to get the benefit of the pricing available through those procurement systems. Similar organizations may be added to the above list with the approval of the Finance Director. While exempt from the formal bid process, these purchases are subject to the normal approval process. Depending on the nature of the product or service, bids are not necessarily awarded to the lowest cost vendor.

Cooperative purchasing may also include the bidding of like requirements with other governmental entities to purchase in quantities. This practice may sometimes be beneficial for all entities involved as it may result in lower per-unit costs, while still assuring bid requirements are met. When cooperative bidding is done, each entity shall supply its own requirements; however, one entity shall be chosen to administer the bid process. Bid awards are to be determined either on an individual basis or as a total, whichever is the most cost-effective to all bidders. Depending on the nature of the product or service, bids are not necessarily awarded to the lowest cost bidder.

City Council may, by resolution or by ordinance, enter into contracts or agreements with other governmental units or special districts for the use of buildings, equipment, or facilities, and for furnishing or receiving commodities or services.

## **Procurement for Purchases of Goods or Services Using Federal, State or Grant Funds**

When any procurement involves the expenditure of federal or state funds or restricted grant funds, the procurement shall be conducted in accordance with any mandatory applicable federal and/or state laws, regulations, or grant requirements. The procurement requirements for any procurement involving the expenditure of federal funds shall, at a minimum, comply with the requirements of Appendix A, incorporated herein. In the event of a conflict between such federal fund procurement requirements and the requirements of the City as otherwise set forth herein, the stricter requirements shall apply.

## **Miscellaneous Purchasing Provisions**

1. Professional Dues and Licenses – Professional dues, licenses, and memberships to associations and organizations that benefit the City will be paid from City funds but shall be the responsibility of the employee to obtain and maintain. Examples would include, but are not limited to: professional engineer license, water/wastewater treatment operator’s licenses, professional certifications, etc.
2. A \$400 uniform allowance is provided for those employees subject to uniform requirements at the discretion of the corresponding department head. Each department is responsible for monitoring their employee’s uniform purchases and obtaining/retaining appropriate documentation. The Finance Department may request employee uniform allowance documentation to ensure employees are adhering to this policy, per the Finance Department’s discretion.
3. Guidance on Tipping for Services:

- a. For tips on meal service related to official functions, the maximum allowable amount is 20% of the final bill (including tax), if the final bill does not already include a tip. If the final bill includes a set amount (of any percentage) for gratuity, then no additional tip may be provided.
- b. For tips on ground service transportation (taxi, shuttle, Uber, Lyft, etc.), the maximum allowable amount is 20% of the service charge, if the final bill does not already include a tip. If the final bill includes a set amount (of any percentage) for gratuity, then no additional tip may be provided.

## **Ethical Responsibilities**

All city personnel are obligated to establish and maintain ethical relationships with all vendors or suppliers of City goods and services. The following are examples of unacceptable City employee relationships with vendors or suppliers. The list is not intended to be all-inclusive. City employees must also consider the appearance of fairness and propriety in their relationships with City vendors or suppliers.

- Seeking or accepting directly from any persons, partnerships, corporations, or other business entities or representatives which are doing or seeking to do business with the City of Salida, services, cash or loans, vacations or pleasure trips, preferential treatment not generally available, or any gifts exceeding the value of \$65.00 or the state constitutional gift ban amount which is adjusted for inflation over time, whichever amount is higher.
- Knowingly over- or underestimating the requirements of this policy and/or bids or failing to disclose the existing requirements in order to avoid doing business with a particular vendor or supplier.
- Misrepresenting competitors' prices, quality, or services in order to obtain concessions from vendors or suppliers.
- Having personal investments in any non-publicly owned business entity which will create a substantial conflict between private interests and public duties when the City of Salida employee is involved in making a particular purchasing decision.

Inexpensive advertising items bearing the name of a vendor (i.e. pens, pencils, paper weights, cups, caps, candy, calendars, etc.) are not considered articles of value or gifts in relation to this policy.

### **Appendices:**

- Appendix A: Procurement Policies and Procedures for Federally Funded Programs

### **Exhibits:**

- A. Purchase Order Form
- B. Expense Report Form
- C. Purchasing Policy Exemption Approval Form
- D. Check Request Form
- E. Insurance Claim Release Form

## **References:**

- *Colorado Revised Statutes*, §29-1-701 to 707 and §31-15-72
- *Municipal Procurement*, Colorado Municipal League, 2013

## **Related Policies:**

- Credit Card Policy/Employee Agreement
- Electronic Payments Policy
- Personnel Policy

## **Definitions:**

- **Contract** – All types of City agreements, regardless of what they may be called, for the procurement or disposal of supplies, services, or construction.
- **Cooperative Purchasing** – involves sharing procurement contracts between governments. Cooperative procurement contracts are usually based on the common requirements of multiple governments. There are several types of cooperative purchasing arrangements, but the type the City will use the majority of the time will be so-called “piggyback options”. These occur when one or more organizations represent their requirements and include an option for other organizations to “ride” or “bridge” the contract as awarded.
- **Department Head** – includes the Finance Director, Community Development Director, City Clerk, Police Chief, Fire Chief, Arts & Culture Director, Public Works Director, Parks & Recreation Director, and any other head of a department as designated by the City Administrator.
- **Designee** – A duly authorized representative of a person holding a superior position.
- **Invitation for Bids (IFB)** – All documents, whether attached or incorporated by reference, utilized for soliciting bids.
- **Non-budgeted** – operating or capital expenses not included in the City’s annual budget.
- **Request for Proposals (RFP)** – A process used to acquire supplies and/or services that involves the review of written proposals and the use of negotiations with the most qualified bidder(s). This process may also include the use of a Request for Information (RFI) as a preliminary step to the RFP process in an attempt to gather information and pre-qualify prospective bidders.
- **Sole Source Item/Provider** – Purchases of supplies, products or services indispensable to the City for which there is only one source practicably or reasonably available.

**Revision History:**

Version	Date Revised	Reason for Change
1	01/17/2023	Initial Adoption to Replace Outdated Policy
2	02/20/2024	Expanded policy to include guidance on non-employee reimbursement claims
3	06/10/2026	Update Appendix A for federal compliance with grant funding

**Appendix A****Procurement Policies and Procedures for Federally Funded Programs****Reference 2 CFR 200.318-326**

**1. Purpose of procurement standards.** These standards establish procedures for City of Salida (“City”) procurement of supplies and other expendable property, equipment, and services utilizing federal funds. All departments and operations of the City expending federal grant monies shall adhere to these standards, as follows, as they may be amended or supplemented over time. In the event the federal government regulations that govern procurement policies and procedures for federally funded programs or for procurements made with federal funds are amended, these standards and procedures will be deemed automatically amended to conform to such requirements.

**2. Code of conduct.** No employee, officer, or agent shall participate in the selection, award, or administration of a contract or purchase order if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the entity selected for an award. The officers, employees, and agents of the City shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, or parties to sub agreements except for where the financial interest is not substantial, or the gift is an unsolicited item of nominal value. Members of the City Council shall comply with all relevant fiduciary duties, including those governing conflicts of interest, when they vote upon matters related to procurement contracts in which they have a direct or indirect financial or personal interest. Officers, employees, directors, and agents of the City shall be subject to disciplinary actions for violations of these standards. This code of conduct supplements any other applicable Code of Ethics.

**3. Competition.**

Procurement transactions shall be conducted in a manner to provide, to the maximum extent practical, open and free competition. The City shall be alert to organizational conflicts of interest as well as noncompetitive practices among contractors that may restrict or eliminate competition or otherwise restrain trade. To ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, invitations for bids and/or requests for proposals shall be excluded from competing for such procurements. Awards shall be made to the bidder or offeror whose bid or offer is responsive to the solicitation and is most advantageous to the City, price, quality and other factors considered. Solicitations shall clearly set forth all requirements that the bidder or offeror shall fulfill in order for the bid or offer to be evaluated by the City. All bids or offers may be rejected when it is in the City's interest to do so. In all procurement, the City shall avoid practices that are restrictive of competition. These include but are not limited to:

- a. Placing unreasonable requirements on firms in order for them to qualify to do business;
- b. Requiring unnecessary experience and excessive bonding;
- c. Noncompetitive pricing practices between firms or between affiliated companies;
- d. Noncompetitive awards to consultants that are on retainer contracts;
- e. Organizational conflicts of interest;
- f. Specifying only a brand name product instead of allowing an equal product to be offered and describing the performance of other relevant requirements of the procurement; and
- g. Any arbitrary action in the procurement process.

#### 4. Methods of Procurement to be followed.

- a) Procurement by Micro-purchases. A micro-purchase is ~~the acquisition of supplies or services under \$5,000~~ a procurement that does not exceed the federal micro-purchase threshold established in the Federal Acquisition Regulation (FAR) and 2 CFR Part 200, as amended. To the extent practicable, the City must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the City considers the price to be reasonable.
- b) Procurement by Small Purchase Procedures. Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that cost ~~at least \$5,000 but do not cost more than \$150,000~~ more than the federal micro-purchase threshold but do not exceed the federal Simplified Acquisition Threshold, as amended (~~OMB memo dated June 20, 2018 M-18-18~~). If small purchase procedures are used, price or rate quotations must be obtained from at least three qualified sources.
- c) Procurement by Sealed Bids (formal advertising). Bids are publicly solicited, and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bid method is the preferred method for procuring construction, if the conditions in paragraph (c) (1) of this section apply.

(1) In order for sealed bidding to be feasible, the following conditions should be present:

- i. A complete, adequate, and realistic specification or purchase description is available;
- ii. Two or more responsible bidders are willing and able to compete effectively for the business; and
- iii. The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

(2) If sealed bids are used, the following requirements apply:

- i. Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for state, local and tribal governments, the invitation for bids must be publicly advertised;

- ii. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
  - iii. All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;
  - iv. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
  - v. Any or all bids may be rejected if there is a sound documented reason.
- d. Procurement by Competitive Proposals. Competitive proposals are normally conducted with more than one source submitting an offer, and either a fixed price or cost- reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:
- (1) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical.
  - (2) Proposals must be solicited from at least three qualified sources;
  - (3) The City agency must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;
  - (4) Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
  - (5) The City must use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms that are a potential source to perform the proposed effort.
- e. Procurement by Noncompetitive Proposals. Procurement by non-competitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:
- (1) The item is available only from a single source;
  - (2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
  - (3) The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the City; or

(4) After solicitation of a number of sources, competition is determined inadequate.

## 5. Procurement procedures.

a. All procurement by the City shall comply, at a minimum, with the requirements of subsections (i), (ii), and (iii) below:

(1) The City avoids purchasing unnecessary items.

(2) Where appropriate, an analysis is made of lease versus purchase alternatives to determine which would be the most economical and practical procurement.

(3) Solicitations for goods and services provide for all of the following.

- i. A clear and accurate description of the technical requirements for the material, product or service to be procured. In competitive procurements, such a description shall not contain features which unduly restrict competition.
- ii. Requirements which must be fulfilled and all other factors to be used in evaluating proposal submitted in response to solicitations.
- iii. A description, whenever practicable, of technical requirements in terms of functions to be performed or performance required, including the range of acceptable characteristics or minimum acceptable standards.
- iv. When relevant, the specific features of "brand name or equal" descriptions that are to be included in responses submitted to solicitation.
- v. The acceptance, to the extent practicable and economically feasible, of products and services dimensioned in the metric system of measurement.
- vi. Preference, to the extent practicable and economically feasible, for products and services that conserve natural resources and protect the environment and are energy efficient.
- vii. To the greatest extent practicable, and consistent with applicable law, the City shall provide a preference for the purchase, acquisition, or use of goods, products, and materials produced in the United States when expending federal award funds.
- viii. The City shall comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, including procuring items composed of recovered materials to the maximum extent practicable, consistent with 2 CFR §200.323.
- ix. Any local vendor preference provisions contained elsewhere in City policy shall not apply to procurements funded in whole or in part with federal funds.

- b. All necessary affirmative steps shall be made by the City to utilize small businesses, minority-owned firms, women's business enterprises, and labor surplus area firms, whenever possible. The City shall take all of the following steps to further this goal.
- (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
  - (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
  - (3) Dividing total requirements, when economically feasible, into smaller tasks or any quantities to permit maximum participation by small and minority businesses, and women's business enterprises.
  - (4) Establishing delivery schedules, where the requirements permit, which encourage participation by small and minority businesses, and women's business enterprises;
  - (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Development Agency of the Department of Commerce; and
  - (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (i) through (v) of this section.
- c. The type of procuring instruments used (e.g., fixed price contracts, cost reimbursable contracts, purchase orders, and incentive contracts) shall be determined by the City but shall be appropriate for the particular procurement and for promoting the best interest of the program or project involved. The "cost-plus-a-percentage-of- cost" or "percentage of construction cost" methods of contracting shall not be used.
- d. Contracts shall be made only with responsible contractors who possess the potential ability to perform successfully under the terms and conditions of the proposed procurement. Consideration shall be given to such matters as contractor integrity, record of past performance, financial and technical resources or accessibility to other necessary resources.
- e. Debarment and Suspension - No contract shall be made to parties listed on the ~~General Services Administration's List of Parties Excluded from Federal Procurement or Non-procurement Programs System for Award Management~~ at [sam.gov](http://sam.gov), or any successor federal system, in accordance with E.O.s 12549 and 12689, "Debarment and Suspension." Contractors with awards that exceed the small purchase threshold shall provide the required certification regarding its exclusion status and that of its principal employees. ~~For instructions and more information on how to find a list of current companies and individuals that have been declared ineligible to receive federal contracts can visit the Department of Labor's website at [www.dol.gov/agencies/ofccp/debarred-list](http://www.dol.gov/agencies/ofccp/debarred-list).~~ Contractors with multiple year contracts will be ~~checked against the GSA list at each renewal time re-verified in sam.gov at each renewal time.~~
- f. Contracts shall be made only with responsible contractors who possess the potential ability to perform successfully under the terms and conditions of the proposed procurement. Consideration shall be given to such matters as contractor integrity, record of past performance, financial and technical resources or accessibility to other necessary resources.

- g. To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal Government, the City is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.
- h. The City is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.
- i. The City is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.
- j. The City must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the City must not preclude potential bidders from qualifying during the solicitation period.

**6. Procurement of Facilities or Land Special Requirements.** Procurement of facilities or land is rarely done and considered outside the scope of this policy. If such an activity is proposed in the future, the City should involve City Council, legal counsel, and explore financial assistance opportunities, as necessary.

**7. Cost and price analysis.** Some form of cost or price analysis shall be made and documented in the procurement files in connection with every procurement action in excess of the Semiformal Acquisition Threshold (48 CFR Subpart 2.1) as Adjusted ~~and currently at \$150,000~~. Price analysis may be accomplished in various ways, including the comparison of price quotations submitted, market prices and similar indicia, together with discounts. Cost analysis is the review and evaluation of each element of cost to determine reasonableness, allocability and allowability.

**8. Procurement records.** Procurement records and files for purchases in excess of the Micro-purchase threshold as ~~fixed amended~~ at 48 CFR Subpart 2.1 (~~currently \$5,000~~) shall include the following at a minimum: (a) basis for contractor selection, (b) justification for lack of competition when competitive bids or offers are not obtained, and (c) basis for award cost or price.

**9. Contract administration.** A system for contract administration shall be maintained to ensure contractor conformance with the terms, conditions and specifications of the contract and to ensure adequate and timely follow up of all purchases. The City shall evaluate contractor performance and document, as appropriate, whether contractors have met the terms, conditions and specifications of the contract.

**10. Contract provisions.** The City shall include, in addition to provisions to define a sound and complete agreement, the following provisions in all contracts. The following provisions shall also be applied to subcontracts.

- a. Contracts more than the Semiformal Acquisition Threshold shall contain contractual provisions or conditions that allow for administrative, contractual, or legal remedies in instances in which a contractor violates or breaches the contract terms and provide for such remedial actions as may be appropriate.
- b. All contracts in excess of the Semiformal Acquisition Threshold shall contain suitable provisions for termination by the City, including the manner by which termination shall be affected and the basis for settlement. In addition, such contracts shall describe conditions

under which the contract may be terminated for default as well as conditions where the contract may be terminated because of circumstances beyond the control of the contractor.

- c. For contracts dealing with construction or facility improvements the City shall comply with all requirements imposed by its funding sources (and the government regulations applicable to those funding sources) with regard to construction bid guarantees, performance bonds, and payment bonds.
- d. All negotiated contracts (except those for less than the Semiformal Acquisition Threshold) awarded by the City shall include a provision to the effect that the City shall have access to any books, documents, papers and records of the contractor which are directly pertinent to a specific program for the purpose of making audits, examinations, excerpts and transcriptions.
- e. All contracts, including small purchases, awarded by the City and their contractors where the source of the funds, directly or indirectly, is the federal government, shall contain the following procurement provisions as applicable.
  - i. Equal Employment Opportunity - All contracts, when funded in whole or part by monies derived from the Federal government (either directly or indirectly), shall contain a provision requiring compliance with E.O. 11246, "Equal Employment Opportunity," as amended by E.O. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and as supplemented by regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."
  - ii. Copeland "Anti-Kickback" Act (18 U.S.C. 874 and 40 U.S.C. 276c) - All contracts in excess of \$2000 for construction or repair, when funded in whole or part by monies derived from the Federal government (either directly or indirectly) shall include a provision for compliance with the Copeland "Anti-Kickback" Act (18 U.S.C. 874), as supplemented by Department of Labor regulations (29 CFR part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or sub recipient shall be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he is otherwise entitled. The recipient shall report all suspected or reported violations to the Federal awarding agency.
  - iii. Davis-Bacon Act, as amended (40 U.S.C. 276a to a-7) - **When required by Federal program legislation**, all construction contracts awarded by the recipients and sub recipients of more than \$2000 shall include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 276a to a-7) and as supplemented by Department of Labor regulations (29 CFR part 5, "Labor Standards Provisions Applicable to Contracts Governing Federally Financed and Assisted Construction"). Under this Act, contractors shall be required to pay wages to laborers and mechanics at a rate not less than the minimum wages specified in a wage determination made by the Secretary of Labor. In addition, contractors shall be required to pay wages not less than once a week. The recipient shall place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation and the award of a contract shall be conditioned upon the acceptance of the wage determination. The recipient shall report all suspected or reported violations to the Federal awarding agency.
  - i. Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333) - All contracts in excess of \$2000 for construction contracts and in excess of \$2500 for other contracts that involve the employment of mechanics or laborers, when funded in whole or part by monies derived from the Federal government (either directly or indirectly), shall include a provision for compliance with

Sections 102 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333), as supplemented by Department of Labor regulations (29 CFR part 5).

- ii. Rights to Inventions Made Under a Contract or Agreement - Contracts or agreements for the performance of experimental, developmental, or research work, when funded in whole or part by monies derived from the Federal government (either directly or indirectly), shall provide for the rights of the Federal Government and the recipient in any resulting invention in accordance with 37 CFR part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.
- vi. Clean Air Act (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), as amended - Contracts and sub grants of amounts in excess of \$100,000, when funded in whole or part by monies derived from the Federal government (either directly or indirectly), shall contain a provision that requires the recipient to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251 et seq.). Violations shall be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
- vii. Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) - Contracts for an amount above \$100,000, when funded in whole or part by monies derived from the Federal government (either directly or indirectly), shall include a certification by the contracting parties that they have not and will not use Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352, and to further require disclosure of any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award.
- i. Third party contracting requirements (FTA Circular 4220.1F) - This circular sets forth the requirements a grantee must adhere to in the solicitation, award and administration of its third-party contracts. Provisions of this circular will be added to all operating contracts utilizing formula funds for operating assistance.



# CITY COUNCIL ACTION FORM

<b>DEPARTMENT</b> Police	<b>PRESENTED BY</b> Russ Johnson - Police Chief	<b>DATE</b> July 7, 2026
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## **AGENDA ITEM**

Approving a Memorandum of Understanding (MOU) between the City of Salida and Chaffee County for the Co-response program.

## **BACKGROUND**

Since 2025, the Salida Police Department and Chaffee County Sheriff's Office have been discussing a joint Co-response program. Later on that year, Chaffee County obtained grant funding to start a program. In the fall of 2025 the City of Salida received a funding request from Chaffee County in the amount of \$125,000. After speaking with Council and meeting with County Officials, the City of Salida agreed to pay \$25,000.

Since the payment agreement was established, both entities have been working on finalizing an MOU that outlines how the program will function. Both parties have agreed to the MOU. We have also established a working group that is meeting bi-monthly. This working group will review cases, review statics/call types, discuss any managerial or staffing issues, and discuss any success or failures. The intent is to have open lines of communication so we can provide better service.

As we move forward, Chaffee County has secured additional funding through an opioid settlement grant that was available to our region. Once we receive more data and evaluate the program we will come back to council for an update.

## **RECOMMENDATION**

Staff recommends that the City Council grant the City Administrator permission to sign the MOU with Chaffee County for the Co-response program.

## **FISCAL IMPACT**

There is no new fiscal impact at this time. We have already allocated \$25,000 into the 2026 budget. There will be more conversation about this in future years.

## **MOTION**

A City Councilmember should state "I combine and approve the consent agenda granting the City Administrator the authority to sign the Memorandum of Understanding between the City of Salida and Chaffee County for the Co-response program", followed by a second and a roll call vote.

**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN CHAFFEE COUNTY SHERIFF'S OFFICE and CITY OF SALIDA REGARDING**  
**THE IMPLEMENTATION OF THE CO-RESPONDER PROGRAM**

This Memorandum of Understanding ("MOU") is made and entered into this 7<sup>th</sup> day of July 2026, by and between, the City of Salida through its Salida Police Department ("Salida"), Chaffee County Board of County Commissioners ("BOCC") and Chaffee County Sheriff's Office ("CCSO") (collectively "Parties") to establish a county-wide Chaffee County Co-Responder Program.

**Purpose**

The purpose of this MOU is to establish a framework of cooperation between BOCC, CCSO and Salida for the purposes of implementation of a county-wide Chaffee County Co-Responder Program. This program supports behavioral health crisis response through the coordinated deployment of law enforcement officers and behavioral health clinicians, with the goal of improving outcomes for individuals in crisis through prompt, clinically informed response from all agencies.

**Background**

Co-Responder community response, is defined by C.R.S. 24-32-3501, "as a model of criminal justice diversion that pairs law enforcement and behavioral health providers to intervene and respond to behavioral health-related calls for police service, utilizing the combined expertise of the law enforcement officer and behavioral health specialist to de-escalate situations and help link individuals with behavioral health issues to appropriate services." These programs deflect individuals away from the criminal justice system and avoid unnecessary hospitalizations.

The Parties adopt two approaches to Co-Response program operations: 1) Primary Response model where a law enforcement officer and behavioral health specialist ride together in the same vehicle for an entire shift, or 2) Secondary Response model where the behavioral health specialist is requested to respond to the scene of a reported call, and the call is then handled together with the law enforcement officer.

Objectives of the Chaffee Co-Response Program are to show:

1. Reduced incidence of unnecessary legal system involvement and cases of incarceration for persons with behavioral health needs;
2. Reduced incidence of emergency department transfers and hospitalizations for persons involved with behavioral health-based calls;
3. Reduced incidence of involuntary M-1 holds;
4. Reduced incidence of repeat law enforcement responses to persons experiencing mental health crises;

5. Increased referrals for immediate mental health care and on-going behavioral health services for persons in the local community.

Chaffee County and the Chaffee County Sheriff's Office seek to continue and expand the local Co-Responder program to foster law enforcement and behavioral health partnerships to strengthen response capabilities and benefit the community. Chaffee County Sheriff Office has established staff teams to implement the Co-Response program and the CCSO desires to extend the reach of the Co-Responder resources to help address the needs of the local municipalities as a service to the entire Chaffee County community.

### **Agreement**

The Co-Responder Program pairs a CCSO Deputy and a behavioral health clinician employed within the CCSO to co-respond to behavioral health-related calls for law enforcement service across Chaffee County, including within the municipalities of Salida, Buena Vista and Poncha Springs.

Within the City of Salida, the determination for the need of a Co-Responder to calls for service or active scenes will be made by a sworn member of the Salida Police Department. The Co-Response unit will not respond to any Salida Police Department scene or call for service without first having verified the need for their response with the sworn member assigned to that scene or a Salida Police Department supervisor.

Should the Co-Response unit need to conduct follow-up or case management activities on a prior or pre-existing patient within the City limits of Salida, they will notify the Chaffee County Sheriff's Office Dispatch Center who will take actions allowing the Salida Police Department to monitor co-response activities. If a case manager or clinician responds to conduct follow-up or case management activities alone (without a co-response deputy) in the jurisdictional boundary of the City of Salida the case manager or clinician should also verify through the dispatch center that the Salida Police Department is aware of their location for safety reasons. All Parties understand that details of the clinician and patient interaction or intended interaction during follow up or case management activities may be protected under HIPAA regulations and therefore may not be shared.

### **Roles and Responsibilities**

CCSO hosts the Co-Response program as a part of its law-enforcement services under the direction of the Chaffee County Sheriff. CCSO employs the staff responsible for the related Co-Response program duties, including dedicated Co-Response Clinician staff and dedicated and/or assigned Co-Response Colorado POST certified Deputy(s).

As of the initial date of the MOU, CCSO will provide a dynamic Co-Response model where priority will be given to a Primary Response model when adequate staffing is available and will provide a minimum of Secondary Response at other times. Specific protocols for program conduct will be developed.

1. When a CCSO Co-Response Clinician is On Duty:
  - a. CCSO will provide Co-Response coverage for behavioral and mental health-related calls for service in all jurisdictions in which a Co-Response MOU is in effect, specifically including Salida under the terms of this MOU.
  - b. CCSO will strive to provide a Co-Response Team seven days per week during peak hours based on behavioral health-related call volume, with consideration for leave and staffing constraints.
2. When a CCSO Co-Response Clinician is Not on Duty:
  - a. Salidl will utilize alternate behavioral health resources such as Solvista Mobile Crisis or other available service providers.
3. When a CCSO Co-Response Deputy is Not on Duty:
  - a. If a Co-Response clinician is requested and responds to a scene without a CCSO deputy, law enforcement officer(s) from Salida will remain on scene to ensure clinician safety until the scene is deemed secure by both the responding officer and clinician.
  - b. CCSO will make a good faith effort to assign a substitute Co-Response deputy during such absences when available.
4. Response to Behavioral Health Calls:
  - a. Law enforcement agencies within each respective jurisdiction remain responsible for responding to all calls with behavioral health elements that involve actual or suspected violations of the law.
  - b. The CCSO Co-Response Team will respond to suspected behavioral health calls in support of the local law enforcement agency officer(s) to handle clinical assessment, de-escalation, and resource linkage. CCSO may provide transportation to RAC or hospital when clinically advised and a CCSO deputy is available to do so.
  - c. Salida will respond to all calls within its jurisdiction. If it is determined by the SPD Supervisor that extreme circumstances exists and elects to transfer care and control of the scene to the Co-Responder, the CCSO assumes primary responsibility.
  - d. In the event an Extreme Risk Protection Order (ERPO) application is submitted by an outside entity, such as a family member, and has been approved by a court judge, the service of the ERPO lies with the entity who has jurisdiction over the location of the ERPO. If the Co-Responder has care and control of a patient or

scene within the jurisdictional boundary of Salida, and, during the course of case management or treatment it is determined that an ERPO needs to be applied for or completed, the Co-Responder making that determination in conjunction with the patient's family or other witnesses shall first consult with the Salida Police Chief or a designee of his/her choosing to determine if another course of action is more appropriate before moving forward with an application for ERPO. If it is agreed upon by the Salida Police Department and the Co-Response team that an ERPO is necessary, the service of the ERPO will be served by the Salida Police Department with the assistance of the Co-Response unit, if requested by the Salida Police Department. If the Salida Police Department is not in agreement of the ERPO application from the Co-Response unit, the Co-Response unit will be responsible for the ERPO and subsequent service. Regardless, if an ERPO necessity is agreed upon with the Salida Police Department and the Co-Response unit at the recommendation of the Co-Response unit, the Co-Response unit will be responsible for the application of the ERPO unless the Salida Police Department request to draft and submit the application themselves.

e. In all instances, the law enforcement agency and officer(s) retain jurisdictional authority for response within their respective locale(s). Each law enforcement agency will retain ultimate liability for the actions of their officers in all actions.

#### **Facility Use and Office Space Commitments.**

As consideration for services rendered by CCSO through the Co-Response Program:

2. Salida agrees to provide workspace in their facility for Co-Response clinicians to use while conducting follow-up or administrative work related to Co-Response cases within their jurisdiction.

#### **Training and Program Development**

1. Agencies participating in Co-Response shall agree to participate in the Co-Response Steering Committee, convened and facilitated by CCSO. The Steering Committee is responsible for collaborating with CCSO Co-Response Program Manager with development of program standards and protocols.

2. CCSO Co-Response Clinicians will offer behavioral health Co-Response-related training at no cost to sworn and civilian staff of Salida. Completion of a Crisis Intervention Team (CIT) training, whether provided through CCSO or other certified training provider such as through the Crisis Intervention Teams Association of Colorado, will be expected within the timeframe established through mutual agreement of parties.

3. Leadership from Salida will be invited to participate in Co-Response Steering Committee meetings, and will have a voice in shaping program improvements, efficiencies, and service delivery strategies as the program evolves.

## Data Sharing

1. Scope of Shared Data
  - a. Parties agree to share the following categories of information:
    - i. Operational Data: Dispatch logs, call types, timestamps, officer deployment, and outcomes of Co-Response engagements.
    - ii. Programmatic Metrics: Data for aggregated reporting such as volume of calls, demographics, service referrals, and repeat contact trends.
    - iii. Training and Compliance Records: Shared documentation of personnel training, inter-agency drills, and procedural compliance relevant to Co-Response protocols.
2. Confidentiality & Legal Compliance
  - a. All data sharing shall comply with applicable federal and state confidentiality laws and regulations, including but not limited to:
    - i. HIPAA (Health Insurance Portability and Accountability Act)
    - ii. 42 CFR Part 2 (Confidentiality of Substance Use Disorder Patient Records), if applicable
    - iii. Colorado Open Records Act (CORA)
    - iv. Any relevant local ordinances or agency-specific policies
    - v. Identifiable personal health or behavioral health information shall only be disclosed where explicitly permitted by law or with the appropriate consent or Qualified Service Organization Agreement (QSOA) in place.
3. Data Governance & Security
  - a. Each agency shall designate a Data Steward responsible for ensuring data integrity, access control, and authorized use.
  - b. Shared data shall be transferred and stored using encrypted, secure systems compliant with CJIS and HIPAA standards.
  - c. Parties shall not further share, duplicate, or disclose received data outside of the MOU's intended purpose without written authorization from the originating agency.
  - d. Data access shall be limited to personnel with a documented business need.
4. Reporting & Evaluation
  - a. The Parties agree to cooperate in the aggregation and analysis of data to support:
    - i. Program evaluation and improvement;
    - ii. Grant reporting and reimbursement;
    - iii. Strategic planning and community presentations;
    - iv. Outcome metrics and performance benchmarks.
    - v. De-identified or aggregated data may be used in publications or public presentations only with inter-agency approval and assurance that individuals or protected information cannot be re-identified.
5. Data Retention and Destruction
  - a. The Parties agree to follow its own retention schedule unless otherwise required by the funding source or legal obligation. Upon termination of this MOU, the Parties shall securely delete or return any data received under this agreement unless otherwise authorized in writing.

### **Financial Contribution**

1. Chaffee County BOCC and CCSO shall endeavor to underwrite as much of the Co-Response program costs as possible through both grant seeking and funding a significant portion of the remaining program costs in Year 1 of the program (July 1, 2025 - June 30, 2025, "Year 1"). Full Co-Response program cost for this period totals approximately \$736,436.
2. For the Year 1 period, Chaffee County has secured \$301,000 of grant funding from Colorado Behavioral Health Administration (BHA). The remainder of costs for Year 1 of the Co-Response program that are not covered by grant funding totals approximately \$435,436.
3. In addition to the BHA grant funding, Chaffee County has committed additional local funding of \$222,385, totaling \$523,385 investment from Chaffee County into the Co-Response program for Year 1, representing 71% of the full annual program cost.
4. In recognition of both the need for support to provide the full Co-Response program and of the benefits provided from the Co-Response services within all county jurisdictions, the County is requesting financial contribution from each municipal entity to assist with funding the remainder of the costs for Co-Response program. In return, CCSO shall provide Co-Response program services within their jurisdictions.
5. Salida shall provide a financial contribution for Year 1 in the amount of \$25,000.
6. This financial contribution for Year 1 shall be remitted to the County after January 1, 2026.
7. Annual financial investments to support the Co-Response program will be made by Salida in future years, subject to availability and appropriation. The specific amount of annual contribution from Salida shall be reviewed by parties to the MOU in Q2 of each calendar year. Adjustments in costs for the following fiscal year shall be considered and mutually agreed upon as appropriate, based on actual Co-Response call volume and similar factors affecting costs of service provision within the jurisdiction, as well as other in-kind contributions provided by the jurisdiction.

### **Term**

The initial term of this MOU shall be a period of one (1) year, commencing on the Effective Date and expiring one (1) year from the date of the Effective Date, unless otherwise terminated as set forth herein. The Effective Date shall be the date of January 1, 2026.

The MOU shall automatically renew for subsequent periods of one (1) year, unless either party provides notice of termination.

### **Early Termination**

Any party may terminate this MOU at any time prior to the expiration of the term of this MOU upon 30 days prior written notice to the other party. Upon termination by any Party, Salida will be entitled to reimbursement on a pro rata basis to be calculated by dividing the total prepaid amount by the number of days remaining in the then existing term.

### **Amendments**

This MOU may be amended only by a written instrument signed by the Parties.

### **Statutory Requirements**

This MOU is subject to all statutory requirements that are or may become applicable to counties or political subdivisions of the State of Colorado generally.

### **No Waiver of Governmental Immunity**

Liability for claims for injuries to persons or property arising from the negligence of the parties, their departments, boards, commissions committees, bureaus, offices, employees, and officials shall be controlled and limited by the provisions of the Colorado Governmental Immunity Act, §§ 24-10-101, *et seq.*, C.R.S.; the Federal Tort Claims Act, 28 U.S.C. Pt. VI, Ch. 171 and 28 U.S.C. 1346(b), and the State's risk management statutes, §§ 24-30-1501, *et seq.*, C.R.S. No term or condition of this MOU shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions, contained in these statutes or any other law or rule limiting the liability of the Parties in relation to this Agreement.

### **Controlling Law and Jurisdiction**

The interpretation and performance of this MOU shall be construed under the laws of Colorado, without regard to choice of law principles. In the event of litigation, jurisdiction and venue shall be in the Chaffee County District Court.

### **Confidentiality and Public Disclosure**

All information provided under this Agreement may be subject to public disclosure under the Colorado Open Records Act ("CORA") or the Colorado Criminal Justice Records Act ("CCJRA") unless clearly identified and marked as confidential and qualifies as confidential under CORA or CCJRA. As this engagement will involve sensitive and confidential information regarding personnel, the County asks that all information provided by marked and treated as confidential.

[remainder of page intentionally blank; signature page follows]

IN WITNESS WHEREOF, the parties hereto have executed this MOU on the first day written above.

Chaffee County Sheriff's Office

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Chaffee County Board of County Commissioners

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

City of Salida

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## **Achieve's Brew and Bloom Coffee Shop Liquor Plan**

Brew and Bloom will be having live music and food for sale once a month plus a few extra dates.

Alcohol will be served from the coffee serving counter. Customers cannot go behind this counter. The main area called the Activity Room will be the indoor area for food and beverages as well as music if the weather isn't appropriate outside for the performers.

There is a covered patio in front of the coffee shop. This patio has columns around it. We will rope off this area for alcohol consumption and the performers weather permitting.

## Application for a Special Events Permit

Liquor Permit Number (Do Not Fill Out)

In order to qualify for a Special Events Permit, You **Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following (See back for details.)**

- Social     Athletic     Philanthropic Institution  
 Fraternal     Chartered Branch, Lodge or Chapter     Political Candidate  
 Patriotic     National Organization or Society     Municipality Owned Arts Facilities  
 Political     Religious Institution     Chamber of Commerce

**LIAB    Type of Special Event Applicant is Applying for:**

- 2110     Malt, Vinous And Spirituous Liquor    \$25.00 Per Day  
2170     Fermented Malt Beverage    \$10.00 Per Day

Name of Applicant Organization or Political Candidate    State Sales Tax Number (Required)

Achieve, Inc.    [REDACTED]

Mailing Address of Organization or Political Candidate

[REDACTED]

City    State    ZIP Code

Buena Vista    CO    81211

Address of Place to Have Special Event

302 W. Hwy 291 Unit 4a

City    State    ZIP Code

Salida    CO    81201

Authorized Representative of Qualifying Organization or Political Candidate

Michael DiLillo

Date of Birth (MM/DD/YY)    Phone Number

[REDACTED]    [REDACTED]

Authorized Representative's Mailing Address (if different than address provided in Question 2.)

[REDACTED]

City    State    ZIP Code

[REDACTED]    [REDACTED]    [REDACTED]

Event Manager

Micheal DiLillo

Date of Birth (MM/DD/YY)

Phone Number

Event Manager Home Address

City

State

ZIP Code

Buena Vista

CO

81211

Email Address of Event Manager

1. Is the place to have the Special Event located on State-owned property?

Yes  No

2. Has Applicant Organization or Political Candidate been issued a Special Event Permit this Calendar Year?

No  Yes, How many days?

3. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes?

*M.D.*  No  Yes, License Number

4. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed?

Yes  No

5. For Chambers of Commerce - Each member who holds a retail establishment permit attests they are not exercising the privileges of the retail establishment permit for the duration of the SEP days.

Yes  No

6. For Chambers of Commerce - Please list all members participating in the SEP.

List Below the Exact Date(s) for Which Application is Being Made for Permit

Date July 12th, 2026	Date Novembr 8th, 2026
From: 3:00pm	To: 9:00pm
From: 3:00pm	To: 9:00pm
Date July 26th, 2026	Date Novembr 29th, 2026
From: 3:00pm	To: 9:00pm
From: 3:00pm	To: 9:00pm
Date August 9th, 2026	Date December 13th, 2026
From: 3:00pm	To: 9:00pm
From: 3:00pm	To: 9:00pm
Date August 30th, 2026	Date December 27th, 2026
From: 3:00pm	To: 9:00pm
From: 3:00pm	To: 9:00pm
Date September 13th, 2026 8th, 2026	Date
From: 3:00pm	To: 9:00pm
From:	To:
Date September 27th, 2026	Date
From: 3:00pm	To: 9:00pm
From:	To:
Date October 11th, 2026	Date
From: 3:00pm	To: 9:00pm
From:	To:
Date October 25th, 2026	Date
From: 3:00pm	To: 9:00pm
From:	To:

## Oath of Applicant

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Title

Director

Signature

Date (MM/DD/YY)

6/25/26

### Report and Approval of Local Licensing Authority (City or County)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.

**Therefore, this Application is Approved.**

Local Licensing Authority (City or County)

City  County

Telephone Number of City/County Clerk

Title

Signature

Date (MM/DD/YY)

**Do Not Write in this Space - For Department of Revenue Use Only**

### Liability Information

License Account Number

Liability Date

State

Total

-750 (999)

\$

.00

## Application Information and Checklist

The following supporting documents must be attached to this application for a permit to be issued:

- Appropriate fee.
  - Diagram of the area to be licensed (not larger than 8 1/2" X 11" reflecting bars, walls, partitions, ingress, egress and dimensions. **Note:** If the event is to be held outside, please submit evidence of intended control, i.e., fencing, ropes, barriers, etc.
  - Copy of deed, lease, or written permission of owner for use of the premises.
  - Certificate of good corporate standing (NONPROFIT) issued by Secretary of State within last two years; **or**
  - If not incorporated, a NONPROFIT charter; **or**
  - If a political Candidate, attach copies of reports and statements that were filed with the Secretary of State.
- 
- Application must first be submitted to the Local Licensing Authority (city or county) at least thirty (30) days prior to the event.
  - Public notice of the proposed event and procedure for protesting issuance of the permit shall be conspicuously posted at the proposed location for at least (10) days before approval of the permit by Local Licensing Authority. (44-5-106 C.R.S.)
  - State Licensing Authority must be notified of approved applications by Local Licensing Authorities within ten (10) days of approval.
  - Check payable to the Colorado Department Of Revenue

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### Qualifications for Special Events Permit

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(44-5-102 C.R.S.)

A Special Event Permit issued under this article may be issued to an organization, whether or not presently licensed under Articles 4 and 3 of this title, which has been incorporated under the laws of this state for the purpose of a social, fraternal, patriotic, political or athletic nature, and not for pecuniary gain or which is a regularly chartered branch, lodge or chapter of a national organization or society organized for such purposes and being non profit in nature, or which is a regularly established religious or philanthropic institution, and to any political candidate who has filed the necessary reports and statements with the Secretary of State pursuant to Article 45 of Title 1, C.R.S. A Special Event permit may be issued to any municipality owning arts facilities at which productions or performances of an artistic or cultural nature are presented for use at such facilities.



**VALID ONLY FOR THIS ORGANIZATION AT THIS LOCATION**

**Achieve, Inc  
Brew and Bloom  
302 W. Hwy 291, Unit 4a  
Salida, CO 81201**

**SPECIAL EVENTS PERMIT  
MALT, VINOUS AND SPIRITUOUS LIQUOR**

<b>Date</b>	<b>Date</b>
July 17, 2026 3:00pm-9:00pm	October 11, 2026 3:00pm-9:00pm
July 26, 2026 3:00pm-9:00pm	October 25, 2026 3:00pm-9:00pm
August 9, 2026 3:00pm-9:00pm	November 8, 2026 3:00pm-9:00pm
August 30, 2026 3:00pm-9:00pm	November 29, 2026 3:00pm-9:00pm
September 13, 2026 3:00pm-9:00pm	December 13, 2026 3:00pm-9:00pm
September 27, 2026 3:00pm-9:00pm	December 27, 2026 3:00pm-9:00pm

This permit is issued subject to the laws of the State of Colorado and especially under the provisions of Article 3, 4 & 5 of Title 44, Colorado Revised Statutes, as amended and the Ordinances of the City of Salida, insofar as the same may be applicable.

This permit is non-transferable. It is issued only for the specific location described above and must be conspicuously posted at that location.

In testimony whereof, The City Council has hereunto subscribed its name by its officers duly authorized this on (date).

ATTEST:

The City of Salida

\_\_\_\_\_  
Deputy City Clerk

\_\_\_\_\_  
City Clerk

**THIS LICENSE IS TO BE POSTED IN A CONSPICUOUS PLACE**



Envisioning a world where neurodivergent individuals thrive

**LANDLORD / BUILDING MANAGER APPROVAL**

I, David Kephart, as the authorized representative of the landlord/building owner/building management for Brew & Bloom Coffee at Jane's Place, premises located at 302 W. Hwy. 291, Bldg 4A, Salida 81201, approve Achieve, Inc., d/b/a Brew & Bloom Coffee, a job skills program of Achieve, Inc., to hold periodic music, dinner, and fundraising events on the premises, and to apply for any required liquor license or permit allowing the service of beer and wine at those events.

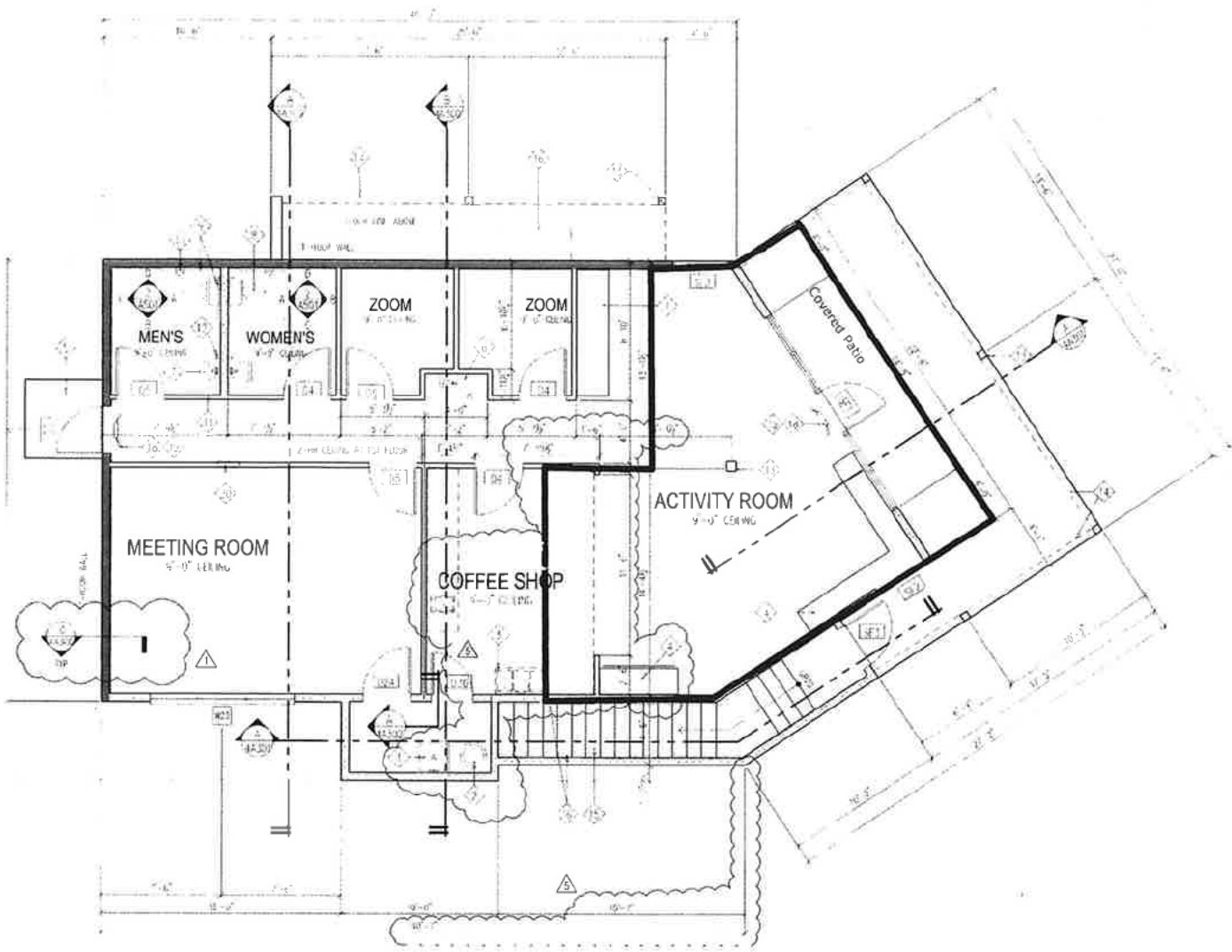
This approval is limited to events held by Brew & Bloom Coffee / Achieve, Inc. and does not transfer any responsibility for licensing, compliance, insurance, or event operations to the landlord, building owner, or building management.

Authorized Signature: 

Printed Name: David Kephart

Title: Property + Asset Manager / Cherokee Housing Authority

Date: 6/24/26



1st FLOOR PLAN

SCALE: 1/4" = 1'-0"

# Brew and Bloom

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE OF FACT OF GOOD STANDING**

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Achieve, Inc.

is a

Nonprofit Corporation

formed or registered on 05/31/2017 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20171417051 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 06/22/2026 that have been posted, and by documents delivered to this office electronically through 06/24/2026 @ 14:29:55 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 06/24/2026 @ 14:29:55 in accordance with applicable law. This certificate is assigned Confirmation Number 18714617 .



A handwritten signature in blue ink that reads "Jena Griswold".

Secretary of State of the State of Colorado

\*\*\*\*\*End of Certificate\*\*\*\*\*

*Notice: A certificate issued electronically from the Colorado Secretary of State's website is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's website, <https://www.coloradosos.gov/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our website, <https://www.coloradosos.gov> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."*

# PUBLIC NOTICE

(Pursuant to § 44-5-106(2), C.R.S.)

DATE/TIME POSTED: June 26th, 2026 at 10:00 a.m./p.m.

## PROPOSED SPECIAL EVENT LIQUOR PERMIT

Achieve, Inc. (Brew and Bloom), has filed an Application for a SPECIAL EVENT LIQUOR PERMIT to be held on 7/12, 7/25, 8/9, 8/30, 9/13, 9/27, 10/11, 10/25, 1/8, 1/29, 12/13, 12/27, 2026, from 3:00 p.m. a.m./p.m. to 9:00 p.m. a.m./p.m. at the following address:

### PROTEST PROCEDURE

Any affected person who wishes to protest the issuance of the permit must file a WRITTEN PROTEST within ten (10) days of the date and time posted as set forth above, stating the grounds for the protest and the name, address, email address, and telephone number of the person filing the protest.

Written protest will be considered filed upon receipt. Written protests may be filed by sending them to the U.S. Mail or Email address set forth below:

U.S. Mail Address: City of Salida  
City Clerk  
448 E. First Street, Ste. 112  
Salida, CO 81201

E-Mail Address: clerk@cityofsalida.com

### HEARING

The local licensing authority, or its assigned administrative officer (which may be the Colorado Liquor Enforcement Division), shall cause a hearing to be held if, after investigation and upon review of the contents of any timely written protest(s) filed by any affected person(s), sufficient grounds appear to exist for the denial of the special event permit. Any hearing required pursuant to § 44-5-107(3), C.R.S., Regulation 47-1002.1 CCR 203-2, or any hearing held at the discretion of the local licensing authority, or its assigned administrative officer, shall be held at least ten (10) days after the date of posting of the public notice, shown above, and notice of the hearing shall be provided to the Applicant and any person who has filed a written protest.



# City Council Action Form

<b>Department</b> Community Development	<b>Presented By</b> Bill Almquist - Community Development Director	<b>Date</b> July 7, 2026
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## **Agenda Item**

Ordinance 2026-19: An Ordinance Imposing a Temporary Moratorium on the Submission, Acceptance, Processing, and Approval of Applications for the Establishment of Data Centers in the City of Salida, Colorado (First Reading and Setting of Second Reading and Public Hearing)

## **Background**

Data centers, facilities meant for computing and/or data storage, have begun popping up around the country in concert with the rise of various technologies, including cryptocurrency, search engines, artificial intelligence, and the like. These facilities tend to require large amounts of electricity and water to power their operations. Such uses have been identified as putting significant strains on the grid and water availability in and around the communities where they are located, and they may contribute to other environmental impacts, as well. Many communities, including Buena Vista to our north, are now grappling with how to ensure proper regulation of the facilities and are putting pauses on their approvals until more information is available and code language can be developed.

While the chance of a data center attempting to locate to the Salida area anytime soon is fairly slim (due primarily to limited electric power availability), staff believes it would be prudent to take a similar approach as some other communities and pause the acceptance, processing, and approval of applications for such a use—at least until the state has had a chance to develop legislation regulating such facilities (anticipated in the next year). Since such a use is not explicitly called out in the City’s Land Use Code use table (3-A), it would be up to the Director’s interpretation as to the approval process of such an Industrial use, which would vary depending upon the zone district. A 12-month moratorium would allow staff to use State guidance to develop new and/or additional code language so that Salida is more prepared should we ever receive a data center application.

## **Recommendation**

Staff recommends that City Council approve Ordinance 2026-19, on first reading, and set the second reading and public hearing for August 4, 2026.

## **Fiscal Impact**

No fiscal impact is anticipated.

## **Motion**

A City Councilmember should make a motion to “combine and approve the items on the consent agenda setting second reading and a public hearing for Ordinance 2026-19 for August 4, 2026”, followed by a second and a roll call vote.

**City Of Salida, Colorado  
Ordinance No. 19  
(Series of 2026)**

**An Ordinance of the City Council of the City of Salida, Colorado Imposing a Temporary Moratorium on the Submission, Acceptance, Processing, and Approval of Applications for the Establishment of Data Centers in the City of Salida, Colorado**

**WHEREAS**, the City of Salida, Colorado (City) is a statutory City, duly organized and existing under the laws of the state of Colorado; and

**WHEREAS**, pursuant to C.R.S. § 31-15-401, the City, by and through its City Council (Council), possesses the authority to adopt laws and ordinances within its police power in furtherance of the public health, safety, and welfare; and

**WHEREAS**, C.R.S. § 29-20-101, *et seq.*, provides the City with the broad authority to plan for and regulate the use of land to best protect and promote the health, safety, and general welfare of the present and future inhabitants of the City, to guide future growth, development, and distribution of land uses within the City, and to issue a temporary moratorium when necessary on the acceptance of certain land use applications while engaging in a comprehensive analysis to determine appropriate and necessary amendments to its Land Use Code as it relates to a particular use within the City; and

**WHEREAS**, local governments and states across the nation are working to address the swift expansion of Data Centers, and similar computing infrastructure, which often require power and water requirements akin to those of small urban centers; and

**WHEREAS**, while the City has managed its energy, fiber, and water consumption responsibly to handle incremental growth, Data Centers could pose a disproportionate impact on the City's long-term resource management capabilities; and

**WHEREAS**, the City does not currently have comprehensive and specific local zoning, land use, and water management laws or regulations that adequately address Data Centers, particularly standalone Data Centers which require extensive electric and water capacity; and

**WHEREAS**, there is interest and concern on the part of City Council, City Staff, and City Residents related to the possible development of Data Centers within the City; and

**WHEREAS**, because of the possible impacts of Data Centers on the City's community and infrastructure, reasonable regulations on new or expanded Data Centers are necessary for the City's sustainability, resource management, resiliency, and quality of life; and

**WHEREAS**, the Colorado General Assembly may consider legislation regarding

statewide Data Centers regulations during the 2027 legislative session that may impact local regulation, which impact will not be known until after the legislation is passed; and

**WHEREAS**, based on the information presented and provided, Council determined that it is necessary to temporarily suspend acceptance of applications for Data Centers while appropriate regulations, standards, and definitions can be developed through a comprehensive public process; and

**WHEREAS**, the 12-month temporary moratorium imposed by this Ordinance is intended to prevent the establishment and operation of Data Centers on a temporary basis in order to allow the City to analyze and apply the state of applicable law and regulations surrounding Data Centers, in order to survey current Data Centers throughout the state and nation, to draft amendments to the City's Municipal Code including, but not limited to, the City's Zoning and Water and Wastewater Regulations Codes, to consider and draft other amendments and regulations as deemed necessary to monitor and respond to any legislative changes in the 2027 Colorado State Legislative Session, to provide opportunity for public comment, and to ensure prospective owners, developers, and operators of Data Centers are able to make business and investment decisions with sufficient knowledge of local ordinances surrounding Data Centers in addition to promoting the health, safety, and general welfare of the City of Salida's community; and

**WHEREAS**, the 12-month temporary moratorium imposed by this Ordinance prevents the submission, acceptance, processing, and approval of applications for siting a Data Center in the City.

**Now, therefore, be it ordained by the City Council of the City of Salida, Colorado, that:**

**Section 1.** The foregoing recitals are incorporated herein as conclusions, facts, determinations, and findings by Council.

**Section 2. Data Center Defined.** For the purposes of this Ordinance, a "Data Center" is defined as any one of the following:

- (a) A stand-alone facility created for the sole or primary purpose of computing and/or data storage and which primarily contains computing components and necessary appurtenances to accomplish the task of computing;
- (b) Any facility, whether a primary use or an accessory use to an existing use, which is created for the purpose of computing and/or data storage and has a demand of 1 megawatt (MW) of electrical capacity or greater; or
- (c) Any facility which is created for the purpose of computing and/or data storage and which has a significant impact on water or wastewater resources as

determined by the reasonable discretion of the City Administrator or their designee.

**Section 3. Imposition of Temporary Moratorium.** A temporary moratorium in the amount of 12 months shall become effective 30 days after publication following adoption of this Ordinance by Council as follows:

- (a) Restrictions. During the effective term of this Ordinance, there shall be no submission, acceptance, processing, review, public hearing, or approval applications for siting a Data Center within the City limits of Salida. A Data Center shall not be considered a use by right in any zoning district.
- (b) Effective Date and Termination. This temporary moratorium shall be in effect 30 days after publication following adoption of this Ordinance by Council and shall terminate on the 12<sup>th</sup> day of September, 2027 unless terminated at an earlier date or extended by further Ordinance of the Salida City Council.

**Section 4. Existing Uses Excluded.** Nothing in this Ordinance shall affect the continued operation of existing Data Centers. However, the expansion of existing uses is subject to the temporary moratorium herein.

**Section 5. Severability.** The provisions of this Ordinance are severable and the invalidity of any section, phrase, clause, or portion of the Ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

Introduced on First Reading, on the 7<sup>th</sup> day of July, 2026, adopted and ordered published in full in a newspaper of general circulation in the City of Salida by the City Council on the 16<sup>th</sup> day of July, 2026, and set for Second Reading and Public Hearing on the 4<sup>th</sup> day of August, 2026.

Introduced on Second Reading, finally adopted and ordered published by Title only, by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

City of Salida, Colorado

\_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

\_\_\_\_\_  
City Clerk/Deputy Clerk

Published in Full in the Mountain Mail after First Reading on the 7<sup>th</sup> day of July, 2026, and by Title only, after final adoption on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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City Clerk/Deputy City Clerk



# City Council Action Form

<b>Department</b> Administration	<b>Presented By</b> Christy Doon - City Administrator	<b>Date</b> July 7, 2026
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## **Agenda Item**

Ordinance 2026-20 - An Ordinance of the City Council of the City of Salida, Colorado Enacting Section 2-2-90 of Chapter 2 of the Salida Municipal Code, Regarding Administration and Personnel, to add Removal and Sanction Procedures for Members of City Council. **First Reading and Setting Second Reading and Public Hearing for August 4, 2026.**

## **Background**

At the February 17<sup>th</sup> City Council meeting, Council directed staff to prepare language in the Salida Municipal Code establishing removal and sanction procedures applicable to City Council Members. In response, the City Attorney drafted Ordinance 2026-20 for Council's consideration.

## **Recommendation**

Staff recommend approval of Ordinance 2026-20 on first reading and setting the second reading and public hearing for August 4, 2026.

## **Fiscal Impact**

There is no fiscal impact associated with this ordinance.

## **Motion**

A City Councilmember should make a motion to "combine and approve the items on the consent agenda setting second reading and a public hearing for Ordinance 2026-20 for August 4, 2026", followed by a second and a roll call vote.

**City Of Salida, Colorado  
Ordinance No. 20  
(Series of 2026)**

**An Ordinance of the City Council of the City of Salida, Colorado Enacting Section 2-2-90 of Chapter 2 of the Salida Municipal Code, Regarding Administration and Personnel, to add Removal and Sanction Procedures for Members of City Council**

**WHEREAS**, the City of Salida, Colorado (the “City”) is a statutory city, duly organized and existing under the laws of the State of Colorado; and

**WHEREAS**, Chapter 2 of the Salida Municipal Code (“Code”) addresses Administration and Personnel. Article II addresses the elected Mayor and elected City Council; and

**WHEREAS**, pursuant to C.R.S. § 31-4-107, members of the City Council “shall be judges of the . . . qualification of their own members, and they shall determine the rules of their own proceedings”; and

**WHEREAS**, City Council adopted the Salida City Council Handbook in Resolution 2024-33 and is amended from time to time; and

**WHEREAS**, under C.R.S. § 31-4-108, statutory cities may expel or remove any member of the City Council for “good cause shown” by a two-thirds vote of all members of the elected City Council; and

**WHEREAS**, the Code currently does not have definition of “good cause shown” or the procedure for removal or sanctions of City Council members; and

**WHEREAS**, the City Council finds it desirable and appropriate, and in the best interest of the general health, safety, and welfare of its residents to amend Chapter 2 of the Code, regarding the elected Mayor and City Council to clarify good cause reasons for removal, as well as removal and sanction procedures.

**Now, therefore, be it ordained by the City Council of the City of Salida, Colorado, that:**

**Section 1.** The foregoing recitals are incorporated herein as conclusions, facts, determinations, and findings by Council.

**Section 2.** Article II of Chapter 2, Section 2-2-90, “Removal and Sanctions of Council Members” is hereby added to read as following:

2-2-90. - Removal and Sanctions of Council Members

(a) Definitions

(1) "Conviction" shall mean:

- I. A guilty verdict;
- II. A plea of guilty accepted by the court or the entry of a guilty plea;
- III. A plea of nolo contendere (no contest) accepted by the court; or
- IV. The imposition of a deferred sentence accepted by the court.

(2) "Crimes of moral turpitude" include the following felony, misdemeanors or municipal offenses:

- I. Any of the offenses against the person set forth in 18-3-101, et. seq. C.R.S.;
- II. Any of the offenses against property set forth in 18-4-101, et. seq. C.R.S.;
- III. Any of the offenses involving fraud set forth in 18-5-101, et. seq. C.R.S.;
- IV. Any of the offenses involving family relations set forth in 18-6-401, et. seq. C.R.S.;
- V. Any of the offenses constituting wrongs to at-risk adults set forth in 18-6.5-101, et. seq. C.R.S.;
- VI. Any of the offenses relating to morals set forth in 18-7-101, et. seq. C.R.S.; or
- VII. Any conspiracy, solicitation, or criminal attempt to commit any of the above offenses, or participation as an accessory to any of the above offenses.

(b) Good cause for removal.

The following enumerated matters shall be good cause reasons for removal of a Council member from the Council:

- (1) Four (4) absences from regular City Council meetings during a twelve (12) month period;
- (2) Willful or habitual neglect or refusal to perform the duties of his or her office;
- (3) Attending Town Council meetings in an intoxicated state;
- (4) A conviction of a crime of moral turpitude;
- (5) A violation of the Remote Participation Policy; or
- (6) For any other reason as indicated in the City Council Handbook.

(c) Procedure.

- (1) A charge for removal shall be brought against a Council member by a two-third vote of all members of City Council at a regular or special meeting;
- (2) The charged Council member shall be provided written notice of the charge(s) and the date, time, and place of the hearing on said charge(s), with at least ten (10) days prior notice of the hearing, which shall be publicly held before Council;
- (3) Council shall appoint special counsel to conduct the hearing and present evidence on its behalf;
- (4) The hearing shall be conducted in a quasi-judicial forum. The allegations shall be presented on behalf of the City by and through special counsel selected by the City through its City Council; and
- (5) At the hearing, which shall be open to the public, the parties shall have the right to:
  - a. Present testimony;
  - b. Produce evidence;

- c. Cross-examine witnesses; and
  - d. Be represented by legal counsel.
- (6) Following the hearing and presentation of evidence, Council shall have the power to remove its members from office for good cause shown by a two-thirds vote of all members of City Council.
- (7) A Council member who is not removed by Council after conducting a hearing shall not be subject to removal in a future hearing based on identical charges arising out of the same incident that forms the basis of the charge from which they were not removed.

(d) Vacancy.

A vacancy created on Council due to removal of a Council member shall be filled as provided by City Ordinance, section 2-2-10(d).

(e) Sanctions.

Upon a vote of two-third vote of all members of City Council, City Council may impose sanctions on fellow Council members, including reprimand or public censure, pursuant to the following:

- (1) Council members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council. Serious infractions of the City Charter, City Ordinances, or the Handbook Rules could lead to sanctions as deemed appropriate by the Council.
- (2) The procedure for sanctions shall follow the procedure in Section 2-2-90(c).

**Section 3. Severability:** The provisions of this Ordinance are severable and the invalidity of any section, phrase, clause, or portion of this Ordinance as determined by a Court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the Ordinance.

Introduced on First Reading, on the 7<sup>th</sup> day of July, 2026, adopted and ordered published in full in a newspaper of general circulation in the City of Salida by the City Council on the 16<sup>th</sup> day of July, 2026, and set for Second Reading and Public Hearing on the 4<sup>th</sup> day of August, 2026.

Introduced on Second Reading, finally adopted and ordered published by Title only, by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

City of Salida, Colorado

\_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

\_\_\_\_\_

City Clerk/Deputy Clerk

Published in Full in the Mountain Mail after First Reading on the 7<sup>th</sup> day of July, 2026, and by Title only, after final adoption on the 4<sup>th</sup> day of August, 2026.

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City Clerk/Deputy City Clerk



## PROCLAMATION

### Celebrating the 250th Anniversary of the United States of America and the 150th Anniversary of the State of Colorado

**WHEREAS**, July 2026 marks the 250th anniversary of the United States of America, commemorating the signing of the Declaration of Independence on July 4, 1776, and the founding of a nation built upon the enduring principles of liberty, democracy, and self-governance; and

**WHEREAS**, this historic milestone—known as the Semiquincentennial—represents a once-in-a-generation opportunity to reflect on our nation’s history, celebrate its progress, and renew our commitment to the ideals of freedom, equality, and opportunity; and

**WHEREAS**, the State of Colorado will celebrate its 150th anniversary of statehood on August 1, 2026, having been admitted to the Union in 1876 as the 38th state and proudly recognized as the “Centennial State”; and

**WHEREAS**, these significant anniversaries together provide a unique opportunity for the people of Colorado to celebrate both our nation’s founding and our state’s rich history, culture, and contributions to the American experience; and

**WHEREAS**, communities throughout Colorado, including the City of Salida, honor the legacy of Indigenous peoples, early settlers, and generations of residents whose diverse contributions have shaped our shared history and strengthened our communities; and

**WHEREAS**, these milestones inspire all residents to reflect on our shared heritage, celebrate our accomplishments, and look toward a future grounded in unity, civic pride, and opportunity for all;

**Now, therefore, the City of Salida does hereby proclaim** the month of July 2026 as a time to celebrate the 250th Anniversary of the United States of America and the 150th Anniversary of the State of Colorado.

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Justin Critelli, Mayor

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Date



# City Council Action Form

<b>Department</b> Fire	<b>Presented By</b> Aaron Jonke - Fire Chief	<b>Date</b> July 7, 2026
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## Agenda Item

Ordinance 2026-16 An Ordinance of the City Council of the City of Salida, Colorado, Adopting by Reference the 2025 Colorado Wildfire Resiliency Code and Making Conforming Amendments to Chapter 18 of the Salida Municipal Code. **Second reading and public hearing**

## Background

Senate Bill 25-142 requires all Colorado jurisdictions in the Wildland-Urban Interface (WUI) to adopt the 2025 Colorado Wildfire Resiliency Code (CWRC) no later than April 1, 2026. The CWRC replaces the International Wildland-Urban Interface Code (IWUIC). Salida is in the WUI. Adoption is mandatory.

Chaffee County adopted the CWRC with local amendments under Ordinance 2026-02. The City and County coordinated throughout the process to ensure consistent code enforcement across jurisdictions. This ordinance repeals the City's adoption of the 2021 IWUIC and adopts the same code by reference.

The Fire Department worked with the Chaffee County Building Safety Department on five local amendments:

1. CO Hold Tied to Fire District Approval — No Certificate of Occupancy issued without written Fire District approval.
2. Defined Field Verification Responsibilities — Fire District verifies defensible space, access compliance, turnarounds, and key box placement.
3. Access Standards and Apparatus Considerations — Fire District designated as determining authority on driveway grade exceptions.
4. Sprinkler Trigger When Access Fails — NFPA 13D sprinkler system required where access standards cannot be met.
5. LP-Gas Underground Requirement — Underground installation required for LP-gas tanks 125+ gallons on new construction.

## Recommendation

Staff recommends approval of Ordinance 2026-16, consistent with Chaffee County Ordinance 2026-02.

## Fiscal Impact

There is no fiscal impact.

## Motion

A City Councilmember should state “I move to \_\_\_\_\_ Ordinance 2026-16, An Ordinance of the City Council of the City of Salida, Colorado, Adopting by Reference the 2025 Colorado Wildfire Resiliency Code and Making Conforming Amendments to Chapter 18 of the Salida Municipal Code”, followed by a second and a roll call vote.

**City Of Salida, Colorado  
Ordinance No. 16  
(Series of 2026)**

**An Ordinance of the City Council of the City of Salida, Colorado, Adopting by Reference the 2025 Colorado Wildfire Resiliency Code and Making Conforming Amendments to Chapter 18 of the Salida Municipal Code**

**WHEREAS**, the City of Salida, Colorado (“City”) is a statutory city, duly organized and existing under the laws of the state of Colorado; and

**WHEREAS**, the Colorado General Assembly enacted Senate Bill 23-166, which created the Wildfire Resiliency Code Board (the “Board”) and directed the Board to develop and adopt a statewide wildfire resiliency code; and

**WHEREAS**, the Board published the Colorado Wildfire Resiliency Code that went into effect on July 1, 2025, and establishes minimum standards for the construction and maintenance of habitable structures, while also setting criteria for assessing risk within Wildfire Urban Interface areas and mapping wildfire hazard areas; and

**WHEREAS**, Senate Bill 25-142 requires local governments to adopt a code that meets or exceeds the standards of the Colorado Wildfire Resiliency Code no later than April 1, 2026; and

**WHEREAS**, the 2025 Colorado Wildfire Resiliency Code establishes minimum standards intended to promote resiliency against wildfire, protect life and property, and safeguard the public health, safety, and welfare; and

**WHEREAS**, efforts to refine and improve the wildfire hazard and risk mapping associated with implementation of the 2025 Colorado Wildfire Resiliency Code are ongoing; and

**WHEREAS**, the Board of County Commissioners of Chaffee County repealed the adoption of the 2021 International Wildland Urban Interface Code and adopted by reference the 2025 Colorado Wildfire Resiliency Code with amendments in Ordinance 2026-02; and

**WHEREAS**, C.R.S. Article 16, Part 2 authorizes City Council to adopt codes by reference; and

**WHEREAS**, notwithstanding ongoing efforts, the City Council finds it necessary and appropriate to adopt the 2025 Colorado Wildfire Resiliency Code by reference in order to comply with Chaffee County’s adoption by reference, as well as state law, and to promote the public health, safety, and welfare of the City and its residents; and

**WHEREAS**, the City Council desires to repeal the 2021 International Wildland-Urban Interface Code and adopt by reference the 2025 Colorado Wildfire Resiliency Code, subject to such local administrative provisions and amendments as may be set forth in this ordinance.

**Now, therefore, be it ordained by the City Council of the City of Salida, Colorado, that:**

**Section 1.** The foregoing recitals are incorporated herein as conclusions, facts, determinations, and findings by Council.

**Section 2.** Article XVIII is repealed and replaced in its entirety. Article XVIII is hereby amended to read as follows:

**ARTICLE XVIII – Wildfire Resiliency Code.**

**Sec. 18-18-10. - Adoption.**

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference the as if set out in length in the “Colorado Wildfire Resiliency Code, 2025 Edition,” Chapters 1 – 5 Appendix Chapters A, B and C as published by Colorado Wildfire Resiliency Board, Colorado Division of Fire Prevention and Control, Department of Public Safety, 1697 Cole Blvd, Unit 200, Lakewood, CO 80401.

The purpose and subject matter of the 2025 Colorado Wildfire Resiliency Code is to establish minimum standards to promote resiliency against wildfire, protect life and property, and safeguard the public health, safety, and welfare by reducing wildfire risk to buildings and development.

**Sec. 18-18-20. - Copy on file.**

At least one copy of the 2025 Colorado Wildfire Resiliency Code shall be kept on file in the office of the City Clerk and made available for public inspection during regular business hours. The City may also provide information upon request regarding access to an electronic copy of the Code.

**Sec. 18-18-30. Amendments.**

(1) Section 101.1 is hereby amended as follows:

**101.1 Title.** These regulations shall be known as the Colorado Wildfire Resiliency Code as adopted by Chaffee County, herein referred to as “this code.”

(2) Section 103.1 is hereby amended as follows:

**103.1 Creation of Agency.** The Chaffee County Building Safety Department is hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

(3) Section 102.4 is hereby added as follows:

**103.4 Defined Roles of Enforcement and Approvals.**

- (1) The Chaffee County Planning and Natural Resources Department shall review and approve site plans for defensible space zones, topography, slope setbacks, and driveway layout prior to permit issuance.
- (2) The Chaffee County Building Safety Department is the Code Official under this code and is responsible for permit issuance, structure hardening plan review, construction inspections, and issuance of Certificates of Occupancy. A Certificate of Occupancy shall not be issued until written approval has been received from the Fire District Having Jurisdiction.
- (3) The Fire District Having Jurisdiction shall conduct field verification and provide written approval of: (1) defensible space installation and fuel modification, (2) driveway and access road gradient compliance for fire apparatus, (3) turnaround and turnout dimensions, and (4) key box type and placement. The Building Safety Department shall not issue a Certificate of Occupancy until written fire district approval of items 1 through 4 has been received. Where a conflict arises between requirements of the Building Safety Department and the Fire District Having Jurisdiction, the more restrictive shall govern. Disputes shall be reviewed through Chaffee County Administration for resolution.

(4) Section 401.1(2) is hereby deleted in its entirety and replaced with the following, although the rest of Section 401.1 shall remain the same:

**Section 401.1 Scope.**

**Exceptions:**

- (2) One-story detached accessory, non-habitable structures, such as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed two hundred (200) square feet when governed by the International Residential Code and one hundred and twenty (120) square feet when governed by the International Building Code. The structure shall be located greater than or equal to 10 feet from the nearest adjacent occupiable structure.

(5) Section 403.1.2 is hereby added as follows:

**403.1.2 Structure Hardening within Incorporated Municipalities.** All structures within the municipal limits of City of Salida shall meet the requirements for

Class 1 Structure Hardening in accordance with Sections 403.2 through 403.4.2 unless the property is determined to be in a higher Fire Intensity Classification per the Colorado State Wildfire Hazard Area Map.

(6) Section 403.4.3 is hereby added as follows:

**Section 403.4.3 Vent Locations.** Attic ventilation openings located in soffits, eave overhangs, between rafters at eaves or in other open overhang areas shall be specifically designed to prevent the intrusion of fire embers. Gable end and dormer ventilation openings shall be located not less than 10 feet from property lines. Underfloor ventilation openings shall be installed as close to grade as possible.

(7) Section 502.2.3 is hereby amended as follows:

**Section 502.2.3 Address Markers.** Buildings shall have a permanently posted address, which shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located in a manner approved by the code official. All buildings new and existing shall be provided with an approved permanent address identification marker. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address signage placed at the roadway, street or driveway shall be placed a minimum of thirty-six (36) inches above grade. Address identification characters shall contrast with their background and be reflective. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than four (4) inches in height with a stroke width of not less than one half (1/2) inch. Where required by the code official, address identification shall be provided in additional locations to facilitate emergency response. Where access is by means of a private road and the building address is not visible from the public way, a monument, pole, or other sign shall be utilized to identify the structure. Address identification shall be posted at the start of construction (prior to the first required inspection.) The permanent address identification shall be completed and installed prior to the final building inspection and issuance of the Certificate of Occupancy and shall thereafter be maintained by the property owner.

Exception: Alteration of the character height and stroke width requirements may be approved by the Fire District having jurisdiction.

(8) Section 502.4.1 is hereby amended as follows:

**Section 502.4.1 Fencing.** Fencing within 8 feet of a structure regulated by this code or up to the property line when the property line is less than 8 feet way from the structure shall be constructed with noncombustible materials, or ignition resistant materials or fire-retardant treated wood.

~~Exception: Vinyl Fencing. Vinyl fencing may be allowed.~~

(9) Section 504, including subsections 504.1 – 504.3, is hereby added as follows:

**Section 504 Access.**

**504.1 Restricted Access.** Where emergency vehicle access is restricted because of secured access roads or driveways, or where immediate access is necessary for life-safety or firefighting purposes, the Fire District Having Jurisdiction is authorized to require a key box to be installed in an approved location. The key box shall be of a type approved by the Fire District Having Jurisdiction and shall contain keys to gain necessary access as required by the Fire District Having Jurisdiction.

A second emergency means of egress from developments may be required where determined by the Fire District Having Jurisdiction in consultation with the Chaffee County Planning and Natural Resources Department.

**504.2 Driveways.** Driveways shall be provided where any portion of an exterior wall of the first story of a building is located more than 150 feet (45 720 mm) from a fire apparatus access road.

**504.2.1 Dimensions.** Driveways shall provide a minimum unobstructed width of 14 feet and a minimum unobstructed height of 14 feet.

Driveways serving more than 2 dwelling units shall be a 22-foot-wide gravel driving surface, or an 18-foot paved driving surface with two-foot gravel shoulders on each side, or as approved by the fire protection district with jurisdiction, if different; (Land Use Code 3.2.4.4.B.)

Exception: Driveways not exceeding fifty (50) feet in length shall be a minimum of twelve (12) feet in width.

**504.2.2 Length.** Driveways in excess of 150 feet (45 720 mm) in length shall be provided with turnarounds for emergency vehicles as specified in the International Fire Code. Driveways in excess of 200 feet in length shall be provided with turnouts in addition to turnarounds.

**504.2.3 Service Limitations.** A driveway shall not serve in excess of four (4) dwelling units.

Exception: Where such driveways meet the requirements for fire apparatus access roads in accordance with Section 503 of the International Fire Code.

**504.2.4 Turnouts.** Driveways in excess of two hundred (200) feet and at every two hundred (200) feet thereafter shall be provided with turnouts. Turnouts shall be a

minimum of ten (10) feet in width and shall be a minimum of thirty (30) feet in length. Driveway turnouts shall be comprised of such material and constructed to support the weight requirements of a fire apparatus vehicle.

### **504.3 Grade.**

504.3.1 Fire Apparatus Access Roads. The gradient slope for fire apparatus access roads shall not exceed the maximum approved per the Chaffee County Land Use Code, as adopted by the Chaffee County Board of County Commissioners.

504.3.2 Driveway Grade. The average gradient slope of driveways shall not exceed eight percent (8%). Certification of the driveway for compliance requirements for access of fire apparatus vehicles shall be approved by the Fire District Having Jurisdiction over the property.

Where this requirement cannot be met due to documented site restrictions, automatic fire sprinklers shall be installed within the habitable space of the structure. The determination that site restrictions exist shall be made by the Fire District Having Jurisdiction. Automatic fire sprinkler systems installed in one- and two-family dwellings and townhouses shall comply with NFPA 13D or, where approved by the Fire District Having Jurisdiction, with the requirements of the 2021 International Residential Code Section P2904.

Exception: Where approved by the Fire District Having Jurisdiction the driveway gradient slope may meet requirements for a submitted variance.

(10) Section 505, including subsection 505.1 is hereby added as follows:

### **505 Adjacent Slopes.**

505.1 Slope Setbacks. Structures shall be set back from descending or ascending slopes greater than thirty percent (30%) a minimum of fifty (50) feet. Exception: Where setback requirements cannot be met due to site restrictions, upgraded fuel modifications can be administered and approved by the Fire District Having Jurisdiction through ground truthing.

(11) Section 506, including subsections 506.1 – 506.5, is hereby added as follows:

### **506 Mobile Food Preparation Vehicles.**

506.1 General. Mobile food preparation vehicles that are equipped with appliances that produce smoke or grease-laden vapors for the purpose of preparing, cooking or serving food shall comply with NFPA 96 and this section. Indoor use of mobile food preparation vehicles is prohibited unless approved by the fire code official.

**506.2 Permits Required.** Permits shall be required as set forth in section 104.3 Applications and permits.

**506.3 Exhaust Hoods.** Cooking equipment that produces grease-laden vapors shall be provided with a kitchen exhaust hood constructed in accordance with Section 606 of the 2024 International Fire Code.

**506.4 Maintenance.** Maintenance of systems on mobile food preparation vehicles shall be in accordance with sections 506.4.1 through 506.4.3.

**506.4.1 Exhaust System.** The exhaust system, including hood, grease-removal devices, fans, ducts, and other appurtenances, shall be inspected and cleaned in accordance with NFPA 96.

**506.4.2 Fire Protection Systems and Devices.** Fire protection systems and devices shall be maintained in accordance with section 901.6 of the 2024 International Fire Code.

**506.4.3 Fuel Gas Systems.** Fuel gas systems shall be maintained in accordance with Sections 506.4.3.1 through 506.4.3.4

*506.4.3.1 LP-Gas Systems.* LP-gas containers installed on the vehicle and fuel gas piping systems shall be inspected annually by an approved inspection agency, person or special expert who is qualified to ensure that system components are free from damage, suitable for the intended service and not subject to leaking.

*506.4.3.2 CNG Systems.* CNG containers and fuel gas piping systems shall be inspected annually by an approved inspection agency, person or special expert who is qualified to ensure that system components are free from damage, suitable for the intended service and not subject to leaking.

*506.4.3.3 Annual Leakage Test.* All fuel gas piping systems and appliances shall be checked annually for leakage at the operating pressure of the system using a manometer or pressure gauge. Where leakage is indicated, the gas supply shall be turned off until repairs have been made and the system no longer leaks.

*506.4.3.4 Inspection Tag.* Upon a satisfactory annual inspection, the approved inspection agency, person or special expert shall affix a tag on the fuel gas system or within the vehicle indicating the name of the inspection agency and the date of the satisfactory inspection.

**506.5 Manual System Operation for the Automatic Fire Extinguishing System(s).** A manual actuation device shall be provided for the automatic fire

extinguishing system(s) provided for the cooking appliance(s). The manual actuation device shall be unobstructed and in view from the means of egress, located at or near a means of egress from the cooking area, and at a location acceptable to the fire code official. The manual actuation device shall be installed not more than forty eight (48) inches nor less than forty-two (42) inches above the walking surface of the means of egress and shall clearly identify the hazard protected. The manual actuation shall require a maximum force of forty (40) pounds (178 N) and a maximum movement of fourteen (14) inches (356 mm) to actuate the fire suppression system.

(12) Section 507, including subsections 507.1 – 507.4, are hereby added as follows:

### **507 LP-Gas Storage.**

507.1 Purpose. Liquefied petroleum gas storage presents a significant fire and explosion hazard in wildland-urban interface areas. Above-ground LP-gas tanks exposed to radiant heat or direct flame impingement can fail rapidly, creating a boiling liquid expanding vapor explosion (BLEVE) that endangers occupants and fire suppression personnel. This section applies to new construction in areas where LP-gas is the primary fuel source due to the absence of natural gas distribution systems.

507.2 Applicability. This section applies to new construction where LP-gas storage tanks with a capacity of 125 gallons or greater are proposed for installation.

507.3 Required Installation. LP-gas storage tanks subject to this section shall be installed underground in accordance with NFPA 58, Liquefied Petroleum Gas Code, and the requirements of the Authority Having Jurisdiction. Exception: existing above-ground tanks. This section shall not be construed to require replacement of existing lawfully installed above-ground LP-gas storage tanks. When an existing above-ground tank is replaced, the replacement shall comply with the underground installation requirements of Section 507.3 unless the Fire District Having Jurisdiction determines that site conditions make underground installation impractical and approves an alternative installation in writing.

507.4 Inspection and approval. Installation of LP-gas storage tanks subject to this section shall be inspected and approved by the Authority Having Jurisdiction prior to issuance of a certificate of occupancy.

(13) Section 508, including subsections 508.1 – 508.7, are hereby added as follows:

### **508 Water Supply.**

508.1 Water Supply System Permits. Water Supply Permits are required through the Chaffee County Building Department and The Fire District Having Jurisdiction. Inspection and approval by the Chaffee County Building Department along with Final Testing and Inspection by the Fire District Having Jurisdiction are required prior to

approval or water supply systems.

*508.1.2 Purpose.* All subdivisions shall provide adequate access, infrastructure, and water supply for fire suppression sufficient to safeguard the lives of residents and firefighters, protect property, and mitigate the risk of wildfire spread. Required water supply infrastructure shall be installed and operational prior to the commencement of vertical construction, or prior to any construction activity that, in the determination of the Fire District Having Jurisdiction, presents a wildfire hazard. Where completion of permanent infrastructure prior to vertical construction is impracticable, the Fire District Having Jurisdiction may approve a temporary water supply solution in writing.

508.2 Water Supply. Water used exclusively for fire suppression may be non-potable and sourced independently from the domestic water supply. The proposed fire protection water supply shall be identified as part of the preliminary plan submittal for subdivisions, or the site plan for properties not subject to a Fire Protection Plan under Section 4.1.3.2 and shall comply with all requirements of the Fire District Having Jurisdiction. NFPA 1142, Standard on Water Supplies for Suburban and Rural Fire Fighting, shall serve as the reference standard.

508.3 Fire Protection Cisterns. Unless the Fire District Having Jurisdiction specifies otherwise or approves an alternative under Section 508.5, a fire protection cistern shall be required. Cisterns shall be sized, designed, installed, located, filled, and maintained to address the fire protection needs of the development, subject to Fire District Having Jurisdiction approval. The following minimum standards apply:

*508.3.1 Minimum Capacity.*

(1) For subdivisions of four or fewer lots, or nonresidential developments under 75,000 square feet of floor area: at least one 6,000-gallon cistern.

(2) For subdivisions of five or more lots, or nonresidential developments exceeding 75,000 square feet of floor area: at least one 15,000-gallon cistern per 30 lots (e.g., 25 lots = one cistern, 32 lots = two cisterns), or per 100,000 square feet of nonresidential floor area or fraction thereof.

*508.3.2 Location.* Cistern locations are subject to Fire District Having Jurisdiction approval. Cisterns shall be placed near subdivision entrances or access points to primary roads unless the Fire District Having Jurisdiction determines an alternative location is more suitable based on-site conditions or hazard. Cisterns may be located within easements or on common open space.

*508.3.3 Access.* A fire apparatus turnout shall be provided at each cistern location, with minimum dimensions of fifty (50) feet in length by eight (8) feet in width, centered on the cistern connection, constructed to meet the requirements of the access road serving the cistern, and maintained for year-round access.

508.4 Dry Hydrants. Dry hydrants may be approved as an alternative to cisterns, subject to review and written approval by the Fire District Having Jurisdiction. Approval shall be based on the adequacy and year-round reliability of the available water source.

508.5 Alternative Compliance and Payment in Lieu. Where strict compliance with Section 508.3 is impractical due to site conditions, the Fire District Having Jurisdiction may approve an alternative water supply solution in writing prior to permit issuance. Where the Fire District Having Jurisdiction has adopted an alternative compliance policy or a Payment in Lieu of Water Supply Infrastructure program by board resolution, those programs govern eligibility, requirements, and administration. The applicant bears the burden of demonstrating that physical compliance is impractical. The code official shall not issue a building permit based on alternative compliance or payment in lieu without prior written Fire District Having Jurisdiction approval in the permit file. Payment of money alone does not constitute compliance.

508.6 Sprinkler Exemption. Structures fully protected by an automatic fire sprinkler system installed in accordance with NFPA 13D are exempt from the water storage requirements of this section, provided the system has been reviewed and approved by the Colorado Division of Fire Prevention and Control or the Authority Having Jurisdiction over fire sprinkler systems. This exemption applies only to structures for which NFPA 13D is the applicable sprinkler standard.

508.7 Maintenance. The property owner is responsible for maintaining the required water supply in operable condition at all times, including keeping the supply filled to required capacity, maintaining fittings and connections in serviceable condition, and maintaining unobstructed year-round access to the supply and apparatus turnout. Failure to maintain the required water supply in operable condition is a violation of this section.

(14) APPENDIX – B. Section B101.3 is hereby amended as follows:

**Section 101.3.1 - Defensible Space Site Plans.** Defensible space site plans shall be prepared and submitted to the code official for review and approval as part of the site plans required for a permit. The code official is authorized to waive or modify the requirement for a defensible space site plan where the application for permit is for alteration or repair or where otherwise warranted. Defensible site plans shall depict driveway gradient slope, turnarounds and turnouts where required, topography of adjacent slopes to structures and defensible space zones.

**Sec. 18-18-40. Violations and penalties.**

It is unlawful for any person, owner, occupant, contractor, or other responsible party to erect, construct, enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip, or maintain any building or structure in the City, or cause the same to be done, in violation of any provision of this article, the 2025 Colorado Wildfire Resiliency Code as adopted by reference

herein, or any lawful order, notice, or stop work order issued pursuant thereto.

Violations of this article or the 2025 Colorado Wildfire Resiliency Code as adopted by reference herein are punishable as provided in the Salida Municipal Code, including by a fine not to exceed two thousand six hundred fifty dollars (\$2,650.00), if applicable. Each day that a violation continues may be treated as a separate offense.

**Section 3.** The City Clerk and the codifier of the Salida Municipal Code are hereby authorized to make such non-substantive changes in format, numbering, punctuation, style, cross-references, and organization as are necessary to incorporate the provisions of this Ordinance into the Salida Municipal Code, provided that the substantive meaning and intent of this Ordinance are not altered.

**Section 4.** If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held to be invalid or unenforceable, such decision shall not affect the validity of the remaining portions of this Ordinance.

**Section 5.** All ordinances, resolutions, codes, or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict only.

Introduced on First Reading, on the 16<sup>th</sup> day of June, 2026, adopted and ordered published in full in a newspaper of general circulation in the City of Salida by the City Council on the 25<sup>th</sup> day of June, 2026, and set for Second Reading and Public Hearing on the 7<sup>th</sup> day of July, 2026.

Introduced on Second Reading, finally adopted and ordered published by Title only, by the City Council on the 7<sup>th</sup> day of July, 2026.

City of Salida, Colorado

\_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

\_\_\_\_\_  
City Clerk/Deputy City Clerk

Published in Full in the Mountain Mail after First Reading on the 16<sup>th</sup> day of June, 2026, and by Title only, after final adoption on the 7<sup>th</sup> day of July, 2026.

\_\_\_\_\_  
City Clerk/Deputy City Clerk

**CHAFFEE COUNTY**  
**ORDINANCE NO. 2026-02**

**AN ORDINANCE OF CHAFFEE COUNTY, COLORADO, ADOPTING AMENDMENTS  
TO CHAFFEE COUNTY ORDINANCE 2023-02 AND REPEALING THE ADOPTION  
OF THE 2021 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE AND  
ADOPTING THE 2025 COLORADO WILDFIRE RESILIENCY CODE WITH  
AMENDMENTS**

**WHEREAS**, in Ordinance 2023-02 the Board of County Commissioners of Chaffee County (the “Board”) adopted the 2021 International Wildland-Urban Interface Code with local amendments; and

**WHEREAS**, Section 30-28-204, Colorado Revised Statutes (“C.R.S.”), authorizes the Board of County Commissioners of Chaffee County (the “Board”) to alter and amend by resolution any county building code after public hearing, which notice of said hearing was given by at least one publication in a newspaper of general circulation in Chaffee County (the “County”) at least fourteen days prior to said hearing; and

**WHEREAS**, Section 30-15-401.5(1) authorizes the Board to adopt ordinances that provide minimum fire safety standards which shall be modeled upon those contained in the uniform fire code, including the table of contents, indices, appendices, and tables, as promulgated by the International Conference of Building Officials, the International Fire Code Institute, and the Western Fire Chiefs Association; and

**WHEREAS**, Section 32-1-1002(1)(d) permits the adoption and enforcement of fire codes by the fire protection districts, but provides that no such code shall apply within the County unless the County adopts a resolution stating the code or specific portions of the code shall be applicable within the fire protection district’s boundaries; and

**WHEREAS**, the Board has entered into an Intergovernmental Cooperation Agreement Concerning the Administration of Uniform Fire Codes (the “Fire District IGA”) dated March 4, 2008 with the Chaffee County Fire Protection District (“CCFPD”) and the South Arkansas Fire Protection District (“SAFPD”); and

**WHEREAS**, the Fire District IGA addresses inspections, appeals and violations for provisions of uniform fire codes in place within the jurisdiction covered by the Fire District IGA; and

**WHEREAS**, Senate Bill 23-166 established a Wildfire Resiliency Code Board (the “Code Board”) tasked with promulgating regulations and developing minimum codes and

standards to reduce fire risk around structures in the wildland-urban interface (“WUI”) of Colorado; and

**WHEREAS**, the Code Board published the Colorado Wildfire Resiliency Code (the “CWRC”) that went into effect on July 1, 2025 and establishes minimum standards for the construction and maintenance of habitable structures, while also setting criteria for assessing risk within WUI areas and mapping wildfire hazard areas; and

**WHEREAS**, Senate Bill 25-142 requires local governments to adopt a code that meets or exceeds the standards of the CWRC no later than April 1, 2026; and

**WHEREAS**, the Board has made a thorough study of the CWRC; and

**WHEREAS**, in accordance with the provisions of Section 30-15-401.5, C.R.S., the SAFPD and the CCFPD have unanimously recommended adoption of the CWRC, with the amendments described below; and

**WHEREAS**, the people of the County have had an opportunity to review the proposed adoption and changes to the CWRC, and have had an opportunity to make public comment for or against adoption of the CWRC with the amendments described below; and

**WHEREAS**, the Board has had an opportunity to review public comments with respect to the adoption of the CWRC with the amendments described below, and finds that publication of notice of the public hearing has been properly published, and the requirements have been satisfied with respect to the public hearing; and

**WHEREAS**, the Board has determined that it will better promote the health, safety, and welfare of the citizens of and visitors to the County if it adopts the CWRC with the amendments described below.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CHAFFEE COUNTY:**

**Section 1.**     **Repeal.** The Board hereby amends Ordinance 2023-02 and repeals the adoption of the 2021 International Wildland-Urban Interface Code and Amendments to the 2021 International Wildland-Urban Interface Code.

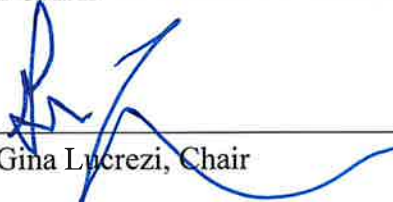
**Section 2.**     **Adoption.** The Board hereby amends the County Building Code by adopting chapters 1 through 5 and Appendix A, B and C of the 2025 Colorado Wildfire Resiliency Code published by Colorado Wildfire Resiliency Code Board, Colorado Division of Fire Prevention and Control, Department of Public Safety, 1697 Cole Blvd, Unit 200, Lakewood,

CO 80401, to have the same force and effect as if set forth herein in every particular; provided however, that such be amended by the changes set forth in Exhibit A, with additions in underline and deletions in ~~strikethrough~~.

**Section 3.** This ordinance shall take effect 30 days after publication as required by law.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS THIS 19<sup>TH</sup> DAY OF MAY 2026.

BOARD OF COUNTY COMMISSIONERS

  
\_\_\_\_\_  
Gina Lucrezi, Chair

STATE OF COLORADO

CHAFFEE COUNTY

ATTEST:

The above is a true and correct record of Ordinance 2026-02 duly and unanimously adopted by the Board of County Commissioners of Chaffee County at a regular meeting, properly noticed and held on May 19, 2026, at least ten days following introduction and reading of the proposed ordinance on April 21, 2026, and publication of the proposed ordinance on April 30, 2026 in the Chaffee County Times and the Mountain Mail.

Adopted Ordinance Published by title in the Chaffee County Times and the Mountain Mail on May 28, 2026.

*Lori Mitchell by*  
*Sandra Quate, Chief Deputy*  
Chaffee County Clerk ' Clerk



**Exhibit A to Ordinance 2026-02**

**Amendments to the 2025 Colorado Wildfire Resiliency Code**

Adopted by Reference as if set out in length in the “Colorado Wildfire Resiliency Code, 2025 Edition,” Chapters 1 – 5 Appendix Chapters A, B and C as published by Colorado Wildfire Resiliency Board, Colorado Division of Fire Prevention and Control, Department of Public Safety, 1697 Cole Blvd, Unit 200, Lakewood, CO 80401. The following amendments are made to the Colorado Wildfire Resiliency Code, 2025 Edition:

**CHAPTER 1**

**PART 1 – GENERAL PROVISIONS**

Section 101.1 is hereby amended as follows:

**101.1 Title.**

These regulations shall be known as the Colorado Wildfire Resiliency Code as adopted by Chaffee County, herein referred to as “this code.”

**PART 2 – ADMINISTRATION AND CODE ENFORCEMENT**

Section 103.1 is hereby amended as follows:

**103.1 Creation of Agency.**

The Chaffee County Building Safety Department is hereby created and the official in charge thereof shall be known as the *code official*. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Section 102.4 is hereby added as follows:

**103.4 Defined Roles of Enforcement and Approvals**

1. The Chaffee County Planning and Natural Resources Department shall review and approve site plans for defensible space zones, topography, slope setbacks, and driveway layout prior to permit issuance.
2. The Chaffee County Building Safety Department is the Code Official under this code and is responsible for permit issuance, structure hardening plan review, construction inspections, and issuance of Certificates of Occupancy. A Certificate of Occupancy shall not be issued until written approval has been received from the Fire District Having Jurisdiction.
3. The Fire District Having Jurisdiction shall conduct field verification and provide written approval of: (1) defensible space installation and fuel modification, (2)

driveway and access road gradient compliance for fire apparatus, (3) turnaround and turnout dimensions, and (4) key box type and placement. The Building Safety Department shall not issue a Certificate of Occupancy until written fire district approval of items 1 through 4 has been received. Where a conflict arises between requirements of the Building Safety Department and the Fire District Having Jurisdiction, the more restrictive shall govern. Disputes shall be reviewed through Chaffee County Administration for resolution.

## **CHAPTER 4 – STRUCTURE HARDENING**

Section 401.1(2) is hereby deleted in its entirety and replaced with the following, although the rest of Section 401.1 shall remain the same:

### **Section 401.1 Scope**

#### **Exceptions:**

2. One-story detached accessory, non-habitable structures, such as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed two hundred (200) square feet when governed by the International Residential Code and one hundred and twenty (120) square feet when governed by the International Building Code. The structure shall be located greater than or equal to 10 feet from the nearest adjacent occupiable structure.

Section 403.1.2 is hereby added as follows:

#### **403.1.2 Structure Hardening within Incorporated Municipalities**

All structures within the municipal limits of City of Salida, Town of Buena Vista and Town of Poncha Springs shall meet the requirements for Class 1 Structure Hardening in accordance with Sections 403.2 through 403.4.2 unless the property is determined to be in a higher Fire Intensity Classification per the Colorado State Wildfire Hazard Area Map.

Section 403.4.3 is hereby added as follows:

#### **Section 403.4.3 Vent Locations**

Attic ventilation openings located in soffits, eave overhangs, between rafters at eaves or in other open overhang areas shall be specifically designed to prevent the intrusion of fire embers. Gable end and dormer ventilation openings shall be located not less than 10 feet from property lines. Underfloor ventilation openings shall be installed as close to grade as possible.

## CHAPTER 5 – SITE AND AREA REQUIREMENTS

Section 502.2.3 is hereby amended as follows:

### **Section 502.2.3 Address Markers**

Buildings shall have a permanently posted address, which shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located in a manner *approved* by the *code* official. All buildings new and existing shall be provided with an approved permanent address identification marker. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address signage placed at the roadway, street or driveway shall be placed a minimum of thirty-six (36) inches above grade. Address identification characters shall contrast with their background and be reflective. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than four (4) inches in height with a stroke width of not less than one half (1/2) inch. Where required by the *code* official, address identification shall be provided in additional locations to facilitate emergency response. Where access is by means of a private road and the building address is not visible from the public way, a monument, pole, or other sign shall be utilized to identify the structure. Address identification shall be posted at the start of construction (prior to the first required inspection.) The permanent address identification shall be completed and installed prior to the final building inspection and issuance of the Certificate of Occupancy and shall thereafter be maintained by the property owner.

**Exception:** Alteration of the character height and stroke width requirements may be approved by the Fire District having jurisdiction.

Section 502.4.1 is hereby amended as follows:

### **Section 502.4.1 Fencing**

Fencing within 8 feet of a structure regulated by this code or up to the property line when the property line is less than 8 feet way from the structure shall be constructed with noncombustible materials, or ignition resistant materials or fire-retardant treated wood.

**Exception:** Vinyl Fencing. Vinyl fencing may be allowed.

Section 504, including subsections 504.1 – 504.3 is hereby added as follows:

### **Section 504 Access.**

### **504.1 Restricted Access**

Where emergency vehicle access is restricted because of secured access roads or driveways, or where immediate access is necessary for life-safety or firefighting purposes, the Fire District Having Jurisdiction is authorized to require a key box to be installed in an approved location. The key box shall be of a type approved by the Fire District Having Jurisdiction and shall contain keys to gain necessary access as required by the Fire District Having Jurisdiction.

A second emergency means of egress from developments may be required where determined by the Fire District Having Jurisdiction in consultation with the Chaffee County Planning and Natural Resources Department.

### **504.2 Driveways**

Driveways shall be provided where any portion of an exterior wall of the first story of a building is located more than 150 feet (45 720 mm) from a fire apparatus access road.

#### **504.2.1 Dimensions**

Driveways shall provide a minimum unobstructed width of 14 feet and a minimum unobstructed height of 14 feet.

Driveways serving more than 2 dwelling units shall be a 22-foot-wide gravel driving surface, or an 18-foot paved driving surface with two-foot gravel shoulders on each side, or as approved by the fire protection district with jurisdiction, if different; (Land Use Code 3.2.4.4.B.)

**Exception:** Driveways not exceeding fifty (50) feet in length shall be a minimum of twelve (12) feet in width.

#### **504.2.2 Length**

Driveways in excess of 150 feet (45 720 mm) in length shall be provided with turnarounds for emergency vehicles as specified in the International Fire Code. Driveways in excess of 200 feet in length shall be provided with turnouts in addition to turnarounds.

#### **504.2.3 Service Limitations**

A driveway shall not serve in excess of four (4) dwelling units.

**Exception:** Where such driveways meet the requirements for fire apparatus access roads in accordance with Section 503 of the International Fire Code.

#### **504.2.4 Turnouts**

Driveways in excess of two hundred (200) feet and at every two hundred (200) feet thereafter shall be provided with turnouts. Turnouts shall be a minimum of ten (10) feet in width and shall be a minimum of thirty (30) feet in length. Driveway turnouts shall be comprised of such material and constructed to support the weight requirements of a fire apparatus vehicle.

### **504.3 Grade**

#### **504.3.1 Fire Apparatus Access Roads**

The gradient slope for fire apparatus access roads shall not exceed the maximum approved per the Chaffee County Land Use Code, as adopted by the Chaffee County Board of County Commissioners.

#### **504.3.2 Driveway Grade**

The average gradient slope of driveways shall not exceed eight percent (8%). Certification of the driveway for compliance requirements for access of fire apparatus vehicles shall be approved by the Fire District Having Jurisdiction over the property.

Where this requirement cannot be met due to documented site restrictions, automatic fire sprinklers shall be installed within the habitable space of the structure. The determination that site restrictions exist shall be made by the Fire District Having Jurisdiction. Automatic fire sprinkler systems installed in one- and two-family dwellings and townhouses shall comply with NFPA 13D or, where approved by the Fire District Having Jurisdiction, with the requirements of the 2021 International Residential Code Section P2904.

**Exception:** Where approved by the Fire District Having Jurisdiction the driveway gradient slope may meet requirements for a submitted variance.

Section 505, including subsection 505.1 is hereby added as follows:

### **505 Adjacent Slopes**

#### **505.1 Slope Setbacks**

Structures shall be set back from descending or ascending slopes greater than thirty percent (30%) a minimum of fifty (50) feet.

**Exception:** Where setback requirements cannot be met due to site restrictions, upgraded fuel modifications can be administered and approved by the Fire District Having Jurisdiction through ground truthing.

Section 506, including subsections 506.1 – 506.5, is hereby added as follows:

## **506 Mobile Food Preparation Vehicles**

### **506.1 General**

Mobile food preparation vehicles that are equipped with appliances that produce smoke or grease-laden vapors for the purpose of preparing, cooking or serving food shall comply with NFPA 96 and this section. Indoor use of mobile food preparation vehicles is prohibited unless approved by the fire code official.

### **506.2 Permits Required**

Permits shall be required as set forth in section 104.3 Applications and permits.

### **506.3 Exhaust Hoods**

Cooking equipment that produces grease-laden vapors shall be provided with a kitchen exhaust hood constructed in accordance with Section 606 of the 2024 International Fire Code.

### **506.4 Maintenance**

Maintenance of systems on mobile food preparation vehicles shall be in accordance with sections 506.4.1 through 506.4.3.

#### **506.4.1 Exhaust System**

The exhaust system, including hood, grease-removal devices, fans, ducts, and other appurtenances, shall be inspected and cleaned in accordance with NFPA 96.

#### **506.4.2 Fire Protection Systems and Devices**

Fire protection systems and devices shall be maintained in accordance with section 901.6 of the 2024 International Fire Code.

#### **506.4.3 Fuel Gas Systems**

Fuel gas systems shall be maintained in accordance with Sections 506.4.3.1 through 506.4.3.4

##### **506.4.3.1 LP-Gas Systems**

LP-gas containers installed on the vehicle and fuel gas piping systems shall be inspected annually by an approved inspection agency, person or special expert who is qualified to ensure that

system components are free from damage, suitable for the intended service and not subject to leaking.

#### **506.4.3.2 CNG Systems**

CNG containers and fuel gas piping systems shall be inspected annually by an approved inspection agency, person or special expert who is qualified to ensure that system components are free from damage, suitable for the intended service and not subject to leaking.

#### **506.4.3.3 Annual Leakage Test**

All fuel gas piping systems and appliances shall be checked annually for leakage at the operating pressure of the system using a manometer or pressure gauge. Where leakage is indicated, the gas supply shall be turned off until repairs have been made and the system no longer leaks.

#### **506.4.3.4 Inspection Tag**

Upon a satisfactory annual inspection, the approved inspection agency, person or special expert shall affix a tag on the fuel gas system or within the vehicle indicating the name of the inspection agency and the date of the satisfactory inspection.

### **506.5 Manual System Operation for the Automatic Fire Extinguishing System(s)**

A manual actuation device shall be provided for the automatic fire extinguishing system(s) provided for the cooking appliance(s). The manual actuation device shall be unobstructed and in view from the means of egress, located at or near a means of egress from the cooking area, and at a location acceptable to the fire code official. The manual actuation device shall be installed not more than forty-eight (48) inches nor less than forty-two (42) inches above the walking surface of the means of egress and shall clearly identify the hazard protected. The manual actuation shall require a maximum force of forty (40) pounds (178 N) and a maximum movement of fourteen (14) inches (356 mm) to actuate the fire suppression system.

Section 507, including subsections 507.1 – 507.4, are hereby added as follows:

### **507 LP-Gas Storage**

#### **507.1 Purpose**

Liquefied petroleum gas storage presents a significant fire and explosion hazard in wildland-urban interface areas. Above-ground LP-gas tanks exposed to radiant heat or direct flame impingement can fail rapidly, creating a boiling liquid expanding vapor explosion (BLEVE) that endangers occupants and fire suppression personnel. This section applies to new construction in areas where LP-gas is the primary fuel source due to the absence of natural gas distribution systems.

### **507.2 Applicability**

This section applies to new construction where LP-gas storage tanks with a capacity of 125 gallons or greater are proposed for installation.

### **507.3 Required Installation.**

LP-gas storage tanks subject to this section shall be installed underground in accordance with NFPA 58, Liquefied Petroleum Gas Code, and the requirements of the Authority Having Jurisdiction.

**Exception:** existing above-ground tanks.

This section shall not be construed to require replacement of existing lawfully installed above-ground LP-gas storage tanks. When an existing above-ground tank is replaced, the replacement shall comply with the underground installation requirements of Section 507.3 unless the Fire District Having Jurisdiction determines that site conditions make underground installation impractical and approves an alternative installation in writing.

### **507.4 Inspection and approval.**

Installation of LP-gas storage tanks subject to this section shall be inspected and approved by the Authority Having Jurisdiction prior to issuance of a certificate of occupancy.

Section 508, including subsections 508.1 – 508.7, are hereby added as follows:

## **508 Water Supply**

### **508.1 Water Supply System Permits**

Water Supply Permits are required through the Chaffee County Building Department and The Fire District Having Jurisdiction. Inspection and approval by the Chaffee County Building Department along with Final Testing and Inspection

by the Fire District Having Jurisdiction are required prior to approval or water supply systems.

### **508.1.2 Purpose**

All subdivisions shall provide adequate access, infrastructure, and water supply for fire suppression sufficient to safeguard the lives of residents and firefighters, protect property, and mitigate the risk of wildfire spread. Required water supply infrastructure shall be installed and operational prior to the commencement of vertical construction, or prior to any construction activity that, in the determination of the Fire District Having Jurisdiction, presents a wildfire hazard. Where completion of permanent infrastructure prior to vertical construction is impracticable, the Fire District Having Jurisdiction may approve a temporary water supply solution in writing.

### **508.2 Water Supply**

Water used exclusively for fire suppression may be non-potable and sourced independently from the domestic water supply. The proposed fire protection water supply shall be identified as part of the preliminary plan submittal for subdivisions, or the site plan for properties not subject to a Fire Protection Plan under Section 4.1.3.2 and shall comply with all requirements of the Fire District Having Jurisdiction. NFPA 1142, Standard on Water Supplies for Suburban and Rural Fire Fighting, shall serve as the reference standard.

### **508.3 Fire Protection Cisterns**

Unless the Fire District Having Jurisdiction specifies otherwise or approves an alternative under Section 508.5, a fire protection cistern shall be required. Cisterns shall be sized, designed, installed, located, filled, and maintained to address the fire protection needs of the development, subject to Fire District Having Jurisdiction approval. The following minimum standards apply:

#### **508.3.1 Minimum Capacity**

1. For subdivisions of four or fewer lots, or nonresidential developments under 75,000 square feet of floor area: at least one 6,000-gallon cistern.

2. For subdivisions of five or more lots, or nonresidential developments exceeding 75,000 square feet of floor area: at least one 15,000-gallon cistern per 30 lots (e.g., 25 lots = one cistern, 32 lots = two cisterns), or per 100,000 square feet of nonresidential floor area or fraction thereof.

### **508.3.2 Location**

Cistern locations are subject to Fire District Having Jurisdiction approval. Cisterns shall be placed near subdivision entrances or access points to primary roads unless the Fire District Having Jurisdiction determines an alternative location is more suitable based on-site conditions or hazard. Cisterns may be located within easements or on common open space.

### **508.3.3 Access**

A fire apparatus turnout shall be provided at each cistern location, with minimum dimensions of fifty (50) feet in length by eight (8) feet in width, centered on the cistern connection, constructed to meet the requirements of the access road serving the cistern, and maintained for year-round access.

### **508.4 Dry Hydrants**

Dry hydrants may be approved as an alternative to cisterns, subject to review and written approval by the Fire District Having Jurisdiction. Approval shall be based on the adequacy and year-round reliability of the available water source.

### **508.5 Alternative Compliance and Payment in Lieu**

Where strict compliance with Section 508.3 is impractical due to site conditions, the Fire District Having Jurisdiction may approve an alternative water supply solution in writing prior to permit issuance. Where the Fire District Having Jurisdiction has adopted an alternative compliance policy or a Payment in Lieu of Water Supply Infrastructure program by board resolution, those programs govern eligibility, requirements, and administration.

The applicant bears the burden of demonstrating that physical compliance is impractical. The *code official* shall not issue a building permit based on

alternative compliance or payment in lieu without prior written Fire District Having Jurisdiction approval in the permit file. Payment of money alone does not constitute compliance.

#### **508.6 Sprinkler Exemption**

Structures fully protected by an automatic fire sprinkler system installed in accordance with NFPA 13D are exempt from the water storage requirements of this section, provided the system has been reviewed and approved by the Colorado Division of Fire Prevention and Control or the Authority Having Jurisdiction over fire sprinkler systems. This exemption applies only to structures for which NFPA 13D is the applicable sprinkler standard.

#### **508.7 Maintenance**

The property owner is responsible for maintaining the required water supply in operable condition at all times, including keeping the supply filled to required capacity, maintaining fittings and connections in serviceable condition, and maintaining unobstructed year-round access to the supply and apparatus turnout. Failure to maintain the required water supply in operable condition is a violation of this section.

### **APPENDIX - B**

Section B101.3 is hereby amended as follows:

#### **Section 101.3.1 - Defensible Space Site Plans**

Defensible space site plans shall be prepared and submitted to the *code official* for review and approval as part of the site plans required for a permit. The *code official* is authorized to waive or modify the requirement for a defensible space site plan where the application for permit is for alteration or repair or where otherwise warranted. Defensible site plans shall depict driveway gradient slope, turnarounds and turnouts where required, topography of adjacent slopes to structures and defensible space zones.



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Wildfire  
Resiliency  
Code Board

**2025**

# Colorado Wildfire Resiliency Code

01 June 2025



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**CWRC Version 1.0**

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# Attributions

## ATTRIBUTIONS

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# Table of Contents

Chapter 1 - Scope and Administration.....	5
PART 1 GENERAL PROVISIONS.....	5
SECTION 101 SCOPE AND GENERAL REQUIREMENTS.....	5
SECTION 102—APPLICABILITY.....	7
PART 2—ADMINISTRATION AND ENFORCEMENT.....	9
SECTION 103—CODE COMPLIANCE AGENCY.....	9
SECTION 104—DUTIES AND POWERS OF THE CODE OFFICIAL.....	9
SECTION 105—TEMPORARY USES, EQUIPMENT AND SYSTEMS.....	13
SECTION 106—FEES.....	14
SECTION 107—STOP WORK ORDER.....	14
Chapter 2 - Definitions.....	15
SECTION 201 GENERAL.....	15
SECTION 202 DEFINITIONS.....	15
Chapter 3 - Wildfire Hazard Identification.....	19
SECTION 301 GENERAL.....	19
SECTION 302 WILDLAND-URBAN INTERFACE AREA DESIGNATIONS.....	19
SECTION 303 MAPPING AND APPLICABILITY.....	19
SECTION 304 GROUND-TRUTHING.....	21
Chapter 4- Structure Hardening.....	23
SECTION 401 GENERAL.....	23
SECTION 402 BUILDING MATERIAL.....	23
SECTION 403 CLASS 1 STRUCTURE HARDENING.....	25
SECTION 404 CLASS 2 STRUCTURE HARDENING.....	26
Chapter 5- Site and Area Requirements.....	29
SECTION 501 GENERAL.....	29
SECTION 502 CLASS 1 REQUIREMENTS.....	29
SECTION 503 CLASS 2 REQUIREMENTS.....	30
Appendix A: PERMITS.....	33
Appendix B: CONSTRUCTION DOCUMENTS.....	36
Appendix C: INSPECTION AND ENFORCEMENT.....	38



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# Chapter 1 - Scope and Administration

## PART 1 GENERAL PROVISIONS

### SECTION 101 SCOPE AND GENERAL REQUIREMENTS

**101.1 Title.** These regulations shall be known as the Colorado Wildfire Resiliency Code as adopted by [NAME OF JURISDICTION], hereinafter referred to as “this code.”

**101.2 Scope.** The provisions of this code shall apply to the construction, alteration, movement, repair, maintenance and use of any building, structure or premises that contain *occupiable* and/or *habitable space*, or change in use resulting in an occupiable and/or habitable space, unless excepted, within the *wildland-urban interface* areas of Colorado, as designated in this code.

Buildings or conditions in existence at the time of the adoption of this code are allowed to have their use or occupancy continued, if such condition, use or occupancy was legal at the time of the adoption of this code, provided that such continued use does not constitute a distinct danger to life or property.

Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new buildings or structures.

**101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted.

**101.2.2 Factory-Built Structures (nonresidential, residential, and tiny homes).** Structure hardening provisions of this code for factory-built structures as defined by sections 24-32-3302(9), (10), (11), and (35), C.R.S., are in accordance with Rules adopted by the Division of Housing in 8 CCR 1302-1, Rule 2 Codes and Standards.

**101.2.3 HUD Code Homes.** Homes built to the HUD Manufactured Home Construction and Safety Standards are exempt from structure hardening requirements on their first installation. Homes built to the HUD Manufactured Home Construction and Safety Standards which are moved into an applicable Wildfire Resiliency code area are subject to the provisions of this code as required by the authority having jurisdiction.

**101.3 Purpose.** The purpose of this code is to establish minimum regulations for the safeguarding of life and for property protection. Regulations in this code are intended to mitigate the risk to life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate structure fires from spreading to wildland fuels. The extent of this regulation is intended to be tiered commensurate with the relative level of hazard present.

The unrestricted use of property in *wildland-urban interface* areas is a potential threat to life and property from fire and resulting erosion. Safeguards to prevent the occurrence of fires and to



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provide adequate fire protection facilities to control the spread of fire in *wildland-urban interface* areas shall be in accordance with this code.

This code shall supplement the jurisdiction's building and fire codes, if such codes have been adopted, to provide for special regulations to mitigate the fire- and life-safety hazards of the *wildland-urban interface* areas.

**101.4 Retroactivity.** The provisions of the code shall apply to conditions arising after the adoption thereof, conditions not legally in existence at the adoption of this code and conditions that, in the opinion of the *code official*, constitute a distinct hazard to life or property.

**Exception:** Provisions of this code that specifically apply to existing conditions are retroactive.

**101.5 Additions or alterations.** Additions or alterations shall be permitted to be made to any building or structure without requiring the existing building or structure to comply with all of the requirements of this code, provided that, when the work increases the footprint of the existing structure by 500 square feet or greater, the addition or alteration conforms to that required for a new building or structure.

**Exception:** Provisions of this code that specifically apply to existing conditions are retroactive.

Additions or alterations shall not be made to an existing building or structure that will cause the existing building or structure to be in violation of any of the provisions of this code nor shall such additions or alterations cause the existing building or structure to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or structure to become structurally unsafe or overloaded; will not provide adequate access in compliance with the provisions of this code or will obstruct existing exits or access; will create a fire hazard; will reduce required fire resistance or will otherwise create conditions dangerous to human life.

**101.6 Roof coverings.** The *roof covering* on buildings or structures in existence prior to adoption of this code that are replaced or have 25 percent or more of the surface area of the roof replaced, or where work to reconstruct, alter, or repair the *roof covering* effectively replaces such material, shall require the entirety of the *roof covering* to be replaced with a *roof covering* required for new construction specified in Sections 403.2 through 403.2.2.

**Exception:** Existing *roof coverings* that are compliant with Section 403.2.

**101.7 Exterior walls.** The exterior walls of building or structures in existence prior to adoption of this code where 25 percent or more of the total exterior wall surface area is replaced, or where work to reconstruct, alter or repair the exterior walls effectively replaces the exterior wall material, shall require the entirety of the exterior wall surface area, including attachments, to be replaced with materials required for new construction specified in Section 404.3 through 404.3.2



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and the immediate zone within 5 feet of the structure shall be made to comply with Section 503.1.

**Exception:** Existing exterior walls that are compliant with Section 404.3.

**101.8 Maintenance.** Buildings, structures, landscape materials, vegetation, *defensible space* or other devices or safeguards required by this code shall be maintained in conformance to the code edition under which installed. The owner or the owner's authorized agent shall be responsible for the maintenance of buildings, structures, landscape materials and vegetation.

## SECTION 102—APPLICABILITY

**102.1 General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where, in any specific case, different sections of this code, or any other adopted code, specify different materials, methods of construction or other requirements, the most restrictive shall govern.

**102.2 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

**102.3 Application of references.** References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

**102.4 Referenced codes and standards.** The codes and standards referenced in this code are listed throughout this code. Such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2.

**102.4.1 Conflicts.** Where conflicts occur between provisions of this code and the referenced codes and standards, the provisions of this code shall govern.

**102.4.2 Provisions in referenced codes and standards.** Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced standard.

**102.5 Subjects not regulated by this code.** Where applicable standards or requirements are not set forth in this code, or are contained within other laws, codes, regulations, ordinances or policies adopted by the authority having jurisdiction, compliance with applicable standards of other nationally recognized safety standards, as *approved*, shall be deemed as prima facie evidence of compliance with the intent of this code. Nothing herein shall derogate from the authority of the *code official* to determine compliance with codes or standards for those activities or installations within the code official's jurisdiction or responsibility.

**102.6 Matters not provided for.** Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof,



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which are not specifically provided for by this code, shall be determined by the *code official* consistent with the necessity to establish the minimum requirements to safeguard the public health, safety and general welfare.

**102.7 Partial invalidity.** In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

**102.8 Existing conditions.** The legal occupancy or use of any structure or condition existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *International Fire Code* or the *International Property Maintenance Code*, or as is deemed necessary by the *code official* for the general safety and welfare of the occupants and the public.

**102.9 Historic structures.** A variance is authorized to be issued for the repair or rehabilitation of a historic structure or construction of a contributing structure upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure, and the variance is the minimum necessary to preserve the historic character and design of the structure, within the spirit of this code.

**Exception:** Within wildfire hazard areas, historic structures that do not meet one or more of the following designations:

1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places.
2. Determined as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district.
3. Designated as historic under a state or local historic preservation program.

**102.9.1 Historic preservation exemption.** The authority having jurisdiction may establish a historic preservation exemption or exemptions in their jurisdiction that consists of the spirit and intent of this code.

**102.10 Work exempt from permit under this code.** Exemptions from code requirements shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of the jurisdiction. Compliance with this code shall not be required for the following:

1. Interior alterations of existing structures.
2. Additions that do not increase the footprint of a structure by more than 500 square feet.
3. The reconstruction, replacement, alteration, or repair of the exterior walls of an existing building, when less than 25 percent of the surface area of all exterior walls is affected.
4. The reconstruction, replacement, alteration, or repair of the exterior *roof covering* of an existing building, when less than 25 percent of the surface area of the exterior *roof covering* or an attachment thereto is affected.



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5. Alterations or repairs to the exterior of an existing structure, or an attachment to it, when less than twenty-five percent of the exterior of the structure is affected by the alteration or repair.
6. Painting, staining and similar maintenance or restorative work.
7. One-story detached accessory, nonhabitable structures, such as tool and storage sheds, playhouses and similar uses, provided that the floor area does not exceed 120 square feet and the structure is located greater than or equal to 10 feet from the nearest adjacent occupiable structure.
8. *Accessory structures* and buildings of an accessory character classified as Utility and Miscellaneous Group U (including Agricultural Structures) located more than 50 feet from a structure containing *occupiable* or *habitable space*.
9. Fences located more than 8 feet from a habitable structure.
10. Any thirty-five acre parcel with only one residential structure on it that does not abut a residential or commercial area.

## PART 2—ADMINISTRATION AND ENFORCEMENT

### SECTION 103—CODE COMPLIANCE AGENCY

**103.1 Creation of agency.** The [INSERT NAME OF DEPARTMENT] is hereby created and the official in charge thereof shall be known as the *code official*. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

**103.2 Appointment.** The *code official* shall be appointed by the chief appointing authority of the jurisdiction.

**103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *code official* shall have the authority to appoint a deputy *code official*, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the *code official*.

### SECTION 104—DUTIES AND POWERS OF THE CODE OFFICIAL

**104.1 Powers and duties of the code official.** The *code official* is hereby authorized to enforce the provisions of this code.

**104.2 Determination of compliance.** The *code official* shall have the authority to determine compliance with this code, to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures:

1. Shall be in compliance with the intent and purpose of this code.
2. Shall not have the effect of waiving requirements specifically provided for in this code.

**104.2.1 Technical assistance.** To determine compliance with this code, the *code official* is authorized to require the owner, the owner's authorized agent or the person in possession or control of the building or premises to provide a technical opinion and report.

**104.2.1.1 Costs.** A technical opinion and report shall be provided without charge to the jurisdiction.

**104.2.1.2 Preparer qualifications.** The technical opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the *code official*. The *code official* is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

**104.2.1.3 Content.** The technical opinion and report shall analyze the properties of the design, operation or use of the building or premises, the facilities and appurtenances situated thereon and fuel management to identify and propose necessary recommendations.

**104.2.1.4 Tests.** Where there is insufficient evidence of compliance with the provisions of this code, the *code official* shall have the authority to require tests as evidence of compliance. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized test standards, the *code official* shall approve the testing procedures. Such tests shall be performed by a party acceptable to the *code official*.

**104.2.2 Alternative materials, design and methods.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*.

**104.2.2.1 Approval authority.** An alternative material, design or method shall be *approved* where the *code official* finds that the proposed alternative is satisfactory and complies with Sections 104.2.2.2 through 104.2.2.7, as applicable.

**104.2.2.2 Application and disposition.** Where required, a request to use an alternative material, design or method of construction shall be submitted in writing to the *code official* for approval. Where the alternative material, design or method of construction is not approved, the *code official* shall respond in writing, stating the reasons the alternative was not approved.

**104.2.2.3 Compliance with code intent.** An alternative material, design or method of construction shall comply with the intent of the provisions of this code.



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**104.2.2.4 Equivalency criteria.** An alternative material, design or method of construction shall, for the purpose intended, be not less than the equivalent of that prescribed in this code with respect to all of the following, as applicable:

1. Quality.
2. Strength.
3. Effectiveness.
4. Durability.
5. Safety, other than fire safety.
6. Fire safety.

**104.2.2.5 Tests.** Tests conducted to demonstrate equivalency in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict performance of the end use configuration. Tests shall be performed by a party acceptable to the *code official*.

**104.2.2.5.1 Fire tests.** Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Tests shall be performed by a party acceptable to the *code official*.

**104.2.2.6 Reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall comply with Sections 104.2.2.6.1 and 104.2.2.6.2.

**104.2.2.6.1 Evaluation reports.** Evaluation reports shall be issued by an *approved* agency and use of the evaluation report shall require approval by the *code official* for the installation. The alternate material, design or method of construction and product evaluated shall be within the scope of the *code official's* recognition of the *approved* agency. Criteria used for the evaluation shall be identified within the report and, where required, provided to the *code official*.

**104.2.2.6.2 Other reports.** Reports not complying with Section 104.2.2.6.1 shall describe criteria, including but not limited to any referenced testing or analysis, used to determine compliance with code intent and justify code equivalence. The report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the *code official*. The *code official* is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

**104.2.2.7 Peer review.** The *code official* is authorized to require submittal of a peer review report in conjunction with a request to use an alternative material, design or



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method of construction, prepared by a peer reviewer that is *approved* by the *code official*.

**104.2.3 Modifications.** Where there are practical difficulties involved in carrying out the provisions of this code, the *code official* shall have the authority to grant modifications for individual cases, provided that the *code official* shall first find that one or more special individual reasons make the strict letter of this code impractical, that the modification is in conformance with the intent and purpose of this code, and that such modification does not lessen health, life and fire safety requirements. The details of the written request and action granting modifications shall be recorded and entered into the files of the code enforcement agency.

**104.3 Applications and permits.** The *code official* is authorized to receive applications, review construction documents and issue permits for construction regulated by this code, issue permits for operations regulated by this code, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

**104.4 Access to Property.** For the purpose of inspecting and enforcing the provisions of this code and the terms and conditions of any permit issued under this code, the *code official* is authorized to enter upon private property at reasonable times and upon reasonable notice for the purpose of determining compliance with this code and to evaluate conditions relative to the permit application.

**104.4.1 Authorization.** The owner or occupant of the property having a permit under this code shall allow the *code official* access to the property to perform the required inspections. If access is denied, the *code official* shall apply to the Court with jurisdiction to seek authority to access the property.

**104.5 Identification.** The *code official* shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

**104.6 Notices and orders.** The *code official* shall issue all necessary notices or orders to ensure compliance with this code.

**104.7 Official records.** The *code official* shall keep official records as required by Sections 104.7.1 through 104.7.5. Such official records shall be retained for not less than 5 years or for as long as the structure or activity to which such records relate remains in existence, unless otherwise provided by other regulations.

**104.7.1 Approvals.** A record of approvals shall be maintained by the *code official* and shall be available for public inspection during business hours in accordance with applicable laws.

**104.7.2 Inspections.** The *code official* shall keep a record of each inspection made, including notices and orders issued, showing the findings and disposition of each.



**104.7.3 Code alternatives and modifications.** Application for alternative materials, design and methods of construction and equipment in accordance with Section 104.2.2; modifications in accordance with Section 104.2.3; and documentation of the final decision of the *code official* for either shall be in writing and shall be retained in the official records.

**104.7.4 Tests.** The *code official* shall keep a record of tests conducted to comply with Sections 104.2.1.4 and 104.2.2.5.

**104.7.5 Fees.** The *code official* shall keep a record of fees collected and refunded in accordance with Section 106.

**104.8 Liability.** The *code official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered personally liable, either civilly or criminally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of any act or omission in the discharge of official duties.

**104.8.1 Legal defense.** Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code or other laws or ordinances implemented through the enforcement of this code shall be defended by legal representatives of the jurisdiction until final termination of the proceedings. The *code official* or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

**104.9 Approved materials and equipment.** Materials, equipment and devices approved by the *code official* shall be constructed and installed in accordance with such approval.

**104.9.1 Materials and equipment reuse.** Materials, equipment and devices shall not be reused unless such elements are in good working order and *approved*.

**104.10 Other agencies.** When requested to do so by the *code official*, other officials of this jurisdiction shall assist and cooperate with the *code official* in the discharge of the duties required by this code.

## SECTION 105—TEMPORARY USES, EQUIPMENT AND SYSTEMS

**105.1 General.** The *code official* is authorized to issue a permit for temporary uses, equipment and systems. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The *code official* is authorized to grant extensions for demonstrated cause.

**105.2 Conformance.** Temporary uses, equipment and systems shall conform to the requirements of this code as necessary to ensure health, safety and general welfare.



**105.3 Temporary service utilities.** The *code official* is authorized to give permission to temporarily supply service utilities.

**105.4 Termination of approval.** The *code official* is authorized to terminate such permit for temporary uses, equipment and systems and to order the same to be discontinued.

## SECTION 106—FEES

**106.1 General.** An AHJ has the authority to establish fees.

## SECTION 107—STOP WORK ORDER

**107.1 Authority.** Where the *code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the *code official* is authorized to issue a stop work order.

**107.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

**107.3 Emergencies.** Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

**107.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the authority having jurisdiction.



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## Chapter 2 - Definitions

### SECTION 201 GENERAL

**201.1 Scope.** Unless otherwise expressly stated, the following words and terms shall, for the purposes of this code, have the meanings shown in this chapter.

**201.2 Interchangeability.** Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; and the singular number includes the plural and the plural the singular.

**201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in other International Codes, such terms shall have the meanings ascribed to them as in those codes.

**201.4 Terms not defined.** Where terms are not defined through the methods authorized by this section, such terms shall have their ordinarily accepted meanings such as the context implies.

### SECTION 202 DEFINITIONS

**ACCESSORY STRUCTURE.** A building or structure used to shelter or support any material, equipment, chattel or occupancy other than a habitable building.

**AGRICULTURAL BUILDING.** A structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.

**APPROVED.** Acceptable to the *code official*.

**BUILDING.** Any structure intended for supporting or sheltering any occupancy.

**CLASS A TESTS.** Class A Tests are applicable to *roof coverings* that are expected to be effective against severe fire exposure, afford a high degree of fire protection to the *roof deck*, do not slip from position, and are not expected to present a flying brand hazard.

**CODE OFFICIAL.** The official designated by the jurisdiction to interpret and enforce this code, or the *code official's* authorized representative.

**DEFENSIBLE SPACE.** An area either natural or man-made, where material capable of allowing a fire to spread unchecked has been treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur.



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**EMBELLISHMENTS.** Elements incorporated in design and construction for ornamental or decorative purpose that are not integral to the structure or structural support.

**FIRE INTENSITY CLASSIFICATION.** The level of fire intensity identified for areas where significant fuel hazards and associated dangerous fire behavior may exist, based upon vegetative fuels, topography, weather conditions, and flame length value.

**FIRE-RESISTANCE-RATED CONSTRUCTION.** The use of materials and systems in the design and construction of a building or structure to safeguard against the spread of fire within a building or structure and the spread of fire to or from buildings or structures to the *wildland-urban interface* area.

**FIRE-RETARDANT-TREATED WOOD.** Fire-retardant-treated wood is any wood product that, when impregnated with chemicals by a pressure process or other means during manufacture, shall have, when tested in accordance with ASTM E84 or UL 723, a listed *flame spread index* of 25 or less. The ASTM E84 or UL723 test shall be continued for an additional 20-minute period and the flame front shall not progress more than 10.5 feet beyond the centerline of the burners at any time during the test.

**FLAME SPREAD INDEX.** A comparative measure, expressed as a dimensionless number, derived from visual measurements of the spread of flame versus time for a material tested in accordance with ASTM E84.

**FUEL MODIFICATION.** A method of modifying fuel load by reducing the amount of nonfire-resistive vegetation or altering the type of vegetation to reduce the fuel load.

**HABITABLE SPACE.** A space in a building for living, sleeping, eating or cooking.

**HEAVY TIMBER CONSTRUCTION.** As described in Section 602.4 of the 2024 *International Building Code*.

**HOME IGNITION ZONE.** Home Ignition Zone is the home and the area around the home (or structure). The HIZ takes into account both the potential of the structure to ignite and the quality of *defensible space* surrounding it.

**IGNITION-RESISTANT BUILDING MATERIAL.** A type of building material that resists ignition or sustained flaming combustion sufficiently so as to reduce losses from wildfire exposure of burning embers and small flames.



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**IGNITION-RESISTANT VEGETATION.** Plants that are less likely to readily ignite from a flame or other ignition source and produce fewer embers. While they can still be damaged by fire, their foliage and stems don't significantly contribute to the intensity of the fire.

**LOG WALL CONSTRUCTION.** A type of construction in which exterior walls are constructed of solid wood members and where the smallest horizontal dimension of each solid wood member is not less than 6 inches. Log wall construction shall follow requirements of ICC 400.

**MULTILAYERED GLAZED PANELS.** Window or door assemblies that consist of two or more independently glazed panels installed parallel to each other, having a sealed air gap in between, within a frame designed to fill completely the window or door opening in which the assembly is intended to be installed.

**NONCOMBUSTIBLE.** As applied to building construction material means a material that, in the form in which it is used, is either one of the following:

1. Material of which no part will ignite and burn when subjected to fire.
2. Any material conforming to ASTM E136 shall be considered noncombustible within the meaning of this section.
3. For the purposes of this code, fire-rated gypsum board tested in accordance with ASTM C1396 with no less than a 1-hour fire-resistance-rating with fire exposure from the outside only is considered a noncombustible material.

**OCCUPIABLE SPACE.** A room or enclosed space designed for human occupancy in which individuals congregate for amusement, education or similar purposes or in which occupants are engaged at labor.

**ROOF ASSEMBLY.** A system designed to provide weather protection and resistance to design loads. The system consists of a *roof covering* and *roof deck* or a single component serving as both the *roof covering* and the *roof deck*. A *roof assembly* can include an underlayment, thermal barrier, ignition barrier, insulation or a vapor retarder.

**ROOF COVERING.** The covering applied to the *roof deck* for weather resistance, fire classification or appearance.

**ROOF DECK.** The flat or sloped surface not including its supporting members or vertical supports.



**SLOPE.** The variation of terrain from the horizontal; the number of feet rise or fall per 100 feet measured horizontally, expressed as a percentage.

**STRUCTURE.** That which is built or constructed.

**STRUCTURE IGNITION ZONE.** Structure Ignition Zone is the structure and the area around the structure (or home). The SIZ takes into account both the potential of the structure to ignite and the quality of *defensible space* surrounding it.

**TREE CROWN.** The primary and secondary branches growing out from the main stem, together with twigs and foliage.

**WILDLAND-URBAN INTERFACE.** That geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels.



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# Chapter 3 - Wildfire Hazard Identification

## SECTION 301 GENERAL

**301.1 Scope.** The provisions of this chapter provide methodology to establish and record wildfire hazard based on the findings of fact to be regulated by this code.

**301.2 Objective.** The objective of this chapter is to provide simple baseline criteria for determining *wildland-urban interface* areas based on the wildfire hazard.

## SECTION 302 WILDLAND-URBAN INTERFACE AREA DESIGNATIONS

**302.1 Declaration.** The AHJ shall declare the *wildland-urban interface* areas within the jurisdiction as defined by this code. The *wildland-urban interface* areas shall be based on the findings of fact.

## SECTION 303 MAPPING AND APPLICABILITY

**303.1 Mapping of Wildfire Hazard Areas.** Wildfire Hazard shall be recorded on official maps. These maps identify areas subject to the provisions of this code and shall be available for public inspection through an accessible online platform and at designated local government offices.

**303.1.1 Map.** This map shall be based on a combination of factors including, but not limited to, vegetative fuels, topography, local weather patterns, and fire behavior modeling data.

**303.1.2 Locally Developed Mapping.** The AHJ may develop and adopt local maps designating wildfire hazard and *fire intensity classifications* within its jurisdictional boundaries in accordance with Sections 303.1 through 303.3.

**303.2 Fire Intensity Classification.** *Fire Intensity Classification* shall be identified on the map in accordance with Section 303.1. *Fire Intensity Classification* is determined by expected wildfire behavior, including flame length and suppression difficulty and is separated into three levels: low, moderate, and high. The identified *fire intensity classification* establishes code requirements for construction and mitigation.

**303.2.1 Low Fire Intensity Classification.** *Low Fire Intensity Classification* is identified in areas with light to medium surface fuels, such as grasses, shrubs, and scattered low-density vegetation. These fuels are often discontinuous, which limits flame propagation but can sustain burning under moderate weather conditions. Fires in this class may occur on gentle to moderate *slopes*, where topography begins to influence the rate of spread. Although flame lengths remain relatively small—typically less than two feet—limited spotting may occur, especially with wind. Trained firefighters with protective equipment and standard hand tools can usually suppress these fires through



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direct attack, particularly on *slopes* under 30 percent. Mechanized equipment is typically unnecessary.

**Key Characteristics Include:**

1. **Fuels:** Light to medium surface fuels, including grasses, shrubs, and scattered vegetation (e.g., WNL, USL fuel types).
2. **Flame Length:** Less than 2 feet.
3. **Rate of Spread:** Low, increasing with *slopes* over 20 percent.
4. **Spotting:** Very short-range spotting is possible under windy conditions.
5. **Terrain Influence:** More active fire behavior on moderate *slopes* (20 to 30 percent).
6. **Suppression Difficulty:** Easily suppressed by trained firefighters using basic protective gear and hand tools. Direct attack is effective, and mechanized support is rarely needed.

**303.2.2 Moderate Fire Intensity Classification.** *Moderate Fire Intensity Classification* is identified in areas with moderate to heavy fuel loads, such as dense shrubs, small trees, and accumulated ground fuels. Fires in this class present continuous horizontal and vertical fuel arrangements, allowing flames to reach up to 8 feet in length. Fire behavior is notably influenced by moderate to steep *slopes*, often accelerating the spread. Short-range spotting becomes more common, complicating suppression efforts. Ground crews typically require mechanized support, such as engines and dozers, to establish control lines. Aircraft assistance may be necessary, particularly in inaccessible terrain. There is a significant increase in the potential for property damage and risk to life, especially in *wildland-urban interface* areas.

**Key Characteristics Include:**

1. **Fuels:** Moderate to heavy fuels, including dense shrublands, small trees, timber litter, and canopy fuels (e.g., USH, UIH fuel types).
2. **Flame Length:** Up to 8 feet.
3. **Rate of Spread:** Moderate to high, increasing significantly on *slopes* over 30 percent.
4. **Spotting:** Short-range spotting is common.
5. **Terrain Influence:** Steep *slopes* (30 percent or greater) increase fire spread and intensity.
6. **Suppression Difficulty:** Challenging for ground crews without support from engines, dozers, or aircraft. Dozers and plows are generally effective on moderate terrain.

**303.2.3 High Fire Intensity Classification.** *High Fire Intensity Classification* is identified in areas with heavy, continuous fuel loads, such as dense forest canopies, thick



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Department of Public Safety

understory growth, and heavy dead/downed material. Fires in this class frequently occur on steep *slopes*, often exceeding 40 percent, where topography dramatically increases the rate of spread and severity. Flame lengths can exceed 30 feet, and both short- and medium-range spotting are common, particularly in windy conditions. Direct suppression by ground crews is typically ineffective, requiring indirect attack strategies, such as backburns and aerial retardant drops. Fires in this class pose extreme risk to life, property, and firefighter safety, especially in rugged or remote areas.

**Key Characteristics Include:**

1. **Fuels:** Heavy fuels, including dense forests, urban core areas with heavy fuel loads, and canopy-dominated regions (e.g., WNH, USH, UCH fuel types).
2. **Flame Length:** Up to 30 feet or more.
3. **Rate of Spread:** Rapid, especially on *slopes* greater than 40 percent.
4. **Spotting:** Short-range spotting is common; medium-range spotting is possible under windy conditions.
5. **Terrain Influence:** *Slopes* over 40 percent amplify intensity and spread, creating dangerous conditions for suppression.
6. **Suppression Difficulty:** Direct attack by ground forces and dozers is generally ineffective. Indirect strategies (backburning, aerial support) are often necessary.

These fires present significant danger to life, property, and responder safety.

**303.3 Applicability of Code Provisions.** The requirements of this code shall apply to all parcels located within designated Wildfire Hazard Areas and corresponding *fire intensity classifications* as identified on the official maps. The level of structure hardening, *defensible space*, and other mitigation measures required shall correspond to the applicable *fire intensity classification*—Low, Moderate, or High—as established by the board.

Structures and parcels identified with low *fire intensity classification* shall be constructed and maintained in accordance with the provisions for Class 1 structure hardening and site and area requirements.

Structures and parcels identified with moderate to high *fire intensity classifications* shall be constructed and maintained in accordance with the provisions for Class 2 structure hardening and site and area requirements.

## SECTION 304 GROUND-TRUTHING

**304.1 Purpose.** This section establishes a process for owners or the owners authorized representative to request a ground-truthing review of their property’s Wildfire Hazard or *fire intensity classification* as identified on state or locally adopted maps. The intent is to provide an opportunity to verify that mapping accurately reflects current, site-specific conditions.



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**304.2 Determination of Fire Intensity Classification and Code Requirements.** As determined by the *code official*, the *fire intensity classification* and associated requirements shall be based on a review of the vegetative fuels on the parcel and within 300' of the parcel boundary, topography, local weather patterns, and fire behavior modeling data and in accordance with the following *fire intensity classifications*:

**304.2.1** *Low Fire Intensity Classification* in accordance with Section 303.2.1

**304.2.2** *Moderate Fire Intensity Classification* in accordance with Section 303.2.2

**304.2.3** *High Fire Intensity Classification* in accordance with Section 303.2.3

This determination shall be made based on existing conditions or conditions that have been established by a development plan approved by the local jurisdiction. Technical documentation shall be submitted in support of such request by a qualified wildfire professional and in accordance with Section 104.2.



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# Chapter 4- Structure Hardening

## SECTION 401 GENERAL

**401.1 Scope.** Exterior design and construction of new buildings and structures within the *wildland-urban interface* areas of Colorado shall be constructed in accordance with this chapter.

**Exceptions:**

1. Buildings of an accessory character classified as Group U occupancy (including *agricultural buildings*) of any size located at least 50 feet from a structure containing *occupiable* or *habitable space*.
2. One-story detached accessory, nonhabitable structures, such as tool and storage sheds, playhouses and similar uses, provided that the floor area does not exceed 120 square feet and the structure is located greater than or equal to 10 feet from the nearest adjacent occupiable structure.
3. The reconstruction, replacement, alteration, or repair of the exterior walls of an existing building, when less than 25 percent of the surface area of all exterior walls is affected.
4. The reconstruction, replacement, alteration, or repair of the exterior *roof covering* of an existing building, when less than 25 percent of the surface area of the exterior *roof covering* or an attachment thereto is affected.
5. Alterations or repairs to the exterior of an existing structure, or an attachment to it, when less than twenty-five percent of the exterior of the structure is affected by the alteration or repair.
6. Additions that do not increase the footprint of a structure by more than 500 square feet.

## SECTION 402 BUILDING MATERIAL

**402.1 Building material.** Building materials shall comply with any one of the requirements in Section 402.2 through 402.4.

**402.2 Noncombustible material.** *Noncombustible* material shall comply with the definition of *noncombustible* materials in Section 202.

**402.3 Fire-retardant-treated wood.** *Fire-retardant-treated wood* shall be identified for exterior use and shall meet the requirements of Section 2303.2 of the 2024 *International Building Code*.

**402.4 Ignition-resistant building material.** Material shall be tested on the front and back faces in accordance with the extended ASTM E84 or UL 723 test, for a total test period of 30 minutes, or with the ASTM E2768 test. The materials shall bear identification showing the fire test results. Panel products shall be tested with a ripped or cut longitudinal gap of 1/8 inch. The materials, when tested in accordance with the test procedures set forth in ASTM E84 or UL 723



for a test period of 30 minutes, or with ASTM E2768, shall comply with Sections 402.4.1 through 402.4.3.3. Materials or products which melt, drip or delaminate to the extent that the flame front is interrupted are not permitted.

**Exception:** Materials composed of a combustible core and a noncombustible exterior covering made from either aluminum at a minimum 0.019 inch thickness or corrosion-resistant steel at a minimum 0.0149 inch thickness shall not be required to be tested with a ripped or cut longitudinal gap.

**402.4.1 Flame spread.** The material shall exhibit a *flame spread index* not exceeding 25.

**402.4.2 Flame front.** The material shall exhibit a flame front that does not progress more than 10 feet 6 inches beyond the centerline of the burner at any time during the test.

**402.4.3 Weathering.** *Ignition-resistant building materials* shall maintain their performance in accordance with this section under conditions of use. The materials shall meet the performance requirements for weathering (including exposure to temperature, moisture and ultraviolet radiation) contained in Sections 402.4.3.1 through 402.4.3.3, as applicable to the materials and conditions of use.

**402.4.3.1 Evaluation requirements for weathering.** Fire-retardant-treated wood, wood-plastic composite materials and plastic lumber materials shall be evaluated after weathering in accordance with Method A “Test Method for Accelerated Weathering of Fire-Retardant-Treated Wood for Fire Testing” in ASTM D2898.

**402.4.3.2 Wood-plastic composite materials.** Wood-plastic composite materials shall also demonstrate acceptable fire performance after weathering by the following procedure: first testing in accordance with ASTM E1354 at an incident heat flux of 50 kW/m<sup>2</sup> in the horizontal orientation, then weathering in accordance with ASTM D7032 and then retesting in accordance with ASTM E1354 and exhibiting an increase of no more than 10 percent in peak rate of heat release when compared to the peak heat release rate of the nonweathered material.

**402.4.3.3 Plastic lumber materials.** Plastic lumber materials shall also demonstrate acceptable fire performance after weathering by the following procedure: first testing in accordance with ASTM E1354 at an incident heat flux of 50 kW/m<sup>2</sup> in the horizontal orientation, then weathering in accordance with ASTM D6662 and then retesting in accordance with ASTM E1354 and exhibiting an increase of no more than 10 percent in peak rate of heat release when compared to the peak heat release rate of the nonweathered material.



## SECTION 403 CLASS 1 STRUCTURE HARDENING

**403.1 General.** Class 1 structure hardening shall be in accordance with Sections 403.2 through 403.4.2 and shall apply to buildings and structures hereafter constructed, modified or relocated into or within areas of the *wildland-urban interface* having a low fire hazard severity.

**403.2 Roofing.** Roofs shall have a *roof covering* or *roof assembly* classified as Class A when tested in accordance with ASTM E108 or UL 790.

**403.2.1 Flame and ember protection of roofs.** For roof assemblies where the roof covering profile creates a space between the roof covering and roof deck, the space shall resist the entry of flames and embers by one or more of the following methods:

1. Firestopping with noncombustible material of the space between the roof covering and the roof deck.
2. Installation of one layer of cap sheet complying with ASTM D3909 over the combustible roof deck.
3. Installation of a listed Class A classified roof assembly.

**403.2.2 Roof valley flashings.** Valley flashings shall be not less than 0.019 inch (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36-inch-wide underlayment consisting of one layer of cap sheet complying with ASTM D3909 running the full length of the valley.

**403.3 Gutters and downspouts.** Gutters and downspouts shall be constructed of *noncombustible* material.

**403.4 Ventilation Openings.** Ventilation openings for enclosed attics, enclosed rafter spaces, and underfloor spaces shall be in accordance with Section 403.4.1 or Section 403.4.2 as applicable.

**403.4.1 Performance Requirements.** Ventilation openings shall be fully covered with listed vents, tested in accordance with ASTM E2886, to demonstrate compliance with all the following requirements:

1. There shall be no flaming ignition of the cotton material during the Ember Intrusion Test.
2. There shall be no flaming ignition during the Integrity Test portion of the Flame Intrusion Test.
3. The maximum temperature of the unexposed side of the vent shall not exceed 662°F (350°C).

**403.4.2 Prescriptive Requirements.** Ventilation openings for enclosed attics, enclosed rafter spaces, and underfloor spaces shall be covered with *noncombustible* 404.3 corrosion-resistant mesh with openings not to exceed 1/8-inch.



## SECTION 404 CLASS 2 STRUCTURE HARDENING

**404.1 General.** Class 2 structure hardening shall be in accordance with Sections 404.2 through 404.10.1 as well as the provisions of Class 1 structure hardening in Sections 403.2-403.4.2 and shall apply to buildings and structures hereafter constructed, modified or relocated into or within areas of the *wildland-urban interface* having a moderate or high fire hazard severity. See also Sections 101.6-101.7.

**404.2 Protection of eaves.** Eaves and soffits shall be protected on the exposed underside by *noncombustible material, ignition-resistant materials*, or by materials approved for not less than 1-hour *fire-resistance-rated construction, 5/8-inch Type X drywall, 2-inch nominal dimension lumber, or 1 inch nominal fire-retardant-treated wood* or 3/4 inch nominal fire-retardant-treated plywood, identified for exterior use and meeting the requirements of Section 2303.2 of the 2024 *International Building Code*. Fascias are required and shall be protected on the backside by *noncombustible material, ignition-resistant materials*, or by materials approved for not less than 1-hour *fire-resistance-rated construction, 5/8-inch Type X drywall, or 2-inch nominal dimension lumber*.

**404.3 Exterior Walls.** Exterior walls of buildings or structures shall be constructed with one of the following methods:

1. Exterior wall assemblies with a minimum of 1-hour fire-resistance rating, rated for exposure on the exterior side.
2. *Approved noncombustible materials.*
3. *Heavy timber or log wall construction.*
4. *Noncombustible materials* complying with Section 402.2 on the exterior side.
5. *Fire-retardant treated wood* complying with Section 402.3 on the exterior side. The *fire-retardant-treated wood* shall be labeled for exterior use and meet the requirements of Section 2303.2 of the 2024 *International Building Code*.
6. *Ignition-resistant materials* complying with Section 402.4 on the exterior side.

Such material shall extend from the top of the foundation to the underside of the eave or the underside of the roof sheathing.

### **Exceptions:**

1. Exterior wall *embellishments* and architectural trim (exclusive of trim on exterior windows and doors) not to exceed 5 percent of the square footage of the exterior wall.
2. Roof or wall top cornice projections and similar assemblies.
3. Solid wood rafter tails and solid wood blocking installed between rafters having minimum dimension 2 inch nominal.

**404.3.1 Exterior Wall Coverings.** Exterior wall coverings shall be limited to the following:

1. *Noncombustible materials.*
2. *Fire-retardant-treated wood.*
3. *Ignition-resistant building materials.*



**Exception:** Where options 1 or 2 in section 404.3 are used, vinyl siding may be used as an exterior covering.

**404.3.2 Flashing.** A minimum of 6 inches of metal flashing or *noncombustible* material applied vertically between the wall sheathing and the exterior cladding shall be installed at the ground, decking, and roof intersections.

Combustible sheathing products exposed by the gap created at the base of the exterior walls, posts, or columns must be protected with *noncombustible material* or *ignition-resistant building materials* while still permitting drainage and moisture control from behind exterior cladding.

**404.4 Underfloor enclosure.** Buildings or structures shall have underfloor areas enclosed to the ground or comply with exterior walls in accordance with Section 404.3.

**404.5 Decking.** Unenclosed decks shall have the deck walking surface constructed of one of the following:

1. *Approved noncombustible* materials
2. Class A rated material

**Exception:** Composite decking material with a minimum of Class B rating

3. *Fire-retardant-treated wood* identified for exterior use and meeting the requirements of Section 2303.2 of the 2024 *International Building Code*
4. *Ignition-resistant building materials* in accordance with Section 402.4.

**404.6 Appendages and Projections.** Appendages and projections shall be constructed in accordance with Section 404.3.

**404.7 Exterior Glazing.** Exterior windows, window walls and glazed doors, windows within exterior doors, and skylights shall be tempered glass, *multilayered glazed panels*, glass block or have a fire protection rating of not less than 20 minutes.

**404.8 Exterior Doors.** Exterior doors shall be *approved noncombustible* construction, solid core wood not less than 1 ¾-inches thick, or have a fire protection rating of not less than 20 minutes. Windows within doors and glazed doors shall be in accordance with Section 404.7.

**Exception:** Vehicle access doors.

**404.9 Vehicle Access Door Perimeter Gap.** Exterior vehicle access doors shall resist the intrusion of embers from entering by preventing gaps between doors and door openings, at the head, sill, and jamb of doors from exceeding ⅛ inch as approved by the AHJ.

Gaps between doors and door openings shall be controlled by one of the following methods:

1. Weather-stripping products made of materials that: (a) have been tested for tensile strength in accordance with ASTM D638 (Standard Test Method for Tensile Properties of Plastics) after exposure to ASTM G155 (Standard Practice for Operating Xenon Arc Light Apparatus for Exposure of Non-Metallic Materials) for a period of 2,000 hours, when the maximum allowable difference in tensile strength values between exposed and



non-exposed samples does not exceed 10 percent; and (b) exhibit a V-2 or better flammability rating when tested to UL 94 (Standards for Tests for Flammability of Plastic Materials for Parts in Devices and Appliances).

2. Door overlaps onto jambs and headers.
3. Garage door jambs and headers covered with metal flashing.

**404.10 Detached Accessory Structures.** Detached *accessory structures* located less than 50 feet from a building containing *habitable* or *occupiable space* shall have exterior walls constructed in accordance with Section 404.3 through 404.3.2.

**404.10.1 Underfloor areas.** Where the detached structure is located and constructed so that the structure or any portion thereof projects over a descending *slope* surface greater than 10 percent, the area below the structure shall have underfloor areas enclosed to within 6 inches of the ground, with exterior wall construction in accordance with Section 404.3 or underfloor protection in accordance with Section 404.4 or with 1/8-inch metal corrosion-resistant screen with a hardened zone within 5 feet.

**Exception:** The enclosure shall not be required where the underside of exposed floors and exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour *fire-resistance-rated construction*, *heavy timber construction*, *noncombustible* materials on the exterior side, or *fire-retardant-treated wood* on the exterior side. The *fire-retardant-treated wood* shall be labeled for exterior use and meet the requirements of Section 2303.2 of the 2024 *International Building Code*.



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# Chapter 5- Site and Area Requirements

## SECTION 501 GENERAL

**501.1 Scope.** The provisions of this chapter shall apply to parcels subject to this code.

**501.2 Reference.** As needed, the *code official* shall refer to the Home Ignition Zone (HIZ) Guide as developed by the Colorado State Forest Service.

Where conflicts occur between provisions of this code and the HIZ Guide, the provisions of this code shall govern. The provisions of this code, as applicable, shall take precedence over the provisions in the referenced standard.

## SECTION 502 CLASS 1 REQUIREMENTS

### 502.1 Structure Ignition Zone 1 (0-5 feet): Immediate Zone

**502.1.1 Objective.** This zone is designed to reduce or eliminate ember ignition and direct flame contact with the structure, decks, stairs, and attachments.

**502.1.2 Materials.** Use *noncombustible*, hard surface materials in this zone, such as rock, gravel, sand, concrete, bare earth or stone/concrete pavers.

**Exception:** Ignition-resistant plantings, per an approved list by the AHJ that is not less than that created by the Colorado State Forest Service, are allowed in the Immediate Zone.

**502.1.3 Plantings.** Remove all plantings including shrubs, slash, combustible mulch and other woody debris, with the exception of ignition-resistant vegetation.

**502.1.4 Trees.** There shall be no planting of new trees in the immediate zone. Mature trees of no less than 10-inch diameter at 4.5 feet above ground level may be maintained.

*Tree crowns* extending to within 10 feet of any structure shall be pruned to maintain a minimum clearance of 10 feet.

Prune tree branches to a height of 6-10 feet from the ground or a third of the total height of the tree, whichever is less.

### 502.2 Site Signage

**502.2.1 Marking of roads.** *Approved* signs or other *approved* notices shall be provided and maintained for access roads and driveways to identify such roads and prohibit the obstruction thereof.

**502.2.2 Marking of fire protection equipment.** Fire protection equipment and fire hydrants shall be clearly identified in a manner *approved* by the *code official* to prevent obstruction.



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**502.2.3 Address markers.** Buildings shall have a permanently posted address, which shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located in a manner *approved* by the *code official*.

### 502.3 Retaining Walls

**502.3.1 Retaining Walls.** Retaining walls shall be constructed with either *noncombustible* or ignition-resistant materials when any of the following conditions exist:

1. The retaining wall is within 8 feet of a structure regulated by this code or up to the property line when the property line is less than 8 feet away from the structure.
2. The retaining wall is integral to the support of a structure regulated by this code.
3. The retaining wall is integral to the egress from a structure regulated by this code to a public way, easement, or private road.

### 502.4 Fencing

**502.4.1 Fencing.** Fencing within 8 feet of a structure regulated by this code or up to the property line when the property line is less than 8 feet away from the structure shall be constructed with *noncombustible* or ignition-resistant materials.

**Exception:** Vinyl fencing. Vinyl fencing may be allowed.

## SECTION 503 CLASS 2 REQUIREMENTS

**503.1 General.** Class 2 site and area requirements shall be in accordance with Sections 503.2 through 503.3.2 and include all requirements of Class 1 in Sections 502.1 through 502.4.

### 503.2 Structure Ignition Zone 2 (5-30 feet) Intermediate Zone

**503.2.1 Objective.** This zone is designed to give an approaching fire less fuel, which will help reduce its intensity as it gets nearer to structures.

**503.2.2 Dead Materials.** Within the *fuel modification* area, hazardous dead plant material must be removed from live vegetation.

**503.2.3 Fuels Accumulation.** Avoid large accumulations of surface fuels such as logs, branches, slash and combustible mulch.

**503.2.4 Trees.** *Tree crowns* extending to within 10 feet of any structure shall be pruned to maintain a minimum clearance of 10 feet.

Prune tree branches to a height of 6-10 feet from the ground or a third of the total height of the tree, whichever is less.



**503.2.4.1 Tree Spacing.** *Tree crowns* within this zone shall be spaced to prevent structure ignition and promote fuel discontinuity to limit fire spread.

**503.2.5 Shrubs.** Shrub groups within this zone shall be spaced to prevent structure ignition. Shrubs shall be at least 10 feet away from the edge of tree branches.

**503.3 Structure Ignition Zone 3 (30-100 feet) Expanded Zone**

**503.3.1 Objective.** This zone focuses on mitigation that keeps fire on the ground.

**503.3.2 Tree Spacing.** *Tree crowns* within this zone shall be spaced at a minimum of 6-10 feet.



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# Appendix A: PERMITS

*The provisions of this appendix apply only when adopted by the governing body in the final ordinance.*

**A101.1 General.** Where not otherwise provided in the requirements of the *International Building Code* or *International Fire Code*, permits are required in accordance with Sections A101.2 through A101.9.

**A101.2 Permits required.** Unless otherwise exempted, buildings or structures regulated by this code shall not be erected, constructed, altered, repaired, moved, converted, changed, or changed in use or occupancy unless a separate permit for each building or structure has first been obtained from the *code official*.

For buildings or structures erected for temporary uses, see Section 105.

**A101.3 Permit application.** To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

1. Identify and describe the work, activity, operation, practice or function to be covered by the permit for which application is made.
2. Describe the land on which the proposed work, activity, operation, practice or function is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building, work, activity, operation, practice or function.
3. Indicate the use or occupancy for which the proposed work, activity, operation, practice or function is intended.
4. Be accompanied by plans, diagrams, computation and specifications and other data as required in Appendix B.
5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
6. Be signed by the applicant or the applicant's authorized agent.
7. Give such other data and information as required by the *code official*.

**A101.3.1 Preliminary inspection.** Before a permit is issued, the *code official* is authorized to inspect and approve the systems, equipment, buildings, devices, premises and spaces or areas to be used.

**A101.3.2 Time limitation of application.** An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that



the *code official* is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

**A101.4 Permit approval.** Before a permit is issued, the *code official*, or an authorized representative, shall review and approve permitted uses, occupancies or structures. Where laws or regulations are enforceable by other agencies or departments, a joint approval shall be obtained from agencies or departments concerned.

**A101.5 Permit issuance.** The application, plans, specifications and other data filed by an applicant for a permit shall be reviewed by the *code official*. If the *code official* finds that the work described in an application for a permit and the plan, specifications and other data filed therewith conform to the requirements of this code, the *code official* is allowed to issue a permit to the applicant.

When the *code official* issues the permit, the *code official* shall endorse in writing or stamp the plans and specifications APPROVED. Such *approved* plans and specifications shall not be changed, modified or altered without authorization from the *code official*, and work regulated by this code shall be done in accordance with the *approved* plans.

**A101.5.1 Refusal to issue a permit.** Where the application or construction documents do not conform to the requirements of pertinent laws, the *code official* shall reject such application in writing, stating the reasons therefor.

**A101.6 Validity of permit.** The issuance or granting of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or conceal the provisions of this code or other ordinances of the jurisdiction shall not be valid.

**A101.7 Expiration.** Every permit issued by the *code official* under the provisions of this code shall expire by limitation and become null and void if the building, use or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building, use or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days.

Any permittee holding an unexpired permit is allowed to apply for an extension of the time within which work is allowed to commence under that permit where the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The *code official* is authorized to extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Permits shall not be extended more than once.



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**A101.8 Retention of permits.** Permits shall at all times be kept on the premises designated therein and shall at all times be subject to inspection by the *code official* or other authorized representative.

**A101.9 Revocation of permits.** Permits issued under this code can be suspended or revoked where it is determined by the *code official* that:

1. It is used by a person other than the person to whom the permit was issued.
2. It is used for a location other than that for which the permit was issued.
3. Any of the conditions or limitations set forth in the permit have been violated.
4. The permittee fails, refuses or neglects to comply with any order or notice duly served on him or her under the provisions of this code within the time provided therein.
5. There has been any false statement or misrepresentation as to material fact in the application or plans on which the permit or application was made.
6. The permit is issued in error or in violation of any other ordinance, regulations or provisions of this code.

The *code official* is allowed to, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this code.



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## Appendix B: CONSTRUCTION DOCUMENTS

*The provisions of this appendix apply only when adopted by the governing body in the final ordinance.*

**B101.1 General.** Plans, engineering calculations, diagrams and other data shall be submitted in the format as required by the jurisdiction. The construction documents shall be prepared and submitted where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *code official* is authorized to require additional documentation.

**Exception:** Submission of plans, calculations, construction inspection requirements and other data, if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

**B101.2 Information on plans and specifications.** Plans and specifications shall be drawn to scale on substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed, and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations.

**B101.3 Site plan.** In addition to the requirements for plans in the *International Building Code*, site plans shall include topography, landscape and vegetation details and locations of structures or building envelopes. The *code official* is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted. Identify the *fire intensity classification*.

**B101.3.1 Defensible Space Site Plans.** Defensible space site plans shall be prepared and submitted to the *code official* for review and approval as part of the site plans required for a permit. The *code official* is authorized to waive or modify the requirement for a defensible space site plan where the application for permit is for alteration or repair or where otherwise warranted.

**B101.5 Other data and substantiation.** Where required by the *code official*, the plans and specifications shall include classification of fuel loading, fuel model light, medium or heavy, and substantiating data to verify classification of fire-resistive vegetation.

**B101.6 Retention of plans.** One set of *approved* plans, specifications and computations shall be retained by the *code official* for a period of not less than 180 days from date of completion of the permitted work or as required by state or local laws.

**B101.7 Examination of documents.** The *code official* shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.



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**B101.8 Amended construction documents.** Work shall be installed in accordance with the *approved* construction documents, and changes made during construction that are not in compliance with the *approved* documents shall be resubmitted for approval as an amended set of construction documents.

**B101.9 Previous approvals.** This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

**B101.10 Phased approval.** The *code official* is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.



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# Appendix C: INSPECTION AND ENFORCEMENT

*The provisions of this appendix apply only when adopted by the governing body in the final ordinance.*

**C101.1 Inspection.** Inspections shall be in accordance with Sections C101.1.1 through C101.1.4.3.

**C101.1.1 General.** Construction or work for which a permit is required by this code shall be subject to inspection by the *code official* and such construction or work shall remain visible and able to be accessed for inspection purposes until *approved* by the *code official*.

It shall be the duty of the permit applicant to cause the work to remain visible and able to be accessed for inspection purposes. Neither the *code official* nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

Where required by the *code official*, a survey of the lot shall be provided to verify that the mitigation features are provided and the building or structure is located in accordance with the *approved* plans.

**C101.1.2 Authority to inspect.** The *code official* shall inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the *code official* for the purpose of ascertaining and causing to be corrected any conditions that could reasonably be expected to cause fire or contribute to its spread, or any violation of the purpose of this code and of any other law or standard affecting fire safety.

**C101.1.2.1 Approved inspection agencies.** The *code official* is authorized to accept reports of approved inspection agencies, provided that such agencies satisfy the requirements as to qualifications and reliability.

**C101.1.2.2 Inspection requests.** It shall be the duty of the holder of the permit or their duly authorized agent to notify the *code official* when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

**C101.1.2.3 Approval required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *code official*. The *code official*, upon notification, shall make the requested inspections and shall



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Department of Public Safety

either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *code official*.

**C101.1.3 Reinspections.** To determine compliance with this code, the *code official* can cause a structure to be reinspected. A fee can be assessed for each inspection or reinspection where work for which inspection is called is not complete or where corrections called for are not made.

Reinspection fees can be assessed where the *approved* plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the *code official*.

To obtain a reinspection, the applicant shall pay the reinspection fee as set forth in the fee schedule adopted by the jurisdiction. Where reinspection fees have been assessed, additional inspection of the work will not be performed until the required fees have been paid.

**C101.1.4 Testing.** Installations shall be tested as required in this code and in accordance with Sections C101.1.4.1 through C101.1.4.3. Tests shall be made by the permit holder or authorized agent and observed by the *code official*.

**C101.1.4.1 New, altered, extended or repaired installations.** New installations and parts of existing installations that have been altered, extended, renovated or repaired, shall be tested as prescribed herein to disclose defects.

**C101.1.4.2 Apparatus, instruments, material and labor for tests.** Apparatus, instruments, material and labor required for testing an installation or part thereof shall be furnished by the permit holder or authorized agent.

**C101.1.4.3 Reinspection and testing.** Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the *code official* for inspection and testing.

**C101.2 Enforcement.** Enforcement shall be in accordance with Sections C101.2.1 and C101.2.2.

**C101.2.1 Authorization to issue corrective orders and notices.** Where the *code official* finds any building or premises that are in violation of this code, the *code official* is authorized to issue corrective orders and notices.

**C101.2.2 Service of orders and notices.** Orders and notices authorized or required by this code shall be given or served on the owner, the owner's authorized agent, operator, occupant or other person responsible for the condition or violation either by verbal notification, personal service, or delivering the same to, and leaving it with, a person of suitable age and discretion on the premises; or, if such person is not found on the



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premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of said premises and by mailing a copy thereof to such person by registered or certified mail to the person's last known address.

Orders or notices that are given verbally shall be confirmed by service in writing as herein provided.

**C101.3 Compliance with orders and notices.** Compliance with orders and notices shall be in accordance with Sections C101.3.1 through C101.3.8.

**C101.3.1 General compliance.** Orders and notices issued or served as provided by this code shall be complied with by the owner, the owner's authorized agent, operator, occupant or other person responsible for the condition or violation to which the corrective order or notice pertains.

If the building or premises is not occupied, then such corrective orders or notices shall be complied with by the owner or the owner's authorized agent.

**C101.3.2 Compliance with tags.** building or premises shall not be used when in violation of this code as noted on a tag affixed in accordance with Section C101.3.1.

**C101.3.3 Removal and destruction of signs and tags.** A sign or tag posted or affixed by the *code official* shall not be mutilated, destroyed or removed without authorization by the *code official*.

**C101.3.4 Citations.** Persons operating or maintaining an occupancy or premises subject to this code who allow a hazard to exist or fail to take immediate action to abate a hazard on such occupancy, premises or vehicle when ordered or notified to do so by the *code official* shall be guilty of a misdemeanor.

**C101.3.5 Unsafe conditions.** Buildings, structures or premises that constitute a fire hazard or are otherwise dangerous to human life, or that in relation to existing use constitute a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage or abandonment as specified in this code or any other ordinance, are unsafe conditions. Unsafe buildings or structures shall not be used. Unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal, pursuant to applicable state and local laws and codes.

**C101.3.5.1 Record.** The *code official* shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

**C101.3.5.2 Notice.** Where an unsafe condition is found, the *code official* shall serve on the owner, owner's authorized agent or person in control of the building, structure or premises, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or



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requires the unsafe structure to be demolished. Such notice shall require the person thus notified, or their designee, to declare to the *code official* within a stipulated time, acceptance or rejection of the terms of the order.

**C101.3.5.2.1 Method of service.** Such notice shall be deemed properly served where a copy thereof is served by one of the following methods:

1. Delivered to the owner or the owner’s authorized agent personally.
2. Sent by certified or registered mail addressed to the owner or the owner’s authorized agent at the last known address with a return receipt requested.
3. Delivered in any other manner as prescribed by local law.

Where the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner on the owner’s authorized agent or on the person responsible for the structure shall constitute service of notice on the owner.

**C101.3.5.3 Placarding.** Upon failure of the owner, the owner’s authorized agent or the person responsible to comply with the notice provisions within the time given, the *code official* shall post on the premises or on defective equipment a placard bearing the word “UNSAFE” and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

**C101.3.5.3.1 Placard removal.** The *code official* shall remove the unsafe condition placard whenever the defect or defects on which the unsafe condition and placarding action were based have been eliminated. Any person who defaces or removes an unsafe condition placard without the approval of the *code official* shall be subject to the penalties provided by this code.

**C101.3.5.4 Abatement.** The owner, the owner’s authorized agent, operator or occupant of a building, structure or premises deemed unsafe by the *code official* shall abate, correct or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action.

**C101.3.5.5 Summary abatement.** Where conditions exist that are deemed hazardous to life and property, the *code official* is authorized to abate or correct summarily such hazardous conditions that are in violation of this code.

**C101.3.5.6 Evacuation.** The *code official* shall be authorized to order the immediate evacuation of any occupied building, structure or premises deemed unsafe where such hazardous conditions exist that present imminent danger to the occupants. Persons so notified shall immediately leave the structure or premises and shall not enter or reenter until authorized to do so by the *code official*.



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Department of Public Safety



**COLORADO**  
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Prevention & Control  
Department of Public Safety

**C101.3.6 Prosecution of violation.** If the notice of violation is not complied with promptly, the *code official* is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

**C101.3.7 Violation penalties.** An AHJ has the authority to establish fees.

**C101.3.8 Abatement of violation.** In addition to the imposition of the penalties herein described, the *code official* is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.



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# City Council Action Form

<b>Department</b> Community Development	<b>Presented By</b> Kristen Hodges - Senior Planner	<b>Date</b> July 7, 2026
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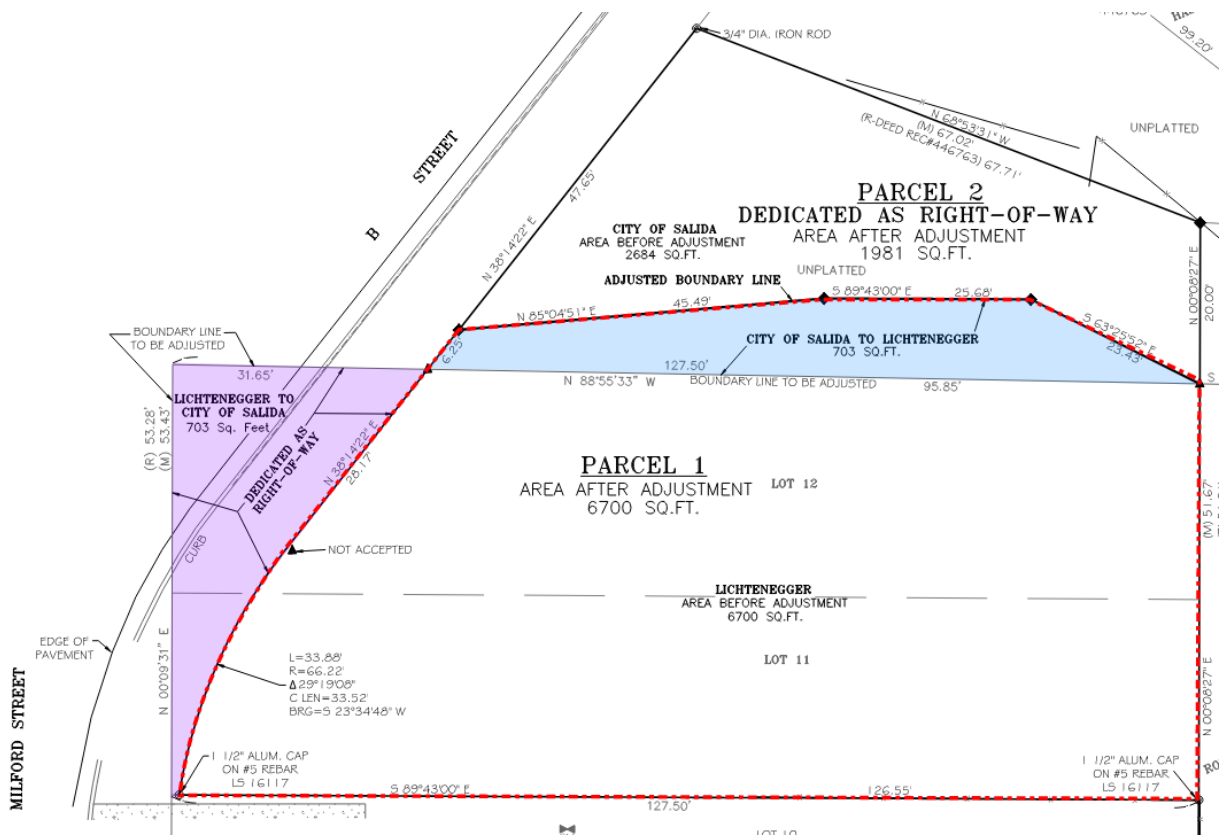
## Agenda Item

Ordinance 2026-17, an ordinance of the City Council for the City of Salida, Colorado approving the transfer and conveyance of real property from the City of Salida, approving the transfer and conveyance of real property to the City of Salida, and approving the Lichtenegger – City of Salida Boundary Line Adjustment – public hearing.

## Background

This lot adjustment is due to an unintentional encroachment of the adjacent City right-of-way that was constructed on Mr. Lichtenegger's property along B Street many years ago. The request is for a minor subdivision (boundary line adjustment) for the properties located within Lots 11 and 12, Block 5, Roberd's 2nd Addition and an unplatted portion of the City of Salida, Chaffee County, Colorado to rectify the encroachment.

Via transfer and conveyance of real property, an equal amount of land area is proposed to be exchanged, resulting in the addition of 703 square feet to Mr. Lichtenegger's property (Parcel Number R380705405175) and the addition of 703 square feet of property to City street right-of-way along Milford Street and B Street.



## **Recommendation**

Staff recommends approval of Ordinance 2026-17 approving transfer and conveyance of real property from the City of Salida, approving the transfer and conveyance of real property to the City of Salida, and approving the Lichtenegger – City of Salida Boundary Line Adjustment.

## **Fiscal Impact**

The City incurred the cost of surveying for the subdivision plats to be created. There is no future fiscal impact.

## **Motion**

A City Councilmember should state “I move to \_\_\_\_\_ Ordinance 2026-17, an ordinance of the City Council for the City of Salida, Colorado approving the transfer and conveyance of real property from the City of Salida, approving the transfer and conveyance of real property to the City of Salida, and approving the Lichtenegger – City of Salida Boundary Line Adjustment”, followed by a second and a roll call vote.

### Attachments:

Ordinance 2026-17

Boundary Line Adjustment Draft Plat

Quitclaim Deeds

Proof of noticing

**City of Salida, Colorado**  
**Ordinance No. 17**  
**(Series of 2026)**

**An Ordinance of the City Council of the City of Salida, Colorado, Approving the Transfer and Conveyance of Real Property from the City of Salida, Approving the Transfer and Conveyance of Real Property to the City of Salida, and Approving the Lichtenegger – City of Salida Boundary Line Adjustment**

**WHEREAS**, the City of Salida, Colorado ("City") is a statutory city, duly organized and existing under the laws of the State of Colorado; and

**WHEREAS**, pursuant to Colorado Revised Statutes § 31-15-713, the City, acting by and through its City Council ("Council"), possesses the authority to sell and dispose of real estate owned by the City by ordinance, where the real property was not used or held for park purposes or any governmental purpose; and

**WHEREAS**, the City owns approximately 703 square feet of certain real property (the "City Property"), more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference; and

**WHEREAS**, Rodney W. Lichtenegger owns approximately 703 square feet of certain real property (the "Lichtenegger Property"), more particularly described in **Exhibit B**, attached hereto and incorporated herein by this reference; and

**WHEREAS**, the City has determined that it would further the goals and objectives of the City, its residents, customers and taxpayers to transfer the City Property to Rodney W. Lichtenegger in exchange for the dedication, transfer and conveyance by Rodney W. Lichtenegger of the Lichtenegger Property to the City to be used as City right-of-way; and

**WHEREAS**, the impact of the foregoing contemplated transfers and conveyances on the applicable parcels are more particularly described in **Exhibit C - Lichtenegger – City of Salida Boundary Line Adjustment**, attached hereto and incorporated herein by this reference; and

**WHEREAS**, the City Council finds and determines that the City Property has not been a public park, and is not, or has not been, used or held for any governmental purpose; and

**WHEREAS**, the City Council therefore desires to approve the transfer and conveyance of the City Property; and

**WHEREAS**, the City Council likewise authorizes the acceptance of the Lichtenegger Property as dedicated City right-of-way in exchange for the conveyance of the City Property, and authorizes the execution of all necessary documents associated with the exchange, transfer and conveyance of the foregoing properties.

**Now, therefore, be it ordained by the City Council of the City of Salida, Colorado, that:**

**Section 1.** The City Council incorporates the foregoing recitals as conclusions, facts, determinations and findings by the City Council.

**Section 2.** Conveyance of Real Property. Pursuant to Colorado Revised Statutes § 31-15-713, the City Council hereby approves the conveyance and transfer of the real property described on **Exhibit A**, from the City to Rodney W. Lichtenegger, and authorizes and directs the Mayor to execute a quitclaim deed and such other instruments as necessary to effect such conveyance, in forms approved by the City Attorney.

**Section 3.** Acceptance of Real Property. The City Council hereby approves the City's acceptance of the real property described on **Exhibit B**, in exchange for the conveyance of the real property described on **Exhibit A** and authorizes the Mayor to execute any instruments as necessary to effect such conveyance, in forms approved by the City Attorney.

**Section 4.** Lichtenegger – City of Salida Boundary Line Adjustment. The City Council hereby approves the Lichtenegger – City of Salida Boundary Line Adjustment, set forth as **Exhibit C**, and authorizes the recordation of same with the Chaffee County Clerk and Recorder.

**Section 5.** Severability. The provisions of this ordinance are severable and the invalidity of any section, phrase, clause or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

Introduced on First Reading, on the 16<sup>th</sup> day of June, 2026, adopted and ordered published in full in a newspaper of general circulation in the City of Salida by the City Council on the 25<sup>th</sup> day of June, 2026, and set for Second Reading and Public Hearing on the 7<sup>th</sup> day of July, 2026.

Introduced on Second Reading, finally adopted and ordered published by Title only, by the City Council on the 7<sup>th</sup> day of July, 2026.

City Of Salida, Colorado

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk/Deputy Clerk

**Exhibit A**  
**City Property**

**LEGAL DESCRIPTION**  
**OF A**  
**TRACT OF LAND**

A TRACT OF LAND LOCATED WITHIN THE WEST HALF OF SECTION 5, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, AND WITHIN AN UNPLATTED PORTION OF THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 12, BLOCK 5 OF ROBERD'S 2<sup>ND</sup> ADDITION TO THE CITY OF SALIDA, BEING MARKED BY A #5 REBAR, FROM WHENCE THE SOUTHEAST CORNER OF LOT 11, BLOCK 5 OF ROBERD'S 2<sup>ND</sup> ADDITION TO THE CITY OF SALIDA, BEING MARKED BY A 1 ½" ALUMINUM CAP STAMPED LS 16117, BEARS SOUTH 00°08'27" WEST, A DISTANCE OF 51.67 FEET;

THENCE NORTH 88°55'33" WEST, ALONG THE NORTH BOUNDARY OF SAID LOT 12, A DISTANCE OF 95.85 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY OF B STREET IN THE SAID CITY OF SALIDA;

THENCE NORTH 38°14'22" EAST, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY OF B STREET, A DISTANCE OF 6.25 FEET;

THENCE NORTH 85°04'51" EAST, A DISTANCE OF 45.49 FEET;

THENCE SOUTH 89°43'00" EAST, A DISTANCE OF 25.68 FEET;

THENCE SOUTH 63°25'52" EAST, A DISTANCE OF 23.43 FEET TO THE POINT OF BEGINNING.

CONTAINING 703 SQUARE FEET

PREPARED BY:



## Exhibit B

### Lichtenegger Property

#### LEGAL DESCRIPTION OF A TRACT OF LAND

A TRACT OF LAND LOCATED WITHIN THE WEST HALF OF SECTION 5, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, AND WITHIN LOTS 11 AND 12, BLOCK 5, ROBERD'S 2<sup>ND</sup> ADDITION TO THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 12, BEING MARKED BY A #5 REBAR, FROM WHENCE THE SOUTHEAST CORNER OF SAID LOT 11, BEING MARKED BY A 1 ½" ALUMINUM CAP STAMPED LS 16117, BEARS SOUTH 00°08'27" WEST, A DISTANCE OF 51.67 FEET;

THENCE NORTH 88°55'33" WEST, ALONG THE NORTH BOUNDARY OF SAID LOT 12, A DISTANCE OF 95.85 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY OF B STREET IN THE SAID CITY OF SALIDA AND THE POINT OF BEGINNING;

THENCE NORTH 88°55'33" WEST, A DISTANCE OF 31.65 FEET TO THE NORTHWEST CORNER OF SAID LOT 12, AS PLATTED;

THENCE SOUTH 00°09'31" WEST, ALONG THE WEST BOUNDARY OF SAID LOTS 11 AND 12, AS PLATTED, A DISTANCE OF 53.43 FEET TO THE SOUTHWEST CORNER OF SAID LOT 12, AS PLATTED;

THENCE SOUTH 89°43'00" EAST, ALONG THE SOUTH BOUNDARY OF SAID LOT 11, AS PLATTED, A DISTANCE OF 0.95 FEET TO THE SAID SOUTHEASTERLY RIGHT-OF-WAY OF B STREET;

THENCE NORTHEASTERLY AND DEFLECTING TO THE RIGHT, ALONG THE SAID SOUTHEASTERLY RIGHT-OF-WAY OF B STREET, A DISTANCE OF 33.88 FEET ALONG THE ARC OF A CURVE HAVING A RADIUS OF 66.22 FEET, A DELTA ANGLE OF 29°19'08", A CHORD BEARING OF NORTH 23°34'48" EAST AND CHORD DISTANCE OF 33.52 TO A POINT OF TANGENCY;

THENCE NORTH 38°14'22" EAST, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY OF B STREET, A DISTANCE OF 28.17 FEET TO THE POINT OF BEGINNING.

CONTAINING 703 SQUARE FEET.

PREPARED BY:



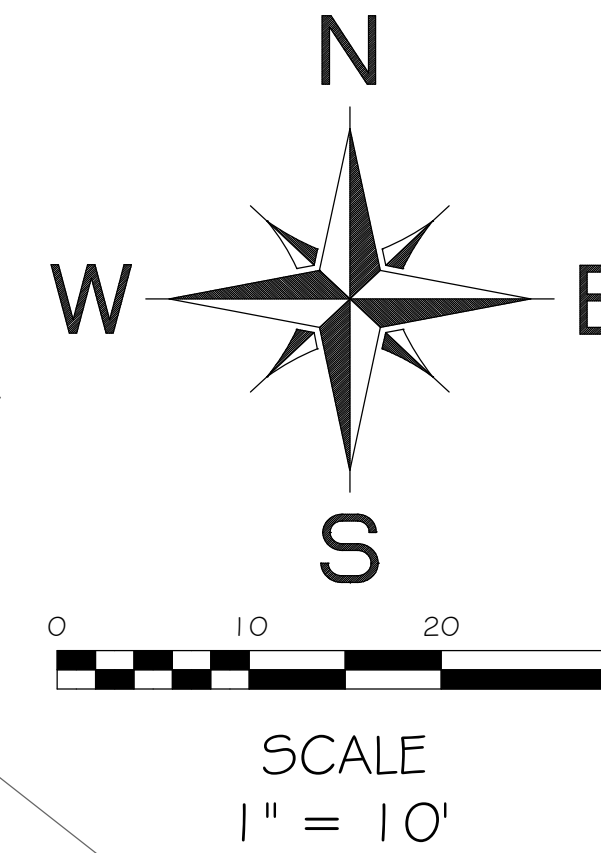
## **Exhibit C**

### **Lichtenegger – City of Salida Boundary Line Adjustment**

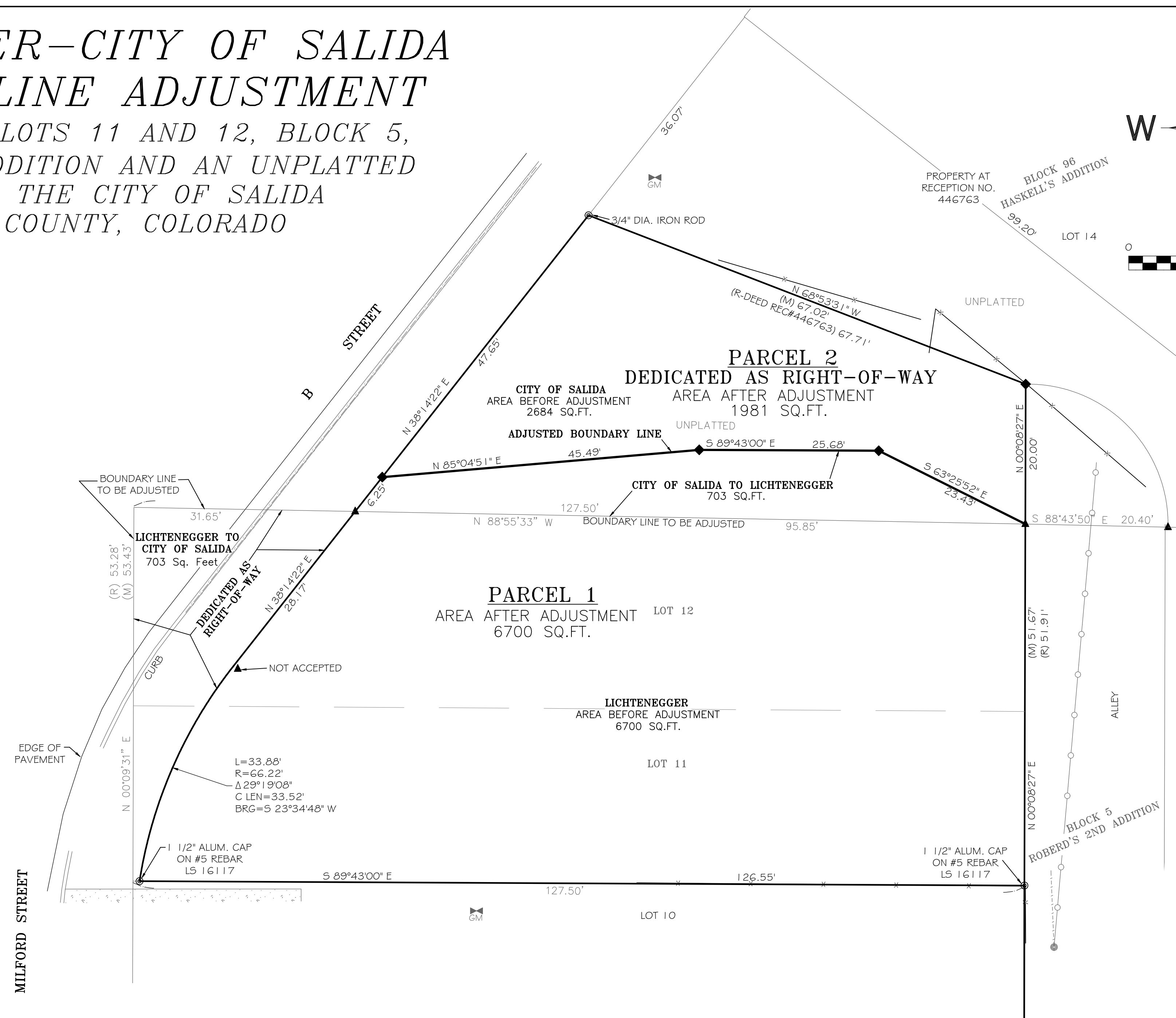
Plats may be obtained at City Hall in the Community Development Department.

# LICHTENEGGER-CITY OF SALIDA BOUNDARY LINE ADJUSTMENT

LOCATED WITHIN LOTS 11 AND 12, BLOCK 5,  
ROBERD'S 2ND ADDITION AND AN UNPLATTED  
PORTION OF THE CITY OF SALIDA  
CHAFFEE COUNTY, COLORADO



VICINITY MAP  
NOT TO SCALE



## CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL PERSONS BY THESE PRESENTS THAT RODNEY W. LICHTENEGGER AND CITY OF SALIDA, THE FEE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

LOTS NO. 11 AND 12  
BLOCK NO. 5, ROBERD'S SECOND ADDITION TO THE TOWN (NOW CITY) OF SALIDA, CHAFFEE COUNTY, COLORADO  
AND  
UNPLATTED PORTION OF THE CITY OF SALIDA

HAS LAID-OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS, BLOCKS OR TRACTS AND DEDICATE THE PORTION OF MILFORD STREET, AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF:

**LICHTENEGGER-CITY OF SALIDA BOUNDARY LINE ADJUSTMENT**

IN THE  
CITY OF SALIDA  
CHAFFEE COUNTY, COLORADO  
IN WITNESS WHEREOF THE UNDERSIGNED HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS \_\_\_\_ DAY  
OF ~~2019~~ 2026

BY: RODNEY W. LICHTENEGGER )  
COUNTY OF CHAFFEE )  
) SS.  
STATE OF COLORADO )

THE FORGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY RODNEY W. LICHTENEGGER. WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES \_\_\_\_\_.

NOTARY PUBLIC

COUNTY OF CHAFFEE )  
) SS.  
STATE OF COLORADO )

THE FORGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY CITY OF SALIDA. WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES \_\_\_\_\_.

NOTARY PUBLIC

## CERTIFICATION OF TITLE

I, \_\_\_\_\_, A LICENSED TITLE INSURANCE AGENT IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE PROPERTY HEREBY DEDICATED AND AS SHOWN AND DESCRIBED ON THIS PLAT AND FOUND TITLE VESTED IN RODNEY W. LICHTENEGGER AND CITY OF SALIDA, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES EXCEPT AS LISTED BELOW:

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

TITLE AGENT

## GENERAL NOTES

- 1) BASIS OF BEARING FOR THIS SURVEY IS GRID NORTH FROM COLORADO STATE PLANE COORDINATE SYSTEM CENTRAL ZONE, BASED ON G.P.S. OBSERVATIONS ALONG THE SOUTH LINE OF SUBJECT PROPERTY BETWEEN TWO 1/2" ALUMINUM CAPS STAMPED LS 16117 HAVING A BEARING OF SOUTH 89°43'00" EAST
- 2) UNDERGROUND UTILITIES SHOWN AS MARKED ON THE SURFACE BY UTILITY NOTIFICATION CENTER OF COLORADO AND OTHERS. LANDMARK SURVEYING AND MAPPING ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF ANY UNDERGROUND UTILITIES DEPICTED HEREON.
- 3) ZONE: MEDIUM DENSITY RESIDENTIAL (R-2)
- 4) THIS SURVEY WAS PERFORMED IN CONJUNCTION WITH CENTRAL COLORADO TITLE AND ESCROW, COMMITMENT NO. 25-25531, DATED SEPTEMBER 4, 2025

## CITY COUNCIL APPROVAL

THIS PLAT IS APPROVED BY THE CITY OF SALIDA CITY COUNCIL THIS \_\_\_\_ DAY  
OF \_\_\_\_\_, 20\_\_\_\_.

MAYOR, CITY OF SALIDA

## CLERK AND RECORDER'S CERTIFICATE

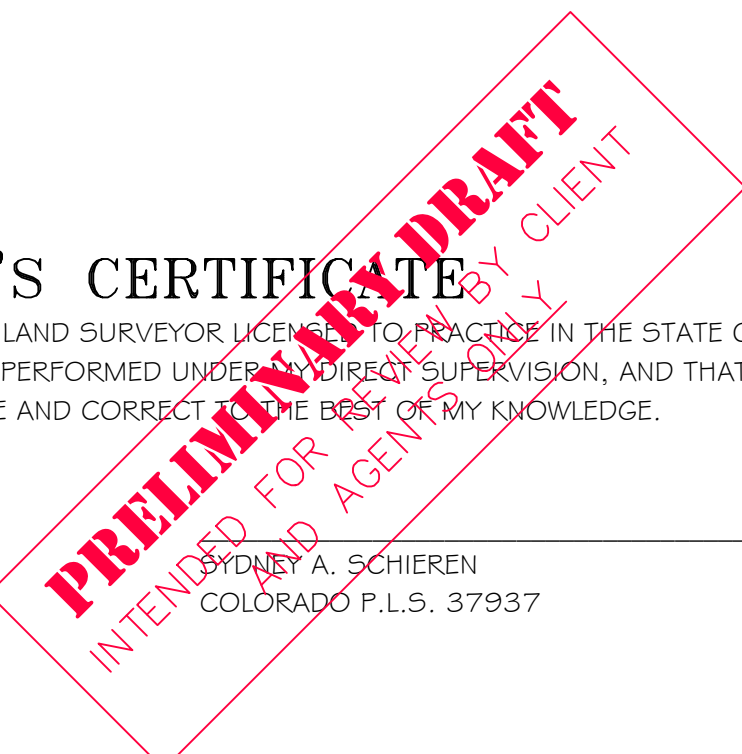
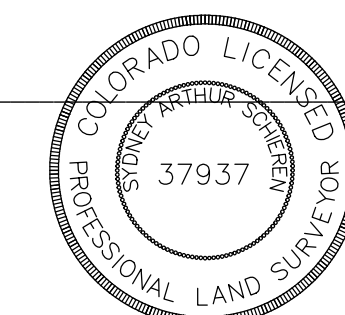
THIS PLAT WAS FILED IN THE OFFICE OF THE CLERK AND RECORDER OF CHAFFEE COUNTY, COLORADO, AT \_\_\_\_ M.  
ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ UNDER RECEPTION NUMBER \_\_\_\_\_.

CHAFFEE COUNTY CLERK AND RECORDER

## LAND SURVEYOR'S CERTIFICATE

I, SYDNEY A. SCHIEREN, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LAND SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION, AND THAT THE PLAT REPRESENTS THE RESULTS OF SAID SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SYDNEY A. SCHIEREN  
COLORADO P.L.S. 37937



## LEGEND

- ⊙ FOUND MONUMENT AS NOTED
- ▲ #5 REBAR
- ◆ SET 1/2" ALUMINUM CAP LS 37937
- ⊙ GAS METER
- POWER POLE
- X — FENCE
- G — UNDERGROUND GAS LINE
- ○ — OVERHEAD UTILITY
- ▨ CONCRETE

REVISED:	<b>LICHTENEGGER-CITY OF SALIDA BOUNDARY LINE ADJUSTMENT</b>  LOCATED WITHIN LOTS 11 AND 12, BLOCK 5, ROBERD'S 2ND ADDITION AND AN UNPLATTED PORTION OF THE CITY OF SALIDA CHAFFEE COUNTY, COLORADO
DATE: OCTOBER 28, 2025	
DATE: MAY 6, 2026	
DATE: MAY 7, 2026	
DATE: MAY 7, 2026 (REV)	
JOB # 24088	<b>LANDMARK SURVEYING &amp; MAPPING</b> P.O. BOX 668 SALIDA, CO 81201 PH 719.539.4021 FAX 719.539.4031
DATE: OCTOBER 15, 2025	
SHEET 1 OF 1	



**EXHIBIT A**

**LEGAL DESCRIPTION  
OF A  
TRACT OF LAND**

A TRACT OF LAND LOCATED WITHIN THE WEST HALF OF SECTION 5, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, AND WITHIN AN UNPLATTED PORTION OF THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 12, BLOCK 5 OF ROBERD'S 2<sup>ND</sup> ADDITION TO THE CITY OF SALIDA, BEING MARKED BY A #5 REBAR, FROM WHENCE THE SOUTHEAST CORNER OF LOT 11, BLOCK 5 OF ROBERD'S 2<sup>ND</sup> ADDITION TO THE CITY OF SALIDA, BEING MARKED BY A 1 ½" ALUMINUM CAP STAMPED LS 16117, BEARS SOUTH 00°08'27" WEST, A DISTANCE OF 51.67 FEET;

THENCE NORTH 88°55'33" WEST, ALONG THE NORTH BOUNDARY OF SAID LOT 12, A DISTANCE OF 95.85 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY OF B STREET IN THE SAID CITY OF SALIDA;

THENCE NORTH 38°14'22" EAST, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY OF B STREET, A DISTANCE OF 6.25 FEET;

THENCE NORTH 85°04'51" EAST, A DISTANCE OF 45.49 FEET;

THENCE SOUTH 89°43'00" EAST, A DISTANCE OF 25.68 FEET;

THENCE SOUTH 63°25'52" EAST, A DISTANCE OF 23.43 FEET TO THE POINT OF BEGINNING.

CONTAINING 703 SQUARE FEET

PREPARED BY:



**QUITCLAIM DEED**

**THIS QUITCLAIM DEED** is made this \_\_\_\_ day of \_\_\_\_\_, 2026, between Rodney W. Lichtenegger, individually, the “Grantor”, and the City of Salida, Colorado, a statutory municipal corporation, 448 E. First Street, Salida, Colorado 81201, Chaffee County, State of Colorado, the “Grantee.”

WITNESSETH, that the Grantor, for and in consideration of Ten Dollars and 00/100 (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has remised, released, conveyed and QUITCLAIMED, and by these presents does remise, release, convey and QUITCLAIM unto the Grantee, and the Grantee’s heirs, assigns and successors forever, all the right, title, interest, claim and demand which the Grantor has in and to the real property, together with improvements, if any, situate, lying and being in Chaffee County, State of Colorado, legally described as follows:

**See Exhibit A**

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and behalf of the Grantee, its heirs, assigns and successors forever.

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

GRANTOR:

\_\_\_\_\_  
Rodney W. Lichtenegger, individually

STATE OF COLORADO                    )  
  ) ss.  
COUNTY OF CHAFFEE                    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2026 by Rodney W. Lichtenegger, individually.

Witness my hand and official seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

**EXHIBIT A**

**LEGAL DESCRIPTION  
OF A  
TRACT OF LAND**

A TRACT OF LAND LOCATED WITHIN THE WEST HALF OF SECTION 5, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, AND WITHIN LOTS 11 AND 12, BLOCK 5, ROBERD'S 2<sup>ND</sup> ADDITION TO THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 12, BEING MARKED BY A #5 REBAR, FROM WHENCE THE SOUTHEAST CORNER OF SAID LOT 11, BEING MARKED BY A 1 ½" ALUMINUM CAP STAMPED LS 16117, BEARS SOUTH 00°08'27" WEST, A DISTANCE OF 51.67 FEET;

THENCE NORTH 88°55'33" WEST, ALONG THE NORTH BOUNDARY OF SAID LOT 12, A DISTANCE OF 95.85 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY OF B STREET IN THE SAID CITY OF SALIDA AND THE POINT OF BEGINNING;

THENCE NORTH 88°55'33" WEST, A DISTANCE OF 31.65 FEET TO THE NORTHWEST CORNER OF SAID LOT 12, AS PLATTED;

THENCE SOUTH 00°09'31" WEST, ALONG THE WEST BOUNDARY OF SAID LOTS 11 AND 12, AS PLATTED, A DISTANCE OF 53.43 FEET TO THE SOUTHWEST CORNER OF SAID LOT 12, AS PLATTED;

THENCE SOUTH 89°43'00" EAST, ALONG THE SOUTH BOUNDARY OF SAID LOT 11, AS PLATTED, A DISTANCE OF 0.95 FEET TO THE SAID SOUTHEASTERLY RIGHT-OF-WAY OF B STREET;

THENCE NORTHEASTERLY AND DEFLECTING TO THE RIGHT, ALONG THE SAID SOUTHEASTERLY RIGHT-OF-WAY OF B STREET, A DISTANCE OF 33.88 FEET ALONG THE ARC OF A CURVE HAVING A RADIUS OF 66.22 FEET, A DELTA ANGLE OF 29°19'08", A CHORD BEARING OF NORTH 23°34'48" EAST AND CHORD DISTANCE OF 33.52 TO A POINT OF TANGENCY;

THENCE NORTH 38°14'22" EAST, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY OF B STREET, A DISTANCE OF 28.17 FEET TO THE POINT OF BEGINNING.

CONTAINING 703 SQUARE FEET.

PREPARED BY:



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**NOTICE OF PUBLIC HEARING BEFORE  
THE CITY COUNCIL FOR THE CITY OF  
SALIDA CONCERNING THE TRANSFER  
AND CONVEYANCE OF REAL PROP-  
ERTY FROM THE CITY OF SALIDA,  
THE TRANSFER AND CONVEYANCE  
OF REAL PROPERTY TO THE CITY  
OF SALIDA, AND A BOUNDARY LINE  
ADJUSTMENT**

**TO ALL MEMBERS OF THE PUBLIC AND  
INTERESTED PERSONS: PLEASE TAKE  
NOTICE** that on **July 7, 2026**, at or about  
the hour of 6:00 p.m., a public hearing will  
be conducted by the **City of Salida City  
Council** at City Council Chambers, 448  
East First Street, Suite 190, Salida, Colo-  
rado. Watch the proceedings live on the  
City of Salida YouTube channel. Register to  
participate online by noon on the date of the  
meeting at the following link: **[https://zoom.  
us/webinar/register/WN\\_IJzcmIQTgqcT-  
EDomhRz5A](https://zoom.us/webinar/register/WN_IJzcmIQTgqcTEDomhRz5A)**

The request is to approve the transfer and conveyance of real property from the City of Salida, approve the transfer and conveyance of real property to the City of Salida, and approve a boundary line adjustment for the properties located within Lots 11 and 12, Block 5, Roberd's 2 nd Addition and an unplatted portion of the City of Salida, Chaffee County, Colorado. The amendment is due to an unintentional encroachment of city street that was constructed on private property along B Street.

An equal amount of property is proposed to be exchanged, resulting in the addition of 703 square feet to Parcel Number 380705405175 on Milford Street and the addition of 703 square feet of property to city right-of-way along Milford Street and B Street.

Interested persons are encouraged to attend the public hearing. Further information on the applications may be obtained from the Community Development Dept. by contacting [planning@cityofsalida.com](mailto:planning@cityofsalida.com) (719) 530-2638.

\*Please note that it is inappropriate to personally contact individual City Councilors or Planning Commissioners, outside of the public hearing, while an application is pending. Such contact is considered ex parte communication and will have to be disclosed as part of the public hearings on the matter. If you have any questions/comments, you should email or write a letter to staff or present your concerns at the public meeting via the above link so your comments can be made part of the record. Published in The Mountain Mail June 18, 2026.

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# Ordinance 2026-17: “Land Swap” between City of Salida and Lichtenegger, Boundary Line Adjustment

City Council Public Hearing – 7.7.2026





# Background

- A boundary line adjustment to correct an unintentional encroachment of City right-of-way on a privately owned lot at the corner of Milford Street and B Street
- This happened many years ago and the property owner brought it to city attention, hoping to soon develop on the lot
- The City owns property north of the lot which is part of a long-abandoned and unused alley
- Staff have worked with Mr. Lichtenegger to ensure the lot layout will work with his intended development for a single-family home and garage
- Via transfer and conveyance of property, an equal amount of land area is proposed to be exchanged with the owner





# Motion

I move to \_\_\_\_\_ Ordinance 2026-17, an ordinance of the City Council for the City of Salida, Colorado approving the transfer and conveyance of real property from the City of Salida, approving the transfer and conveyance of real property to the City of Salida, and approving the Lichtenegger – City of Salida Boundary Line Adjustment.





# City Council Action Form

<b>Department</b> Community Development	<b>Presented By</b> Bill Almquist - Community Development Director	<b>Date</b> July 7, 2026
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## Agenda Item

Ordinance 2026-18: An Ordinance of the City Council of the City of Salida, Colorado, Approving Corrections to the Official Zoning Map of the City of Salida and Adopting an Updated Official Zoning Map. Second reading and public hearing.

## Background

In the fall of 2025, City staff conducted a comprehensive rezone of the Official Zoning Map that coincided with the comprehensive rewrite of the Salida Land Use and Development Code (LUC). The Future Land Use Map (FLUM) addendum to the Comprehensive Plan that was approved in May of 2023 helped set the stage for the proposed amendments, including new zone districts as well as some properties being shifted to other existing zone districts that would reflect desired development types and locations within the FLUM. A fair and even rezone process was applied based primarily off of the guidance of the FLUM.

There were several public input opportunities discussing the new LUC and Zoning Map, followed by required public hearings with both Planning Commission and City Council. Planning Commission reviewed the LUC and Zoning Map in two parts on August 12<sup>th</sup> and 25<sup>th</sup>, 2025, ultimately recommending City Council approve the repeal and replacement of the official zoning map with minor revisions.

City Council then also reviewed the LUC and Zoning Map in a first reading, followed by a second reading and public hearing on October 7, 2025, ultimately approving the repeal and replacement of the official zoning map with minor amendments via Ordinance 2025-18, to be effective on December 22, 2025.

Since adoption, several items requiring correction have been identified with the current zoning map throughout the first few months of effectiveness. These include the following:

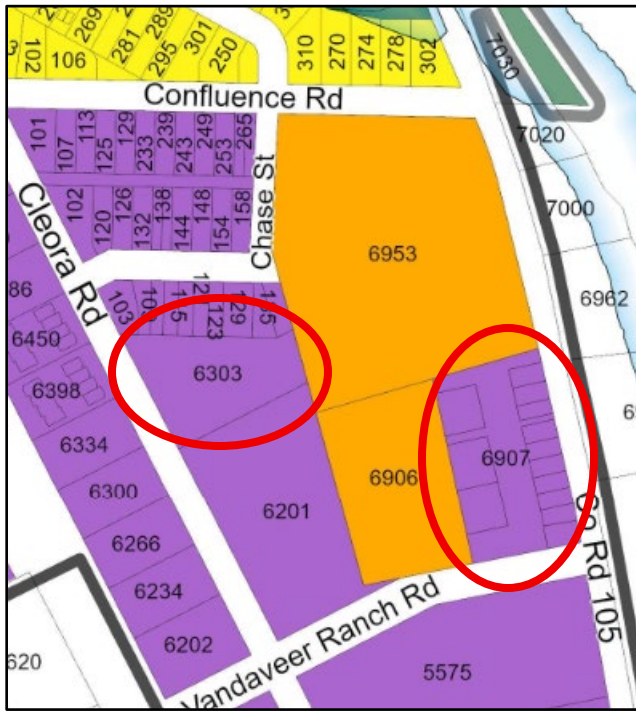
1. The PD Planned Development zone district was previously shown as an overlay district but without base zoning information. Most PDs in the City have base zoning designations “underneath” the PD overlay, which is not clear with the current Zoning Map. These proposed changes are detailed more below.
2. A few public parks which have been dedicated to the City are not showing as OS Parks and Open Space. These are detailed more below.
3. Other minor edits and correction of errors such as to street names and addresses.

## AREAS OF CHANGE IN THE ZONING MAP:

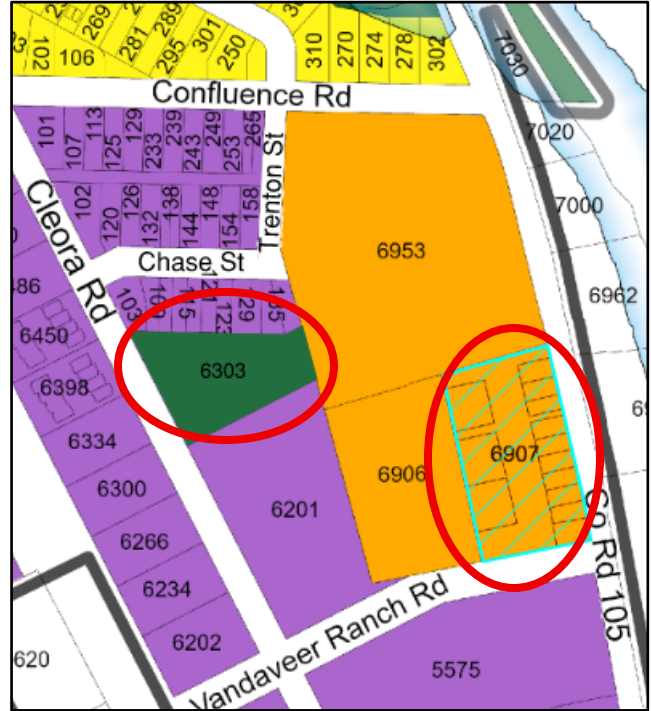
The changes that staff proposes to correct the errors identified above are as follows:

1. Changes to the PD Planned Development zone district:
  - a. The following PDs have changes on the zoning map to show underlying base zoning with teal outline and stripes indicating a PD overlay (example image from the map below):
    - 1) 505 Oak: added MN zoning
    - 2) Angelview: added R3 zoning
    - 3) Flour Mill: added R3 zoning
    - 4) Greenheart: added R1 zoning
    - 5) Holman Court: added R2 zoning
    - 6) HRRMC: added MC zoning
    - 7) Jane's Place: added MN zoning
    - 8) M&M Lane: added R2 zoning
    - 9) River West: added R2 zoning
    - 10) Salida Crossings: added MC zoning
    - 11) Tierra Del Alma: added R3 zoning
    - 12) Two Rivers Phase 1: added R2, R3, and MN zoning
  - b. PDs which do not have base zoning will remain purple. These include the Starbuck Circle PD and the Vandaveer Ranch PD, which also encompasses the Confluent Park PD modification area and the South Ark Neighborhood PD modification area.
2. Properties which have been dedicated as public parks are shown as OS Parks and Open Space, labeled green, and are located in the Angelview PD, the Places to Age/Salida Quality Farms subdivision, and Confluent Park PD modification area.
3. Updates to incorrect street names have been made, such as Sackett Ave, Chase, and Trenton Streets. Addresses have been updated to show correctly in the Cherry Grove subdivision and a couple other locations. Also, updates to the legend have been made to correspond with the PD changes: moving the purple PD Planned Development zone district in the legend to be under the "Zoning Districts" section, and creating a new PD Planned Development Overlay in the "Overlay Districts" section of the legend (and showing a teal outline and stripes on these areas).

An example of these changes is shown below for reference:



Current Zoning Map



Proposed Changes to Zoning Map

**Planning Commission Recommendation**

Planning Commission, on May 12, 2026, recommended approval of the correction of errors on the Official Zoning Map and to adopt the updated Official Zoning Map, on a vote of 5-0.

**Fiscal Impact**

There is no fiscal impact anticipated.

**Motion**

A City Councilmember should make a motion to “\_\_\_\_\_ Ordinance 2026-18, an Ordinance of the City Council of the City of Salida, Colorado, approving corrections to the Official Zoning Map of the City of Salida and adopting an updated Official Zoning Map,” followed by a second and a roll call vote.

**Attachments:**

- Ordinance 2026-18
- Draft Updated Zoning Map
- Application Materials
- Proof of Publication
- Existing Zoning Map

**City of Salida, Colorado**  
**Ordinance No. 18**  
**Series of 2026**

**An Ordinance of the City Council of the City of Salida, Colorado, Approving Corrections to the Official Zoning Map of the City of Salida and Adopting an Updated Zoning Map**

**WHEREAS**, the City of Salida (the “City”) is a statutory city organized under the laws of the State of Colorado, and the City Council of Salida (the “City Council”) possesses the authority to adopt ordinances that protect the public health, safety, and welfare; and

**WHEREAS**, on October 7, 2025, the City Council determined that the Official Zoning Map of the City should be updated comprehensively in order to conform to the restated Chapter 16, Land Use and Development Code, adopted concurrently with this Ordinance; and

**WHEREAS**, the comprehensive update to the Official Zoning Map was approved via Ordinance 2025-18 on October 7, 2025 and went into effect on December 22, 2025, and, was intended to ensure internal consistency with the rewritten Land Use and Development Code, to align zoning classifications with existing and planned land uses, and to promote the City’s long-term vision as expressed in the Comprehensive Plan and other adopted policy documents; and

**WHEREAS**, since the effective date of the Official Zoning Map, staff has identified various omissions and errors on the Zoning Map; including the omission of base zone districts underlying certain Planned Developments, the absence of the “OS” Parks and Open Space zoning on certain dedicated park lands, and some incorrect street names and addresses; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on May 12, 2026 to review the proposed corrections, took public comment, and forwarded its recommendation to the City Council; and

**WHEREAS**, the City Council will hold a duly noticed public hearing on July 7, 2026, to consider approving the proposed corrections and adoption of the updated Official Zoning Map (Exhibit A); and

**WHEREAS**, the City Council finds that adoption of the updated Official Zoning Map is in the best interests of the City and its residents and will promote the orderly

development of land, the efficient provision of public services, and the protection of community values.

**Now, therefore, be it ordained by the City Council of the City of Salida, Colorado, that:**

**Section 1.** Purpose and Intent. The City Council hereby adopts and incorporates the foregoing recitals as findings of fact and legislative intent. In adopting the updated Official Zoning Map, attached hereto as Exhibit A, the Council affirms its intent to continue to bring the Zoning Map into conformity with the restated Chapter 16, to provide clear and consistent zoning classifications throughout the City, to provide accurate information, and to ensure that zoning regulations reflect community goals for housing, economic vitality, and sustainable growth.

**Section 2.** Adoption of Official Zoning Map. The Official Zoning Map of the City of Salida is hereby repealed and replaced with an updated Zoning Map as set forth in Exhibit A, which is attached hereto and incorporated herein by reference. The restated Zoning Map shall supersede and replace all prior zoning maps in full as of the effective date of this Ordinance.

**Section 3.** Incorporation into the Municipal Code. The City Clerk, in consultation with the City Attorney and Code publisher, is directed to incorporate the restated Zoning Map into the Salida Municipal Code, to ensure consistency in formatting and crossreferences, and to make any non-substantive corrections necessary to effectuate the intent of this Ordinance.

**Section 4.** Severability. If any provision of this Ordinance or of the updated Zoning Map is held invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall continue in full force and effect. The City Council declares that it would have adopted this Ordinance and the updated Zoning Map independently of the portion declared invalid.

**Section 5.** Publication. The City Clerk shall cause this Ordinance to be published by title only and with a statement that the updated Zoning Map is available at the Community Development Department office and on the City's official website, as provided by law.

Introduced on First Reading, on the 16<sup>th</sup> day of June, 2026, adopted and ordered published in full in a newspaper of general circulation in the City of Salida by the City Council on the 25<sup>th</sup> day of June, 2026, and set for Second Reading and Public Hearing on the 7<sup>th</sup> day of July, 2026.

Introduced on Second Reading, finally adopted and ordered published by Title only, by the City Council on the 7<sup>th</sup> day of July, 2026.

CITY OF SALIDA, COLORADO

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Mayor

[SEAL]

ATTEST:

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City Clerk/Deputy Clerk

PUBLISHED IN FULL in the Mountain Mail after First Reading on the 16<sup>th</sup> day of June, 2026, and BY TITLE ONLY, after final adoption on the on the 7<sup>th</sup> day of July, 2026.

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City Clerk/Deputy City Clerk

## **Exhibit A**

The proposed updated Zoning Map may be obtained at City Hall in the Community Development Department office and on the City's official website.

**Zoning Districts**

- R1 Lower-Density Residential
- R2 Medium-Density Residential
- R3 Higher-Density Residential
- MMP Manufactured/Mobile Home Park
- MN Mixed-Use Neighborhood
- MH Mixed-Use Highway
- MD Mixed-Use Downtown
- MC Mixed-Use Center
- CF Community Facilities
- AG Agricultural Reserve
- OS Parks & Open Space
- IN Industrial
- PD Planned Development

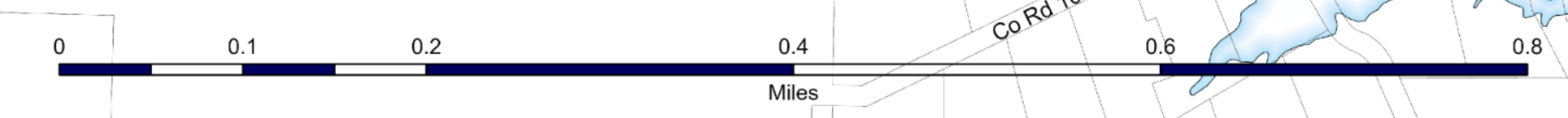
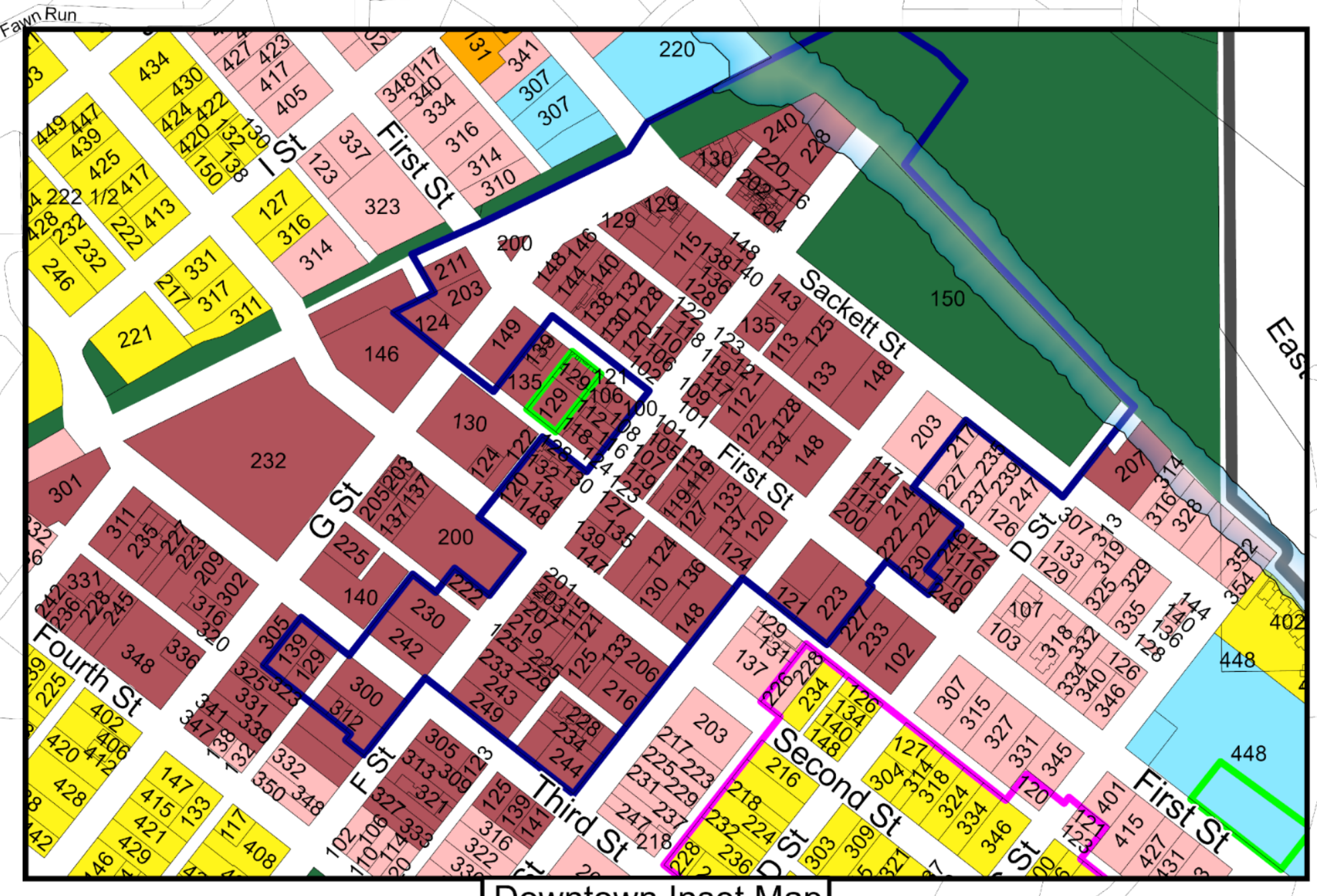
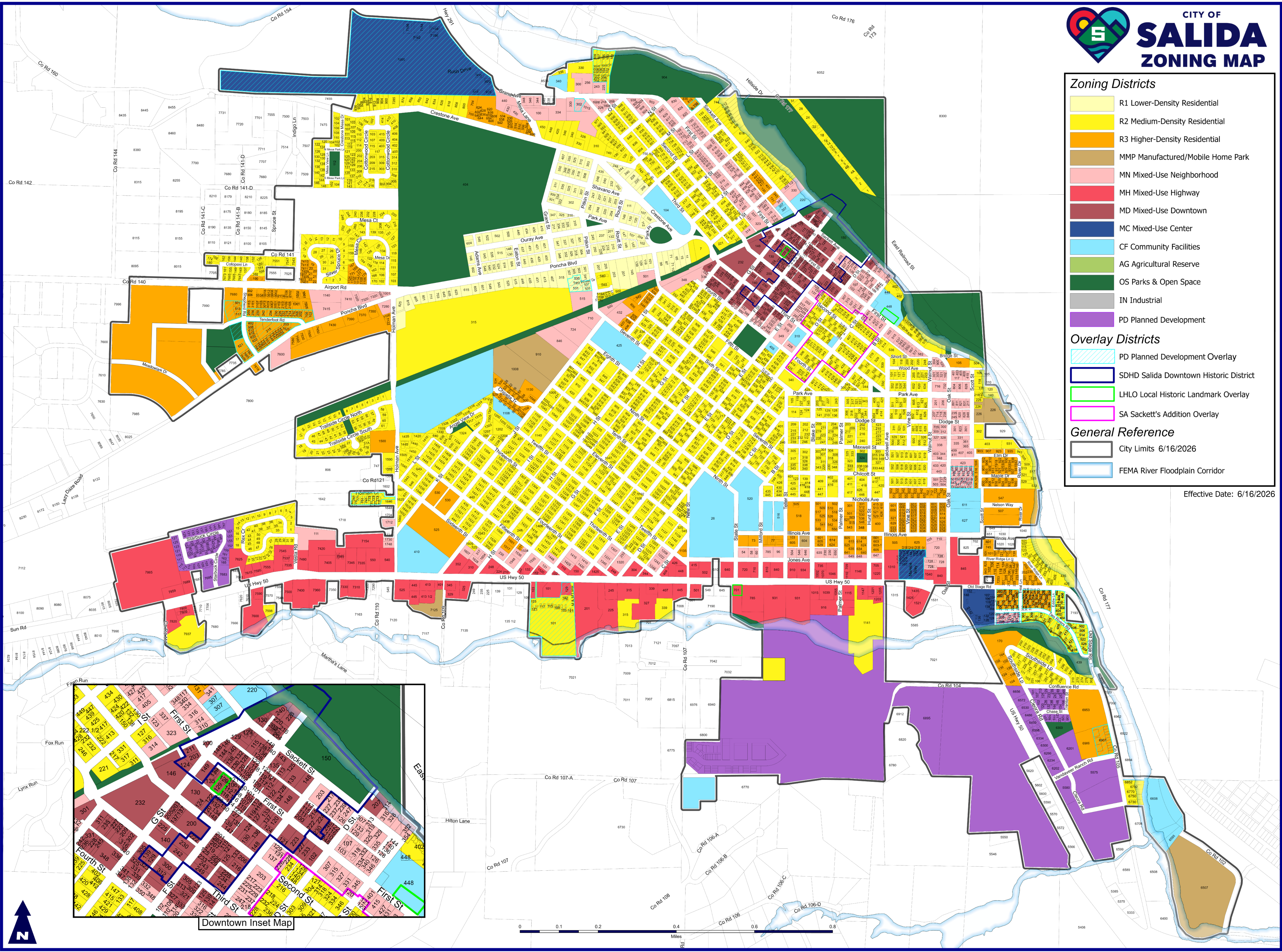
**Overlay Districts**

- PD Planned Development Overlay
- SDHD Salida Downtown Historic District
- LHLO Local Historic Landmark Overlay
- SA Sackett's Addition Overlay

**General Reference**

- City Limits 6/16/2026
- FEMA River Floodplain Corridor

Effective Date: 6/16/2026





## REZONING APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

Phone: 719-539-4555 Fax: 719-539-5271 Email:

planning@cityofsalida.com

### A. Applicant Information

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

### B. Owner Information (if different from the applicant)

Name of Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

### C. Site Data

Name of Development: \_\_\_\_\_

Street Address: \_\_\_\_\_

Parcel number: \_\_\_\_\_

I certify that I have read the application form and that the information and exhibits herewith submitted are true and correct to the best of my knowledge.

Signature of applicant/agent \_\_\_\_\_ Date \_\_\_\_\_

Signature of property owner \_\_\_\_\_ Date \_\_\_\_\_

## D. REZONING REQUESTED (City Code Section 16-8-40(a))

Current Zone District : \_\_\_\_\_  
Requested Zone District : \_\_\_\_\_

## E. APPLICATION PROCEDURE (City Code Section 16-8-40(a))

1. Pre-Application Conference. Required.
2. Submit Application
3. Staff Review
4. Public Notice
5. Public Hearing with Planning Commission
6. Public Notice
7. Public Hearing with City Council

## F. APPLICATION CONTENTS (City Code Section 16-8-40)

1. **Rezoning Application**
2. **Written Statement.** Describe how the application meets the Rezoning Approval Criteria, 16-8-40(a)3(e)2(a) and include the current land use on the property and on all adjacent properties.
3. **Public Notice Materials** (this may need to be done twice)
  - a. **Postage Paid Envelopes.** A list will be provided by staff to the applicant of adjoining property owners' names and addresses. A property owner is considered adjoining if it is within 175 feet of the subject property regardless of public ways. Each name on the list shall be written on a postage-paid envelope. Postage is required for up to one ounce. Return Address shall be: City of Salida, 448 E. First Street, Suite 112, Salida, CO 81201. Staff will provide the notice, stuff, and send envelopes.
  - b. Staff will provide the notice to be posted on site by the applicant. Applicant is responsible for picking up and posting the notice on the property. The notice shall be visible from the closest right-of-way. Applicant is also responsible for submitting photo evidence of posting the public notice a minimum of 15 days prior to the public hearing.
4. **Other Information.** Staff may request additional information as deemed necessary to evaluate the impacts of the rezoning application.
5. **Application Fee and deposit:** According to current adopted fee schedule
6. **Special Fee and Cost Reimbursement Agreement completed.**



City of Salida  
448 E 1<sup>st</sup> Street, Suite 112  
Salida, CO 81201

Re: Corrections of Errors on the Official Zoning Map of the City of Salida and Adopting an Updated Zoning Map

On October 7, 2025, City Council approved Ordinance 2025-18 for a comprehensive rezone of the official zoning map of the City of Salida and adopting an updated zoning map, to be effective at the delayed date of December 22, 2025. Since the time of adoption, City staff have found there to be errors and omissions requiring correcting on the map. Specifically, corrections need to be made to reinclude base zoning districts for certain Planned Development Overlays. This also requires an update to the legend to add PD Planned Development as a zone district unto itself. Lastly, OD Parks and Open Space zone district needs to be updated to recently dedicated public parks within Planned Developments. Other minor edits include clarification of road names and corrections to addresses.

The City of Salida proposes the changes shown on the draft Zoning Map included with the application materials.

Sincerely,

City of Salida Staff

## GARAGE SALES

### HIGH COUNTRY AUCTION PRESENTS

Frank Crum retirement and liquidation of Mountain Structures Company **SATURDAY May 2nd @ 10am 1890 County Rd. 8 Leadville Co. 80461**

**Auctioneers Note:** Frank Crum has been in the Leadville area over 20 years. He is now retired and is liquidating the inventory from his business Mountain Structures Company. He specialized in Metal fabrication, Excavation, Concrete work and metal building design. This auction will feature Piranha P70 Iron Worker multi-station fabrication machine; Ellis Model 3000 Mitre Band Saw; four 30'x15' agitated leach tanks; 4x4 Genie 40' lift; 22' Double axel flatbed trailer; Superior 24' dually tandem flatbed; Big Tex Tandem dump trailer; 18' Deck over flatbed w/ new tires; Artic cat and Ski-doo Snowmobiles; Lincoln and Miller welders and welding equipment, hand tools; Milwaukee, DeWalt, Hilti, Makita & Hausqvarna power tools; Power Curb Roller machine; Concrete tools; Concrete Blankets, Wet saw; 250 Gal Fuel tank w/stand, 1-3 ton hoists; Plasma cutter; New 20hp Electric motor; New 5hp Electric motor; Generators; 21 drawer tool chests; Craftsman shop cabinets, 10 sets of Scaffolding and accessories; Commercial Dust collector; Kenmore stack-on Washer/Dryer nut and bolt dividers, Pneumatic tools; Mining equipment - Sluce Box, Auto fill hoppers; Commercial shelving from Climax Mine; Mine site specimens/samples, Racks of misc. steel and iron stock I-Beam, Pipe, Channel Iron, 1/8"- 3/4" panel iron; Rare WWII Military M29 Weasel (and it runs!)- This is just a partial listing with many more items to numerous to list.

- PLACE ONLINE BIDS NOW @ [www.HighCountryHibid.com](http://www.HighCountryHibid.com).

- Onsite Preview

Friday 10am-3pm

-Live in-person auction with internet simulcast **Saturday 10AM MST**

High Country Auction  
719-395-8897 or  
303-882-2543  
[www.HighCountryAuctions.com](http://www.HighCountryAuctions.com)

**Auctioneers:**  
Roger Williams  
& Dustin Williams

**ESTATE SALE**  
Mesa Antero Subdivison  
12880 CR 261B  
Elk Run, Nathrop  
Friday, 4-24, 9am-3pm  
Saturday, 4-25, 9am-3pm  
\*\*\*Half-Price Day\*\*\*

**EVERYTHING MUST GO!!!**  
Furniture/household items/decor. Kitchenware, clothes, tools/garden tools/scrap-wood, vintage-electronics, and more. No early sales. Cash preferred. Bring help to load large items.

**YARD SALE**  
431 Poncha Blvd., Salida  
Thursday-Friday-Saturday  
(Weather Permitting)  
April 23rd-24th-25th, 8am-??p  
Antiques, books, tools,  
beer trays, crock jugs,  
signs, old traps.  
LOTS of MISCELLANOUS!

## SERVICES

**PUTMAN DRYWALL LLC. HANG, FINISH, & TEXTURE CALL KENT: 303-332-9980**

Rototilling, Weed cutting, carpentry, custom planters and benches. Call or text Tom in Salida 603-396-1624

TAO Landworks -  
"Finding a way Through,  
Around or Over"  
Professional Land  
and Property Services

Preparing your property for wildfire season?  
Overgrown slash piles and unmanaged debris aren't just unsightly—they're a serious liability in Colorado's dry months. I can provide clean, efficient removal with a focus on protecting and improving your land.

Services include:  
• Slash pile removal & site cleanup  
• Foundation excavation  
• Utility & culvert trenching/install  
• Finish grading & drainage work  
• Road base & gravel placement  
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Based in Howard, serving Chaffee & Fremont County. Reliable scheduling, clear communication, and quality work from start to finish.

? (843) 513-7888  
? Call or text to discuss your project!

## RVS/ MOTORHOMES/ CAMPERS

2013 5th Wheel Heartland Bighorn, 33ft. 3-slides, double fridge, fireplace, 2-ACs, 2-TVs, king bed, new awning, w/bike rack. Asking 24K, OBO. Call 719-539-3645

2023 Forest River Flagstaff E-Pro 16BH  
Bought new May 2025 from Holiday RV. Used only 11 days No smoking. No pets. 18.5 ft. Sleeps 4 One slide-out. Asking 19.5k 719-510-2615

## TRUCKS/SUVS/ VANS

1964 Mack B-61 Quad Box, dump-bed, restored. Showroom quality, immaculate condition. Call 303-884-1424.

## APARTMENTS

One-bedroom in Poncha Springs. \$1300/Monthly. Washer/Dryer, No Pets, No Smoking. All utilities included and fully furnished w/King size bed. Available now thru July 1st, 2026. \$500 deposit. Call 575-343-6008.

## SALIDA APARTMENTS NOW RENTING

Housing for individuals 62 years of age or older, handicap/disabled regardless of age.

- One bedroom units
- Non-smoking
- Onsite laundry facility
- Recreation room

Contact onsite manager at

**SALIDA APARTMENTS**  
530 Teller St., Salida  
or call 719-539-2444  
TDD 800-659-2656



This institution is an Equal Opportunity Provider and Employer.



## HOMES FOR RENT

455 Alabama St. (Poncha Springs). ADU 1.5-bedroom, 1-bath. Full-kitchen, large-deck, shared garage. Utilities not included. No W/D. \$1500/monthly. First/last and security deposit. No smoking. 1-small pet. Call 719-221-8765 or 719-539-2589.

Luxury Townhome  
3-Bed, 2-Bath  
1-Car garage, \$3000

3-Bed, 2-Bath  
Rancher, workshop  
\$2650

3-Bed, 2.5-Bath  
Furnished Townhome  
Bonus room, \$2500

3-Bed, 2.5-Bath  
Townhome, office  
Yard, \$2500

3-Bed, 2.5-Bath  
Fenced yard  
Garage, \$2600

3-Bed, 3-Bath  
Townhome  
Yard, garage  
Poncha, \$2450

2-Bed, 2-Bath  
2-Car garage  
Duplex, \$2400

3-Bed, 2-Bath  
1-Car garage  
Yard, \$2400

3-Bed, 2-Bath  
Yard, 2-Car garage  
\$2400

2-Bed, 2-Bath  
Remodeled duplex  
2-Car garage, \$2250

2-Bed, 2-Bath  
2-Car garage  
Condo, \$2000

4-Bed, 2-Bath  
Rancher, yard, storage  
Poncha, \$1950

2-Bed, 1-Bath  
Yard, storage, \$1800

2-Bed, 1-Bath  
Downtown loft  
Apartment, \$1750

1-Bed, 1-Bath  
Yard, \$1650

1-Bed, 1-Bath  
Furnished apartment  
Howard, \$1100

[www.pinonrealestate.com](http://www.pinonrealestate.com)  
Stacy Lowe  
719-221-0682

**New cabin, 1 acre  
1 Bed, 1 Bath, Villa Grove  
\$1000/monthly. Text please  
719-207-6890**

Small 1 bedroom house in BV. \$1200 per month. No Smoking. No Pets. Contact 719-221-1230

## Townhome Salida

3-Bedrooms -2-Full Baths  
Master Suite  
Modern Open Floor Plan  
Single Level  
Attached Garage  
Low utilities-Super  
Energy Efficient  
In-Floor Heat/Gas Fireplace  
Washer/Dryer  
\$2250/month  
Text  
703-470-8170

## ROOM FOR RENT/ WANTED TO RENT

Bedroom with private bathroom. Shared townhouse in Poncha Springs. \$950 per month and \$950 deposit. No pets. No smoking. Free wifi. 719 530 1315

## HANDYMAN

Schedule your needs for May and June

-Storm door replacement  
-Staining/painting/power wash  
-Gate fixes/general carpentry  
-Small landscape  
-Trim work/lighting replacment  
-Hauling  
Tikhon's Handyman Services  
Insured and I will call you back  
719-398-3463

Smith Home Solutions  
719-250-2677

-Bathroom/kitchen remodels  
-Space planning  
-Tile  
-Flooring  
-Carpentry  
-Plumbing/electrical-small  
-Irrigation-small  
-Stairs  
-Doors  
-Deck repair  
-Yard work  
-Concrete repair-small

Serving the Arkansas River Valley  
Call Lonnie Smith  
719-250-2677

TOM'S TOOLS:  
HIGH QUALITY, MEDIUM SPEED  
Specializing in everything.  
No job too weird.  
Plumbing-Carpentry  
Painting-Other.  
If I can't fix it, I'll find someone smarter.  
719-937-1954  
719-207-4043

## LEGALS

**NOTICE OF PUBLIC HEARING BEFORE THE PLANNING COMMISSION FOR THE CITY OF SALIDA CONCERNING A CONDITIONAL USE APPLICATION**

To All Members of the Public And Interested Persons: Please Take Notice that on **May 12, 2026** at or about the hour of 6:00 p.m., a public hearing will be conducted by the **City of Salida Planning Commission** at City Council Chambers, 448 East First Street, Suite 190, Salida, Colorado and online at the following link: <https://zoom.us/join/49yp6TRKd4wWX5LzyUw>

The hearing is regarding an application for a conditional use permit for Samuel Mick regarding the property, located at 223 E. 1st St. Salida. (Parcel No. 368132423446). The City is considering the applicants request to utilize the vacant lot as a venue to host multiple outdoor vendors. Further information on the application may be obtained from the Community Development Department, (719) 530-2638. Published in The Mountain Mail April 23, 2026.

**Notice of Public Hearing Before the Salida Planning Commission for the City of Salida Concerning a Major Subdivision Application for the City of Salida: South Ark Neighborhood Phase 1 Major Subdivision and Replat - 1 st Amendment**

To All Members of the Public And Interested Persons: Please Take Notice that on **May 12, 2026** at or about the hour of 6:00 p.m., a public hearing will be conducted by the **City of Salida Planning Commission** at City Council Chambers, 448 East First Street, Suite 190, Salida, Colorado and online at the following link: <https://zoom.us/join/49yp6TRKd4wWX5LzyUw>

The hearing is regarding an application to amend the South Ark Neighborhood Phase 1 Major Subdivision and Replat approved on October 7, 2025 with Resolution 2025-45. The application proposes boundary line adjustments, easement adjustments, and minor updates to tracts. No additional lots are being created, nor are any being eliminated as a result of the amendments.

Interested persons are encouraged to attend the public hearing. Further information on the applications may be obtained from the Community Development Department by contacting [planning@cityofsalida.com](mailto:planning@cityofsalida.com) (719) 530-2638.

\*Please note that it is inappropriate to personally contact individual Planning Commissioners, outside of the public hearing, while an application is pending. Such contact is considered ex parte communication and will have to be disclosed as part of the public hearings on the matter. If you have any questions/comments, you should email or write a letter to staff or present your concerns at the public meeting via the above link so your comments can be made part of the record. Published in The Mountain Mail April 23, 2026.

**NOTICE TO CREDITORS BY PUBLICATION PURSUANT TO § 15-12-801, C.R.S. NOTICE TO CREDITORS**

Estate of **WILLIAM JOHN CAMPBELL**, Deceased

Case Number 2026 PR 30015

All persons having claims against the above named estate are required to present them to the personal representative or to District Court of Chaffee, County, Colorado on or before August 31, 2026 (date)\*, or the claims may be forever barred.

Rebecca Nelson,  
Personal Representative  
c/o Jenna L. Mazzucca, Esq. PC  
1604 H Street  
Salida, CO 81201  
719-207-4279

Jenna L. Mazzucca, Esq. PC  
Jenna L. Mazzucca, #40027  
1604 H St  
Salida, CO 81201  
719-207-4279  
Fax 719-539-3020  
[jenna@mazzuccalaw.com](mailto:jenna@mazzuccalaw.com)  
Attorney for Rebecca Nelson, Personal Representative  
Published in The Mountain Mail April 23, 30, and May 7, 2026.

Notice is here by given the under pursuant to the statute of the State of Colorado Section 38-21.5-103 C.R.S.. The personal property of Brandt Stevens, P.O. Box 118 Salida, CO 81201. A lien will be enforced at A&A Storage of Poncha Springs LLLP, 11190 Hwy 50W Poncha Springs, CO 81242. Unit contents include but not limited to: Dressers, Ottoman, many boxes with unknown contents. The lien of unit 134 will be enforced and property disposed or and/or auctioned at 10:00 am on the 2nd of May 2026. Published in The Mountain Mail April 23, and 30, 2026.

**NOTICE TO CREDITORS BY PUBLICATION PURSUANT TO § 15-12-801, C.R.S. Estate of James Clinton Ashley, Deceased. Case Number 2026PR30014. All persons having claims against the above named estate are required to present them to the personal representative or to District Court of Chaffee County, Colorado on or before 08/24/2026, or the claims may be forever barred. Ann Jefferson, Attorney for Personal Representative, 114 Old Stage Road, Unit A, Salida, CO 81201**  
Published in The Mountain Mail April 23, 30, and May 7, 2026.

**NOTICE OF PUBLIC HEARINGS BEFORE THE PLANNING COMMISSION & CITY COUNCIL FOR THE CITY OF SALIDA CONCERNING AN ORDINANCE APPROVING CORRECTIONS OF ERRORS ON THE OFFICIAL ZONING MAP OF THE CITY OF SALIDA AND ADOPTING AN UPDATED ZONING MAP**

**TO ALL MEMBERS OF THE PUBLIC AND INTERESTED PERSONS: PLEASE TAKE NOTICE** that on **May 12, 2026** at or about the hour of 6:00 p.m., a public hearing will be conducted by the **City of Salida Planning Commission** at City Council Chambers, 448 East First Street, Suite 190, Salida, Colorado and online at the following link: <https://zoom.us/join/49yp6TRKd4wWX5LzyUw>

The hearing is regarding proposed corrections to errors and omissions on the previously approved comprehensive rezoning of the official zoning map. Specifically, proposed corrections include the reclusion of base zoning districts for certain Planned Development overlays, addition of PD Planned Development as a zone district unto itself, application of the OS Parks & Open Space zone district to public parks within certain planned developments, and other minor edits.

Any recommendation by the Planning Commission for the updating of the zoning map shall be forwarded to the **City Council for review and a public hearing** scheduled for **June 16 th , 2026** , at or about the hour of 6:00 p.m. at City Council Chambers and online at the following link: <https://zoom.us/join/49yp6TRKd4wWX5LzyUw>

Interested persons are encouraged to attend the public hearings. Further information on the applications may be obtained from the Community Development Department by contacting or (719) 530-2638.

\*Please note that it is inappropriate to personally contact individual City Councilors or Planning Commissioners, outside of the public hearing, while an application is pending. Such contact is considered ex parte communication and will have to be disclosed as part of the public hearings on the matter. If you have any questions/comments, you should email or write a letter to staff, or present your concerns at the public meeting via the above Zoom Webinar link so your comments can be made part of the record.  
Published in The Mountain Mail April 23, 2026

Notice is here by given the under pursuant to the statute of the State of Colorado Section 38-21.5-103 C.R.S.. The personal property of Travin Irwin, 440 Prvt. rd. 6409, Kemp, TX 75413. A lien will be enforced at A&A Storage of Poncha Springs LLLP., 11190 Hwy 50W Poncha Springs, CO 81242. Unit contents include but not limited to: dolly, auto parts, cooler, many boxes and five gallon buckets unknown contents. The lien of unit 504 will be enforced and property disposed or and/or auctioned at 10:00 am on 5/1/26.  
Published in The Mountain Mail April 23, and 30, 2026.

Notice is here by given the under pursuant to the statute of the State of Colorado Section 38-21.5-103 C.R.S.. The personal property of Dusty Baker, 711 Illinois ave, Stratton, CO 80836. A lien will be enforced at A&A Storage of Poncha Springs LLLP., 11190 Hwy 50W Poncha Springs, CO 81242. Unit contents include but not limited to: grill, tv, frisbee golf net, kids stuff, many unknown boxes. The lien of unit 407 will be enforced and property disposed or and/or auctioned at 10:00 am on 5/1/26.  
Published in The Mountain Mail April 23, and 30, 2026.

NOTICE TO CREDITORS BY PUBLICATION PURSUANT TO § 15-12-801, C.R.S. Estate of Glen Gilbert Wilder, Case Number 2026PR30006. All persons having claims against the above named estate are required to present them to the personal representative or to District Court of Chaffee County, Colorado on or before 08/10/2026, or the claims may be forever barred. Ann Jefferson, Attorney for Personal Representative, 114 Old Stage Road, Unit A, Salida, CO 81201.  
Published in The Mountain Mail April 9, 16, and 23, 2026.

Notice is here by given the under pursuant to the statute of the State of Colorado Section 38-21.5-103 C.R.S.. The personal property of Kerri Young, PO Box 126, Salida, CO 81201. A lien will be enforced at A&A Storage of Poncha Springs LLLP., 11190 Hwy 50W Poncha Springs, CO 81242. Unit contents include but not limited to: wooden rocker with cow hide seat, drop leaf table, a/c unit, many unknown boxes. The lien of unit 418 will be enforced and property disposed or and/or auctioned at 10:00 am on 5/1/26.  
Published in The Mountain Mail April 23, and 30, 2026.

Notice is here by given the under pursuant to the statute of the State of Colorado Section 38-21.5-103 C.R.S.. The personal property of Adam Culp, 1147 E Street Unit E, Salida, CO 81201. A lien will be enforced at A&A Storage of Poncha Springs LLLP., 11190 Hwy 50W Poncha Springs, CO 81242. Unit contents include but not limited to: two rolling chairs, dresser, couch, refrigerator, eight antique chairs, folding bed. The lien of unit 129 will be enforced and property disposed or and/or auctioned at 10:00 am on 5/2/26.  
Published in The Mountain Mail April 23, and 30, 2026.

Notice is here by given the under pursuant to the statute of the State of Colorado Section 38-21.5-103 C.R.S.. The personal property of Tiffany Butala, PO Box 584, Poncha Spgs, CO 84242. A lien will be enforced at A&A Storage of Poncha Springs LLLP., 11190 Hwy 50W Poncha Springs, CO 81242. Unit contents include but not limited to: carpet cleaner, packed with many unknown boxes and tubs. The lien of unit 556 will be enforced and property disposed or and/or auctioned at 10:00 am on 5/2/26.  
Published in The Mountain Mail April 23, and 30, 2026.

Notice is hereby given pursuant to anyone or more Decrees in Case No. 92CW84, 94CW5, 94CW41, 94CW42, 96CW17, 03CW55 and 06CW32 Division 2, Water Court that during the month of April 2026 the following parties applied for augmentation through the office of Upper Arkansas Water Conservancy District (UAWCD).  
**Name**  
D&G Sparks FLPII  
Bruce Kramer  
**Address Chaffee County**  
29265 Timber Ridge, Buena Vista, CO 81211  
Lot 14, Elk Run Subdivision  
S12, T14S, R79W, 6thPM  
**Type Well**  
**Qty. of Water** .100 a.f.  
The applications are available for review in the office of UAWCD, 339 E. Hwy 50, Salida, Colorado during normal business hours. Any affected person may file comments with the State Engineer within sixty days of the date of publication of such monthly notice. Any affected person not satisfied by the State Engineer's application of the terms and conditions established for this plan for

augmentation to a specific structure, may then apply to the Water Court for a de novo hearing, under the Court's retained jurisdiction, whether the terms and conditions of the decree approving the plan for augmentation have been met with respect to the request for an authorized diversion included within that application to the State Engineer. Such de novo hearing shall be pursuant to Water Right Determination and Administration Act of 1969. Authorized diversions located within the augmentation plan areas included in the plan for augmentation, by either an uncontested approval by the State Engineer or Order of the Court, shall be part of the decreed plan for augmentation.  
Published in The Mountain Mail April 23, 2026.

Notice is hereby given pursuant to anyone or more Decrees in Case No. 92CW84, 94CW5, 94CW41, 94CW42, 96CW17, 03CW55 and 06CW32 Division 2, Water Court that during the month of April 2026 the following parties applied for augmentation through the office of Upper Arkansas Water Conservancy District (UAWCD).  
**Name:** Tyler Cockerham  
**Address Chaffee County**  
14614 High Mesa Court,  
Nathrop, CO 81236  
Lot #3, High Mesa Subdivision  
S20, T15S, R78W, 6thPM  
**Type Well**  
**Qty. of Water** .100 a.f.  
The applications are available for review in the office of UAWCD, 339 E. Hwy 50, Salida, Colorado during normal business hours. Any affected person may file comments with the State Engineer within sixty days of the date of publication of such monthly notice. Any affected person not satisfied by the State Engineer's application of the terms and conditions established for this plan for augmentation to a specific structure, may then apply to the Water Court for a de novo hearing, under the Court's retained jurisdiction, whether the terms and conditions of the decree approving the plan for augmentation have been met with respect to the request for an authorized diversion included within that application to the State Engineer. Such de novo hearing shall be pursuant to Water Right Determination and Administration Act of 1969. Authorized diversions located within the augmentation plan areas included in the plan for augmentation, by either an uncontested approval by the State Engineer or Order of the Court, shall be part of the decreed plan for augmentation.  
Published in The Mountain Mail April 23, 2026.

Notice is hereby given pursuant to anyone or more Decrees in Case No. 92CW84, 94CW5, 94CW41, 94CW42, 96CW17, 03CW55 and 06CW32 Division 2, Water Court that during the month of April 2026 the following parties applied for augmentation through the office of Upper Arkansas Water Conservancy District (UAWCD).  
**Name:** Bryan Jordan  
**Address:** Chaffee County  
28894 Cielo Lane, Buena Vista, CO 81211  
Lot 10, Ceilo Vista Subdivision  
S13, T14S, R79W, 6thPM  
**Type:** Well  
**Qty. of Water:** .31 (add)  
The applications are available for review in the office of UAWCD, 339 E. Hwy 50, Salida, Colorado during normal business hours. Any affected person may file comments with the State Engineer within sixty days of the date of publication of such monthly notice. Any affected person not satisfied by the State Engineer's application of the terms and conditions established for this plan for augmentation to a specific structure, may then apply to the Water Court for a de novo hearing, under the Court's retained jurisdiction, whether the terms and conditions of the decree approving the plan for augmentation have been met with respect to the request for an authorized diversion included within that application to the State Engineer. Such de novo hearing shall be pursuant to Water Right Determination and Administration Act of 1969. Authorized diversions located within the augmentation plan areas included in the plan for augmentation, by either an uncontested approval by the State Engineer or Order of the Court, shall be part of the decreed plan for augmentation.  
Published in The Mountain Mail April 23, 2026.

DISTRICT COURT, WATER DIVISION NO. 2, COLORADO

TO: ALL INTERESTED PARTIES

Pursuant to C.R.S. 37-92-302, you are hereby notified that the following case is a portion of the resume of Applications, certain amendments and Rules Governing The Review Of A Substitute Water Supply Plan, filed and/or ordered published during the month of April 2026, in Water Division No. 2. The Water Judge ordered this case be published in *The Mountain Mail* in Chaffee County, Colorado. This publication can be viewed in its entirety on the state court website at: [www.coloradojudicial.gov](http://www.coloradojudicial.gov).

The name(s) and address(es) of applicant(s), description of water rights or conditional water rights and description of ruling sought as reflected by said application, or amendment, are as follows.

**CASE NO. 2026CW3007: JASON T ULLMANN State Engineer and Director of COLORADO DIVISION OF WATER RESOURCES, 1313 Sherman Street, 8th Floor, Denver, CO 80203.** (Please address all pleadings and inquiries regarding this matter to the attorneys: Trevor D. Rogan, Assistant Attorney General, and Derek L. Turner, First Assistant Attorney General, Colorado Attorney General, Natural Resources & Environment Section, 1300 Broadway, 10th Floor, Denver, CO 80203, Telephone: 720-508-6865 (Rogan), 720-508-6926 (Turner); E-mail: [trevor.rogan@coag.gov](mailto:trevor.rogan@coag.gov) , [derek.turner@coag.gov](mailto:derek.turner@coag.gov)

Rules Governing The Review Of A Substitute Water Supply Plan For The Lease, Loan, Or Trade Of A Decreed Agricultural Water Protection Water Right  
**BACA, BENT, CHAFFEE, COSTILLA, CROWLEY, CUSTER, FREMONT, HUERFANO, KIOWA, LAKE, LAS ANIMAS, OTERO, PARK, PROWERS, PUEBLO, SAGUACHE AND COUNTIES**  
**TITLE** The title of these rules is "Rules Governing the Review of a Substitute Water Supply Plan for the Lease, Loan, or Trade of a Decreed Agricultural Water Protection Water Right." The short title of these rules is "Agricultural Water Protection Right Rules," and in this document, the rules may be referred to as "Rules." **AUTHORIZATION** In order to comply with the requirements of section 37-80-123, C.R.S., it is necessary to adopt rules governing the review of a substitute water supply plan pursuant to section 37-92-308(12), C.R.S. The State Engineer's authority to promulgate these Rules is based on section 37-80-102(1)(g), C.R.S., which vests rulemaking authority for the Division of Water Resources in the State Engineer; section 37-80-123, C.R.S., which requires the promulgation of these rules according to the State Engineer's own rule-making process; and section 37-92-501, C.R.S., which authorizes the State Engineer to adopt rules and regulations to assist in the performance of administration, distribution, and regulation of the waters of the state in accordance with the constitution of the State of Colorado and other applicable laws. **ORDER OF THE STATE ENGINEER IT IS ORDERED** that the following Rules governing the review of a substitute water supply plan for the lease, loan, or trade of a decreed agricultural water protection water right are adopted by the State Engineer. These Rules replace and supersede the "Rules Governing the Review of a Substitute Water Supply Plan for the Lease, Loan, or Trade of a Decreed Agricultural Water Protection Water Right" made effective by Order of the District Court for Water Division 1 on April 22, 2019 in Case No. 2017CW3152 (Consolidated Case No. 17CW3057, Div. 2). **RULE 1 SCOPE** These Rules apply to all applications for substitute water supply plans pursuant to section 37-92-308(12), C.R.S. **RULE 2 DEFINITIONS** The following definitions are applicable to these Rules: **2.1 "Agricultural Water Protection Water Right"** means a water right changed by a water court decree to allow the lease, loan, or trade of up to fifty percent of the amount of water so decreed, subject to the allowances and limitations described in section 37-92-305(19), C.R.S. The Agricultural Protection Water Right is the total amount of the water right that was changed by the water court for agricultural water protection use. A portion of the Agricultural Protection Water Right may be Lease Water, as defined in Rule 2.6. **2.2 "Change Decree"** means the water court decree for the change of water right from an absolute decreed irrigation water right used for agricultural purposes to an Agricultural Water Protection Water Right. **2.3 "Criteria and Guidelines"** means the document developed by the Colorado Water Conservation Board for the establishment of Agricultural Water Protection Programs pursuant to section 37-92-305(19)(b)(IV)(B), C.R.S., to assure sufficient protection and monitoring of Agricultural Water Protection Water Rights. **2.4 "Final Decision"** means the approval or denial of a substitute water supply plan, as defined in Rule 2.9, which is issued after the reconsideration period, as described in Rule 6. **2.5 "Initial Decision"** is the State Engineer's initial approval or denial of a substitute water supply plan, as defined in Rule 2.9, which may be reconsidered upon request as described in Rule 6. **2.6 "Lease Water"** means the portion of the historical consumptive use described in the Change Decree that is requested for lease, loan, or trade in the substitute water supply plan. The amount may be up to fifty percent of the quantified historical consumptive use portion of the Agricultural Water Protection Water Right described in the Change Decree. **2.7 "Person"** means an individual, a partnership, a corporation, a municipality, the state of Colorado, the United States, or any other legal entity, public or private. See section 37-92-103(8), C.R.S. **2.8 "Point of Diversion"** means either (a) the decreed location where the Lease Water will be diverted from the natural stream or (b) the decreed upstream location of a reach of the natural stream where the Lease Water will be put to beneficial use. **2.9 "Substitute water supply plan" or "SWSP"** means a one-year plan for the use of Lease Water at a Point of Diversion, which is administratively approved by the State Engineer pursuant to section 37-92-308(12), C.R.S. **2.10 "SWSP Parties"** means applicant, all parties commenting on the SWSP application, and all parties to the Change Decree. **RULE 3 APPLICATION REQUIREMENTS AND CRITERIA THAT THE STATE ENGINEER WILL CONSIDER IN REVIEW OF A SUBSTITUTE WATER SUPPLY PLAN APPLICATION** Rule 3 describes requirements for information to be included in any SWSP application and, as directed by section 37-80-123(1)(b)(II), C.R.S., criteria the State Engineer will consider in reviewing all applications. Much of the information included in the application will be information found in the Change Decree but will be necessary in the application to provide a complete picture of the proposed operation. Applications should be submitted no later than January 15 to allow for review prior to the irrigation season. Applications should be submitted as early as possible to allow adequate time for evaluation. **3.1** Information that must be included in the application. Rather than transcribing long sections of the Change Decree, references to the decree paragraph and/or page number may be sufficient to fulfill requirements in Rule 3.1; however, language from the Change Decree may be included in the application for clarity. **3.1.1** Applicant name and evidence that applicant is the owner of the Agricultural Water Protection Water

PUBLIC NOTICE

Vendor Publication Report

City of Salida, CO	105.00
Payment Date Range: 3/1/2026-3/31/2026	304.00
Vendor Name	6881.54
Agricultural Consultants, Inc.	42.20
Allegion Access Technologies LLC	3815.39
Amazon Capital Services, Inc.	170.00
American Health Holding, Inc.	5962.00
Amilia Technologies USA Inc.	612.79
Andrew Callaway	362.22
Applied Concepts Inc	13733.63
Aries Industries, Inc.	10781.80
AT&T Mobility II LLC	16.87
Atmos Energy Corporation	3333.66
Automatic Data Processing, Inc	1506.02
AutoZone	4252.42
Badger Meter Inc	610.00
Benjamin Reilly Frakes	19098.93
Berry Companies Inc.	125.98
Black Water Solutions Ltd	34.05
Blackhawk Equipment Corp	2015.56
Brady Brothers Inc.	437.00
Brady Industries of Colorado, LLC	2145.00
Brantley Distributing, LLC	200.00
Broadcast Music, Inc	1210.20
Browns Hill Engineering & Controls	313.66
Bruce Hayes	3279.93
Business Solutions Leasing	265.50
Butala Construction Company	35.00
C Bar C Construction Enterprises Inc	926.47
C.S. Collins Inc.	595.86
Carol Babcock	7041.82
Cellico Partnership	3875.00
CenturyLink	55.00
Chaffee County	703.27
Chaffee Housing Authority	5208.00
Chaffee Tire & Wheel	250.00
Charter Communications Holdings, LLC	6338.06
Chelsea Aydelott	6000.00
Chelsea Tuttle	2713.68
City of Salida	580.50
Civisstruct Strategy & Development	195.22
Clarion Associates LLC	2700.00
Clinton Graves	5150.00
Colonial Life	35.00
Colorado Association of Ski Towns	155336.72
Colorado Communities for Climate Action	265.83
Colorado Division of Fire Prevention and Control	453.00
Colorado Employer Benefit Trust	199.14
Colorado Energy Systems	2276.00
Colorado Intergovernmental Risk Sharing Agency	460.00
Column Software PBC	3803.39
Conson North America, Inc.	415.59
Constant Motion Coffee Inc	1625.00
Core & Main LP	6000.00
Crawford Auto Parts Inc.	165987.07
Dan Ogden Consulting	85.00
Daniel W Mardis II	63701.37
Diesslin Structures Inc.	990.00
Doug Glenn	46.14
Empower Trust Company, LLC	2422.87
ENB Janitorial LLC	71545.12
Family Support Registry / CO	700.00
FBS Automotive, Inc.	481.45
Fire and Police Pension Association	1121.82
Flow Technology Support, LLC	85.00
Frosty Freeze, Inc.	28284.59
Galls, LLC	1021.60
George A. Mossman	10.00
Glacier Bank	3792.00
Gobin's, Inc.	2504.96
Gor Corporation	826.13
Halliday Products Inc	1083.28
HD Supply, Inc.	3127.66
Hylton Lumber Company	393.37
Impresco LLC	1383.40
Jessica D Smith	7344.42
Joey Rovinsky	1000.00
John Deere Financial f.s.b.	750.00
Julie Mach	259.19
Kenneth Wittekend	240.00
Kone Inc.	1725.00
Lawson Products Inc.	4250.00
Linda K. Cook	791.37
Lisa M. Scanga	17300.00
Lotus Engineering and Sustainability LLC	50.00
MACK Pack LLC	150.43
MaestroVision Inc.	960.00
Mary Shannon Kaelin	1322.30
Matthew Bender & Company Inc.	2094.20
Maverick Wine Company of Colorado LLC	791.34
Michael G. Gunderman	7363.82
Mishmash Enterprises, Inc.	383.13
Multi Service Technology Solutions, Inc.	19110.00
Nalco Company	2961.34
O'Reilly Auto Enterprises, LLC	224.26
Orion Integration Services	192.90
Paymentech, LLC	85.75
Pinnacle Assurance	249.90
Pitney Bowes Global Financial Services LLC	4399.08
Pre-Paid Legal Services, Inc	398.00
Public Broadcasting of Colorado, Inc.	120.00
Pueblo Brake & Clutch	85.00
Richey Design LLC	2823.73
Riverside Trophies	4600.00
Robert Teegarden	980.00
Rocky Mountain Reserve, LLC	552.00
Salida Bottling Company LLC	2885.75
Salida School District	34484.40
Scratch Kitchen, LLC	76.30
SGS North America Inc	1701.87
Short-Elliott-Hendrickson, Inc	251.31
ShredAmerica Colorado LLC	316.25
Sol Haven Development Partners, LLC	1700.00
Staples Contract & Commercial Inc	2500.00
Sydney Schieren	213.60
Taggart Mosholder	200.43
The MODassic Group	1832.00
The Sherwin-Williams Co.	48.52
T-Mobile USA Inc.	30.00
Tolin Mechanical Systems Company	4900.00
Transfirst Group Inc.	6865.56
Trevor Davis	398.73
Triangle Electric, Inc.	720.00
Trillium HoldCo LLC	311.91
Trojan Technologies Corp	114.11
Tyco Fire & Security Management, Inc.	2348.56
Uline Inc.	5061.51
UniFirst Corporation	1931.87
United of Omaha Life Insurance Company	240245.00
Univar Solutions	182.68
US Postmaster	100.00
USDA/Rural Development	54.26
Utility Notification Center of Colorado	2467.02
Vanna Irving	2142.96
VeriCheck, Inc.	622.99
Visionary Communications, LLC	50014.99
Waste Management of Colorado, Inc.	11516.48
Western Waste Holdings, Inc.	85.00
Westrian Group, Inc.	20444.40
Wex Bank	292.25
William Hussey	34834.97
Wilson Williams, LLP	563783.48
World Class Distributors	\$1,723,682.05
Xcel Energy - Salida	\$682,450.41
Y & K Excavation, Inc.	\$2,406,132.46
March Expenses	
Payroll Expenditure: March 2026	
Total March Expenditures:	
Published in The Mountain Mail April 23, 2026.	

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## **Existing Zoning Map**

*Proposed Zoning Districts*

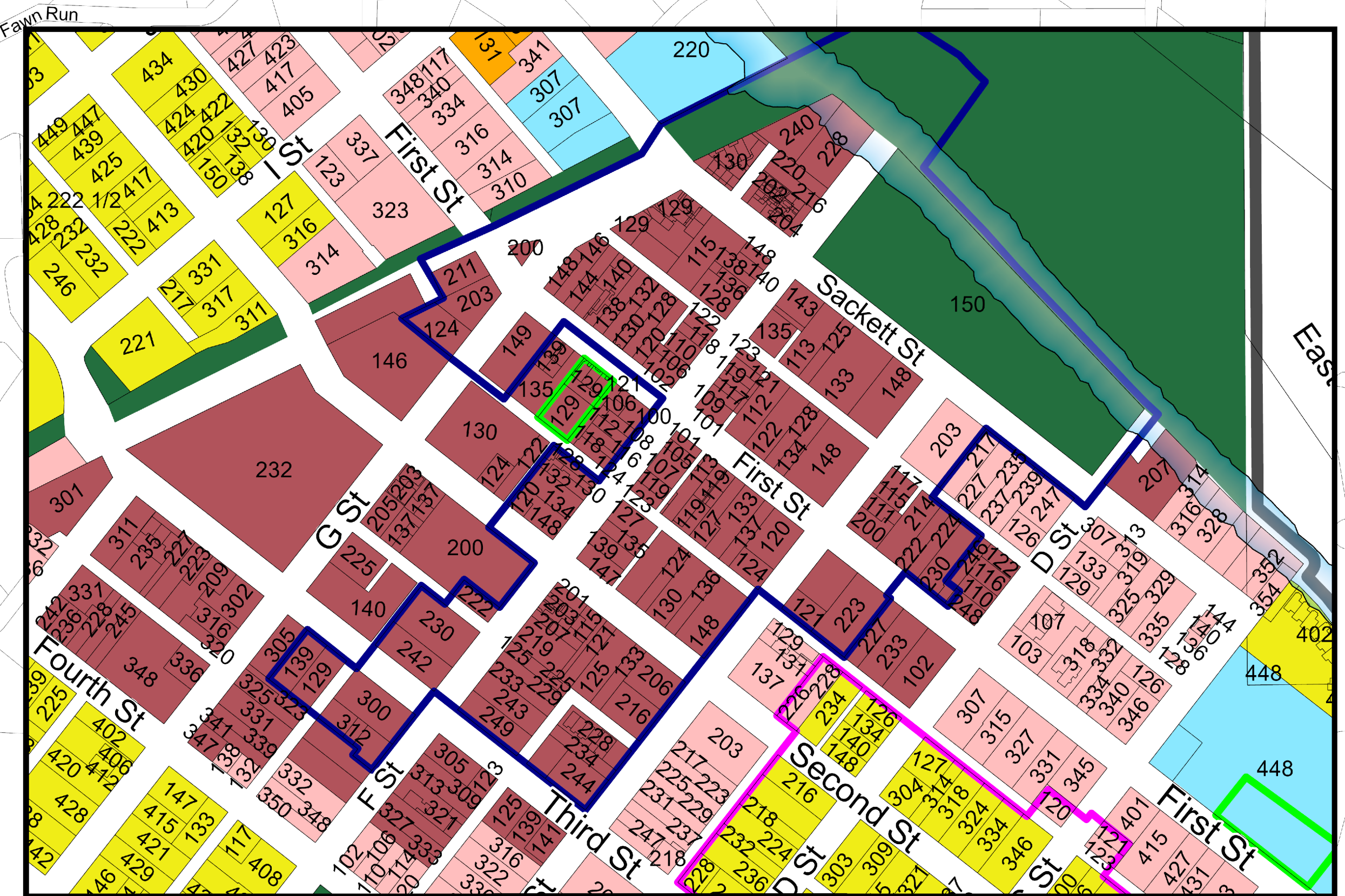
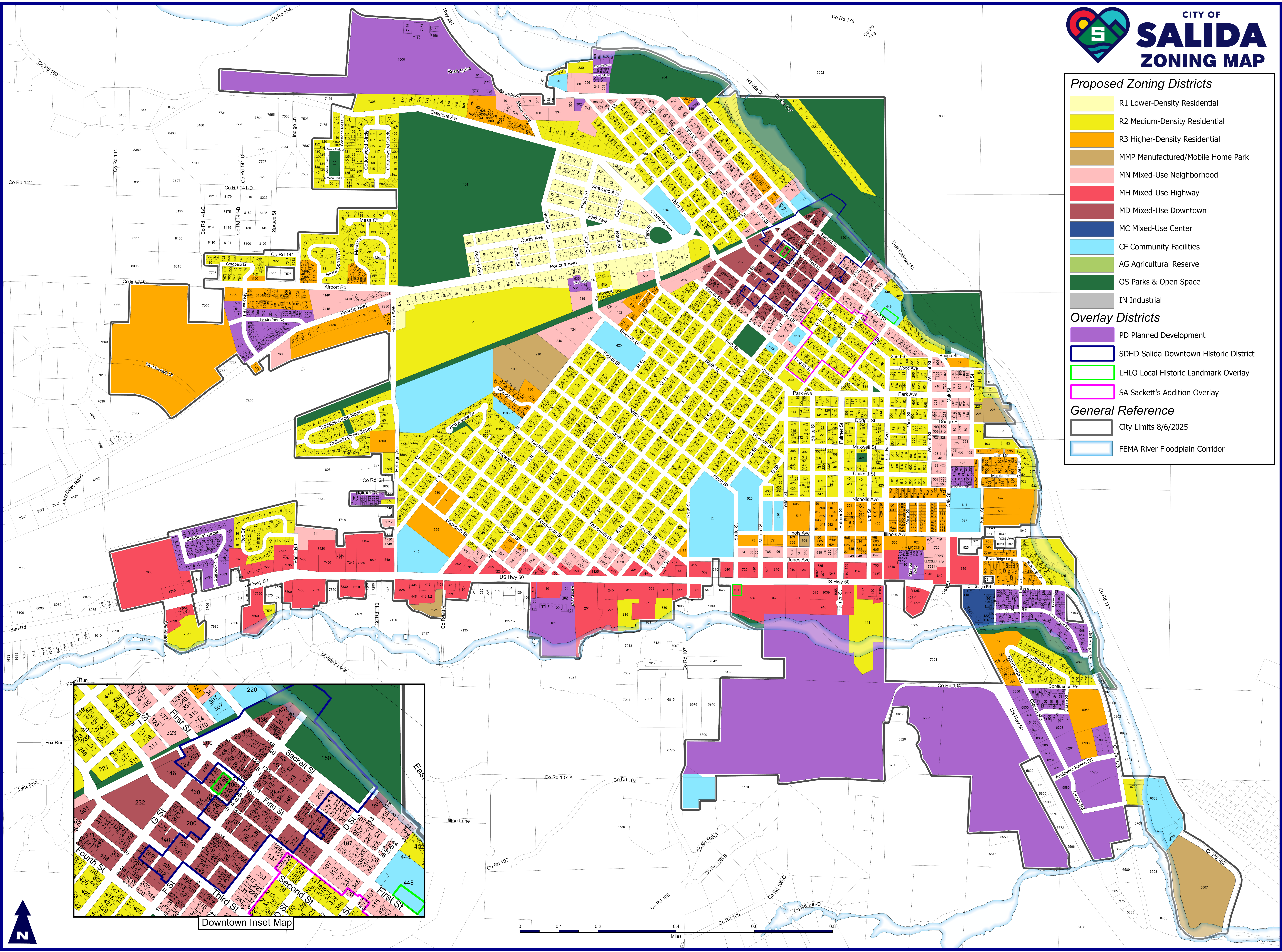
- R1 Lower-Density Residential
- R2 Medium-Density Residential
- R3 Higher-Density Residential
- MMP Manufactured/Mobile Home Park
- MN Mixed-Use Neighborhood
- MH Mixed-Use Highway
- MD Mixed-Use Downtown
- MC Mixed-Use Center
- CF Community Facilities
- AG Agricultural Reserve
- OS Parks & Open Space
- IN Industrial

*Overlay Districts*

- PD Planned Development
- SDHD Salida Downtown Historic District
- LHLO Local Historic Landmark Overlay
- SA Sackett's Addition Overlay

*General Reference*

- City Limits 8/6/2025
- FEMA River Floodplain Corridor



# Corrections to the City's Official Zoning Map

City Council Second Reading & Public Hearing – 07/07/2026





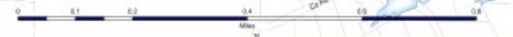
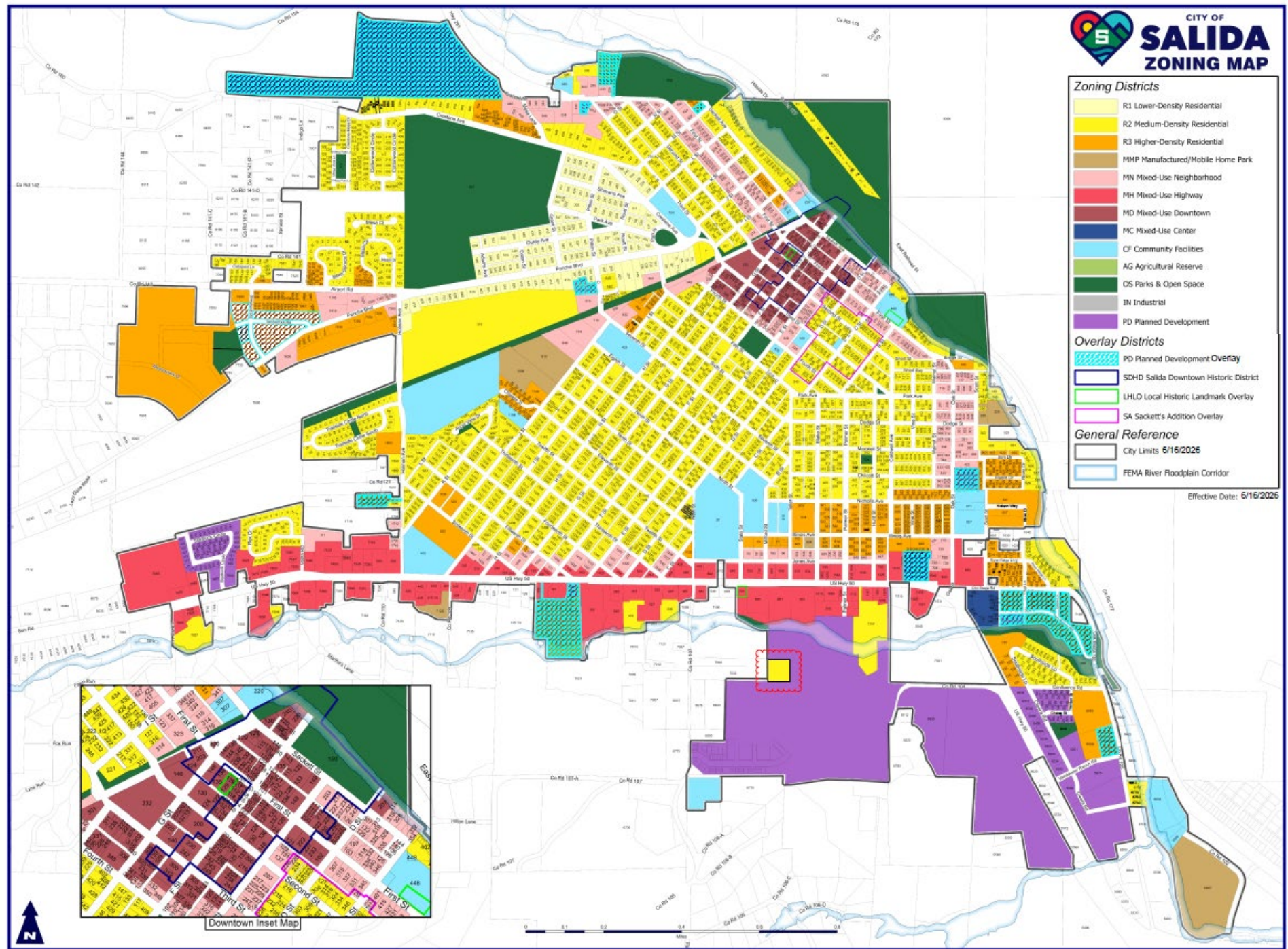
# Summary of Proposed Changes

- Restoring/Updating Base Zoning to Properties Within Certain PDs (shown with teal outline & stripes, indicating overlay district):
  - 505 Oak (added MN zoning)
  - Angelview (added R3 zoning)
  - Flour Mill (added R3 zoning)
  - Green Heart (added R1 zoning)
  - Holman Court (added R2 zoning)
  - HRRMC (added MC zoning)
  - Jane's Place (added MN zoning)
  - M&M Lane (added R2 zoning)
  - River West (added R2 zoning)
  - Salida Crossings (added MC zoning)
  - Tierra Del Alma (added R3 zoning)
  - Two Rivers Phase 1 (added R2, R3, and MN zoning)

\* PDs which do not have base zoning will remain purple. These include Starbuck Circle, and Vandaveer, which encompasses Confluent Park PD and South Ark Neighborhood PD.

- Zoning Districts**
- R1 Lower-Density Residential
  - R2 Medium-Density Residential
  - R3 Higher-Density Residential
  - MMP Manufactured/Mobile Home Park
  - MN Mixed-Use Neighborhood
  - MH Mixed-Use Highway
  - MD Mixed-Use Downtown
  - MC Mixed-Use Center
  - CF Community Facilities
  - AG Agricultural Reserve
  - OS Parks & Open Space
  - IN Industrial
  - PD Planned Development
- Overlay Districts**
- PD Planned Development Overlay
  - SDHD Salida Downtown Historic District
  - LHLD Local Historic Landmark Overlay
  - SA Sackett's Addition Overlay
- General Reference**
- City Limits 6/15/2026
  - FEMA River Floodplain Corridor

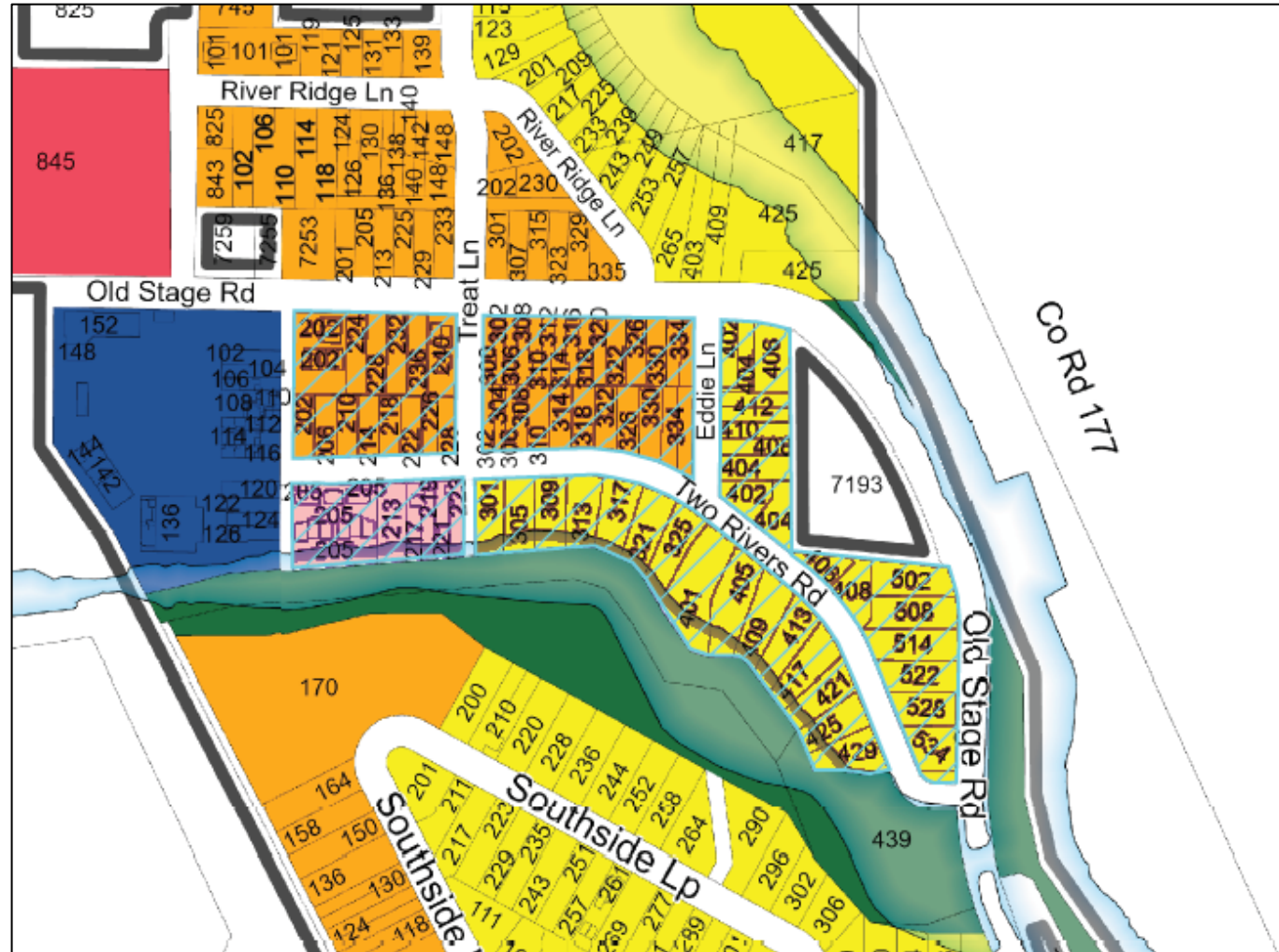
Effective Date: 6/15/2026







# PD Overlay Conversion Example





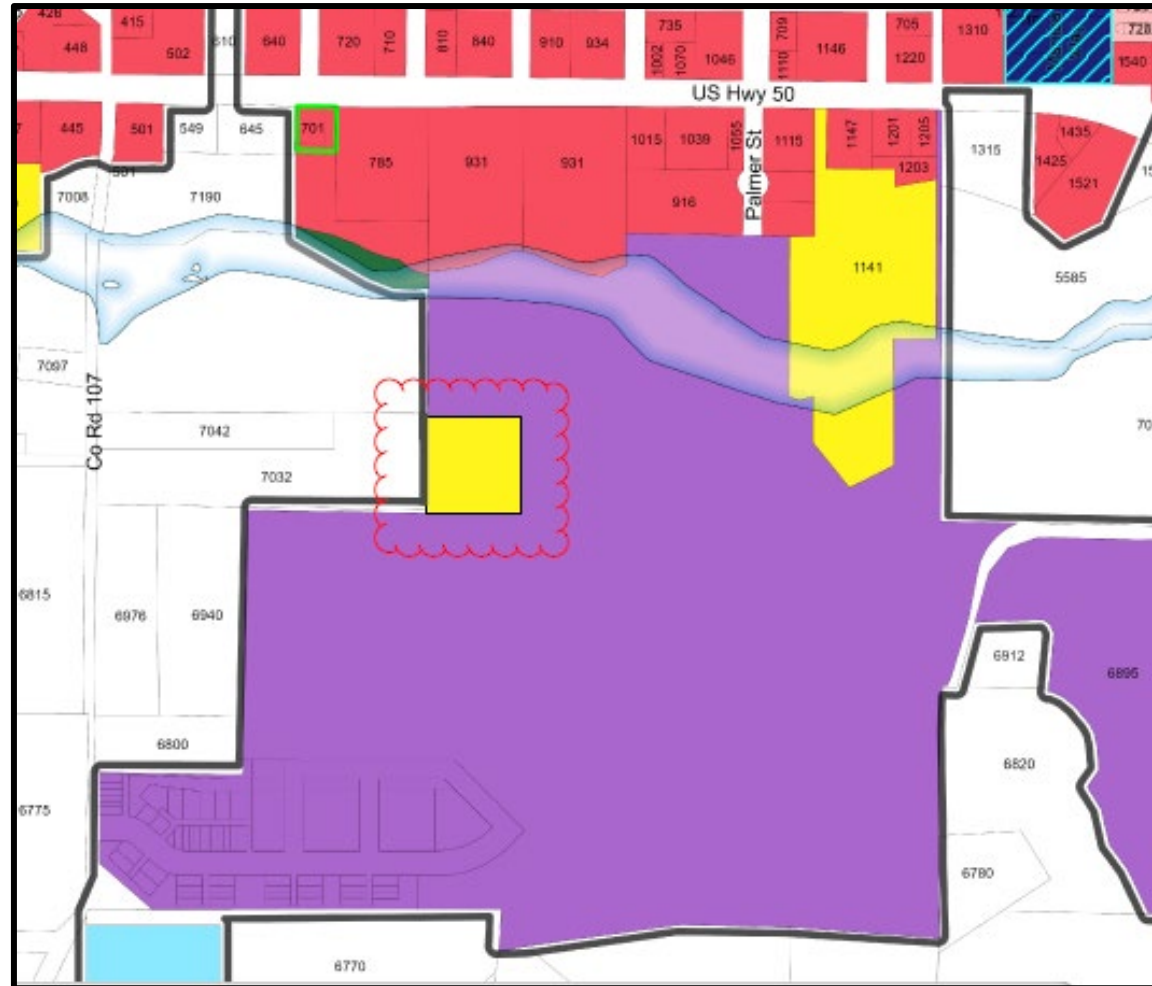
# Summary of Proposed Changes (cont.)

- Public park properties designated OS Parks and Open Space (in green):
  - Angelview PD
  - Places to Age/Salida Quality Farms Subdivision
  - Confluent Park PD.
- Updates to incorrect street names:
  - Sackett Ave
  - Chase Street
  - Trenton Street
- Updates/Corrections to Specific Addresses
- Updates to the legend
- Inclusion of the recently-annexed “Armstrong” 2-acre parcel





# Addition of “Armstrong” Parcel near SAN





# Recommended Motion

- “I move to \_\_\_\_\_ Ordinance 2026-18, An Ordinance of the City Council of the City of Salida, Colorado, Approving Corrections to the Official Zoning Map of the City of Salida and Adopting an Updated Zoning Map”





# City Council Action Form

<b>Department</b> Administration	<b>Presented By</b> Kristi Keller - City Clerk	<b>Date</b> July 7, 2026
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## **Agenda Item**

Resolution 2026-18 - A Resolution of the City Council of the City of Salida, Colorado, Declaring July 11, 2026 as Salida Museum Day.

## **Background**

This resolution highlights key events in the history of Salida, beginning with the arrival of the Denver & Rio Grande Railway in 1880 and the incorporation and growth of the community as a regional transportation and commercial center.

The resolution also recognizes the efforts of Harriet Alexander, Salida's first City councilwoman, who established the foundation for preserving local history through creation of the original Frontier Museum in 1953. Following her death in 1971, her vision for a permanent museum facility was realized during Colorado's Centennial and the Nation's Bicentennial through a partnership involving her bequest, county funding, and City in-kind support. The museum building in Centennial Park continues to house the collection managed by the Salida Museum Association.

Because the exact opening date of the current museum building is unknown, July 11, 2026 has been selected as a commemorative date to celebrate the Salida Museum and recognize its ongoing contributions to the community.

## **Recommendation**

Staff recommends approval of Resolution 2026-18.

## **Fiscal Impact**

There is no fiscal impact.

## **Motion**

A City Councilmember should state "I move to \_\_\_\_\_ Resolution 2026-18 Declaring July 11, 2026 as Salida Museum Day", followed by a second and a roll call vote.

**City Of Salida, Colorado  
Resolution No. 18  
Series of 2026**

**A Resolution of the City Council of the City of Salida, Colorado, Declaring July 11, 2026 as Salida Museum Day**

**WHEREAS**, the settlement of the Royal Gorge War between the Denver and Rio Grande Railway and Santa Fe Railroad gave the D&RG the legal right to build into the upper Arkansas River valley and led to the townsite of South Arkansas being chosen by the D&RG in 1880 when tracks reached the South Arkansas River; and

**WHEREAS**, on the suggestion of D&RG agent and former Territorial Governor Alexander Cameron Hunt, the name of this location was changed to Salida, the Spanish word for “outlet,” referring to where the narrow Arkansas River canyon opens into the wide upper valley; and

**WHEREAS**, streets and business houses quickly appeared and the new town was incorporated on October 4, 1880 and grew over the next half century, together with the D&RG, to become the dominant commercial and transportation hub of the region; and

**WHEREAS**, in 1953, Harriet Alexander, Salida’s first City councilwoman, saw the need to preserve Salida’s history and proposed the idea of a museum, donating items of historical interest from her own collection for public display in rooms at the Salida swimming pool, which operated for the next two decades as the Frontier Museum; and

**WHEREAS**, Mrs. Alexander died in 1971 without realizing her dream of establishing a museum in a building of its own and, during the celebration of Colorado’s centennial and the Nation’s bicentennial, her bequest was matched with county funds and city in-kind donations to construct the building in Centennial Park that houses the Salida Museum collection, which is managed by the Salida Museum Association and has since grown to capacity.

**Now, therefore, be it resolved by the City Council of the City of Salida, Colorado that:**

**Section 1.** Because the exact date of the opening of the present Salida Museum building is unknown, the City of Salida hereby declares July 11, 2026 as Salida Museum Day, to recognize all who have worked to support the Salida Museum so that we and future generations can discover and appreciate how Salida evolved from the days of railroading, mining and ranching to its present role as a destination for outdoor recreation, tourism and cultural achievement.

**Resolved, Approved and Adopted** this 7<sup>th</sup> day of July, 2026.

City of Salida, Colorado

[SEAL]

By \_\_\_\_\_  
Mayor

[ATTEST] \_\_\_\_\_  
City Clerk/Deputy City Clerk



# City Council Action Form

<b>Department</b> Administration	<b>Presented By</b> Christy Doon - City Administrator	<b>Date</b> July 7, 2026
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## **Agenda Item**

Resolution 2026-19 A Resolution of the City Council of the City of Salida, Colorado, Amending the Salida City Council Handbook to Include a Decorum, Removal, and Sanctions Policy.

## **Background**

The Council Handbook was last updated pursuant to Resolution 2024-49, which adopted an email retention policy and amended the Salida City Council Handbook to incorporate that policy.

At the February 17<sup>th</sup> City Council meeting, Council directed staff to prepare language for inclusion in the Salida Municipal Code establishing procedures for the removal and sanction of elected officials. Such language has now been incorporated into the Handbook.

In addition, non-substantive revisions were made to correct, clarify, and improve the overall consistency of the document.

## **Recommendation**

Staff recommends the adoption of Resolution 2026-19

## **Fiscal Impact**

There is no fiscal impact.

## **Motion**

A City Councilmember should state "I move to \_\_\_\_\_ Resolution 2026-19, A Resolution of the City Council of the City of Salida, Colorado, Amending the Salida City Council Handbook to Include a Decorum, Removal, and Sanctions Policy", followed by a second and a roll call vote.

**City Of Salida, Colorado  
Resolution No. 19  
(Series of 2026)**

**A Resolution of the City Council of the City of Salida, Colorado, Amending the  
Salida City Council Handbook to Include a Decorum, Removal, and Sanctions  
Policy**

**WHEREAS**, the City of Salida, Colorado (“City”) is a statutory city, duly organized and existing under the laws of the state of Colorado; and

**WHEREAS**, the City Council amended the Salida City Council Meeting Rules of Procedure at various times; most recently on August 6<sup>th</sup>, 2024, via Resolution 2024-49; and

**WHEREAS**, the City Council desires to amend said meeting rules with a Decorum, Removal, and Sanction Policy addressing civility, causes for removal, removal procedure, vacancy procedure; and sanctions for Councilmembers; and

**WHEREAS**, it is the desire of the City Council to adopt an amendment to the City Council Handbook to ensure transparency and to allow the Council to function at its highest ability to serve the City of Salida.

**Now, therefore, be it resolved by the City Council of the City of Salida, Colorado that:**

**Section 1.** The City Council incorporates the foregoing recitals as finding by the City Council.

**Section 2.** The Salida City Council Handbook with the Decorum, Removal, and Sanctions Policy amendment, attached and incorporated herein as Exhibit A, is hereby approved and adopted.

**Section 3.** Resolution 2024-49, and the most recent version of the Salida City Council Meeting Rules of Procedure is hereby replaced and superseded by this Resolution 2026-19 and by the attached and approved Salida City Council Handbook.

**Resolved, Approved and Adopted** this 7th day of July, 2026.

City of Salida, Colorado

By \_\_\_\_\_  
Mayor

[SEAL]

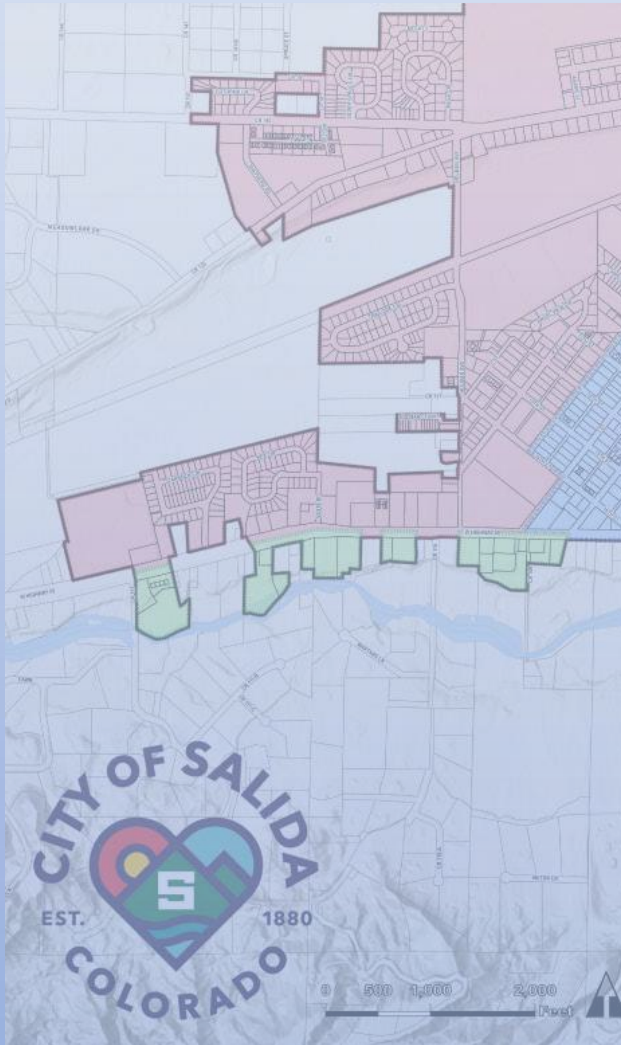
[ATTEST] \_\_\_\_\_  
City Clerk/Deputy City Clerk

**Exhibit A**  
**Salida City Council Handbook**



# Salida City Council Handbook

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**AMENDED July 7, 2026, via Resolution 2026-19**  
**AMENDED August 6, 2024, via Resolution 2024-49**  
**ADOPTED May 7, 2024, via Resolution 2024-33 Amended**  
**April 6, 2021, via Resolution 2021-08 Amended August 3,**  
**2021, via Resolution 2021-29**  
**(Replaced previous "Council Meeting Rules of Procedure")**

# Chapter 1: Introduction of City Government

## **Mission Statement**

It is the mission of the Salida City Council to guide the City through constructive, thoughtful and inclusive decision-making, preserving what makes Salida unique and focusing on the most positive outcomes.

## **Roles and Responsibilities of City Council**

Council members are the leaders and policy makers of the City. The City Council has the authority to create and approve laws, regulations and policies that guide City Government. The City Council serves as the Local Liquor Licensing Authority, the Marijuana Licensing Authority and hears appeals of certain decisions made pursuant to the Municipal Code.

Council members also serve as City representatives on Boards of several external organizations such as, but not limited to, Chaffee Housing Authority and Harriet Alexander Field Airport Board.

The City Council appoints the City Administrator, City Clerk, City Attorney, Municipal Prosecutor and Municipal Judge. These appointed positions serve at the will of the City Council, and all have written agreements with the City specifying the parameters and expectations.

## **Role of the City Council as the Local Liquor & Marijuana Licensing Authority**

Liquor & Marijuana Licenses in Colorado must be approved by both the State Liquor/Marijuana Authority and the local jurisdiction. The City Council acts as the Local Liquor Licensing Authority (LLA) and Marijuana Licensing Authority (MLA) for the City of Salida. All new liquor and marijuana licenses must be approved by the LLA or MLA following a public hearing. Liquor license/Marijuana license renewals are approved administratively by the City Administrator or City Clerk as long as no violations have occurred, and no complaints have been made against a liquor license/marijuana license holder. If complaints are filed, renewals must be considered by the LLA or MLA.

The LLA or MLA has the authority to hold hearings and impose sanctions against liquor license or marijuana license holders if an establishment violates state liquor or marijuana codes. Sanctions may include fines, suspension or in severe circumstances revocation of a liquor/marijuana license. Sanctions may only be imposed in conjunction with a legal proceeding called a show/cause hearing conducted by the LLA or MLA.

## **Role of City Council on Boards and Committees**

City Council members are appointed to serve on various external task forces, boards and committees. Council members serve as voting members on several boards such as but not limited to the Chaffee Housing Authority and Harriet Alexander Field Airport Board and may be appointed to serve as ex-officio members of several boards such as the Sustainability Committee. Initial appointments are made soon after the Council's organizational meeting following elections. Council members who serve on external boards and committees are expected to report to the full Council regarding the activities of the board or committee on which they serve. These updates can occur verbally during the Council Reports section of the regular City Council meeting, or through written reports submitted to the City Clerk by 5:00 pm on the Tuesday prior to a Council meeting for inclusion in the meeting packet. Council members may also be appointed to a committee for special projects or to review and make recommendations regarding service grant applications.

**City Administrator**

The City Administrator is the chief administrative officer of the City and is responsible for carrying out the Council's directives and administering the day-to-day operations of the City.

"The purpose of the office of the City Administrator is to provide the centralization of the administrative responsibilities of the City, with the City Administrator to be the administrative head of the City government under the direction and control of the Mayor and City Council and to be responsible to the Mayor and City Council for the efficient conduct of the office." (SMC 2-3-70(a))

"The City Administrator is the personnel director of the City and is charged with establishing appropriate personnel rules and regulations in compliance with state and federal laws, subject to the approval of the City Council. As the chief administrative officer, the City Administrator shall have the responsibility and authority to appoint, supervise and discharge all non-elected department heads and employees, excepting" appointed officials. (SMC 2-3-70(b))

**City Attorney**

The City Attorney is the legal advisor for the Council, Administrator and Department Heads. The general legal responsibilities of the City Attorney include:

- Provide legal assistance necessary for the formulation and implementation of legislative policies.
- Represent the City's interests, as determined by the City Council, in litigation, administrative hearings, negotiations and similar proceedings.
- Prepare ordinances, contracts and other legal documents.
- Keep the City Council and staff apprised of court rulings and legislation affecting the legal interests of the City.
- Attend City Council meetings, and where necessary, other board and commission's meetings

# Chapter 2: Council and Staff Interaction

The governance of a City relies on the clear, honest, cooperative efforts of elected officials, who set policy, and City staff, who implement and administer the Council's policies. Therefore, every effort should be made to be civil, professional, and show mutual respect for the contributions made by each individual for the good of the community.

## **Communications through appropriate senior City staff**

In general, the City Council should communicate all directives to the City Administrator and the City Administrator, in turn, directs staff. Questions and requests for information should be directed to the City Administrator, City Attorney, City Clerk, Municipal Judge, or their designees, including relevant Department Heads. When in doubt about what staff contact is appropriate, Councilmembers can ask the City Administrator or the affected appointed official for direction.

## **Requests for routine research by staff**

To ensure proper coordination and an efficient allocation of City resources, routine requests for research by City staff should be made to the City Administrator, who will determine what follow-up to which staff member is appropriate.

## **Policy or program modifications**

Requests to research and analyze the viability of new or modified legislation, policy, or programming should be presented as a request at a Council meeting, where it shall be decided whether the request is something that merits an investment of staff time.

## **Political support from staff**

Councilmembers must refrain from soliciting any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff at work. Staff certainly may, as any other citizen, support political candidates away from the workplace, and on their own personal time. The City as an employer request that personal mail for employees, including campaign material, be sent to their home address.

## **Administrative functions**

Councilmembers should avoid staff interactions that may be construed as trying to direct or shape staff operations.

## **Same information to all Councilmembers**

Council should expect that staff will make every attempt to provide each individual member of Council with the same information for decision-making. (i.e., requests made of staff for research will be distributed to all; correspondence to one Councilmember on policy issues will be distributed to all).

## **Whistleblowers**

In the event a Councilmember is approached by an employee with concerns that there is an illegal activity, including the alleged violation of City policy, the Councilmember shall direct that complaint to the Mayor. The Mayor will provide the information to the appropriate appointed official for investigation. If the complaint is made against an appointed official, then the Mayor shall determine what action should be taken. Where the Mayor desires legal advice he or she should use the City Attorney, or if the complaint is

against the City Attorney, then he or she has the authority to obtain outside legal counsel to assist with investigation and advice.

**Personnel**

Members of the Council shall not attempt to individually direct the City Administrator, the City Clerk, the City Attorney, the Municipal Judge or any City Staff on employment or personnel matters or decisions, awarding of contracts, selection of consultants, processing of development applications, or the granting of City licenses or permits.

# Chapter 3: City Council Meeting Essentials

## **Regular Meetings of City Council**

Regular meetings are typically conducted in Council Chambers at City Hall on the first and third Tuesday of the month, excluding holidays, and begin at 6:00 p.m., unless another day or time is set by prior approval of a majority of the City Council. Regular meetings shall adjourn no later than 9:00 p.m. unless a later time is agreed upon by a majority vote of the council members present at said meeting. In the event one or more agenda items have not been called prior to 9:00 p.m., and majority approval for extension of the meeting has not been obtained, such item or items shall be automatically continued to the next regular city council meeting.

## **Work Sessions of City Council**

Work Sessions are typically held in Council Chambers in City Hall on the first and third Monday of the month, as needed, and usually begin at 6:00pm. The purpose of a Work Session is for general informal discussion, review and education of policy or operational topics. No formal action or decisions may be taken at a Work Session, and minutes are not taken. However, the council may direct appointed officials during Work Sessions to prepare information for a discussion and possible decision at a regular City Council meeting.

## **Special Meetings of City Council**

The Mayor and any three (3) members of the City Council may call a special meeting by having written notice of such meeting personally served on all other Council members, or left at their usual place of residence. Except in cases of emergency, special meetings shall not be conducted except upon twenty-four-hours notice.

Special meetings may also be called by majority vote of the membership of the City Council taken and announced at a regular Council meeting. Notice of such meeting shall be given to any member of City Council not in attendance.

Should the City Council convene for a special meeting pursuant to a request of an interested party for the purpose of accommodating time constraints of said interested party, the City Council may, in its discretion, assess fees for the special meeting against the interested party. The City Council may from time to time by resolution adopt a schedule of fees which may be assessed for special meetings. Said fees shall reasonably compensate the staff of the City and the City Attorney for time spent in preparation for attendance at special meetings.

## **Council Meeting Agenda and Packets**

Council meeting agendas are set by the City Clerk by end of day on the Tuesday before the Council meeting. The City Clerk manages the scheduling of agenda items and the publication and posting of agendas. Council meeting packets are assembled and the link is delivered via e-mail to council members by the Wednesday evening prior to regular Council meeting. City Council agendas and e-packets are posted on the City website by the Wednesday evening prior to regular meetings.

Packet information is meant to notify the public and assist Council members in preparing for the meetings. If you have questions regarding an agenda item, you may discuss it in advance with the City Administrator, or (if applicable) the City Attorney.

## **Public Hearings**

Public hearings are held before the City Council to hear testimony from the public regarding specific

maters. Public hearings are held on all ordinances and on items such as the approval of certain quasi-judicial liquor licenses, marijuana licenses and land use decisions. During a public hearing certain procedural rules must be followed, which are discussed in greater detail within this Handbook.

### **Budget**

The City's fiscal year begins on the first day of January and ends the last day of December. The purpose of the budget is to keep expenditures within the City's estimated revenues. The budget consists of two parts: a carefully prepared estimate of revenues and a tabulation of the estimated cost of each item in the budget. In the budget process, the Council essentially decides what the community needs and wants, what the community is willing and able to pay for, and what services the community can expect for its tax dollars. City staff prepares a proposed budget for City Council review and deliberation each year. The budget process usually begins in late June with work sessions to review draft budget documents and to discuss priorities, proposed projects, and the ongoing fiscal responsibilities of the City. Further drafts of the budget are reviewed until the budget is ready for final consideration and approval. The budget contains both an operational budget and a capital budget. The capital budget contains a list of all capital improvements which are proposed to be undertaken during the following fiscal year. By law, the budget must be approved no later than December 15 of each year.

# Chapter 4: City Council Meeting Procedures

## **Quorum for City Council**

Three (3) Council members and the Mayor, or four (4) Council members, shall constitute a quorum to do business at all meetings of the City Council.

## **Attendance**

Attendance at meetings is crucial to allow the City to conduct business, therefore, Councilmembers are expected to attend all meetings within reason. In the event a member of Council is unable to attend a meeting of the Council, such member is requested to make a reasonable effort to so advise the City Clerk, City Administrator, or Mayor in advance of the meeting. If a member accrues more than four (4) absences to regular City Council meetings within a twelve (12) month period, such member shall be removed, and their seat will be deemed vacant.

### **Order of Business on City Council Meeting Agendas**

All business of the council shall be considered in the order of the agenda unless otherwise directed by motion adopted by the majority of the members present. Agenda order is currently, and should normally be:

- Call to Order
- Pledge of Allegiance
- Roll Call
- Amendment(s) to the Agenda
- Consent Agenda
  - Approval of Agenda
  - Approval of the Minutes
- Public Comment - three (3) minute time limit. (for items not on the agenda and/or agenda items that are not scheduled for public hearings)
- Unfinished Business/Action Items
- New Business/Action Items
- Reports (from Council members, appointed officials, departments, boards or commissions)
- Executive session, if applicable
- Adjournment

### **Consent Agenda**

The Consent Agenda allows the Council to approve several items of routine business with one vote. All of the consent items shall be voted on as a group. If a Council Member requests discussion or requests that any item(s) be removed from the consent items, such item(s) shall be acted upon after consideration of the remaining consent items by the Council. The individual items will then be considered for adoption.

Consent Agenda items may include, but are not limited to:

- Approval of the Meeting Agenda;
- Approval of the Minutes of prior meetings;
- Approval of contracts or awards of bids previously presented in a work session and/or approved by City Council in the annual budget;
- Approval of Memoranda of Understanding with various entities;
- Approval of administrative, organizational or employment policies;
- First reading and setting the public hearing for Ordinances

The consent items will be listed as separate items on the Agenda for the Regular Meeting and we recommend the following explanation for the general public:

*“All matters listed under Item X, Consent Agenda, are considered to be routine business matters by the Council and will be enacted with a single motion and a single vote by roll call. There will be no separate discussion of these items. If discussion is deemed necessary by any member of the Council, that item should be removed from the Consent Agenda and considered separately.”*

### **Public Comment**

During the Citizen Comment portion of the meeting, the following guidelines should be followed:

- All speakers must be recognized by the presiding official before speaking.
- Each speaker must provide their name before speaking.
- All remarks shall be addressed to the entire governing body.
- Questions posed to the relevant governing body or to the City Staff may not be directly addressed during public comment.
- Each speaker from the public will be allotted a maximum of three (3) minutes to provide their comments. Speakers are not allowed to yield their time to someone else.
- Disorderly conduct, harassment, or obstruction of or interference with meetings by physical action, verbal utterance, nuisance, or any other means are prohibited.
- Members of the public may submit written comments at least 24 hours in advance of the scheduled meeting. Such written comments will be forwarded to the entire Council.
- Members of the public who are attending the meeting remotely will have the opportunity to speak, following the same guidelines listed above.

At the beginning of Citizen Comments, the Mayor should state, “This is an opportunity for the City Council to hear from our community. The public will be limited to three minutes each during citizen comments. The City council may not respond to your comment this evening, rather they may take your comments and suggestions under advisement and your questions will be directed to the appropriate department for follow-up. If necessary, the City Administrator will correct the public record.”

Citizen comment opportunities are different than formal public hearings. The public has the opportunity to comment during the citizen comment period at the beginning of every regular Council meeting. At this time people may speak for up to three minutes on any topic that is not on the agenda. The public comment period is a time for the Council to listen to the people. Council generally should not engage in two-way conversation at this time, nor should the Council feel compelled to respond to the comments. If Council chooses to discuss or take action on a subject brought up during Public Comment that discussion should be held at the end of the Council meeting under Council Reports.

### **Public Hearings**

Typical Order of a Public Hearing shall be as follows:

- Mayor/presiding officer opens the public hearing.
- City Staff summarizes their report; explains what is being requested; applies relevant Code provisions; makes recommendations; confirms proper notice of the public hearing.
- Applicant/Appellant presents its request and basis for same; possibly brings forward persons speaking in support of the application.

- Public Comment. Interested persons from the general public may speak, testify, address Council. (3 minute limit)  
     The Mayor/presiding officer will invite public in the following order:  
         In-person speakers, followed by  
         Online speakers (if applicable)
- Applicant may offer rebuttal, closing statement and may cross-examine any person who presented or testified.
- City Staff may offer rebuttal, closing statement and may cross-examine any person who presented or testified.
- Council may ask questions of any party or any person who as offered comment at the hearing.
- Mayor closes public hearing.
- Preliminary Council Discussion. Council reviews all testimony and evidence presented, applies appropriate Code provisions, and then objectively discusses and deliberates the requested application(s). The Council may ask additional questions of (or seek clarification or assistance from) the applicant, City Staff, Attorney, and anyone else present.
- Call for Motion. A council member proposes a final decision on the application, in the form of a motion.
- Council deliberates on the motion, and makes any applicable amendments to the motion.
- A roll call vote of all councilmembers occurs on the final version of the motion.

**Reports**

City Council reports at the end of regular City Council meetings should aim to be approximately 3 to 5 minutes each. These reports should include report outs of any board or commission to which the Council member is a liaison.

Each department will provide a written report, monthly, which is included in the Council packet. The reports will highlight projects and programs from the previous month.

Each action item on the agenda will also contain a Council Action Form prepared by City Staff. This CAF will provide a background of the materials before the Council, any fiscal impact the decision will have, staffs' recommendations and the suggested motion.

**Placement of a Work Session or Regular Meeting agenda item**

The direction of either the Mayor or a minimum of two (2) City Councilmembers is required in order to place a topic or item on a work session or regular City Council meeting agenda. Such a request should be made publicly at regular meeting, if at all possible; however, that is not required if time or other circumstances do not allow.

**Removal of a Work Session or Regular Meeting agenda item**

An item previously added to either a work session or regular City Council meeting agenda may be removed from the agenda by a two-thirds (2/3) vote of the City Council.

**Executive Sessions**

The policy basis for executive sessions, which are not open to the public, is the recognition that the public interest can best be served if certain specified matters are discussed in private. The purpose of an executive session is to deliberate, not to make final decisions. No formal action shall be taken in an executive session to adopt a proposed policy, position, resolution, rule, regulation or ordinance.

**The Colorado Revised Statutes permit Executive Sessions in the following limited situations:**

1. *Real and Personal Property*: to discuss the purchase, acquisition, lease, transfer, or sale of property interests, so long as the executive session is not held to conceal an official's personal interest in the property. (CRS §24-6-402(4)(a))
2. *Attorney Conferences*: for the purpose of receiving legal advice on specific legal questions. (CRS §24-6-402(4)(b))
3. *Confidential Matters Under State or Federal Law*: for the purpose of discussing any topic required by state or federal law to be kept confidential. The governing body must announce the specific statutory citation or rule that requires the confidentiality of the matter to be discussed. (CRS §24-6-402(4)(c))
4. *Security Arrangements or Investigations*: for the purpose of discussing specialized details of security arrangements or investigations. (CRS §24-6-402(4)(d))
5. *Negotiations*: for the purpose of determining positions, strategy, or instructions to negotiators. (CRS §24-6-402(4)(e))
6. *Personnel Matters*: for the purpose of discussing general personnel matters. However, if the discussion involves a specific employee, that employee may request an open meeting. If the discussion involves more than one employee, the executive session may be held unless all

of the employees request an open meeting. 'Personnel Matters' does not include discussions of any member of a local public body, any elected official, the appointment of any person to fill a vacancy in a local public body or elected office, or discussion of personnel policies that do not require discussion of particular employees. (CRS §24-6-402(4)(f))

7. *Documents Protected Under Open Records Act*: for discussions that involve consideration of documents protected by the mandatory non-disclosure provision of the Open Records Act. Discussion of documents protected under the 'work product' or 'deliberative process' privileges in the Open Records Act must occur in an open meeting unless an independent basis for an executive session concerning such documents exists. (CRS §24-6-402(4)(g))

Executive Session Procedures:

- Executive sessions may only be conducted during a regular or special meeting of the City Council.
- The City must first announce the topic of discussion to the public, including the specific citation to the Open Meetings Law (CRS section) that authorizes consideration of the announced topic in executive session, as well as "identification of the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized."
- A City Councilmember must make an official motion to go into Executive Session (i.e. "I move to go into Executive Session for the purpose of a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b))."
- Two-thirds of the quorum present must vote affirmatively on the motion before the governing body can close the meeting to the public.
- Discussions that occur in Executive Session must be electronically recorded. The recordings must be retained for at least ninety (90) days after the date of the session. If, in the opinion of the City Attorney present, all or a portion of the discussion constitutes a privileged attorney-client communication, no record or electronic recording is required to be kept of that part of the discussion.

# Chapter 5: Conflicts of Interest

## Common Good

- City Council Members shall work for the common good of the people of the City and not for any private or personal interest; and
- City Council Members will ensure fair and equal treatment of all persons, claims, and transactions coming before the City Council.

## Definitions

For purposes of this Section, these terms shall have the following assigned meaning:

- *Financial Interest* means any interest equated with money or its equivalent.
- *Financial Interest* shall not include:
  - The interest that a City Council Member or relative has as an employee of a business, or as a holder of an ownership interest in such business, in a decision of any public body when the decision financially benefits or otherwise affects such business but entails no foreseeable, measurable financial benefit to the officer, employee, or relative;
  - The interest that a City Council Member or relative has as a non-salaried officer or member of a nonprofit corporation or association or of an educational, religious, charitable, fraternal, or civic organization in the holdings of such corporation, association, or organization;
  - The interest that a City Council Member or relative has as a recipient of public services when such services are generally provided by the City on the same terms and conditions to all similarly situated citizens regardless of whether such recipient is a City Council Member or relative;
  - The interest that a City Council Member or relative has as a recipient of a commercially reasonable loan made in the ordinary course of business by a lawfully established financial or lending institution;
  - The interest that a City Council Member or relative has as a shareholder in a mutual or common investment fund in the holdings of such fund unless the shareholder actively participates in the management of such fund;
  - The interest that a City Council Member or relative has as a policyholder in an insurance company, a depositor in a duly established savings association or bank, or a similar interest-holder unless the discretionary act of such person, as a City Council Member, could immediately, definitely, and measurably affect the value of such policy, deposit, or similar interest;
  - The interest that a City Council Member or relative has as an owner of government-issued securities unless the discretionary act of such owner, as a City Council Member, could immediately, definitely, and measurably affect the value of such securities; or
  - The interest that a City Council Member has in the compensation received from the City for services provided to the City as a City Council Member.
- *Personal Interest* means any interest (other than a financial interest) by reason of which a City Council Member, or a relative of such City Council Member, would, in the judgment of a

reasonably prudent person, realize or experience some direct and substantial benefit or detriment different in kind from that experienced by the general public.

- Examples of personal interest include an increase in the value of a real property interest or advancement of an employment opportunity.
- *Personal Interest* shall not include:
  - The interest that a City Council Member or relative has as a member of a board, commission, committee, or authority of another governmental entity or of a nonprofit corporation or association or of an educational, religious, charitable, fraternal, or civic organization;
  - The interest that a City Council Member or relative has in the receipt of public services when such services are generally provided by the City on the same terms and conditions to all similarly situated citizens; or
  - The interest that a City Council Member has in the compensation, benefits, or terms and conditions of his or her service to the City.

### **Disclosure and Abstention Procedures**

*Disclosure:* A City Council Member who has a personal or private interest in any matter proposed or pending before the Council shall disclose the interest to the other members prior to action on the matter by the Council.

*Abstention:* A City Council Member shall be excused from voting on any matter on which he or she has a conflict of interest.

- The City Council Member who has the conflict of interest shall refrain from attempting to influence the other members of the Council who are or will be voting on the matter.
- The City Council Member excused from voting because of a conflict of interest shall leave the meeting during the deliberations and the vote on the matter.

### **Privileges, Exemptions, and Services**

A City Council Member shall not use his or her official position to secure a special privilege, exemption or service for himself or herself or for others, nor shall any member of the Council seek or grant any special consideration, treatment, or advantage to or for any citizen beyond that which is generally available to every other citizen.

This provision shall not be interpreted to prohibit or hinder a member from presenting citizen concerns to the Council or to City Staff and requesting a response to the citizen concern.

### **Personal Gain and Use of Public Resources**

A City Council Member shall not take any special advantage of services or opportunities for personal gain, by virtue of his or her public office, that are not available to the public in general. City Council Members shall refrain from accepting any benefit or promises of future benefits which compromises their independence of judgment or action or gives the appearance of such compromise.

A City Council Member shall not use public resources not available to the public in general, such as City Staff time, equipment, supplies or facilities, for private gain or personal purposes, except for privileges generally available or granted to employees of the City.

### **Appearance of Impropriety**

An appearance of impropriety is created when a City Council Member takes or may take a direct official action that, although not constituting a conflict of interest, will create a reasonable perception that his or her ability to carry out his or her official duties with integrity, impartiality, and competency is impaired.

As non-exhaustive examples only, appearances of impropriety may be created in the following circumstances:

- When the direct official action involves or will involve a close friend of the City Council Member;
- When the City Council Member is a recipient of an official notice of a quasi-judicial hearing due to the City Council Member's ownership or lease of property to be affected by such hearing; or
- When the City Council Member will be called upon to consider taking official action of a quasi-judicial nature and the City Council Member has previously and publicly expressed an opinion, position, or bias regarding the matter.

A City Council Member who determines that that his or her actions may cause an appearance of impropriety may disclose the appearance of impropriety and abstain from voting as provided in the *Disclosure and Abstention Procedure* section above.

### **Employment**

It is in the interest of the City to hire the most qualified people to work in the City.

Due to the potential conflict of interest that exists when a Council member applies for an open position with the City, any councilmember that intends to apply for an open position with the City must resign their council seat at the next regular meeting after an application is submitted.

If an employee is elected to City Council, they must resign their position with the City at the first regular meeting after they take office.

# Chapter 6: Open Meetings Law

(Colorado Revised Statutes 24-6-401, et seq.)

**Meeting** means: any kind of gathering, convened to discuss public business, in person, by telephone, electronically, or by other means of communication. However, Meeting does not include electronic communications that do not relate to the merits or substance of pending legislation or other public business. Examples include communications regarding scheduling and availability, forwarding information, responding to a public inquiry, or posing a question for later discussion by the public body.

**Local public body** means: any board, committee, commission, authority, or other advisory, policy-making, rule-making, or formally constituted body of the City and any public or private entity to which the City, or an official thereof, has delegated a governmental decision-making function but does not include persons on the administrative staff of the local public body.

- Note the exclusion in the foregoing definition for “administrative staff.”

**What meetings are required to be “open to the public” at all times?**

- All meetings of a quorum or three or more members of any local public body, whichever is fewer, at which any public business is discussed or at which any formal action may be taken.

**Notice:** Any meetings at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or at which a majority or quorum of the body is in attendance, or is expected to be in attendance, shall be held only after full and timely notice to the public. In addition to any other means of full and timely notice, a local public body shall be deemed to have given full and timely notice if the notice of the meeting is posted in a designated public place within the boundaries of the local public body no less than 24 hours prior to the holding of the meeting. The public place or places for posting such notice shall be designated annually at the local public body's first regular meeting of each calendar year. The posting shall include specific agenda information where possible.

- OML does not define “full and timely notice,” but provides an example of notice by posting. The General Assembly recently authorized this posting to be on the public entity's website.

**Chance meetings and social gatherings:** The requirements of the OML do “not apply to any chance meeting or social gathering at which discussion of public business is not the central purpose.”

**Open Meetings Law may apply to the following discussions:**

- a. Emails
- b. Zoom Webinar chat box
- c. Text messages
- i. Messaging during a meeting: councilmember to councilmember could violate OML; or councilmember to an applicant or the public may violate other quasi-judicial provisions.

# Chapter 7: Legislative v. Quasi-Judicial Proceedings

Applying constitutional due process (fair hearing) requirements, state and federal courts have characterized certain governmental entity decisions as legislative, and others as quasi-judicial. It is important to understand the differences between the two because the courts require that special procedures be followed for quasi-judicial matters.

## **Legislative Matters**

Legislative matters are matters of general concern or with applicability throughout a municipality. In the legislative role, the City Council reviews, recommends, creates and amends regulations on a citywide basis. Legislative matters are frequently referred to as “policy making.”

*Examples:* Resolutions or Ordinances with broad application; amending Municipal Code.

The City Council may freely discuss legislative matters with the general public.

## **Quasi-Judicial Matters**

Quasi-Judicial matters have a narrower application. Unlike legislative matters, the Council does not *set* new policy in a quasi-judicial proceeding, but rather *applies* policy established in existing law to specific facts gathered at the hearing to arrive at its decision on the case presented.

*Examples:* special use permits, zoning variances, subdivision plat approvals, liquor license issuance, nuisance abatement.

In quasi-judicial hearings, the City Council is acting in a manner similar to a judge, and must make an objective decision that is based upon the evidence presented at the hearing and the current law and applicable legal standard.

Because these proceedings impact the property rights of one individual, entity or small group of individuals, fairness and due process must be ensured. Everyone with an interest in the case, as well as all members of the decision-making body, must hear the same evidence, at the same time, from the same sources. The applicant, appellant or property owner deserves the opportunity for a fair, impartial hearing before unbiased, impartial decision makers, each of whom have had the benefit of the same input and testimony. During quasi-judicial hearings, Council will not engage in reflective listening.

### **Council’s Impartiality in a Quasi-Judicial Proceeding may be affected by:**

(1) **Pre-judgment or bias.** An individual Councilmember’s desires, personal preferences or prejudices must not be a factor for consideration, or enter into their decision-making. A councilmember must not have their mind made up before the hearing, and must remove themselves from the process if they have advocated one way or the other on a quasi-judicial matter. Each member participating in the hearing must have the ability to decide the case fairly, impartially and based solely on the evidence and testimony presented at the hearing.

(2) **Conflicts of Interest.** Described earlier in Chapter 5 of this Handbook.

- (3) **Ex-Parte Communications.** Ex-Parte communication refers to information received “outside of the record,” whether verbal, written, electronic, or graphic. Ex-parte communications are also defined as communication between a councilmember and one party, outside the presence of the other parties to the case, or other affected individuals.

Because of the legal constraints of this process, councilmembers may not discuss quasi-judicial issues outside of a hearing. Council must refrain from listening to opinions outside of the public hearing, and should not form opinions until the hearing. Council also should not research the issue outside of the hearing. Should a member of the public, or the applicant, attempt to share opinions or discuss the issue, Council must explain that because it is a quasi-judicial matter, they cannot not engage in ex-parte communication. Councilmembers may direct the individual to provide written comments to City Staff, which will be included in the public record, and considered by all Council at the proper time.

Courts generally hold that such communications are improper and may provide legal grounds for overturning a Council’s decision. These rules promote impartial decisions by ensuring disclosure of all evidence and arguments presented to the Council in its deliberation and decision. These rules also gives everyone involved a fair chance to respond to all information that may affect the decision. If any Councilmember believes that their ability to participate in the hearing fairly and impartially has been compromised, they must cure the issue by disclosing the issue on the record or recusing themselves from the hearing.

# Chapter 8: City of Salida Remote Participation Policy

*(Adopted via Resolution 2024-33)*

The preference and expectation of all Councilmembers is to attend regular and special Council meetings in-person, in City Hall, whenever possible, in recognition of the efficiency and effectiveness of in-person participation when conducting the public business of the City of Salida. However, there may be occasional times when in-person attendance is not possible. The City finds that remote attendance by Councilmembers is preferable to not permitting participation or delaying the conduct of public business. Members of Council may therefore participate remotely in council meetings subject to the following rules and procedure.

This Policy shall also apply to all quasi-judicial proceedings in front of any City board or commission. When considering a quasi-judicial matter, City boards and commissions, and its members, shall follow this Policy in the same manner intended for Councilmembers.

This Policy applies when a local disaster emergency is not in effect.

When an emergency has been declared, the City's "Electronic Participation Policy for City Council Meetings and Meetings of City Boards and Commissions During a Local Disaster Emergency" adopted by City Council via Resolution 2020-42 shall apply.

**"Remote Attendance"** means participation by video or audio means, such as Zoom, GoToMeeting, Webex, Microsoft Teams or similar platform approved by the City, which is clear, uninterrupted and allows two-way communication for the participating Councilmember.

## **Circumstances permitting remote participation**

Councilmembers may participate in a meeting by remote attendance when travelling out-of-town, when ill, when a family or personal emergency arises, or when unforeseen circumstances do not allow in-person attendance. Councilmembers who are ill are encouraged and expected to participate by remote attendance. Councilmembers may participate remotely no more than four (4) times in a twelve (12) month period for Regular City Council meetings. This provision does not apply to Work Sessions. If a Councilmember violates this provision, they shall be removed, and their seat will be deemed vacant.

## **Meeting requirements concerning remote participation**

Council may permit remote participation in a meeting, provided that all of following standards are met:

1. All members of the City Council can hear one another or otherwise communicate with one another and can hear or read all discussion and testimony in a manner designed to provide maximum notice and participation.
2. Councilmembers and members of the public present at the meeting location can hear or read all discussion, testimony and votes.
3. At least one member of the City Council is present at the meeting location.
4. All votes are conducted by roll call.

### **Arranging for remote participation**

To arrange to participate remotely, a Councilmember shall contact the City Clerk in writing, as far in advance of the meeting as possible, and include the circumstance in which the Councilmember is making the request. Upon receipt of such written request, the City shall use its best efforts to provide the technical means necessary to fulfill the request from City Hall; provided, however, that it shall be incumbent upon the Councilmember who desires to participate by remote attendance to provide the technical means necessary to facilitate remote attendance from their location. Such Councilmember are expected to be situated in a stationary location with adequate internet service with video camera on and presenting in a professional manner similar to in-person Council meeting attendance.

### **Public Participation**

For meetings where it is practical for City Council to utilize an electronic communication platform, members of the public may participate in such meetings and make comments at such times as are designated by the Mayor. The City may impose requirements on public participation by electronic means such as requiring a member of the public to send an email to the Clerk prior to the meeting if they desire to present on an item not on the agenda or requiring a member of the public to give notice to City staff in advance or during the meeting of their desire to comment on a specific agenda item.

### **A Councilmember participating through remote attendance:**

- shall be entitled to participate in all Council matters in the same capacity as a Councilmember in physical attendance, including participation quasi-judicial matters and executive sessions;
- shall be counted for purposes of establishing a quorum;
- shall have the opportunity to express comments during the meeting and participate in the same capacity as those members physically present, subject to all general meeting guidelines and adopted procedures;
- shall be heard, considered, and counted as to any vote taken;
- shall be called during any vote taken and shall have such Councilmember's vote counted and recorded by the City Clerk and placed in that meeting's minutes; and,
- may leave a meeting and return as in the case of any member upon announcement of such leaving and returning.

In the event that City Council holds an executive session, participants shall be authorized to attend remotely. A Councilmember participating in an executive session remotely shall: (a) have a secure telephone or electronic connection, and (b) certify that they are the only person in the room and that no other person has access to the executive session. Any executive session conducted under this Policy shall be recorded electronically as provided for by statute.

### **Presiding Officer**

The Mayor, Mayor Pro Tem or other designated person who is presiding over the meeting shall have the discretion to mute any Councilmember who is participating through remote attendance when distracting and extraneous noise is occurring through the remote attendance. The officer who is presiding over the meeting may delegate the ability to mute Councilmembers to the meeting host who controls the meeting platform. The presiding officer shall use best efforts to recognize and provide opportunity for Councilmembers who are participating via remote attendance the ability to contribute to the discussion and express comments. The presiding officer during the meeting shall designate the individual who councilmembers should contact during the meeting in the event of technical difficulties

or in connection with other matters related to items not appearing on the agenda for the meeting in which the Councilmember is participating remotely.

**Reasonable Accommodations**

The City may provide reasonable accommodation and waive or modify provisions of this Policy for the benefit of members of the City Council, commission, board or the public with a disability.

# Chapter 9: Travel and Mail

## **Travel**

The City will pay for ordinary and necessary expenses incurred by City Council members which are directly related to City business. Actual or per diem travel expenses should be itemized on a Travel Expense Form (available in the Finance Office) and submitted along with necessary documentation. This includes mileage when you need to travel using your personal vehicle. Efforts should be made to travel with staff who are able to drive City-owned vehicles.

The City Administrator's office can assist you in registering for classes, conferences and booking travel arrangements. Council members should always use discretion in their use of City-related business travel. Travel expenses incurred by public officials are typically subject to a high level of public scrutiny.

## **Council Mail**

Correspondence/mail addressed to the City Council is placed in the Council mailboxes, located in the mail room, accessible through the Finance Office. Please check your mailbox when you visit City Hall. E-mail correspondence addressed to City Council is forwarded to all Council members and the Clerk's Office retains a copy for the public record.

# Chapter 10: Decorum, Removal, and Sanctions

## Civility

It is the intention of the Salida City Council to promote civil communication among council members and the public by adopting these guidelines for speaking in the City Council Chambers.

## Robert's Rules of Order

Regular City Council Meetings are conducted by the Mayor, according to "Bob's Rules of Order," the abbreviated Robert's Rules of Order (SMC 2-2-80).

## Removal and Sanctions of Council Members

### Definitions

(1) "Conviction" shall mean:

- I. A guilty verdict;
- II. A plea of guilty accepted by the court or the entry of a guilty plea;
- III. A plea of nolo contendere (no contest) accepted by the court; or
- IV. The imposition of a deferred sentence accepted by the court.

(2) "Crimes of moral turpitude" include the following felony, misdemeanors or municipal offenses:

- I. Any of the offenses against the person set forth in 18-3-101, et. seq. C.R.S.;
- II. Any of the offenses against property set forth in 18-4-101, et. seq. C.R.S.;
- III. Any of the offenses involving fraud set forth in 18-5-101, et. seq. C.R.S.;
- IV. Any of the offenses involving family relations set forth in 18-6-401, et. seq. C.R.S.;
- V. Any of the offenses constituting wrongs to at-risk adults set forth in 18-6.5-101, et. seq. C.R.S.;
- VI. Any of the offenses relating to morals set forth in 18-7-101, et. seq. C.R.S.; or
- VII. Any conspiracy, solicitation, or criminal attempt to commit any of the above offenses, or participation as an accessory to any of the above offenses.

### Good cause for removal.

The following enumerated matters shall be good cause reasons for removal of a Council member from the Council:

- (1) Four (4) absences from regular City Council meetings during a twelve (12) month period;
- (2) Willful or habitual neglect or refusal to perform the duties of his or her office;
- (3) Attending Town Council meetings in an intoxicated state;
- (4) A conviction of a crime of moral turpitude;
- (5) A violation of the Remote Participation Policy; or
- (6) For any other reason as indicated in the City Council Handbook.

### Procedure for removal.

- (1) A charge for removal shall be brought against a Council member by a two-third vote of all members of City Council at a regular or special meeting;
- (2) The charged Council member shall be provided written notice of the charge(s) and the date, time, and place of the hearing on said charge(s), with at least ten (10) days prior notice of the hearing, which shall be publicly held before Council;

- (3) Council shall appoint special counsel to conduct the hearing and present evidence on its behalf;
- (4) The hearing shall be conducted in a quasi-judicial forum. The allegations shall be presented on behalf of the City by and through special counsel selected by the City through its City Council; and
- (5) At the hearing, which shall be open to the public, the parties shall have the right to:
  - a. Present testimony;
  - b. Produce evidence;
  - c. Cross-examine witnesses; and
  - d. Be represented by legal counsel.
- (6) Following the hearing and presentation of evidence, Council shall have the power to remove its members from office for good cause shown by a two-thirds vote of all members of City Council.
- (7) A Council member who is not removed by Council after conducting a hearing shall not be subject to removal in a future hearing based on identical charges arising out of the same incident that forms the basis of the charge from which they were not removed.

**Vacancy.**

A vacancy created on Council due to removal of a Council member shall be filled as provided by City Ordinance, section 2-2-10(d).

**Sanctions.**

Upon a vote of two-third vote of all members of City Council, City Council may impose sanctions on fellow Council members, including reprimand or public censure, pursuant to the following:

- (1) Council members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council. Serious infractions of the City Charter, City Ordinances, or the Handbook Rules could lead to sanctions as deemed appropriate by the Council.
- (2) The procedure for sanctions shall follow the procedure for removal stated above.

## Chapter 11: Additional Resources

Colorado Municipal League – [www.cml.org](http://www.cml.org)

The Colorado Municipal League (CML) is a non-profit organization that has served and represented Colorado cities and towns since 1923. In 2021, 270 of Colorado's 271 municipalities are members of CML. CML provides advocacy, information and training to its members. CML's mission is twofold: to represent cities and towns collectively in matters before the state and federal government, and to provide a wide range of information services to assist municipal officials in managing their government. The Town of Crested Butte is a member of CML and the organization sends an informational welcome packet to newly elected council members. Council members also receive newsletters from CML.

Colorado Association of Ski Towns – [www.coskitowns.com](http://www.coskitowns.com)

The Colorado Association of Ski Towns is an organization of 26 municipalities whose economies are largely dependent upon the ski industry and tourism. Members include the mayors, managers and council members of these resort towns. CAST has more than a dozen Associate Members that include Colorado counties as well as out-of-state towns and counties.

The Association was formed in part to recognize that resort communities face unique challenges in providing municipal services to residents and visitors.

Member municipalities share the benefits of diverse knowledge, experience and leadership through meetings, conferences, surveys and other informational venues, as decided by the members. CAST members use the power of the coalition to seek support for legislation that will benefit and sustain the mountain communities. CAST supports actions that keep our communities livable, protect our pristine environment, and promote affordable housing, multi modal transportation, climate action and sustainable tourism. CAST's goal is to ensure an exceptional quality of life for citizens and a positive experience for visitors.

Colorado Communities for Climate Action – [www.cc4ca.org](http://www.cc4ca.org)

Colorado Communities for Climate Action is a coalition of 42 local governments across the state advocating for stronger state and federal climate policy. CC4CA is governed by a Board of Directors representing all of the member communities.

Colorado Intergovernmental Risk Sharing Association – [www.cirsa.org](http://www.cirsa.org)

The Colorado Intergovernmental Risk Sharing Agency (CIRSA) was formed by Colorado municipalities, for Colorado municipalities. More than 285 communities and public entities are members, because the advantages of working collectively as a community far outweigh what commercial providers offer.

National Incident Management System - [g402\\_complete\\_ig.pdf](#)

The National Incident Management System (NIMS) provides guidance and support to elected officials in managing incidents. It is recommended that the Mayor and City Council complete NIMS training G402.

# Chapter 11: Email Retention Policy

## PURPOSE

## RETENTION POLICY

To ensure that the City of Salida, each Department, and staff member is responsible for maintaining and retaining those files identified under this policy's "General Information" for the periods of time indicated as referenced by the "COLORADO MODEL MUNICIPAL RECORDS RETENTION SCHEDULE, adopted by the City of Salida. Any changes in computer systems or record formats that affect the retained files must be identified and documented. The "COLORADO MODEL MUNICIPAL RECORDS RETENTION SCHEDULE" is an exhibit at the end of this policy.

## POLICY

1. Departments and Staff maintain program and system documentation in conjunction with the files listed under General Information for the required retention period as referenced by the "COLORADO MODEL MUNICIPAL RECORDS RETENTION SCHEDULE". This documentation should include record formats, label descriptions, flowcharts, and/or a narrative description in sufficient detail to explain the use of programs that process the identified files.
2. IT Management ensures that all backup archived copies of the retained files are clearly labeled and secured to prevent inadvertent release or destruction by means of off-site storage and archiving. The IT Administrator or designee shall be responsible for preserving all electronic public records either on or off the system for a length of time consistent with the City ordinances and Colorado State Statutes.
3. IT Management ensures that the program and application systems that process the identified files are retained and archived when new versions or replacement systems are implemented. Alternatively, the IT Management may elect to convert the archived historical information to the record format supported by the new version of the application software.
4. Departments and Staff will provide, as necessary, computer time to the auditors to conduct audits with retrieval programs at mutually agreed upon times.
5. All electronic communications via the Internet and online services are considered transitory writing and are not retained in the City of Salida's normal course of business.
6. E-mail is not backed-up on a permanent basis. The City stores E-mail only to the degree that allows it to be restored in case of a disaster or system failure, usually, a one day system backup.
7. E-mail is a form of sending/receiving information and documents. As such, E-mail is not a separate category of document for which there is a separate retention schedule. All electronic communications via the Internet and online services are considered transitory writing and are not retained in the City's normal course of business. As with any other form of communication received or sent, the sending/receiving employee must determine if the content of the E-mail has lasting value and whether the same should be preserved.

8. It is the user's responsibility to determine if the E-mail is important enough to retain, and if so, to save the E-mail to an appropriate location, locally or on the network. All Email senders/recipients share the custodial responsibility for the proper handling of E-mail messages sent/received. All City E-mail senders/recipients are required to understand and determine the retention, deletion, and archiving requirements for all E-mail messages sent/received by the employee. Saved E-mail messages should be complete, reasonably accessible (if a public record), manageable, and secure for the life of the record. To be complete, the archived email message should include the following information: recipient(s), sender, subject, text, date sent, time sent, complete attachment(s), and group list member names.

9. If retention is warranted because the content of the E-mail message makes it a City record, the E-mail message must be retained outside of the employee's E-mail inbox for the period of time specified in the "COLORADO MODEL MUNICIPAL RECORDS RETENTION SCHEDULE."

10. There is no mechanism for restoring deleted or purged E-mail messages.

11. E-mail is not a permanent storage medium. Users are responsible for purging the E-mail "Deleted Items" and "Drafts", on a regular basis not to exceed 30 days. The City will purge any Emails that are 6 months or older, read or unread.

12. E-mail messages that are announcements of meetings, routine exchanges of information, and other documents that have no informational value, should be deleted as soon as they have served their purpose.

13. Employees are responsible for retaining documents sent via the E-mail system in accordance with retention schedules and guidelines established by the City Administrator.

14. Employees who will be absent for an extended period of time must make arrangements to review and purge their E-mail messages, either personally or through a designee.

15. Employees who leave or are terminated from the organization must make arrangements with IT to review and purge their E-mail messages by their final day.

16. If an employee is unsure whether an e-mail message should be saved, the employee should contact either the Office of the City Clerk or the City Attorney.

17. Retired, obsolete, disposed, or auctioned equipment shall have their internal storage device physically removed and stored for physical destruction by a 3rd Party at the request of the IT Management.

#### Suggested Retention Period for City of Salida Records

- Records retention is necessary to protect the Organization and provide historical documentation of the Organization's actions and processes. Please reference the "COLORADO MODEL MUNICIPAL RECORDS RETENTION SCHEDULE". Generally, if there are multiple rules of retention for various documents or files, the strictest rule of retention prevails.

## EXHIBIT A

### 40.100 CORRESPONDENCE AND GENERAL DOCUMENTATION

*Correspondence* is a written communication that is sent or received via the U.S. mail, private courier, facsimile transmission or electronic mail, including letters, postcards, memoranda, notes, telecommunications and any other form of written communications. The term *general documentation* is intended to cover a wide variety of records created in the normal course of business.

#### A. **Enduring Long-Term Value**

Documentation or correspondence, including e-mail messages, with lasting long-term administrative, policy, legal, fiscal, historical or research value; records that relate to policy issues and actions or activities in which an important precedent is set; records of historic events; and other similar records and documentation.

Retention: Permanent

#### B. **Routine Value**

Routing operating documentation or correspondence with limited administrative, legal, fiscal, historical, informational or statistical value. Includes routine e-mail messages, letters or memoranda, reading or chronological files that contain duplicates of memos or letters also filed elsewhere, routine requests for information, transmittal documents, etc.

Retention: 2 years

#### C. **Transitory Value**

General documentation or correspondence of extremely short-term value, including advertisements, drafts and worksheets, desk notes, copies of materials circulated for informational "read only" purposes, other records, including e-mail messages, with preliminary or short-term informational value.

Retention: Until material has been read



# City Council Action Form

<b>Department</b> Administration	<b>Presented By</b> Kristi Keller - City Clerk	<b>Date</b> July 7, 2026
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## **Agenda Item**

Resolution 2026-20 A Resolution of the City Council of the City of Salida, Colorado, approving a Coordinated Mail Ballot Election and Adopting the Uniform Election Code.

## **Background**

The Chaffee County Clerk and Recorder, Lori Mitchell, will conduct a mail ballot election for the November 3, 2026 election.

This resolution will approve the intergovernmental agreement with the County, including our participation in the coordinated mail ballot election and adoption of the Uniform Election Code. The signed IGA must be returned to the County Clerk by August 25, 2026.

The IGA requests that the City designate its Designated Election Official (“DEO”); the DEO shall act as the primary contact between the City and the Chaffee County Clerk and Recorder. Staff recommends designating City Clerk, Kristi Keller, to serve as the DEO for the City of Salida.

## **Recommendation**

Staff recommends Council approve Resolution 2026-20

## **Fiscal Impact**

The estimated cost for coordinating the election is \$3,000 to \$5,000.

## **Motion**

A City Councilmember should state “I move to \_\_\_\_\_ Resolution 2026-20 A Resolution of the City Council of the City of Salida, Colorado, approving a Coordinated Mail Ballot Election and Adopting the Uniform Election Code”, followed by a second and a roll call vote.

**City Of Salida, Colorado  
Resolution No. 20  
Series of 2026**

**A Resolution of the City Council of the City of Salida, Colorado, Approving a  
Coordinated Mail Ballot Election and Adopting the Uniform Election Code**

**WHEREAS**, the City of Salida is subject to the Colorado Municipal Election Code, Article 10 of Title 31, C.R.S. but may choose to conduct elections pursuant to the Uniform Election Code, Article 1 of Title 1, C.R.S.; and;

**WHEREAS**, it is the desire of the City Council of the City of Salida to conduct the November 3, 2026 special municipal election as a coordinated mail ballot election with the County of Chaffee, Colorado and to adopt the provisions of the Uniform Election Code to govern the conduct of such election.

**Now, therefore, be it resolved by the City Council of the City of Salida, Colorado that:**

1. The Salida City Council incorporates the foregoing recitals as its conclusions, facts, determinations, and findings.
2. The City Council hereby authorizes City staff to conduct a special municipal election on November 3, 2026 as a coordinated mail ballot election with County of Chaffee, Colorado.
3. The City Council hereby appoints the City Clerk to serve as Designated Election Official.
4. For the purpose of the municipal election of November 3, 2026, the City hereby adopts the Uniform Election Code, Article 1 of Title 1, C.R.S.
5. The City Council hereby approves an Intergovernmental Agreement with the County of Chaffee regarding the conduct of the 2026 coordinated mail ballot election.

**Resolved, Approved and Adopted** this 7<sup>th</sup> day of July, 2026.

City of Salida, Colorado

By \_\_\_\_\_  
Mayor

[SEAL]

[ATTEST] \_\_\_\_\_  
City Clerk/Deputy City Clerk



# City Council Action Form

<b>Department</b> Administration	<b>Presented By</b> Kristi Keller - City Clerk	<b>Date</b> July 7, 2026
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## Agenda Item

Resolution 2026-21 A Resolution of the City Council of the City of Salida, Colorado, Submitting a Ballot Question to the Electors of the City on the November 3, 2026, Ballot, Regarding Publication of Ordinances by Title Only.

## Background

The City of Salida is a statutory city organized under the laws of the State of Colorado. Under Colorado law, municipalities are required to publish ordinances following adoption.

State statute requires that ordinances introduced at first reading be published in full in a newspaper at least ten (10) days prior to adoption. After adoption, the ordinance may be published by title only if there are no amendments.

Colorado law provides an alternative publication method. Pursuant to C.R.S. § 31-16-105, a municipality may satisfy the publication requirements of both C.R.S. §§ 31-16-105 and 31-16-106 by publishing ordinances by title only rather than in full if such authority is approved by the municipality's electors at a regular or special election.

Recent changes in publication services from the Mountain Mail to Column have significantly increased costs due to higher rates and additional processing fees ranging from 12% to 25%.

From May 2025 through May 2026, the City incurred a total of \$12,874.51 in publication costs for ordinances published in full. If publication by title only had been implemented during this period, the estimated cost would have been \$862.77.

## Recommendation

Staff recommends Council approve Resolution 2026-21

## Fiscal Impact

Approval of this resolution and subsequent voter authorization would allow the City to reduce publication costs substantially while remaining compliant with state law.

## Motion

A City Councilmember should state "I move to \_\_\_\_\_ Resolution 2026-21 A Resolution of the City Council of the City of Salida, Colorado, Submitting a Ballot Question to the Electors of the City on the November 3, 2026, Ballot, Regarding Publication of Ordinances by Title Only", followed by a second and a roll call vote.

**City Of Salida, Colorado  
Resolution No. 21  
(Series of 2026)**

**A Resolution of the City Council of the City of Salida, Colorado, Submitting a  
Ballot Question to the Electors of the City on the November 3, 2026, Ballot,  
Regarding Publication of Ordinances by Title Only**

**WHEREAS**, the City of Salida (“City”) is a statutory city, duly organized and existing under the laws of the State of Colorado; and

**WHEREAS**, pursuant to C.R.S. 31-16-105, the City is required to publish “all ordinances of a general or permanent nature and those imposing any fine, penalty, or forfeiture, following adoption . . . in some newspaper published within the limits of the city . . . .”; and

**WHEREAS**, C.R.S. 31-16-106, requires all ordinances adopted by City Council to be introduced and read at a preceding City Council meeting and be published in full within a newspaper at least 10 days before its adoption; further, after adoption, publication in the newspaper may be by title only; and

**WHEREAS**, C.R.S. 31-16-105 allows municipalities to “determine at a regular or special election to meet the requirements of this section and section 31-16-106 by publishing ordinances by title only rather than by publishing the ordinance in full;” and

**WHEREAS**, a special election within the City will be held on November 3, 2026; and

**WHEREAS**, between May 2025 and May 2026, it cost the City \$12,874.51 to publish ordinances in full within the local Mountain Mail newspaper at least 10 days before adoption; furthermore, had the ordinances been published by title for both the first and second reading, the cost to the City would have been \$862.77; and

**WHEREAS**, accordingly, City Council finds it desirable and appropriate, and in the best interest of the community, to submit a ballot question in the special election concerning whether the City may publish ordinance by title only rather than by publishing the ordinance in full to satisfy the requirements of C.R.S. 31-16-105 and C.R.S. 31-16-106.

**Now, therefore, be it resolved by the City Council of the City of Salida, Colorado that:**

1. The City Council incorporates the foregoing recitals as findings by the City Council.

2. The following question shall be submitted to the registered electors of the City of Salida at the special election to be held on Tuesday, November 3, 2026. The City Clerk shall take reasonable steps necessary to ensure the following ballot question is set:

Shall the City of Salida publish ordinances by title only rather than by publishing ordinances in full to satisfy the ordinance publication requirements in Colorado Revised Statutes 31-16-105 and 31-16-106?

**Resolved, Approved and Adopted** this 7<sup>th</sup> day of July, 2026.

City of Salida, Colorado

By \_\_\_\_\_  
Mayor

[SEAL]

[ATTEST] \_\_\_\_\_  
City Clerk/Deputy City Clerk



# CITY COUNCIL ACTION FORM

<b>DEPARTMENT</b> Administration	<b>PRESENTED BY</b> Christy Doon - City Administrator	<b>DATE</b> July 7, 2026
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## AGENDA ITEM

Resolution 2026-22, a Resolution of the City Council of the City of Salida, Colorado, Approving a Citizen Appointment to the Salida Airport Advisory Board.

## BACKGROUND

Through a Memorandum of Understanding, the City of Salida and Chaffee County own and operate the Salida Airport. The 2001 agreement established the Airport Advisory Board and gives each entity authority to appoint members to three (3) year terms. In 2015, Resolution 2015-31 increased the number of members to nine (9) and gave the City the authority to appoint four (4) voting members. In addition, the City appoints one Council member as a non-voting liaison.

Via Resolution 2024-04, the City Council appointed four (4) members, each with terms expiring January 31, 2027. They include Shawn O'Day, Michael Marino, James Baker and Barbara Struble. Mr. Barker is not able to complete her term

Two applications were received by the City, Robert Christensen and Mark Donahue. Airport Board representative interviewed both candidates the week of June 15<sup>th</sup>.

During the interviews, the following questions were asked each applicant:

1. Tell us a little about yourself
2. What technical or other skills do you bring to this position that will make it a success?
3. What interests you about this position?
4. What experience do you have in the aviation industry?
5. What is your schedule availability?
6. Is there anything else you would like to add, or you think we should know for your role in this position?

## RECOMMENDATION

The interview panel is recommending Council appoint Robert Christensen to the Salida Airport Advisory Board.

## FISCAL IMPACT

There is no fiscal impact.

## MOTION

A City Councilmember should state, "I move to approve Resolution 2026 - 22, a Resolution of the City Council of the City of Salida, Colorado, Appointing \_\_\_\_\_ to the Salida Airport Advisory Board, term to expire on January 31, 2027", followed by a second and a roll call vote.

**CITY OF SALIDA, COLORADO  
RESOLUTION NO. 22  
(Series of 2026)**

**A Resolution of the City Council for the City of Salida, Colorado, Approving a Citizen Appointment to the Salida Airport Advisory Board**

**WHEREAS**, the City of Salida Colorado is a statutory city, duly organized and existing under the laws of the State of Colorado; and

**WHEREAS**, in accordance with Section 2-7-10 of the Salida Municipal Code, the City Council shall select and appoint person(s) to serve as members of the City of Salida's boards and commissions; and

**WHEREAS**, The City and Chaffee County jointly own the Salida Airport, which is governed by an Advisory Board made up of members selected by the Chaffee County Board of Commissioners and the Salida City Council; and

**WHEREAS**, Jim Barker, who was appointed via Resolution 2024-04, and whose term expires on January 31, 2027, is no longer able to fulfill his role; and

**WHEREAS**, the City of Salida received applications and a panel held interviews for the Salida City-appointed seat; and

**WHEREAS**, in accordance with Section 2-7-10 of the Salida Municipal Code, the City Council shall confirm the appointment by majority vote.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO THAT:**

1. The foregoing recitals are hereby incorporated as conclusions, facts, determinations, and findings of the City Council.
2. The Salida City Council hereby appoints Robert Christensen as a member of the Board of Directors of the Chaffee Housing Authority, term to expire January 31, 2027, completing the term of Jim Barker.

**RESOLVED, APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

CITY OF SALIDA, COLORADO

By \_\_\_\_\_  
Mayor

[SEAL]

[ATTEST] \_\_\_\_\_  
City Clerk/Deputy City Clerk