

ORDINANCE NO. 290

AN ORDINANCE OF THE TOWN OF IGNACIO, COLORADO AMENDING THE MUNICIPAL CODE CHAPTER V, SECTION 5-11-1 (4) TO PROTECT PUBLIC INFRASTRUCTURE OR NEIGHBORING PROPERTY FROM IMPACTS FROM THE ALTERATION OF PROPERTY WITHIN THE TOWN.

WHEREAS, the Town has adopted provisions regarding Land Use within the Town, and

WHEREAS, the Board of Trustees finds that unpermitted excavation or other alteration of private property within the Town may impact public infrastructure and neighboring properties, and

WHEREAS, the Board of Trustees finds that the imposition of reasonable restrictions on the excavation on or alteration of property will further the health and welfare of the citizens of the Town.

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

Chapter V of the Town Code is amended by the addition of Section 5-11-1(4) to read as follows:

5-11-1 (4) Permit and Surety Required for Certain Alterations of Property

It shall be unlawful for any person to conduct any excavation, construction, removal or addition of any earth or other material on any property located within the Town that alters or impacts the drainage from that property or that may in any way interfere with any utility or public improvement owned by the Town or any other public entity or public utility without first obtaining a permit from the Town to conduct such activity. The Town Manager or Land use Administrator may issue permits for such activity after consulting with the Building official or the Town Engineer as needed, and the issuance of a permit may be conditioned on the provision of a bond or other surety deemed adequate by the Town to protect any existing infrastructure or other improvements and any permit may include provisions for other conditions including but not limited to drainage, storm water, environmental, archeological or other similar issues.

PASSED, APPROVED AND ORDERED PUBLISHED this 8TH day of February, 2011.

George T. Whitt, Mayor

ATTEST:

Town Clerk

ORDINANCE 291

AN ORDINANCE OF THE TOWN OF IGNACIO AMENDING THE TOWN OF IGNACIO MUNICIPAL CODE, CHAPTER VIII, CRIMINAL OFFENSES, PART 12 OF MODEL TRAFFIC CODE, PARKING RESTRICTION

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 Section 1212 of the Model Traffic Code as adopted in the Municipal Code, Parking on Public Right-of-Way, Ordinance 178, passed June 13, 2000.

WHEREAS, guidelines need to be updated to promote appropriate growth within the town and accommodate changing needs of citizens; and to create code which is safe and appropriate for the Town of Ignacio.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO, COLORADO THAT SECTION 1212. PARKING ON PUBLIC RIGHT OF WAY IS AMENDED ONLY AS SHOWN IN BOLD ITALICS:

No person shall stop, park or leave standing any vehicles in any portion of the public street right of way within the Town:

- (A) Any truck or other vehicle of any type with a gross vehicle weight in excess of 8,500 pounds, except for any such vehicle which is actually making deliveries to a residence or business, which delivery time shall not exceed two (2) hours on any street other than Goddard Ave. and for a period not to exceed fifteen (15) minutes on Goddard Ave.
- (B) Any trailer, including but not limited to campers, horse trailers, boat trailers or flatbed trailers.
- (C) Any vehicle which is not capable of being operated under its own power or which is in the process of being repaired or maintained.
- (D) Heavy equipment of any type, including but not limited to construction equipment, tractors, backhoes and other maintenance equipment.
- (E) Any vehicle owned by a resident of the Town which is not properly registered in the State of Colorado.
- (F) **On Goddard Ave. parking is limited to two (2) hours between the hours of 8 am and 5 pm.**

APPROVED BY THE BOARD OF TRUSTEES on this 8th day of March, 2011.

TOWN OF IGNACIO, COLORADO

Attest

George Whitt, Mayor

Town Clerk

ORDINANCE 292

AN ORDINANCE OF THE TOWN OF IGNACIO UPDATING THE TOWN OF IGNACIO MUNICIPAL CODE, CHAPTER IV, UTILITIES AND THE UTILITY RATE SHEET.

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

WHEREAS, portions of the existing chapter are unclear, thus making it necessary to revise the Utilities Chapter in the Municipal Code; and

WHEREAS, fees and fines are identified as Schedules within each chapter, to be easily accessed for reference and use; and

WHEREAS, the revenue for irrigation use is less than the expenses for the irrigation loan, due 2024 and it is the intent of each utility fund to be balanced; and

WHEREAS, codes and related fees need to be continually updated and improved to facilitate citizen understanding; and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO, COLORADO THAT THE UTILITY CHAPTER OF THE MUNICIPAL CODE AND THE IRRIGATION FEES ON THE UTILITY RATE SHEET ARE AMENDED AS SHOWN IN BOLD ITALICS

4-4-2. Penalties.

Accounts not paid in full by the due date will fall into a past due status. Accounts with a balance greater than \$20.00 will be assessed a late fee, ***according to fees established annually by the Town Board***, on the sixth day after the due date.

Delinquent Accounts.

- (A) In the event that a bill for any utility uses is not paid when due, then the Town Clerk shall issue a notice by regular first class mail which informs the owner of the property that the account is delinquent. If the account is a rental, the Disconnect Notice will be mailed to the landlord.
- (B) The past due amount must be paid prior to the next month's billing date, to avoid shut off. Any accounts that are disconnected must have all past due amounts paid in full ***and a reconnect fee will be charged*** during regular working hours and after hours, week-ends and holidays according to a fee schedule approved by the Town Board of Trustees.

If the person to whom such a notice is sent owes amounts for other utilities provided or collected by the Town, the Clerk may include a demand for those amounts in the demand for payment of the specified utility bills.

Utility Rate Sheet accepted effective 1-24-10 is amended to increase irrigation monthly fees from \$10 to \$15 for a 1 inch line and \$20 to \$30 for a 2 inch line from May to October of each year only.

APPROVED BY THE BOARD OF TRUSTEES on this 8th day of March, 2011.

TOWN OF IGNACIO, COLORADO

George Whitt, Mayor

Attest:

Town Clerk

ORDINANCE 293

AN ORDINANCE OF THE TOWN OF IGNACIO AMENDING THE TOWN OF IGNACIO MUNICIPAL CODE, CHAPTER VIII, CRIMINAL OFFENSES, ADDING ADMINISTRATION NOTES AND CHANGING 8-2-5 (3) AND (6) RELATED TO FINES.

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 add Administration notes allowing changes to be made to the code automatically when Colorado State Law changes occur; and

WHEREAS, Colorado State Law has updated maximum fine amounts for violations of law: and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO, COLORADO THAT THE FOLLOWING BE ADDED AND CHANGED:

Administration: When State Laws change related to years, fines, fees or other numbers, the code shall reflect these changes by administrative action, rather than requiring an ordinance to make such a change. No intent, position, or content will be changed, however, without the proper process being followed, including a public hearing and the approval of an Ordinance by the Town Board of Trustees.

8-2-5 Theft by Check

(3) Nothing in this section shall apply where the value of the check exceeds one thousand dollars (\$1,000) or where the offender is under accusation of formal criminal charges involving the issuance of two or more checks with an aggregate value of one thousand dollars (\$1,000.00) or more.

(6) Any person who violates any of the provisions of this section shall be subject to a penalty in the form of a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment for a period not to exceed ninety (90) days or by both such fine and imprisonment.

APPROVED BY THE BOARD OF TRUSTEES on this 14th day of June, 2011.

TOWN OF IGNACIO, COLORADO

Attest

George Whitt, Mayor

Town Clerk

ORDINANCE NO. 294

AN ORDINANCE OF THE TOWN OF IGNACIO, COLORADO AMENDING THE MUNICIPAL CODE CHAPTER III, SECTION 3-6-3, INTERSECTIONS.

WHEREAS, the Town has adopted provisions regarding Land Use within the Town, and

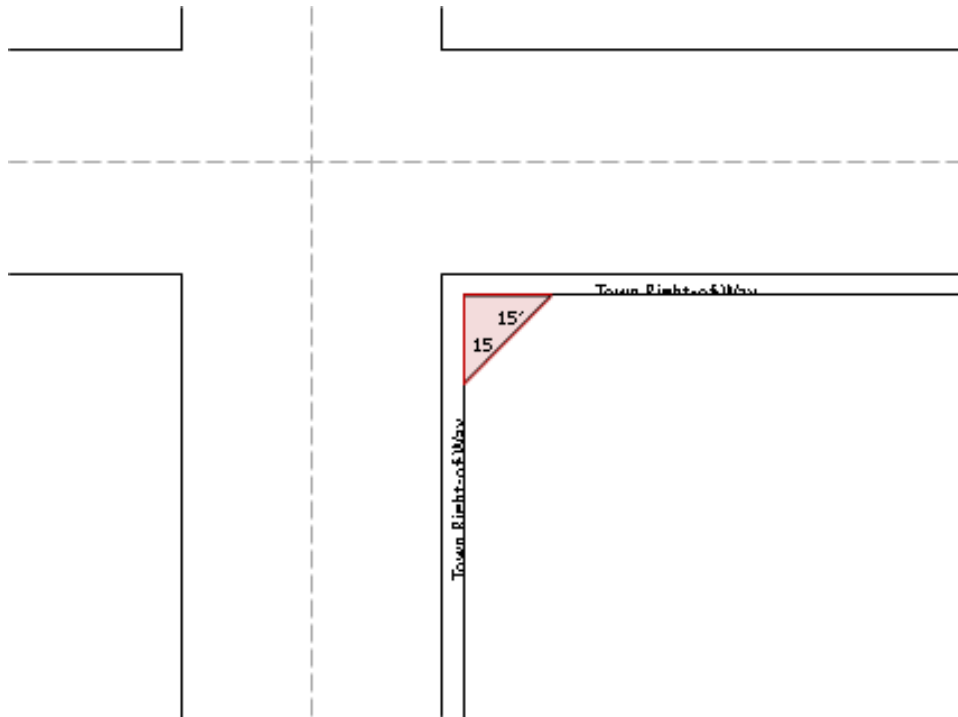
WHEREAS, the Board of Trustees finds that the current Intersections section of Chapter III, Land Use, Section 3-6-3, to be unsuitable for the lot sizes and layout of the community.

WHEREAS, the Board of Trustees finds that a change in the sight distance triangle and the height of items in the triangle are necessary to better the interaction of both road users and pedestrians.

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

Chapter III of the Town Code is amended by the change of Section 3-6-3 to read as follows:

To achieve proper sight distance no fence, wall, entrance, hedge, shrub, tree, planting or other sight obstruction over two and a half (2.5) feet above the pavement elevation may be placed within a triangle on the property adjoining the roadways to a distance of fifteen (15) feet on each side of the Town right-of-way into the corner of the lot. Please see example.



PASSED, APPROVED AND ORDERED PUBLISHED this 14TH day of June, 2011.

George T. Whitt, Mayor

ATTEST:

Town Clerk

ORDINANCE NO. 295

AN ORDINANCE OF THE TOWN OF IGNACIO, COLORADO REZONING A PORTION OF ROCK CREEK SECOND ADDITION FROM R-1 SINGLE FAMILY ZONE TO R-2 MULTI-FAMILY ZONE.

WHEREAS, the Town of Ignacio, Colorado annexed 60 acres and under Ordinance 201, May 13, 2003, designated the total parcel, known as Rock Creek Second Addition, La Plata County Parcel 595507100032 as R-1 Single Family housing; and

WHEREAS, Rock Creek Second Addition is being subdivided into 54.16 acres, Tract 1 and 5.77 acres, Tract 2, as shown on the attached legal plat, entitled Rock Creek III Subdivision; and

WHEREAS, the Town of Ignacio has received a request to rezone Rock Creek Second Addition Tract 2 as R-2 Multifamily zoning to accommodate higher density housing units and fulfill on DOLA EIAF Contract 4358 Ignacio Affordable Housing ; and

WHEREAS, two Public Hearings were held and a Community Meeting to hear comments;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO, COLORADO CHANGES THE ZONING OF ROCK CREEK SECOND ADDITION, TRACT 2 FROM R-1 TO R-2.

Adopted and ordered published this 28th day of July, 2011.

TOWN OF IGNACIO, COLORADO:

By: _____
Mayor

Attest:

By: _____
Town Clerk

ORDINANCE NO. 296

AN ORDINANCE OF THE TOWN OF IGNACIO, COLORADO AUTHORIZING THE CERTIFICATION OF CERTAIN CHARGES, FEES AND ASSESSMENTS TO THE TREASURER OF LA PLATA COUNTY, COLORADO FOR COLLECTION

WHEREAS, the Town has lawfully imposed certain charges, fees and assessments that remain unpaid despite collection attempts by the Town, and

WHEREAS, the provisions of C.R.S. 31-20-105, et seq. allow for the certification of charges and assessments to the Treasurer for collection in the same manner as taxes, and

WHEREAS, the Board of Trustees desires to take all reasonable steps to collect delinquent amount lawfully owed to the Town,

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

1. The Board finds that the amounts listed on Exhibit A, as well as the persons, properties, and schedule numbers associated with those amounts are correct and represent amounts due to the Town which are eligible to be certified to the Treasurer under C.R.S. 31-20-105.
2. The Board hereby certifies those amounts to the Treasurer to be collected and paid over in the same manner as taxes are authorized to be collected.
3. The amounts certified include the one percent collection fee and the ten percent penalty provided for by statute.
4. The Town clerk is authorized to provide any other information reasonably required by the Treasurer to collect the delinquencies.

PASSED, APPROVED AND ORDERED PUBLISHED this ____ day of _____, 2011.

Mayor of Town of Ignacio

ATTEST:

Town Clerk

ORDINANCE 297

AN ORDINANCE OF THE TOWN OF IGNACIO ESTABLISHING THE TOWN OF IGNACIO MUNICIPAL CODE, CHAPTER III, LAND USE, GENERAL AND ZONING DISTRICTS, SECTIONS II WORDS AND TERMS DEFINED 3-6-22 UTILITY DISTRIBUTION SYSTEM VS UTILITY DISTRIBUTION FACILITIES AND AMENDING EACH ZONING DISTRICT.

WHEREAS, the Town of Ignacio, Colorado has adopted municipal codes and the municipal codes have been reviewed; and

WHEREAS, guidelines and standards need to be updated to promote appropriate growth within the town and accommodate changing needs of citizens; and

WHEREAS, the needs of the town have made it necessary to create definitions in the Land Use Chapter involving the Use by Right in Zoning Districts and Section II Words and Terms Defined.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO, COLORADO THAT THE LAND USE CHAPTER IS AMENDED AS FOLLOWS.

3-5-7 Table of Permitted Uses*

DISTRICT

Single Family Residential (R-1)

Use by Right

Single family dwelling, church, school, park and recreation facility, utility distribution system

Accessory Use Permitted (Permit Required)

Garage, storage building, home occupation.
Shipping Container or Storage container. See 3-6-4 (4)(b)

Special Use Permitted

Home occupation with non-occupant employees, utility distribution facility

Storage:

Allowed in a garage, enclosed shed, or behind a visual barrier, such as a fence, not a tarp, as long as storage items cannot be seen.

Multi-Family Residential (R-2)

Use by Right

Multi-family dwelling, single family dwelling, church, school, park and recreation facility, and utility distribution system.

Accessory Use Permitted (Permit Required)

Garage, storage building, home occupation.
Shipping Container or Storage container. . See 3-6-4 (4)(b)

Special Use Permitted

Mini-storage facility. Mobile home as principal use. Mobile home as accessory use.
Parking lot. Home occupation with non-occupant employees. Utility distribution facility.

Storage:

Allowed in garage, enclosed shed, behind visual barrier, such as a fence, not a tarp, as long as storage items cannot be seen

Mobile Home Residential (MH)

Use by Right

Mobile home, single family dwelling, mobile home park, church, school, park and recreation facility, utility distribution system.

Accessory Use Permitted (Permit Required)

Garage, storage building, home occupation
Shipping Container or Storage container. See 3-6-4 (4)(b)

Special Use Permitted

None.

Storage:

Allowed in garage, enclosed shed, behind visual barrier, such as a fence, not a tarp, as long as storage items cannot be seen

Business (B) (Amended by Ordinance 282, July 13, 2010)

Use by right:

The purpose for which land or a structure is designed, arranged, intended, or occupied, utility distribution system

Special use:

A use identified by this code which is pre-approved within a zone district and requires a special permit to be issued after review and approval by staff, utility distribution facility.

Note: If the staff determines there would be a significant impact, then plans can be referred to the Planning Commission.

3-6-22 Utility Distribution System and Facilities (Ordinance 297)

Utility Distribution System - all components which are reasonably necessary to provide public utilities: gas, water, sewer, electricity; as well as telecommunications services and other utility services into, within and through the Town. Including transmission and service lines and routes requiring simple easements or installation in public rights of way or installed with a franchise agreement with the Town and or County. Usual customer service lines shall not be subject to zoning requirements.

Utility Distribution Facilities – items not defined under Utility Distribution Systems will require Planning Commission review and Town Board of Trustees approval prior to any work being authorized. Examples include, but are not limited to, mobile phone towers, transmission stations, water treatment plants, etc.

APPROVED BY THE BOARD OF TRUSTEES on this 13th day of December, 2011.

TOWN OF IGNACIO, COLORADO

Cecilia Robbins, Mayor

Attest:

Town Clerk

ORDINANCE # 298

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 2012 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	\$1,107,923
<u>Transfer to Debt Fund</u>	<u>80,000</u>
Total	\$1,187,923

IMPACT FEES FUND:

Current expenses	\$ 4,000
<u>Transfers</u>	<u>\$ 0</u>
Total	\$ 4,000

CAPITAL IMPROVEMENT FUND:

Capital Projects	\$ 14,500
<u>Transfers</u>	<u>\$ 25,000</u>
Total	\$ 39,500

SEWER FUND:

Current operating expenses	\$ 366,945
<u>Transfers</u>	<u>\$ 0</u>
Total	\$ 366,945

IRRIGATION FUND:

Current operating expenses	\$ 18,651
<u>Transfers</u>	<u>\$ 0</u>
Total	\$ 18,651

DEBT FUND:

Debt service payments	\$ 136,963
<u>Transfers</u>	<u>\$ 0</u>
Total	\$ 136,963

ECONOMIC DEVELOPMENT FUND:

Current operating expenses	\$ 12,000
<u>Transfers</u>	<u>\$ 0</u>
Total	\$ 12,000

WATER FUND:

Administration and Operating expenses	\$ 309,936
<u>Transfer to Debt Fund</u>	<u>\$ 0</u>
Total	\$ 309,936

GAS FUND:

Administration and Operating expenses	\$ 624,097
<u>Transfer to Debt Fund</u>	<u>\$ 65,000</u>
Total	\$ 689,097

CONSERVATION TRUST FUND:

Operating expenses	\$ 2,000
<u>Transfers</u>	<u>\$ 0</u>
Total	\$ 2,000

ADOPTED, this 13th day of December A.D. 2011

Cecilia Robbins, Mayor

ATTEST: _____
Town Clerk

ORDINANCE # 299

AN ORDINANCE FOR A SUPPLEMENTAL BUDGET FOR 2011 FOR THE TOWN OF IGNACIO, COLORADO.

WHEREAS, the Town's General Fund, received a grant in the amount of \$2,500 for the Website, that was not planned for at the time of the preparation of the budget, and,

WHEREAS, the Town's General Fund, received an insurance payment in the amount of \$67,500 for the settlement of El Paso Road, that was not planned for at the time of the preparation of the budget, and,

WHEREAS, the Town's Economic Development Fund, received a payment in the amount of \$364,061 for the sale of 54 acres of land, 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 2011 supplemental budget for the General Fund be increased \$70,000 for monies received in the General Fund, for total available revenue of \$1,940,466.

That the Economic Development Fund total available revenue for the 2011 supplemental budget is hereby increased from \$37,169 to \$401,230,

ADOPTED, this 13th day of December A.D. 2011.

Cecilia Robbins, Mayor

ATTEST: _____
Town Clerk

DATE: _____