

ORDINANCE # 260

AN ORDINANCE FOR A SUPPLEMENTAL BUDGET FOR 2007 FOR THE TOWN OF IGNACIO, COLORADO.

WHEREAS, the Town's General Fund, Ignacio Police Department received unanticipated revenues of \$76,679 from monies released by the State, and,

WHEREAS, the Town created the Impact Fees Fund due to the receipt of \$37,600 that was received in unanticipated revenues, not planned for at the time of the preparation of the budget, and

WHEREAS, the Town's Water Fund received a grant in the amount of \$830,369 that was not planned for at the time of the preparation of the budget,

NOW THEREFORE BE IT ORDAINED by the Town Board of Trustees of the Town of Ignacio Colorado;

That the 2007 supplemental budget for the General Fund be increased \$76,679 for monies received by the Ignacio Police Department, for a total available revenue of \$1,650,685, and

The Impact Fees Fund is hereby increased from \$0 to \$37,600 from Impact Fees received.

That the Water Fund total available revenue for the 2007 supplemental budget is hereby increased from \$732,449 to \$1,562,818.

ADOPTED, this 12<sup>th</sup> day of December A.D. 2007.

\_\_\_\_\_  
George Whitt, Mayor

ATTEST: \_\_\_\_\_  
Town Clerk

DATE: \_\_\_\_\_

**ORDINANCE 261**

**AN ORDINANCE OF THE TOWN OF IGNACIO AMENDING THE TOWN OF IGNACIO MUNICIPAL CODE, CHAPTER III, LAND USE, BUSINESS ZONING DISTRICT USES.**

**WHEREAS**, the Town of Ignacio, Colorado has adopted municipal codes and the municipal codes are being reviewed; and

**WHEREAS**, the needs of the town have made it necessary to revise the Zoning District section of the municipal code, specifically the Business district; and

**WHEREAS**, guidelines and standards need to be updated to promote appropriate growth within the town; and

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO, COLORADO THAT THE BUSINESS ZONING DISTRICT USES ARE AMENDED AS ATTACHED.**

**APPROVED BY THE BOARD OF TRUSTEES on this 9<sup>h</sup> day of January, 2008.**

**TOWN OF IGNACIO, COLORADO**

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**George Whitt, Mayor**

**Attest:**

\_\_\_\_\_  
**Town Clerk**

**ORDINANCE NO. 262**

AN ORDINANCE OF THE TOWN OF IGNACIO, COLORADO, AMENDING SECTION 9 OF CHAPTER 3 OF THE IGNACIO MUNICIPAL CODE, REGARDING IMPACT FEES AND FEES IN LIEU OF LAND DEDICATIONS FOR THE IGNACIO SCHOOL DISTRICT.

WHEREAS, residential development in the Town imposes impacts on the School District Facilities, and

WHEREAS, the Town and the School desire to cooperate to impose requirements for the dedication of land and the payment of fees in lieu thereof for residential development in the Town to mitigate impacts arising from that development, and

WHEREAS, the Board of Trustees have entered an Intergovernmental Agreement with the School District regarding the imposition of the requirements set forth herein,

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO, COLORADO AS FOLLOWS:

Section 3-9-14 Impact Fees, of the Town of Ignacio Municipal Code shall be amended by the addition of the following:

3-9-14

1. Regulation for the dedication of land to the School District and for the payment of fees in lieu thereof.

a. Each development containing residential land uses shall pay fees in lieu of land dedications, or, if appropriate based upon the size of the development, shall dedicate to the Ignacio School District No. 11 JT (“District”) school sites in accordance with the provisions of this section. The District shall determine school needs in proximity to the proposed development area, and shall make the determination whether fees should be levied or actual land dedication should be made in accordance with the provisions of this section.

b. Fees in lieu of land dedication shall be assessed as part of the Development Plan approval process. For any existing development for which a Development Plan has been approved prior to the date hereof, cash in lieu shall be required as hereinafter set forth. If it is determined that the particular development should dedicate land rather than pay fees in lieu, the determination of the amount of land to be dedicated, and the criteria applicable to determine land to be dedicated shall be in accordance with, formulas and standards established by District policy and procedure, provided, however, that the District shall not require land dedication for

any purposes other than construction of school buildings, athletic fields, bus garages, maintenance buildings, or any other bona fide District facilities.

2. Fee determination and collection

- a. The Town shall notify the District in writing of any Development Plan approval process that is initiated within the Town, providing copies of any available submittals and information that the Town has received concerning the project. Within thirty (30) days of such notification, the District shall notify the Town in writing whether the District intends to require land dedication in connection with the particular development. Unless the Town receives such notice from the District, it will be assumed that District will not require land dedication, and the Town shall require payment of a fee in lieu of land dedication. The amount of the fee shall be six hundred and eighty three dollars (\$683.00) per unit. The amount of the fee may be updated from time to time by amendment to this Ordinance, upon mutual agreement of the District and the Town.
- b. The fee in lieu requirement shall apply to new residential construction within the Town. The term “new residential construction” as used herein shall include all types of construction, as well as the assembling or placement of modular, pre-constructed and mobile homes. The term “new residential construction” shall not include any type of replacement structure on the site of a pre-existing residential unit of any kind. The term "unit" as used herein shall mean each residential accommodation for an individual or a family, whether single family or within any sort of multi-family housing, a mobile home or similar accommodations.
- c. The per unit fee shall be collected by the Town of Ignacio during the issuance of a building permit or equivalent authorization for an individual unit, and the Town’s receipt evidencing payment of such fee shall be a condition precedent to the issuance of a building permit or equivalent authorization. The fee collected shall be made payable to the Ignacio School District.
- d. Fees shall be payable to the District as undesignated contributions to the District’s general fund and shall be accounted for and used as the School District deems appropriate for land and capital facilities. The payer shall have no control over the use of such funds.
- e. The Town may entertain any requests for waiver of the fee in lieu of land dedication from Developer of Affordable Housing. Any such requests for waiver shall be forwarded to the District, and the parties agree to confer on any request. However, the District shall have the final decision making authority whether to grant a waiver in a specific case.
- f. In the event that the District has required land dedication in accordance with paragraph 2 above, but the developer and the District are unable to come to

agreement within sixty days as to the amount or location of land to be dedicated, the Town shall have the authority, upon written notice to the District, to terminate negotiations and require imposition of the fee in lieu in accordance with subsection 3.A. above. Such sixty day negotiation period shall commence on the date the District notifies the Town of its intention to require land dedication in accordance with subsection 3.A.

3. The following land uses within the Town's boundaries are exempt from fees in lieu of land dedication: (1) non-residential building construction; (2) construction of buildings for assisted living, family care and group homes, halfway houses, nursing homes, housing designated for older persons as defined by federal law, and hospices; this exception does not include structures used primarily to house school age children.

4. Any person or entity that is issued a building permit or equivalent authorization without dedication of land or payment of the land dedication fee shall be liable to the District for such fee plus all costs of collection including but not limited to a reasonable attorney fee; and the District shall have the standing and authority to use any and all creditor's remedies and other legal means to effectuate such collection.

PASSED, APPROVED AND ORDERED PUBLISHED this 9th day of June, 2009.

**MAYOR PRO-TEM**

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By: Cecelia Robbins

*ATTEST:*

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*Town Clerk*

**ORDINANCE 263**

**AN ORDINANCE OF THE TOWN OF IGNACIO, COLORADO AMENDING THE TOWN OF IGNACIO MUNICIPAL CODE, LAND USE CHAPTER, OCCUPYING RECREATIONAL VEHICLES OR TRAVEL TRAILERS SECTION.**

**WHEREAS**, the Town of Ignacio, Colorado has adopted municipal codes and the municipal codes are being reviewed; and

**WHEREAS**, the fairness of the occupation of recreational vehicles or travel trailers during the annual Labor Day Weekend events have been considered; and

**WHEREAS**, it is reasonable to allow occupation from 7 days before Labor Day beginning midnight Sunday and until noon of the day following Labor Day; and

**WHEREAS**, recreational vehicles or travel trailers may only be parked on private property or space allowed in front of a private residence, never in town right-of-ways.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO, COLORADO THAT THE MUNICIPAL CODE, LAND USE CHAPTER, OCCUPYING RECREATIONAL VEHICLES OR TRAVEL TRAILERS SECTION IS ADOPTED AS ATTACHED.**

**APPROVED BY THE BOARD OF TRUSTEES on this 13<sup>TH</sup> day of August, 2008.**

**TOWN OF IGNACIO, COLORADO**

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**George Whitt, Mayor**

**Attest:**

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**Town Clerk**

3-10-7 Occupying Recreational Vehicles or Travel Trailers.

No travel trailer or recreational vehicle shall be occupied or used for overnight accommodations for more than three consecutive days unless it is located within a recreation vehicle or travel trailer park or a campground, unless a permit for location at such a park or campground is obtained in accordance with Section 2-7-2 of this Chapter.

No overnight parking of travel trailers or recreational vehicles for the purpose of overnight accommodations shall occur on Goddard Avenue.

The exception to this law is during annual Labor Day events, from 7 days before Labor Day beginning at midnight Sunday until noon the day following Labor Day. Recreational vehicles or travel trailers may only be parked on private property or space allowed in front of a private residence, never in town right-of-ways.

## **ORDINANCE NO. 264**

AN ORDINANCE OF THE TOWN OF IGNACIO, COLORADO ANNEXING FORD ADDITION INTO THE TOWN OF IGNACIO AND DESIGNATING THE LAND USE FOR THE PROPERTY.

WHEREAS, the Town received a petition for Annexation from the owner of the property described herein; and

WHEREAS, Merle LaRie and John E Ford are the current owners of 100% of the property to be annexed herein and hereby ratify the Annexation petition; and

WHEREAS, the Town Board has conducted a hearing and has found that all of the requirements of C.R.S. ' 31-12-101 *et seq.* have been fully complied with; and

WHEREAS, the Town desires to establish a land use designation for the property at the time of annexation; and

WHEREAS, the Town and the Owner have negotiated agreements regarding the Annexation of the property; and

WHEREAS, no additional conditions have been imposed on the Annexation; and

NOW, THEREFORE, BE IT ORDAINED BY THE TRUSTEES OF THE TOWN BOARD OF THE TOWN OF IGNACIO AS FOLLOWS:

1. The following described property is hereby annexed into the TOWN OF IGNACIO:

*See Attachment A, attached hereto and incorporated herein by this reference for the Legal description.*

2. The property is annexed subject to the terms of the Agreement entered between the Town and the Owner.

3. The property is designated with the land use as described in the Annexation and Development Agreement.

PASSED, APPROVED AND ORDERED PUBLISHED this \_\_\_ day of \_\_\_\_\_, 2008.

**MAYOR:**

\_\_\_\_\_

**ATTEST:**

\_\_\_\_\_



ORDINANCE # 265

AN ORDINANCE APPROPRIATING ADDITIONAL SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNTS AND FOR THE PURPOSES AS SET FORTH BELOW, FOR THE TOWN OF IGNACIO, COLORADO FOR THE 2009 BUDGET YEAR.

WHEREAS, the Board of Trustees has made provisions for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget, and;

WHEREAS, it is not only required by law but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, so as not to impair the operations of the Town.

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of the Town of Ignacio Colorado;

Section 1. That the following sums are hereby appropriated from the revenues of each fund, to each fund, for the purpose stated.

## GENERAL FUND:

Current operating expenses	\$1,465,635
<u>Transfer to Debt Fund</u>	<u>-10,000</u>
Total	\$1,455,635

## IMPACT FEES FUND:

Current expenses	\$ 20,000
<u>Transfers</u>	<u>\$ 0</u>
Total	\$ 20,000

## CAPITAL IMPROVEMENT FUND:

Capital Projects	\$ 118,118
<u>Transfers</u>	<u>\$ 0</u>
Total	\$ 118,118

## IRRIGATION FUND:

Current operating expenses	\$ 96,372
Transfer to Debt Fund	-25,000
<u>Transfer to Capital Fund</u>	<u>\$ -50,000</u>
Total	\$ 21,372

## DEBT FUND:

Debt service payments	\$ 138,243
<u>Transfers</u>	<u>\$ 0</u>
Total	\$ 138,243

## ECONOMIC DEVELOPMENT FUND:

Current operating expenses	\$ 170,800
<u>Transfers</u>	<u>\$ 0</u>
Total	\$ 170,800

## WATER FUND:

Administration and Operating expenses	\$ 385,884
<u>Transfer to Debt Fund</u>	<u>\$ 25,000</u>
Total	\$ 385,884

## GAS FUND:

Administration and Operating expenses	\$ 1,150,189
Transfer to Capital Fund	\$ 45,000
<u>Transfer to Debt Fund</u>	<u>\$ 100,000</u>
Total	\$ 1,005,189

## CONSERVATION TRUST FUND:

Operating expenses	\$ 7,300
<u>Transfers</u>	<u>\$ 0</u>
Total	\$ 7,300

ADOPTED, this 9<sup>th</sup> day of December A.D. 2008

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George Whitt, Mayor

ATTEST: \_\_\_\_\_

Town Clerk

ORDINANCE # 266

AN ORDINANCE FOR A SUPPLEMENTAL BUDGET FOR 2008 FOR THE TOWN OF IGNACIO, COLORADO.

WHEREAS, the Town's General Fund, received a grant in the amount of \$3,300 for the energy audit, that was not planned for at the time of the preparation of the budget, and,

WHEREAS, the Town's General Fund, received a grant in the amount of \$1,500 for the citizen survey, that was not planned for at the time of the preparation of the budget, and,

WHEREAS, the Town's General Fund, Ignacio Police Department received unanticipated revenues of \$9,636 from monies released by the State, and,

WHEREAS, the Town's General Fund, Ignacio Police Department received unanticipated revenues of \$54,000 for 800 MgHz radios, that was not planned for at the time of the preparation of the budget, and,

WHEREAS, the Town's General Fund, Public Works, received a grant of \$47,725 for El Paso Road, that was not planned for at the time of the preparation of the budget, and,

WHEREAS, the Town's General Fund, Parks received grants in the amount of \$9,017 that was not planned for at the time of the preparation of the budget, and,

WHEREAS, the Town's Capital Fund, received a grant in the amount of \$73,462 for a street sweeper, that was not planned for at the time of the preparation of the budget, and,

WHEREAS, the Town's Gas Fund received a grant in the amount of \$504,000 that was not planned for at the time of the preparation of the budget,

NOW THEREFORE BE IT ORDAINED by the Town Board of Trustees of the Town of Ignacio Colorado;

That the 2008 supplemental budget for the General Fund be increased \$4,800 for monies received in the General Fund, \$63,636 for monies received by the Ignacio Police Department, \$47,725 for monies received in Public Works, and \$9,017 for monies received for Parks, for a total available revenue of \$1,611,226, and

That the Capital Fund total available revenue for the 2008 supplemental budget is hereby increased from \$94,081 to \$167,543, and

That the Gas Fund total available revenue for the 2008 supplemental budget is hereby increased from \$1,813,927 to \$2,317,927.

ADOPTED, this 9<sup>th</sup> day of December A.D. 2008.

\_\_\_\_\_  
George Whitt, Mayor

ATTEST: \_\_\_\_\_  
Town Clerk

DATE: \_\_\_\_\_

**ORDINANCE 267**

**AN ORDINANCE OF THE TOWN OF IGNACIO AMENDING THE TOWN OF IGNACIO MUNICIPAL CODE, CHAPTER III LAND USE.**

**WHEREAS**, the Town of Ignacio, Colorado has adopted municipal codes and the municipal codes are being reviewed; and

**WHEREAS**, the needs of the Town have made it necessary to revise the organization and content of the Land Use Chapter, in particular the Violations, Zoning and Development Standards sections, as attached; and

**WHEREAS**, new laws have been adopted over the last several years without ever compiling them into the appropriate chapter; and

**WHEREAS**, guidelines and standards need to be updated to promote appropriate growth within the town; and

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO, COLORADO THAT CHAPTER III LAND USE OF THE MUNICIPAL CODE IS ADOPTED AS ATTACHED.**

**APPROVED BY THE BOARD OF TRUSTEES on this 12th day of May, 2009.**

**TOWN OF IGNACIO, COLORADO**

\_\_\_\_\_  
**George Whitt, Mayor**

**Attest:**

\_\_\_\_\_  
**Town Clerk**

**ORDINANCE 268**

**AN ORDINANCE OF THE TOWN OF IGNACIO AMENDING THE TOWN OF IGNACIO MUNICIPAL CODE, SCHEDULE 5A OF CHAPTER V BUILDING AND EXCAVATION,**

**WHEREAS**, the Town of Ignacio, Colorado has adopted municipal codes and the municipal codes are being reviewed; and

**WHEREAS**, the needs of the town have made it necessary to revise Schedule 5A Building Inspection Department Fees of the municipal code; and

**WHEREAS**, fees for building permits need to be updated with uniform standards to promote appropriate growth within the town; and

**WHEREAS**, the fee structure needs clearer explanations for consistent application and To better reflect building inspector fees; and

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO, COLORADO, THE MUNICIPAL CODE, SCHEDULE 5A OF CHAPTER V BUILDING AND EXCAVATION IS AMENDED AS ATTACHED.**

**APPROVED BY THE BOARD OF TRUSTEES on this 14<sup>th</sup> day of July, 2009.**

**TOWN OF IGNACIO, COLORADO**

\_\_\_\_\_  
**George Whitt, Mayor**

**Attest:**

\_\_\_\_\_  
**Town Clerk**

ORDINANCE NO. 269

AN ORDINANCE OF THE TOWN OF IGNACIO, COLORADO AMENDING THE TOWN CODE OF THE TOWN OF IGNACIO BY THE ADDITION OF SECTION 7-4-4.5 REGARDING THE DISPOSAL OF ITEMS REMOVED FROM ANY RESIDENCE WITHIN THE TOWN AS PART OF AN EVICTION OR FORECLOSURE ACTION.

Whereas, the Board of Trustees of the Town of Ignacio are empowered to regulate the use of the streets and rights of way in the Town, and

Whereas, when evictions or foreclosures occur within the Town it has been the customary practice to remove the furniture, household items, junk, refuse and debris from the residence and to place such items within the street, and

Whereas, the Town is then burdened with the cost of removing those items when the burden of those costs should more equitably be borne by the party who initiated the eviction or foreclosure action, and

Whereas, items placed in the street constitute a safety hazard to traffic and pedestrians.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO, COLORADO AS FOLLOWS:

The Town Code of the Town of Ignacio, Colorado is amended by the addition of Section 7-4-4.5 to read in its entirety as follows:

7-4-4.5 Removal of Personal Property Under Eviction or Foreclosure.

1. It shall be unlawful for any person to place any personal property, refuse, junk, debris or other items removed from any residence within the Town of Ignacio as part of any eviction, foreclosure or other possessory action in the street or in any portion of the Town right of way within the Town.
2. It shall be the obligation of the owner of or landlord of any property to remove and properly dispose of any items unlawfully placed in the street or right of way by any person under the provisions of this section at their expense within twelve hours of the time within such items were unlawfully placed in the street or right of way.
3. In the event the Town is required to expend any funds to remove items unlawfully placed in the street or right of way under the provisions of this section, then the Town shall be entitled to seek reimbursement of such costs from the owner of the property from which the items were removed, including by filing a lien on the property or by commencing an action in any court with jurisdiction to collect such amounts.

Approved and Ordered Published this \_\_\_\_ day of \_\_\_\_\_, 2009.

Town of Ignacio

\_\_\_\_\_  
By: Cecelia Robbins, Mayor Pro-Tem

Attest:

\_\_\_\_\_  
Town Clerk