TOWN OF PARACHUTE
ORDINANCE NO. 705-2016

AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, PUBLISHING THE PARACHUTE MUNICPAL CODE THROUGH CODE PUBLISHING COMPANY AND ADOPTING TECHNICAL CORRECTIONS TO THE CODE.

WHEREAS, the Town of Parachute ("Parachute" or the "Town") is a Colorado home rule municipality organized under Article XX of the Colorado Constitution and through the Town of Parachute Home Rule Charter;

WHEREAS, the Town has adopted and maintains the Parachute Municipal Code (the "Code"), to provide for the public health, safety, and welfare through the enforcement and administration of Town ordinances provided therein;

WHEREAS, the Town maintains and provides copies of the Code to public for sufficient notice of the requirements therein;

WHEREAS, the Parachute Board of Trustees finds and believes that it is in the interest of the public to increase the accessibility and usability of the Town Code through the use of online media;

WHEREAS, the Town Board has deemed it necessary to recodify, revise, and rearrange the Ordinances of the Town by and through the Code's publication through the Code Publishing Company; and

WHEREAS, upon review of the Code by Code Publishing Company, several minor, technical errors or omissions were discovered that required correction and, through this Ordinance are hereby adopted as set forth in the re-codified code and as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. Recitals. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Re-adoption. Pursuant to the provisions of §§ 31-16-201 through 31-16-207, C.R.S., as amended, the Board of Trustees hereby re-adopts the "Parachute Municipal Code" to be published by Code Publishing Company, Seattle, Washington.

Section 3. Title; Citation; Reference. The Code shall continue to be known as the "Parachute Municipal Code" and it shall be sufficient to refer to said code as the "Parachute Municipal Code" or the "Town Code" in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any portion thereof as an addition to,

amendment to, correction or repeal of the "Parachute Municipal Code" or the "Town Code". Further reference may be had to the titles, chapters, sections, and subsections of the Code and such references shall apply to that numbered title, chapter, section, or subsection as it appears in the Code.

Section 4. Ordinances passed prior re-adoption for publication. All Ordinances of the Town passed prior to the Code's re-adoption for publication provided for by this Ordinance No. 705 are hereby integrated into the Town Code for publication by the Code Publishing Company.

Section 5. Authority. This code consists of all the regulatory and penal ordinances and certain of the administrative ordinances of the Town of Parachute, Colorado, codified pursuant to the provisions of §§ 31-16-201 through 31-16-207, C.R.S.

Section 6. References apply to entire Code. Whenever a reference is made to this Code as the "Parachute Municipal Code", the "Town Code", or to any portion thereof, or to any ordinance of the Town of Parachute, Colorado, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made.

Section 7. Title, chapter, and section headings. Title, chapter, and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of any title, chapter, or section hereof.

Section 8. Reference to specific ordinances. The provisions of this code shall not in any manner affect matters of record which are therein specifically designated by number or otherwise and which are within the code, but such reference shall be construed to apply to the corresponding provisions contained within the code.

Section 9. Effect of code on past actions and obligations. Neither the re-adoption of this code nor the repeal or amendments or any ordinance or part or portion of any ordinance of the Town shall in any manner affect the prosecution of violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license, fee, or penalty at said effective date due and unpaid under such ordinances, nor be construed as affecting any of the provisions of such ordinances relating to the collection of any such license, fee, or penalty, or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance and all rights and obligations thereunder appertaining shall continue in full force and effect.

Section 10. Section 6.02.070(G)(2) of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike-through language deleted~~:

6.02.070 Classification of Licenses.

***

G. *Electrical*

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2. Any person desiring to engage in the business of contracting for the installation, altering or repairing of electrical wiring and apparatus of any kind or nature shall first register with the **Community Development Department**~~division~~ stating the name of the person making the application, such person's place of business, the master electrician's name and the master electrician's license number.

Section 11. Section 6.10.010 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language deleted~~:

6.10.010 Findings of Fact.

The Parachute Board of Trustees finds it necessary for the public health, safety and welfare to establish regulations governing the operations of sexually oriented businesses to provide uniform procedures for the issuance, suspension and revocation of business licenses issued by the Town for sexually oriented business establishments, and **to establish reasonable and uniform regulations to prevent the deleterious location, design and concentration of sexually oriented businesses within the Town, thereby reducing or eliminating the adverse secondary effects from such sexually oriented businesses. The provisions of this Article are not intended to impose a limitation or restriction on the content of any communicative materials, including sexually oriented materials. It is not the intent of this Article to restrict or deny access by adults to sexually oriented materials protected by the First Amendment or the Colorado Constitution, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this Article to condone or legitimize the distribution of obscene material.**

Section 12. Section 6.10.360 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language deleted~~:

6.10.360 Hearings.

The Licensing Officer or his designee shall conduct hearings for suspension or revocation of licenses granted pursuant to PMC **6.10.350**~~6.40.010 to 6.40.090~~. The Licensing Officer shall make findings of fact and conclusions concerning the revocation or suspension of a license. The Licensing Officer shall transmit a copy of the final findings of fact and conclusion to the licensee as provided hereafter.

Section 13. Section 7.10.180 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language deleted~~:

7.10.180 Penalty assessment schedule for criminal and traffic offenses.

A penalty assessment schedule for criminal offenses may be established by the Parachute Board of Trustees. In the event the Board of Trustees has not established such a schedule, the ~~Court, by order of the Board,~~**Municipal Judge** may promulgate such a schedule. A penalty

assessment schedule for noncriminal traffic offenses shall be promulgated by the Municipal Judge as provided in the Model Traffic Code.

Section 14. Section 9.15.030 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language deleted~~:

9.15.030 Definitions

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"Tributary" means any watercourse, stream, creek, spring or drainage area which provides a source of supply to the Town's potable water diversion points **Revelle Springs, the Colorado River, and other points of diversion that may be established.** ~~on ** and the Colorado River.~~

Section 15. Section 11.08.090 of the Parachute Municipal Code is hereby amended to include a new subsection R, as follows:

11.08.090 Illegal possession or consumption of ethyl alcohol or marijuana by an underage person – Illegal possession of marijuana paraphernalia by an underage person.

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R. Official records of the Colorado Department of Public Health And Environment relating to the certification of breath test instruments, certification of operators and operator instructors of breath test instruments, certification of standard solutions, and certification of laboratories shall be official records of the State. Copies of such records, attested by the Executive Director of the Department of Public Health and Environment or his or her designee and accompanied by a certificate bearing the official seal for said Department, which state that the Executive Director of the Department has custody of such records, shall be admissible in the Municipal Court and shall constitute prima facie evidence of the information contained in such records. The official seal of the Department described in this subsection (R) may consist of a watermark of the State seal within the document.

Section 16. Section 13.20.010 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language deleted~~:

13.20.010 Adopted by reference.

A. Pursuant to the power and authority conferred by the laws of the state of Colorado, there is adopted by reference thereto, the International Building Code, 2003 Edition, together with the chapters of the appendix as set forth below, promulgated by the International Code Council, Inc.~~, 5203 Leesburg Pike, Suite 708, Falls Church, VA 22041-3401~~ (hereinafter "IBC" or "International Building Code"). The purpose of the IBC is to provide minimum standards to safeguard life and limb, health, property and the public welfare by regulating and controlling

various matters including, but not limited to, the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the Town.

Section 17. Section 13.30.010 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language deleted~~:

13.30.010 Adopted by reference.

A. Pursuant to the power and authority conferred by the laws of the state of Colorado, there is adopted by reference thereto, the International Mechanical Code, 2003 Edition, together with the chapter of the appendix set forth below, promulgated by the International Code Council, Inc.~~, 5203 Leesburg Pike, Suite 708, Falls Church, VA 22041-3401~~ (hereinafter "IMC" or "International Mechanical Code"). The purpose of this code is to regulate the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use and maintenance of mechanical systems, including heating, ventilating, cooling and refrigeration systems, within the Town of Parachute.

Section 18. Section 13.40.010 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language deleted~~:

13.40.010 Adopted by reference.

A. Pursuant to the power and authority conferred by the laws of the state of Colorado, there is adopted by reference thereto, the International Plumbing Code, 2003 Edition, with the Appendices described below, promulgated by the International Association of Plumbing and Mechanical Officials~~, 20001 Walnut Drive South, Walnut, CA 91789~~ (hereinafter "IPC" or "International Plumbing Code"). The purpose of the IPC is to protect the safety of residents of the Town by prescribing minimum standards for plumbing installation, alteration, addition, repair, relocation, replacement, maintenance or use of any plumbing systems.

Section 19. Section 13.50.010 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language deleted~~:

13.50.010 Adopted by reference.

A. Pursuant to the power and authority conferred by the laws of the state of Colorado, there is adopted by reference thereto, the International Fuel Gas Code, 2003 Edition, together with the chapters of the appendix set forth below, promulgated by the International Code Council, Inc.~~, 5203 Leesburg Pike, Suite 708, Falls Church, VA 22041-3401~~ (hereinafter "IFGC" or "International Fuel Gas Code"). The purpose of the IFGC is to protect the safety of residents of the Town by prescribing minimum standards for the installation and maintenance of gas and fuel burning appliances and related piping within the Town of Parachute.

Section 20. Section 13.60.010 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language deleted~~:

13.60.010 Adopted by reference.

A. Pursuant to the power and authority conferred by the laws of the state of Colorado, there is adopted by reference thereto, the International Fuel Gas Code, 2003 Edition, together with the chapters of the appendix set forth below, promulgated by the International Code Council, Inc.~~, 5203 Leesburg Pike, Suite 708, Falls Church, VA 22041-3401~~ (hereinafter "IFGC" or "International Fuel Gas Code"). The purpose of the IFGC is to protect the safety of residents of the Town by prescribing minimum standards for the installation and maintenance of gas and fuel burning appliances and related piping within the Town of Parachute.

Section 21. Section 13.65.010 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language deleted~~:

13.65.010 Adopted by reference.

Pursuant to the power and authority conferred by the laws of the state of Colorado, there is hereby adopted by reference thereto, the ASME Safety Code for Elevators and Escalators, A17.1-2007 Edition; the ASME Safety Code for Existing Elevators and Escalators, A17.3-2005 Edition; and the ASME Safety Standards for Platform Lifts and Stairway Chairs, A18.1-2005 Edition, all promulgated by the American Society of Mechanical Engineers, ~~Three Park Avenue, New York, NY 10016-5990,~~ and standards promulgated by the Director of the Division of Oil and Public Safety within the Colorado Department of Labor and Employment, ~~633 17th Street, Suite 500, Denver, CO 80202,~~ pursuant to § 9-5.5-112, C.R.S. The purpose of these codes is to provide for the safety of life and limb, and promote the public welfare by regulating the installation, alteration, addition, repair, relocation, and use of elevators and escalators. The provisions of these codes are not intended to prevent the use of systems, methods, or devices of equivalent or superior quality, strength, fire resistance, effectiveness, durability and safety to those prescribed by these codes, providing that there is technical documentation to demonstrate the equivalency of the system, method, or device.

Section 22. Section 14.10.030 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language deleted~~:

14.10.030 Public behavior and preservation of public property and resources.

A. The following acts are prohibited within any park, recreation area, or recreation site:

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8. Operating or using any audio devices, including radios, televisions or musical instruments, or any other noise-producing devices such as an electrical generating **equipment**~~plant~~ in such a manner and at such times so as to disturb other persons using the recreation area or park;

Section 23. Section 15.13.103 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language deleted~~:

15.05.103 General procedures.

***

C. *Other Reviews.* Variances to the provisions of the flood hazard regulations found in ~~Section 15.10.111~~ **this title** are reviewed by the Board of Trustees. Variances to the provisions of Chapter 15.13 PMC, Sign Regulations, are reviewed by the Board of Trustees.

Section 24. Section 15.07.102 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language deleted~~:

15.07.102 Minimum number of off-street parking spaces required.

Unless specifically exempted or variations are permitted in accordance with these regulations, all land uses in the Town of Parachute shall include, at a minimum, the number of vehicle off-street parking spaces specified in the following table of these regulations.

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B. Commercial	
****	
Motor vehicle sales and service	One (1) space per ten percent (10%) of vehicle outside display area plus one (1) space per four hundred **fifty** (**450**~~400~~) ~~fifty~~ square feet of floor area.
***	
Indoor restaurants, eating and drinking establishments	One (1) space for every one hundred fifty (**150**~~250~~) square feet of floor area or one (1) space per three (3) seats whichever results in more parking spaces.

Section 25. Section 15.07.113 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language deleted~~:

15.07.113 Design Requirements.

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J. *Parking Lot Landscaping.*

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5. Parking lots shall be landscaped as required by this section. In cases of hardship or to increase safety, the Board of Trustees may permit a portion of the required landscaping ~~to be relocated or allowed other deviation from the parking landscaping~~ to be relocated or allow other deviation from the parking landscaping requirements.

Section 26. Section 15.13.140 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language deleted~~:

15.13.140 Freestanding and ground sign requirements.

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C. *Size, Height and Location.*

1. Freestanding signs shall comply with the following requirements with respect to size, height and location:

REQUIREMENTS FOR FREESTANDING SIGNS ONLY

Distance from Street Right-of-Way Line (feet)	Maximum Height Above Grade (feet)	Maximum Size Allowed per Side (square feet)
***	***	***
400	~~28~~**26**	160

Section 27. Section 5.10.010 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language deleted~~:

5.10.010 Sales tax imposed.

In accordance with § 29-2-105, C.R.S., as amended, there is hereby imposed a tax on the sale of tangible personal property at retail and the furnishing of services. Said tax shall be levied and collected on the same tangible personal property and services taxable pursuant to the Colorado sales tax, § 39-26-104, C.R.S., as amended, and subject to the same exemptions as those specified in § 39-26-~~114~~**704**, C.R.S., as amended.

Section 28. Title 11 of the Parachute Municipal Code is hereby amended such that all references to "§ 12-22-303, C.R.S." shall be replaced with "§18-18-102,C.R.S."

Section 29. Section 12.02.080 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language deleted~~:

12.02.080 Abandoned and inoperable vehicles – Private tow.

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D. Within five (5) working days of the receipt of an ownership report from the Department of Revenue, the operator shall notify the owner of record and any lienholder by certified mail or by personal delivery. The operator shall send a copy of the notice by certified

mail or by personal delivery to the Police Department. Such notice shall contain the following information:

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2. The claim, if any, of a lien under § 42-~~42~~-1806, C.R.S.;

Section 30. Effective date. This code shall become effective on the date the ordinance re-adopting this code as the "Parachute Municipal Code" shall become effective.

Section 31. Constitutionality. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The council hereby declares that it would have passed this code, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases had been declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY by a vote of 6 to 0 of the Board of Trustees of the Town of Parachute, Colorado at its regular meeting held at Town Hall in the Town of Parachute on the 21st day of July 2016 and approved by the Mayor on the 21 day of July, 2016.

BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO

By: _____
Roy McClung, Mayor

ATTEST:

_____
Town ~~Clerk~~ Manager

PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, PUBLISHING THE PARACHUTE MUNICPAL CODE THROUGH CODE PUBLISHING COMPANY AND ADOPTING TECHNICAL CORRECTIONS TO THE CODE.

was introduced before the Board of Trustees on July 21, 2016; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Board of Trustees held on July 21, 2016, and approved by the Mayor on July 21, 2016.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado and available on the internet at http://www.parachutecolorado.com.

Dated this 21 day of July 2016.

TOWN OF PARACHUTE

Town ~~Clerk~~ Manager

1. PMC 6.02.050(C) and 6.02.060 include references to PMC 6.02.070. We have changed this reference to PMC 6.02.080.

OK

2. PMC 6.02.070(G)(2) reads:

Any person desiring to engage in the business of contracting for the installation, altering or repairing of electrical wiring and apparatus of any kind or nature shall first register with the [division] stating the name of the person making the application, such person's place of business, the master electrician's name and the master electrician's license number.

Should the division (e.g., town, department, state) be specified? We will leave it as is for now.

Community Development Division

3. PMC 6.10.010 reads:

The Parachute Board of Trustees finds it necessary for the public health, safety and welfare to establish regulations governing the operations of sexually oriented businesses to provide uniform procedures for the issuance, suspension and revocation of business licenses issued by the Town for sexually oriented business establishments, and [...]

The sentence is missing text and ends where the brackets indicate. Ordinance 442 may provide the missing text.

... to establish reasonable and uniform regulations to prevent the deleterious location, design and concentration of sexually oriented businesses within the Town, thereby reducing or eliminating the adverse secondary effects from such sexually oriented businesses. The provisions of this Article are not intended to impose a limitation or restriction on the content of any communicative materials, including sexually oriented materials. It is not the intent of this Article to restrict or deny access by adults to sexually oriented materials protected by the First Amendment or the Colorado Constitution, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this Article to condone or legitimize the distribution of obscene material.

4. PMC 6.10.190(A)(2) reads as follows: "On any Monday other than a Monday which falls on January 1st, from 12:00 a.m. until 7:00 a.m." We have made the indicated change.

OK

5. PMC 6.10.360 reads, in part, "The Licensing Officer or his designee shall conduct hearings for suspension or revocation of licenses granted pursuant to [PMC 6.40.010 to 6.40.090]." The bracketed references do not exist in the Parachute Municipal Code. Should the references be changed to PMC 6.10.350 or another section? We will leave it as is for now.

Change to 6.10.350

6. PMC 6.11.160 reads, in part, "Should a violation have been found to exist, the authority may deny the renewal or may renew the license with conditions." We have made the indicated change.

OK

7. Chapter 6.12 PMC. Ordinances 680 and 686 both adopt Chapter 6.12. Since Ordinance 686 does not specifically repeal Ordinance 680, we will treat the Ordinance 680 as superseded by 686. We will include a note regarding prior legislation in a disclaimer at the beginning of the chapter.

OK

8. Ordinance 686. PMC 6.12.060(B), 6.12.070(A), 6.12.090 and 6.12.130(F) include a cross-reference to PMC 6.12.160 and the application and license fees referenced therein. The subject matter of PMC 6.12.160 is the issuance of licenses. We have changed the reference to 6.12.170, Application fees.

OK

9. PMC 7.10.180 reads, in part, "In the event the Board of Trustees has not established such a schedule, the Court, by order of the Court Board, may promulgate such a schedule." We have made the indicated changes.

Municipal Judge

10. PMC 8.01.110. We have changed the cross-reference from PMC 8.01.020 to PMC 8.01.010, Definitions.

OK

11. PMC 9.15.030. The definition for "Tributary" reads as follows: "'Tributary' means any watercourse, stream, creek, spring or drainage area which provides a source of supply to the Town's potable water diversion points on [**] and the Colorado River." What text should take the place of the bracketed asterisks? We will leave it as is for now. Ordinance 492 may provide the missing text.

at the Revelle Springs and on the Colorado River

12. PMC 9.20.280. We have changed a cross-reference from PMC 9.20.280 to PMC 9.20.290, Termination.

OK

13. PMC 9.30.030. The definition for equivalent residential unit reads, in part, "The EQR unit value assigned to such uses is set forth in a table of EQR units in the Town of Parachute Water and Sewer Tap Ordinance of 1984, Ordinance No. 229, as such table may be amended." This ordinance appears to no longer be a part of the code. Should the reference be changed? For example, PMC 9.20.030(C) reads as follows: "The Town Manager will calculate a tap fee based upon the definition of "EQR" (equivalent residential unit) as determined by the Battlement Mesa Metropolitan District."

Leave as is. The code will have to be amended to include the table for EQR's.

14. PMC 9.30.080. We have changed subsection lettering as follows (any cross-references affected by these changes will be fixed accordingly):

Previously	Now
(C) through (D)	(B)(1) through (3)
(F)	(C)
(H) through (K)	(C)(1) through (5)
(L)	(D)
(M) through (Y)	(D)(1) through (13)
(Z) through (II)	(E) through (N)

Previously	Now
(C) through (E)	(B)(1) through (3)
(F)	(C)
(G) through (K)	(C)(1) through (5)
(L)	(D)
(M) through (Y)	(D)(1) through (13)
(Z) through (II)	(E) through (N)

15. Please let us know if this re-lettering and renumbering is an acceptable change. In addition, the paragraph following subsection (B)(3) (formerly subsection (E)) reads, in part, "The Town shall determine whether any such water rights in [subsections (1) and/or (2) above] offered to the Town for dedication will be accepted, rejected or accepted in part by the Town for dedication." The bracketed reference has been changed to subsections (B)(1) and (2).

OK

16. PMC 9.30.100(B)(3)(c) reads, in part, "During the ninety-day notice period provided for in subsection [(C)(2)] ..." We have changed the highlighted reference to subsection (B)(3)(b).

OK

17. Ordinance 677. Sections 1 through 3 of this ordinance rename section 11.08.080 to "Unlawful purchase of alcohol by an underage person" and repeal subsections (A)(2), (B)(3) and (4), and (C) through (I) of 11.08.080. Section 5 of the ordinance repeals section 11.08.080 in its entirety and replaces it with a new section 11.08.080, titled "Illegal possession or consumption of ethyl alcohol or marijuana by an underage person – Illegal possession of marijuana paraphernalia by an underage person." Should section 5 instead repeal and replace 11.08.090 (as amended by Ordinance 655), "Possession or use of marijuana by an underage person – Prohibited"?

OK

18. In addition to the item above regarding Ordinance 677, our copy of the ordinance appears to be missing text. Page 6 of the ordinance starts in the middle of a paragraph. Subsection Q is the last paragraph on page 5 and the first subsection on page 6, following the incomplete paragraph, is subsection S. Could you please send us the missing text?

R. Official records of the Colorado Department of Public Health And Environment relating to the certification of breath test instruments, certification of operators and operator instructors of breath test instruments, certification of standard solutions, and certification of laboratories shall be official records of the State. Copies of such records, attested by the Executive Director of the Department of Public Health and Environment or his or her designee and accompanied by a certificate bearing the official seal for said Department, which state that the Executive Director of the Department has custody of such records, shall be admissible in the Municipal Court and shall constitute prima facie evidence of the information contained in such records. The official seal of the Department described in this subsection (R) may consist of a watermark of the State seal within the document.

19. Ordinance 650 repeals and replaces Chapter 12.01 PMC. Among the new sections it adds is PMC 11.04.060, Interpretation. We have renumbered this section as PMC 12.01.070 to match the chapter number and to avoid duplication of numbering (PMC 12.01.060 already exists in the ordinance).

OK

20. PMC Title 13 adopts, by reference, the International Building Code, 2003 Edition, International Mechanical Code, 2003 Edition, International Plumbing Code, 2003 Edition, International Fuel Gas Code, 2003 Edition, International Residential Code, 2003 Edition, and ASME Safety Code for Elevators and Escalators, A17.1-2007 Edition. At some point, the town may want to pass legislation to update these references to the latest versions of the codes. The references also include mailing addresses to the governing bodies of each code that no longer appear to be correct. It would be good to update the addresses or remove all of them.

OK

21. PMC 13.20.020(RR) amends the Uniform Building Code by adding a new section and subsection to Section 1704. It's a bit unclear if the new section and subsection are missing from the text or the additions to Section 1704 are the amendments made by PMC 13.20.020(SS) and (TT). We will leave this as is for now.

OK

22. PMC 13.20.020(BB), definition for "Kitchen" reads "Kitchen. A room or area that is designated to be used for the preparation of food, and which contains more that [than] one standard size kitchen appliance or fixture." We have made the indicated change.

OK

23. PMC 13.60.020(U), definition for "Building" reads:

Building. Building shall mean any one- and two-family dwelling or portion thereof, including townhouses, that is used, or designed or intended to be used for human habitation, for living, sleeping, cooking or eating purposes, or any combination thereof, and shall include. A minimum building dimension of twenty feet (20') wide and twenty feet (20') long.

Should we make the indicated change?

Include a minimum building dimension of twenty feet (20') wide and twenty feet (20') long.

24. The table in PMC 13.80.075(D) includes a total valuation entry for "[$24,001.00] to $50,000.00." We have changed the bracketed dollar amount to $25,001.00.

OK

25. The table in PMC 13.80.075(D) reads, in part, "Reinspection fees assessed under provisions of [Section 305.8]" What code is this citation referring to? We will leave this reference as is for now.

OK

26. PMC 14.10.030(A)(8) reads:

Operating or using any audio devices, including radios, televisions or musical instruments, or any other noise-producing devices such as an [electrical generating plant] in such a manner and at such times so as to disturb other persons using the recreation area or park.

Is the bracketed text correct? We have left it as is for now.

Electrical Generating Equipment

27. PMC 14.10.060. We have changed the cross-reference from PMC 11.14.010 to PMC 14.10.010.

OK

28. Section 15 of Ordinance 685 replaces references to the "Town Administrator" with "Town Manager" throughout Title 15 PMC. Chapter 15.13 PMC contains many generic references to an administrator of the sign regulations that is defined as follows: "'Administrator' means the [Town Administrator] or another Town official designated by the [Town Administrator]." We will change the bracketed instances of Town Administrator to Town Manager. Generic references of administrator in that chapter will be left as is. We will, however, change references of "Town Administrator" throughout the rest of the code.

OK

29. PMC 15.03.195. Ordinance 630 adds subsection (J), "Cultivation of Medical Marijuana by Patients and Primary Caregivers in Residential Dwelling Units," to PMC 15.03.195. Ordinance 657 adds subsections (J), and (K) to PMC 15.03.195. Should the subsections added by 657 be re-lettered to (K) and (L)? Or should the addition of the already existing subsection (J) be considered an amendment? For now, we will re-letter the subsections added by Ordinance 657.

Re-letter

30. Ordinances 630 and 657 add entries to the tables in PMC 15.03.215 and 15.03.216 regarding the cultivation of marijuana for personal use and medical marijuana for patients and caregivers. These uses are not included in the schedule of uses in Attachment A of Ordinance 679. We will add the entries under the Agricultural land use category.

OK

31. PMC 15.05.103(C) references Chapter 6.02 PMC, Sign Code. We have changed this reference to Chapter 15.13 PMC, Sign Regulations; the subject matter of Chapter 6.02 PMC is contractor licenses and regulations.

OK

32. Ordinance 653, which repeals and replaces Chapter 15.10 PMC, includes several cross-references to Chapter 15.04 PMC. The cross-references, as presented in the ordinance, do not exist in Chapter 15.04. The chapter in the references will be changed to 15.10, as appears to be the intent.

OK

33. PMC 15.13.010 reads, in part:

It is the intent of these Regulations to provide for the proper control of signs within the Town of Parachute. ~~It is the intent of these Regulations to provide for the proper control of signs within the Town of Parachute~~.

The struck out text is duplicative and has been removed.

OK

34. PMC 15.05.103(C) refers to 15.10.111 which does not exist. We have changed to "found in this title":

OK

35. PMC 15.06.206 states in part "all applications for approval of a geologic hazard permit shall include all information required for a geologic hazard permit before construction begins." We wonder whether the second use of "geologic hazard permit" should be to some other permit.

Don't know

36. PMC 15.07.102 table. Should it be 400 or 450 square feet:

Motor vehicle sales and service	One (1) space per ten percent (10%) of vehicle outside display area plus one (1) space per [four hundred fifty (400) square feet] of floor area.

450

Should it be 150 or 250 square feet:

Indoor restaurants, eating and drinking establishments	One (1) space for every [one hundred fifty (250)] square feet of floor area or one (1) space per three (3) seats whichever results in more parking spaces.

150

37. PMC 15.07.113(J)(5) (in ms. as (J)(4)) appears to have redundant or duplicative text:

(5) Parking lots shall be landscaped as required by this section. In cases of hardship or to increase safety, the Board of Trustees may permit a portion of the required landscaping to be relocated or allowed other deviation from the parking landscaping ~~to be relocated or allow other deviation from the parking landscaping~~ requirements.

Strike out as above.

38. In PMC 15.13.140, the entry for Distance from Street Right-of-Way Line for 40 feet shows Miximum Height Above Grade of 28 feet. Should "28" be "26"?

Looks like 26.

39. The following references to the Colorado Revised Statutes will need to be updated:

Code Location	Citation	Status
5.10.010	C.R.S. 39-26-114	repealed
5.50.070(A)	C.R.S. 39-12-110.5	broken
6.10.360	PMC 6.40.010 to 6.40.090	broken
11.06.080(B)(5)	C.R.S. 12-22-303	broken
11.06.120(A)(7)	C.R.S. 12-22-303	broken
11.06.130(A)	C.R.S. 12-22-303	broken
11.10.020, "Gambling" (5)	C.R.S. 12-47-128	broken
12.02.080(D)(2)	C.R.S. 42-2-1806	broken

OK