

AGENDA

for the Board of Trustees of the Town of Fairplay, Colorado

Monday, February 1, 2016 at 5:00 p.m. at the Fairplay Town Hall Meeting Room

901 Main Street, Fairplay, Colorado

- I. CALL TO ORDER WORK SESSION @ 5:00 P.M. – Kopunec PUD Pre-application Conference**
- II. CALL TO ORDER REGULAR MEETING @ 6:00 P.M.**
- III. PLEDGE OF ALLEGIANCE**
- IV. ROLL CALL**
- V. APPROVAL OF AGENDA**
- VI. CONSENT AGENDA** *(The Consent Agenda is intended to allow the Board to spend its time on more complex items. These items are generally perceived as non-controversial and can be approved by a single motion. The public or the Board Members may ask that an item be removed from the Consent Agenda for individual consideration.)*
 - A. APPROVAL OF MINUTES – January 4, 2016**
 - B. APPROVAL OF EXPENDITURES – Approval of bills of various Town Funds in the amount of \$89,491.28**
- VII. CITIZEN COMMENTS**
- VIII. NEW BUSINESS**
 - A. Should the Board Approve Adoption of Ordinance No. 1, 2016, entitled, “AN ORDINANCE REPEALING AND REENACTING CHAPTER 13, ARTICLE II OF THE FAIRPLAY MUNICIPAL CODE CONCERNING CROSS-CONNECTIONS AND BACKFLOW PREVENTION.”?**
 - B. Discussion Regarding Request from Boys and Girls Club Torch Club to Have “No Smoking” Signs Placed Outside Town Hall and Other Public Areas in Town.**
 - C. Other new business**
- IX. UNFINISHED BUSINESS**
 - A. Other Discussion Items**
- X. MAYOR AND TRUSTEE REPORTS**
- XI. STAFF AND COMMITTEE REPORTS**
- XII. ADJOURNMENT**

Upcoming Meetings/Important Dates:

| | |
|--|------------------------------|
| Front Street Merchant’s Meeting at Hand Hotel regarding Town Events | February 2, 2016 @ 5:30 p.m. |
| Joint Meeting of BOT, BOCC and Friends of the Fairplay Library at Community Center (880 Bogue St.) | February 8, 2016 @ 10 a.m. |
| President’s Day (no meeting) | February 15, 2016 |
| Board of Trustees Meeting | March 7, 2016 @ 6 p.m. |
| Board of Trustees Meeting | March 21, 2016 @ 6 p.m. |

This Agenda May Be Amended.

Posted at Fairplay Town Hall, Fairplay Public Library, Fairplay Post Office, and Town of Fairplay Website on Friday, January 29, 2016

TOWN OF FAIRPLAY
TOWN PLANNER REPORT

2016-01

PREAPPLICATION CONFERENCE

On December 28, 2015, a preapplication conference was held with Stan Kopunec to discuss a development proposal. The conference was attended by Stan Kopunec, Derek Kopunec, Tom Burnett, Tina Darrah, Claudia Werner and Ron Newman. It was decided that because of the nature of the proposal, a work session would be scheduled with the Board of Trustees to explain the proposal and get preliminary feedback from the Board.

A second meeting was held among staff, on January 22, 2016 to further discuss the proposal. That meeting was attended by Tina, Claudia, Ron and Gerrits.

THE PROPOSAL

Mr. Kopunec proposes to develop the land abutting his hotel on the north and east sides. The property is zoned Commercial. His proposal is to develop a subdivision for small "Park Model" homes similar to Tiger Run in Summit County. The Unified Development Code does not allow a residential subdivision in C zoning so the property must be developed as a Planned Unit Development.

There are several key points to this proposal that differentiate it from an RV park:

- The lots will be purchased from Mr. Kopunec.
- There will be no limit to occupancy, i.e. the owners can occupy the units as many months of the year as they wish.
- The units will have to meet the Building Code for a dwelling unit as opposed to an RV unit.
- The development will be controlled by covenants and a PUD agreement.
- A PUD will allow us to make modifications to the Unified Development Code, but no modifications to the Building Code or water & sewer regulations.

Additional information on the proposal will be provided by staff and the applicant.

Prepared by:

J. Ronald Newman

Fairplay Town Planner

copy: Stan Kopunec

Tom Burnett

Tina Darrah, Town Manager

Lee Phillips, Town Attorney

Claudia Werner

From: Tina Darrah [tdarrah@fairplayco.us]
Sent: Thursday, January 28, 2016 4:53 PM
To: 'Claudia Werner'
Subject: FW: Building regs for Stan Kopunec

Tina Darrah
Town Administrator
Town of Fairplay
901 Main Street/PO Box 267
Fairplay, CO 80440
(719) 836-2622 ext. 102
www.fairplayco.us

From: Gerrits Kasper [<mailto:gkasper@fairplayco.us>]
Sent: Tuesday, January 26, 2016 2:44 PM
To: ron@newplaning.co
Cc: tdarrah@fairplayco.us; cwerner@fairplayco.com; jmorrison@fairplayco.com
Subject: Building regs for Stan Kopunec

Here is the information that I got from Tiger Run and the county Building Department.

Tiger Run:

They run a R.V. resort with lots that they sell. The owner of the lots then either parks a R.V. on it or buys a chalet and parks it on it. The chalet has to keep its wheels on it so that it can be moved. It has to be "temporary". There is no permanent housing there. To the point that they are only allowed to occupy the R.V. or chalet for a total of 250 days a year, although they can park it there all year. They can rent it thru the HOA or do it themselves if they chose to go that route. Water, sewer and electrical is provided thru the HOA. They have a total of 400 lots with a full time manager. Their smallest size chalet is 12x30 with 360 square feet. All of their R.V. and chalet are required to have kitchen, bath, living area and heat source.

Building department:

I talked to Sheila Cross, the head of the Building Department. In the 2006 International Building Code book, section 1208, it talks about minimum requirements such as, the bathroom needs a toilet, sink and shower/bathtub. It also needs to be walled off. The kitchen needs a sink, stove and a refrigerator. There also needs to be a separate area for preparing food and eating food. You need a living area of at least 120 sq. ft. and you need a closet. It can be an open floor plan as long as they are separate and identifiable areas (couches/chairs to separate them). When you take these into account along with the specified minimum room sizes , it looks like this. Bath 35 sq. ft. , dining rm. 54 sq. ft. , living rm. 120 sq. ft. ,kitchen prep. 50 sq. ft. ,closet 9 sq. ft.. Total minimum is 268 square feet.

Other requirements include but are not limited to, straps for tie downs, thermal barrier between cabin concrete and R.V. concrete, zone 5 energy efficiency (insulation), individual heat source in cabin. Independent water, sewer, electric and propane/natural gas source. The area by the river may need its own lift station since it may be lower than our lift station.

These are the answers to our initial questions. I will be at meeting to answer any other questions that I can and record any other question to answer later.

Gerrits Kasper
Building Inspector

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES**

January 4, 2016

CALL TO ORDER WORK SESSION WITH FRIENDS OF THE FAIRPLAY LIBRARY

A joint work session of the Board of Trustees for the Town of Fairplay and the Friends of the Fairplay Library was called to order at 5:00 p.m. at the Fairplay Town Hall, 901 Main Street, by Mayor Gabby Lane. Trustees present were Scott Dodge, Eve Stapp, Ray Douglas and Frank Just. Also in attendance were Town Attorney Lee Phillips, Town Administrator Tina Darrah, Deputy Town Clerk Claudia Werner and FoFL members Sherri Nelson, Cheryl Piderit, Jeanette Tuggle, Jan Buchanan, Diane Ambrose, Anne Slubowski, Linda Twiehaus, Mike Joffe and Dale Tuggle. The FoFL members gave a history of their organization and their efforts and asked the Town to consider partnering with them in their effort to build a library and learning center in Fairplay. After much discussion, it was agreed that the Town would attempt to arrange a meeting with the Park County Board of County Commissioners, the Friends of the Fairplay Library and the Town Board of Trustees to determine if political support exists for the proposed library and learning center project.

CALL TO ORDER REGULAR MEETING OF THE BOARD OF TRUSTEES

The regular meeting of the Board of Trustees for the Town of Fairplay was called to order at 6:05 p.m. in the Council Chambers located in the Fairplay Town Hall, 901 Main Street, by Mayor Gabby Lane who proceeded with the pledge of allegiance, followed by the roll call which was answered by Trustees Scott Dodge, Eve Stapp, Ray Douglas and Frank Just. Also in attendance were Town Attorney Lee Phillips, Town Administrator/ Clerk Tina Darrah, Public Works Director Jason Morrison, Police Chief Joel Vice, Deputy Town Clerk Claudia Werner and Special Events Coordinator Julie Bullock.

AGENDA ADOPTION

Motion #1 by Trustee Just, seconded by Trustee Douglas, that the agenda be adopted as amended to delete item B under New Business, which was a liquor license renewal for the Fairplay Hotel located at 500 Main Street. Motion carried unanimously.

CONSENT AGENDA (*The Consent Agenda is intended to allow the Board to spend its time on more complex items. These items are generally perceived as non-controversial and can be approved by a single motion. The public or the Board Members may ask that an item be removed from the Consent Agenda for individual consideration.*)

- A. **APPROVAL OF MINUTES** – December 7, 2015
- B. **APPROVAL OF EXPENDITURES** – Approval of bills of various Town Funds in the amount of \$68,968.97.
- C. Should the Board Approve a Request for Renewal of a Tavern Liquor License as applied for by American Legion Post No. 172, located at 601/603 Clark Street?

Motion #2 by Trustee Douglas, seconded by Trustee Just, that the consent agenda be adopted as presented. A roll call vote was taken: Dodge – yes, Stapp – yes, Lane – yes, Douglas – yes, Just – yes. Motion carried unanimously.

CITIZEN COMMENTS

No citizen comments offered.

PRESENTATION: Donation Check to the American Legion

Mark Ziegler accepted a \$500.00 check on behalf of the American Legion Post No. 172. This check represented one-half of the proceeds from the silent auction that took place at the Victorian and Cowboy Ball held on December 12, 2015.

PUBLIC HEARINGS

- A. Should the Board Pass Final Reading of Ordinance No. 3, series of 2015, entitled, "AN ORDINANCE ADOPTING THE TOWN OF FAIRPLAY UNIFIED DEVELOPMENT CODE BY REFERENCE AND REPEALING AND REENACTING CHAPTERS 16 AND 17 OF THE TOWN OF FAIRPLAY MUNICIPAL CODE."?

The public hearing was opened at 6:08 p.m. by Mayor Lane.

Mayor Lane asked if anyone in the audience had questions or concerns regarding the adoption of the Town of Fairplay Unified Development Code.

Members of the public in attendance were Cheryl Piderit, Linda Twiehaus, Dale Tuggle and Mark Ziegler. No public comment was offered.

The public hearing on the adoption of the Town of Fairplay Unified Development Code was closed at 6:09 p.m. by Mayor Lane.

Motion #3 by Trustee Just, seconded by Trustee Douglas, that the Board Pass Final Reading of Ordinance No. 3, series of 2015, entitled, "AN ORDINANCE ADOPTING THE TOWN OF FAIRPLAY UNIFIED DEVELOPMENT CODE BY REFERENCE AND REPEALING AND REENACTING CHAPTERS 16 AND 17 OF THE TOWN OF FAIRPLAY MUNICIPAL CODE." Motion carried unanimously.

NEW BUSINESS

- A. Should the Board Approve Adoption of Resolution No. 1, series of 2016, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO ESTABLISHING A DESIGNATED PUBLIC PLACE FOR THE POSTING OF MEETING NOTICES AS REQUIRED BY THE COLORADO OPEN MEETINGS LAW."?

This resolution establishes the designated places for posting of the agenda and the posting locations are the same as those approved for 2015.

Motion #4 by Trustee Just, seconded by Trustee Stapp, that the Board Approve Adoption of Resolution No. 1, series of 2016, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, ESTABLISHING A DESIGNATED PUBLIC PLACE FOR THE POSTING OF MEETING NOTICES AS REQUIRED BY THE COLORADO OPEN MEETINGS LAW." Motion carried unanimously.

- B. Discussion/ Approval of 2015 Burro Days Grant Funding

Special Events Coordinator Bullock presented a spreadsheet showing which funding requests were being recommended for funding by the Burro Committee, consisting of Trustee Stapp, Donna Alcorn and herself. The Board recommended that there be more effort made to let visitors to the Burro Days event know that the event proceeds benefit school programs and related projects.

Motion #5 by Trustee Stapp, seconded by Trustee Dodge, to approve the funding requests as noted on the attached spreadsheet in the amount of \$7,000.00 raised during the 2015 Burro Days event. A roll call vote was taken: Dodge – yes, Stapp – yes, Lane – yes, Douglas – yes, Just – yes. Motion carried unanimously.

- C. Other new business

No other new business offered.

UNFINISHED BUSINESS

- A. Other Discussion Items

No other discussion items offered.

MAYOR AND TRUSTEE REPORTS

Trustee Just stated that Town road surfaces are quite slick and asked staff to spread additional sand at intersections throughout Town.

Trustee Douglas recognized staff for sanding in the Fairplay Heights neighborhood.

Trustee Dodge commented that 2015 was a great year and he sees positive changes happening.

STAFF AND COMMITTEE REPORTS

Public Works Director Morrison provided a written staff report that updated the Board on new State of Colorado regulations affecting the water distribution system, an update on grease trap inspection records for affected businesses, and an update on FEMA funded repairs to the Fairplay Beach road and reservoir. In addition, Jason updated the Board on requirements imposed on marijuana facilities wanting to connect to the Fairplay Sanitation District system as well as briefly touching on the wasting line project and the 2nd Street pump house project. He also recognized Trustee Just for his help with snow clearing over the holidays when public works employees were spending time with their families.

Police Chief Vice reported that the police department has been awarded approximately \$7,800 by the POST board to help fund training and equipment purchases. Joel also updated the Board on features that the two permanent speed signs, scheduled to be installed in 2016, will have.

Town Administrator/ Clerk Darrah provided a written staff report wherein she updated the Board on 2016 elections for the Town Board as well as the Fairplay Sanitation District Board, employee work plans, Stan Kopunec's proposed development project, Tina's presentation to the South Park Chamber of Commerce, storage/conex containers, Schlatter land acquisition, grant reporting, Summit Community Care/ Clinic Building, and 2015 PIIP projects.

ADJOURNMENT

Mayor Lane, noting that there being no further business before the Board, declared that the meeting be adjourned at 6:30 p.m.

Gabby Lane, Mayor

ATTEST:

Claudia Werner, Deputy Town Clerk



MEMORANDUM

TO: Mayor and Board of Trustees
FROM: Kim Wittbrodt
RE: Expenditures
DATE: January 29, 2016

Agenda Item: Bills

Attached is the list of invoices paid through January 29, 2016.

Total Expenditures: \$89,491.28

Please contact me with any questions.

| Vendor No | Invoice No | Description | Inv Date | Invoice Amt | Disc Amt | Check Amt | Check No | Chk Date |
|------------|---------------------------|--|------------|-------------|----------|-----------|----------|------------|
| 334 | Caselle, Inc | | | | | | | |
| | 69429 | Software Support | 12/01/2015 | 809.00 | .00 | 809.00 | 11133 | 01/06/2016 |
| Total 334 | | | | 809.00 | .00 | 809.00 | | |
| 340 | Cash | | | | | | | |
| | 123115 | <i>Petty Cash Reimb.</i> Food for meeting | 12/31/2015 | 70.77 | .00 | 70.77 | 11199 | 01/28/2016 |
| Total 340 | | | | 70.77 | .00 | 70.77 | | |
| 418 | CIRSA | | | | | | | |
| | 160151 | liability ins | 01/01/2016 | 5,136.75 | .00 | 5,136.75 | 11174 | 01/22/2016 |
| | 160312 | Boiler Machinery | 01/01/2016 | 226.00 | .00 | 226.00 | 11174 | 01/22/2016 |
| | W16074 | workmans comp | 01/01/2016 | 3,567.25 | .00 | 3,567.25 | 11174 | 01/22/2016 |
| Total 418 | | | | 8,930.00 | .00 | 8,930.00 | | |
| 436 | CMCA | | | | | | | |
| | 012216 | membership renewal | 01/22/2016 | 155.00 | .00 | 155.00 | 11175 | 01/22/2016 |
| Total 436 | | | | 155.00 | .00 | 155.00 | | |
| 550 | Colorado Municipal League | | | | | | | |
| | 110216 | Membership Dues | 11/02/2015 | 851.00 | .00 | 851.00 | 11136 | 01/06/2016 |
| Total 550 | | | | 851.00 | .00 | 851.00 | | |
| 562 | Colorado Rural Water | | | | | | | |
| | 11660 | annual dues-sanitation | 12/15/2015 | 225.00 | .00 | 225.00 | 11137 | 01/06/2016 |
| | 11661 | annual membership dues - <i>water</i> | 12/15/2015 | 275.00 | .00 | 275.00 | 11137 | 01/06/2016 |
| Total 562 | | | | 500.00 | .00 | 500.00 | | |
| 868 | Fairplay Flume | | | | | | | |
| | 123115 | display ads | 12/31/2015 | 238.16 | .00 | 238.16 | 11152 | 01/12/2016 |
| Total 868 | | | | 238.16 | .00 | 238.16 | | |
| 1234 | KC Car Wash | | | | | | | |
| | 16-001 | Car Wash tokens | 01/25/2016 | 100.00 | .00 | 100.00 | 11202 | 01/28/2016 |
| Total 1234 | | | | 100.00 | .00 | 100.00 | | |
| 1336 | Main Street Garage | | | | | | | |
| | 49305 | Tire patch | 01/12/2016 | 18.70 | .00 | 18.70 | 11184 | 01/22/2016 |
| | 49550 | Tires chevy | 12/23/2015 | 831.78 | .00 | 831.78 | 11125 | 01/06/2016 |
| | 49788 | blazer repair | 01/22/2016 | 596.05 | .00 | 596.05 | 11203 | 01/28/2016 |
| Total 1336 | | | | 1,446.53 | .00 | 1,446.53 | | |

| Vendor No | Invoice No | Description | Inv Date | Invoice Amt | Disc Amt | Check Amt | Check No | Chk Date |
|------------|---|--------------------------------|------------|-------------|----------|-----------|----------|------------|
| 1414 | Mountain View Waste 440839 | 2yd 2x monthly | 12/30/2015 | 75.00 | .00 | 75.00 | 11206 | 01/28/2016 |
| Total 1414 | | | | 75.00 | .00 | 75.00 | | |
| 1582 | Park County School Distric RE2 123115 | burro days proceeds | 12/31/2015 | 5,982.00 | .00 | 5,982.00 | 11164 | 01/12/2016 |
| Total 1582 | | | | 5,982.00 | .00 | 5,982.00 | | |
| 1660 | Pikes Peak Area Council of Gov 16DUESC08 | membership dues | 01/04/2016 | 613.00 | .00 | 613.00 | 11187 | 01/22/2016 |
| Total 1660 | | | | 613.00 | .00 | 613.00 | | |
| 1699 | Postal Pros, Inc. 22223 | water billing | 01/06/2016 | 349.14 | .00 | 349.14 | 11188 | 01/22/2016 |
| Total 1699 | | | | 349.14 | .00 | 349.14 | | |
| 2032 | Summit Daily News 123115 | v/c ball ad | 12/31/2015 | 202.50 | .00 | 202.50 | 11156 | 01/12/2016 |
| Total 2032 | | | | 202.50 | .00 | 202.50 | | |
| 2134 | Town of Fairplay | | | | | | | |
| | 123115 | sewer-shop | 12/31/2015 | 130.00 | .00 | 130.00 | 11190 | 01/22/2016 |
| | 1231151 | sewer-town hall | 12/31/2015 | 65.00 | .00 | 65.00 | 11190 | 01/22/2016 |
| | 1231152 | water/sewer usage-525 Hathaway | 12/31/2015 | 177.05 | .00 | 177.05 | 11190 | 01/22/2016 |
| | 1231153 | water-san district | 12/31/2015 | 36.00 | .00 | 36.00 | 11190 | 01/22/2016 |
| Total 2134 | | | | 408.05 | .00 | 408.05 | | |
| 2176 | USABlueBook | | | | | | | |
| | 834008 | water maint equip | 12/29/2015 | 288.40 | .00 | 288.40 | 11129 | 01/06/2016 |
| | 836271 | chemical supplies | 01/04/2016 | 1,741.46 | .00 | 1,741.46 | 11158 | 01/12/2016 |
| | 837548 | Thermometer | 01/05/2016 | 109.05 | .00 | 109.05 | 11207 | 01/28/2016 |
| Total 2176 | | | | 2,138.91 | .00 | 2,138.91 | | |
| 2182 | USDA Forest Service J21210T0063 | Water Trans Pipeline | 11/30/2015 | 140.27 | .00 | 140.27 | 11141 | 01/06/2016 |
| Total 2182 | | | | 140.27 | .00 | 140.27 | | |
| 2194 | Utility Notification Center | | | | | | | |
| | 21512323 | RTL Transmissions | 12/31/2015 | 4.29 | .00 | 4.29 | 11130 | 01/06/2016 |
| | 21512324 | RTL Transmissions | 12/31/2015 | 4.29 | .00 | 4.29 | 11130 | 01/06/2016 |

| Vendor No | Invoice No | Description | Inv Date | Invoice Amt | Disc Amt | Check Amt | Check No | Chk Date |
|------------|---|--------------------------------|------------|-------------|----------|-----------|----------|------------|
| Total 2194 | | | | 8.58 | .00 | 8.58 | | |
| 2212 | Verizon Wireless 9757282342 | Police Air Cards | 01/01/2016 | 120.03 | .00 | 120.03 | 11142 | 01/06/2016 |
| Total 2212 | | | | 120.03 | .00 | 120.03 | | |
| 2242 | Werner, Claudia 012216 | cell phone reimb | 01/22/2016 | 50.00 | .00 | 50.00 | 11193 | 01/22/2016 |
| Total 2242 | | | | 50.00 | .00 | 50.00 | | |
| 2288 | Woodland Pump & Supply Co., In 11299 | repair well #2 | 01/22/2016 | 5,353.00 | .00 | 5,353.00 | 11209 | 01/28/2016 |
| Total 2288 | | | | 5,353.00 | .00 | 5,353.00 | | |
| 2296 | Xcel Energy | | | | | | | |
| | 122115 | upgrade temp electric | 12/21/2015 | 454.00 | .00 | 454.00 | 11195 | 01/22/2016 |
| | 1221151 | upgrade temp electric | 12/21/2015 | 454.00 | .00 | 454.00 | 11195 | 01/22/2016 |
| | 482677947 | 945 Quarry Rd | 12/14/2015 | 18.41 | .00 | 18.41 | 11132 | 01/06/2016 |
| | 483376578 | 747 Bogue St Cohen Park | 12/18/2015 | 11.99 | .00 | 11.99 | 11132 | 01/06/2016 |
| | 483377204 | fairplay sign #1 | 12/18/2015 | 12.51 | .00 | 12.51 | 11132 | 01/06/2016 |
| | 483377686 | 1800 County Road 659 | 12/18/2015 | 594.55 | .00 | 594.55 | 11132 | 01/06/2016 |
| | 483377783 | fairplay chlorinator | 12/18/2015 | 102.79 | .00 | 102.79 | 11132 | 01/06/2016 |
| | 483378338 | 117 silverheels baseball field | 12/18/2015 | 12.43 | .00 | 12.43 | 11132 | 01/06/2016 |
| | 483383182 | 901 Main Street | 12/18/2015 | 185.58 | .00 | 185.58 | 11132 | 01/06/2016 |
| | 483504487 | 525 Hathaway | 12/18/2015 | 186.06 | .00 | 186.06 | 11132 | 01/06/2016 |
| | 483712031 | san plant/lift station | 12/22/2015 | 3,778.96 | .00 | 3,778.96 | 11132 | 01/06/2016 |
| | 483893664 | 1190 Castello Ave | 12/23/2015 | 393.99 | .00 | 393.99 | 11132 | 01/06/2016 |
| | 484742347 | street lights | 01/04/2016 | 855.83 | .00 | 855.83 | 11162 | 01/12/2016 |
| Total 2296 | | | | 7,061.20 | .00 | 7,061.20 | | |
| 2390 | Everist Materials LLC | | | | | | | |
| | 229991 | Slicer/sand | 01/05/2016 | 570.70 | .00 | 570.70 | 11151 | 01/12/2016 |
| | 230037 | Slicer/sand | 01/05/2016 | 578.08 | .00 | 578.08 | 11151 | 01/12/2016 |
| Total 2390 | | | | 1,148.78 | .00 | 1,148.78 | | |
| 2405 | True Value | | | | | | | |
| | 123015 | Supplies | 12/30/2015 | 545.44 | .00 | 545.44 | 11128 | 01/06/2016 |
| Total 2405 | | | | 545.44 | .00 | 545.44 | | |
| 2448 | KONICA MINOLTA BUSINESS SOL | | | | | | | |
| | 237374396 | C364E Copier | 12/17/2015 | 446.50 | .00 | 446.50 | 11139 | 01/06/2016 |
| Total 2448 | | | | 446.50 | .00 | 446.50 | | |

| Vendor No | Invoice No | Description | Inv Date | Invoice Amt | Disc Amt | Check Amt | Check No | Chk Date |
|------------|-----------------------------|-------------------------------------|------------|-------------|----------|-----------|----------|------------|
| 2462 | Darrah, Tina | | | | | | | |
| | 012216 | Cell Phone | 01/22/2016 | 50.00 | .00 | 50.00 | 11178 | 01/22/2016 |
| | 123115 | reimburse ins deductible | 12/31/2015 | 500.00 | .00 | 500.00 | 11150 | 01/12/2016 |
| Total 2462 | | | | 550.00 | .00 | 550.00 | | |
| 2503 | CARD SERVICES | | | | | | | |
| | 123115 | XXXX various exp | 12/31/2015 | 3,973.74 | .00 | 3,973.74 | 11149 | 01/12/2016 |
| Total 2503 | | | | 3,973.74 | .00 | 3,973.74 | | |
| 2565 | Fidelity National Title Co. | | | | | | | |
| | 012616 | earnest money for schlater property | 01/26/2016 | 15,000.00 | .00 | 15,000.00 | 11197 | 01/26/2016 |
| Total 2565 | | | | 15,000.00 | .00 | 15,000.00 | | |
| 2603 | High Country Engineering | | | | | | | |
| | 27049 | Engineering Fees | 01/14/2016 | 46.25 | .00 | 46.25 | 11180 | 01/22/2016 |
| | 27050 | Engineering for FEMA | 01/16/2016 | 1,265.00 | .00 | 1,265.00 | 11180 | 01/22/2016 |
| | 27051 | Engineering for FEMA | 01/14/2016 | 571.25 | .00 | 571.25 | 11180 | 01/22/2016 |
| | 27052 | Engineering for FEMA | 01/16/2016 | 1,850.00 | .00 | 1,850.00 | 11180 | 01/22/2016 |
| Total 2603 | | | | 3,732.50 | .00 | 3,732.50 | | |
| 2605 | Susan Dunn | | | | | | | |
| | 010416 | plein air | 01/04/2016 | 270.00 | .00 | 270.00 | 11140 | 01/06/2016 |
| Total 2605 | | | | 270.00 | .00 | 270.00 | | |
| 2614 | CenturyLink | | | | | | | |
| | 121915 | 7198362445 | 12/19/2015 | 26.22 | .00 | 26.22 | 11134 | 01/06/2016 |
| | 1219151 | alarm line-525 Hathaway | 12/19/2015 | 35.13 | .00 | 35.13 | 11134 | 01/06/2016 |
| | 1219152 | acct 718-836-4608 502B | 12/19/2015 | 53.15 | .00 | 53.15 | 11134 | 01/06/2016 |
| | 1219153 | 7198362622355B | 12/19/2015 | 430.70 | .00 | 430.70 | 11134 | 01/06/2016 |
| | 122315 | acct 82239760 | 12/23/2015 | 26.32 | .00 | 26.32 | 11134 | 01/06/2016 |
| Total 2614 | | | | 571.52 | .00 | 571.52 | | |
| 2628 | DeBaun, Russell | | | | | | | |
| | 012216 | cell phone reimburse | 01/22/2016 | 50.00 | .00 | 50.00 | 11179 | 01/22/2016 |
| Total 2628 | | | | 50.00 | .00 | 50.00 | | |
| 2637 | Wave Electric Inc. | | | | | | | |
| | 011916 | deposits for generators | 01/19/2016 | 6,875.00 | .00 | 6,875.00 | 11208 | 01/29/2016 |
| Total 2637 | | | | 6,875.00 | .00 | 6,875.00 | | |
| 2655 | Wittbrodt, Kim | | | | | | | |
| | 012216 | cell phone reimb | 01/22/2016 | 50.00 | .00 | 50.00 | 11184 | 01/22/2016 |
| | 123115 | reimburse ins deductible | 12/31/2015 | 375.00 | .00 | 375.00 | 11161 | 01/12/2016 |

| Vendor No | Invoice No | Description | Inv Date | Invoice Amt | Disc Amt | Check Amt | Check No | Chk Date |
|-------------------|------------------------------------|-------------------------------|------------|-----------------|------------|-----------------|----------|------------|
| Total 2655 | | | | 425.00 | .00 | 425.00 | | |
| 2686 | ICMA Retirement Corporation | | | | | | | |
| | 16095 | retirement plan fee - 1st qtr | 01/07/2016 | 250.00 | .00 | 250.00 | 11181 | 01/22/2016 |
| Total 2686 | | | | 250.00 | .00 | 250.00 | | |
| 2713 | Vice, Joel | | | | | | | |
| | 011116 | uniform allowance | 01/11/2016 | 500.00 | .00 | 500.00 | 11159 | 01/12/2016 |
| | 012216 | Cell phone reimburse | 01/22/2016 | 50.00 | .00 | 50.00 | 11192 | 01/22/2016 |
| Total 2713 | | | | 550.00 | .00 | 550.00 | | |
| 2728 | Colorado Natural Gas, Inc. | | | | | | | |
| | 010416 | sewer treatment plant | 01/04/2016 | 2,215.49 | .00 | 2,215.49 | 11177 | 01/22/2016 |
| | 0104161 | san office | 01/04/2016 | 269.17 | .00 | 269.17 | 11177 | 01/22/2016 |
| | 0104162 | natural gas-shop | 01/04/2016 | 726.12 | .00 | 726.12 | 11177 | 01/22/2016 |
| | 0104164 | natural gas | 01/04/2016 | 292.78 | .00 | 292.78 | 11177 | 01/22/2016 |
| | 0104165 | 525 hathaway | 01/04/2016 | 404.28 | .00 | 404.28 | 11177 | 01/22/2016 |
| Total 2728 | | | | 3,907.84 | .00 | 3,907.84 | | |
| 2735 | ASCAP | | | | | | | |
| | 500748282 | license fee | 01/01/2016 | 336.00 | .00 | 336.00 | 11146 | 01/12/2016 |
| Total 2735 | | | | 336.00 | .00 | 336.00 | | |
| 2739 | Mead, Vaughn | | | | | | | |
| | 012216 | cell phone reimb | 01/22/2016 | 50.00 | .00 | 50.00 | 11185 | 01/22/2016 |
| Total 2739 | | | | 50.00 | .00 | 50.00 | | |
| 2747 | Kasper, Gerrits | | | | | | | |
| | 012216 | cell phone reimb | 01/22/2016 | 50.00 | .00 | 50.00 | 11183 | 01/22/2016 |
| Total 2747 | | | | 50.00 | .00 | 50.00 | | |
| 2753 | ghVALLEY.NET | | | | | | | |
| | 010116 | internet service | 01/01/2016 | 50.24 | .00 | 50.24 | 11138 | 01/06/2016 |
| Total 2753 | | | | 50.24 | .00 | 50.24 | | |
| 2793 | Mobile Record Shredders | | | | | | | |
| | 55514 | record shredding | 12/23/2015 | 9.00 | .00 | 9.00 | 11121 | 01/06/2016 |
| | 56073 | record shredding | 01/20/2016 | 9.00 | .00 | 9.00 | 11204 | 01/28/2016 |
| Total 2793 | | | | 18.00 | .00 | 18.00 | | |
| 2801 | Chaffee County Waste | | | | | | | |

| | | | | | | | |
|------------|------------------------------|------------|----------|-----|----------|-------|------------|
| 010116 | 6 yd weekly | 01/01/2016 | 200.00 | .00 | 200.00 | 11135 | 01/06/2016 |
| Total 2801 | | | 200.00 | .00 | 200.00 | | |
| 2812 | Bullock, Julie | | | | | | |
| 012216 | cell phone reimburse | 01/22/2016 | 50.00 | .00 | 50.00 | 11172 | 01/22/2016 |
| Total 2812 | | | 50.00 | .00 | 50.00 | | |
| 2815 | Wendy Kipple | | | | | | |
| 011116 | uniform allowance | 01/11/2016 | 200.00 | .00 | 200.00 | 11160 | 01/12/2016 |
| Total 2815 | | | 200.00 | .00 | 200.00 | | |
| 2841 | Zerby, Colin | | | | | | |
| 012216 | cell phone reimburse | 01/22/2016 | 50.00 | .00 | 50.00 | 11196 | 01/22/2016 |
| 111116 | uniform allowance | 01/11/2016 | 500.00 | .00 | 500.00 | 11163 | 01/12/2016 |
| Total 2841 | | | 550.00 | .00 | 550.00 | | |
| 2860 | UMB Bank, N.A.-Trust Fees | | | | | | |
| 360173 | admin fees-rev bonds | 01/11/2016 | 150.00 | .00 | 150.00 | 11191 | 01/22/2016 |
| Total 2860 | | | 150.00 | .00 | 150.00 | | |
| 2861 | Mountain Peak Controls, Inc. | | | | | | |
| 7915 | pump troubleshooting | 01/18/2016 | 500.00 | .00 | 500.00 | 11205 | 01/28/2016 |
| Total 2861 | | | 500.00 | .00 | 500.00 | | |
| 2864 | Colorado Analytical Lab | | | | | | |
| 160107055 | ecoli | 01/11/2016 | 26.00 | .00 | 26.00 | 11176 | 01/22/2016 |
| 160107057 | plant effluent | 01/15/2016 | 158.00 | .00 | 158.00 | 11200 | 01/28/2016 |
| 160107058 | monthly influent samples | 01/14/2016 | 49.00 | .00 | 49.00 | 11176 | 01/22/2016 |
| Total 2864 | | | 233.00 | .00 | 233.00 | | |
| 2869 | Swank, Tim | | | | | | |
| 011116 | uniform allowance | 01/11/2016 | 200.00 | .00 | 200.00 | 11157 | 01/12/2016 |
| Total 2869 | | | 200.00 | .00 | 200.00 | | |
| 2872 | In Compliance Products, Inc. | | | | | | |
| 40784 | labor poster | 01/11/2016 | 25.00 | .00 | 25.00 | 11182 | 01/22/2016 |
| Total 2872 | | | 25.00 | .00 | 25.00 | | |
| 2875 | HACH Company | | | | | | |
| 9739871 | controller | 01/07/2016 | 1,908.39 | .00 | 1,908.39 | 11201 | 01/28/2016 |

| Vendor No | Invoice No | Description | Inv Date | Invoice Amt | Disc Amt | Check Amt | Check No | Chk Date |
|------------|-------------------------------|---|------------|-------------|----------|-----------|----------|------------|
| Total 2875 | | | | 1,908.39 | .00 | 1,908.39 | | |
| 2882 | Morrison, Jason | | | | | | | |
| | 012216 | cell phone reimburse | 01/22/2016 | 50.00 | .00 | 50.00 | 11186 | 01/22/2016 |
| Total 2882 | | | | 50.00 | .00 | 50.00 | | |
| 2886 | The Phillips Law Offices, LLC | | | | | | | |
| | 123115 | Legal | 12/31/2015 | 805.00 | .00 | 805.00 | 11127 | 01/06/2016 |
| Total 2886 | | | | 805.00 | .00 | 805.00 | | |
| 2896 | Bramlett, Rebecca | | | | | | | |
| | 010616 | per diem | 01/06/2016 | 92.00 | .00 | 92.00 | 11147 | 01/12/2016 |
| | 011116 | uniform allowance | 01/11/2016 | 500.00 | .00 | 500.00 | 11147 | 01/12/2016 |
| | 012216 | cell phone reimburse | 01/22/2016 | 50.00 | .00 | 50.00 | 11171 | 01/22/2016 |
| Total 2896 | | | | 642.00 | .00 | 642.00 | | |
| 2900 | Rise Broadband | | | | | | | |
| | 123115 | internet | 12/31/2015 | 86.97 | .00 | 86.97 | 11126 | 01/06/2016 |
| Total 2900 | | | | 86.97 | .00 | 86.97 | | |
| 2921 | Acom Petroleum, Inc. | | | | | | | |
| | 745874 | diesel fuel for generator | 12/02/2015 | 331.33 | .00 | 331.33 | 11122 | 01/06/2016 |
| Total 2921 | | | | 331.33 | .00 | 331.33 | | |
| 2945 | Jean Krak | | | | | | | |
| | 10002 | website maintenance | 12/31/2015 | 121.50 | .00 | 121.50 | 11124 | 01/06/2016 |
| Total 2945 | | | | 121.50 | .00 | 121.50 | | |
| 2984 | Smith, Douglas | | | | | | | |
| | 012216 | piip payment 519 Main Street <i>final</i> | 01/22/2016 | 450.00 | .00 | 450.00 | 11189 | 01/22/2016 |
| Total 2984 | | | | 450.00 | .00 | 450.00 | | |
| 2986 | Apex Technology Systems | | | | | | | |
| | 8 | computer maintenance | 12/28/2015 | 726.01 | .00 | 726.01 | 11123 | 01/06/2016 |
| Total 2986 | | | | 726.01 | .00 | 726.01 | | |
| 2987 | Maintenance Engineering Ltd. | | | | | | | |
| | 3030975 | bulbs | 01/07/2016 | 244.38 | .00 | 244.38 | 11154 | 01/12/2016 |

| Vendor No | Invoice No | Description | Inv Date | Invoice Amt | Disc Amt | Check Amt | Check No | Chk Date |
|----------------------|--|-------------------|------------|------------------|------------|------------------|----------|------------|
| Total 2987 | | | | <u>244.38</u> | <u>.00</u> | <u>244.38</u> | | |
| 2988 | Schiunsen, Arthur 011115 | uniform allowance | 01/12/2016 | 200.00 | .00 | 200.00 | 11155 | 01/12/2016 |
| Total 2988 | | | | <u>200.00</u> | <u>.00</u> | <u>200.00</u> | | |
| 2989 | Intermountain Sales of Denver 23684 | locator | 01/04/2016 | 2,915.00 | .00 | 2,915.00 | 11153 | 01/12/2016 |
| Total 2989 | | | | <u>2,915.00</u> | <u>.00</u> | <u>2,915.00</u> | | |
| 2990 | Fairplay 29 Acres, LLC 012616 | purchase expense | 01/26/2016 | 4,500.00 | .00 | 4,500.00 | 11198 | 01/26/2016 |
| Total 2990 | | | | <u>4,500.00</u> | <u>.00</u> | <u>4,500.00</u> | | |
| Grand Totals: | | | | <u>89,491.28</u> | <u>.00</u> | <u>89,491.28</u> | | |



MEMORANDUM

TO: Mayor and Board of Trustees
FROM: Jason Morrison, Public Works Director
RE: Ordinance No. 1, 2016
DATE: January 28, 2016

The Purpose of this ordinance is to clarify the Colorado Department of Public Health and Environment's interpretation of Article 1-114 and Article 1-114.1 of Title 25 of the Colorado Revised Statutes and Section 39 of 5CCR 1002-11 Colorado Primary Drinking Water Regulations (Regulation 11) effective May 1, 2015.

Specifically, this policy clarifies the Department's interpretation of the following:

- Permitting an Uncontrolled Cross Connection
- Ensuring that Activities are completed- Implementing legal Authority
- Appropriate Assembly of method for an Identified Contaminate
- Unacceptable Health and/or Safety Risk
- Site-Specific Deviation Criteria
- Most Protective Backflow Prevention Assembly or method
- Survey Process Documentation
- Public Water System's Water Supply System cross Connections
- Active Date of January 1, 2016

11.39(1) Backflow Prevention and Cross-Connection Control Rule

For all public water systems, the Supplier must comply with the requirements specified in this rule beginning January 1, 2016.

Survey Compliance Ratio:

| Survey Compliance Ratio | |
|--|-------------------|
| Compliance Date | Compliance Ratio |
| By December 31, 2016 | Greater than 0.60 |
| By December 31, 2017 | Greater than 0.70 |
| By December 31, 2018 | Greater than 0.80 |
| By December 31, 2019 | Greater than 0.90 |
| By December 31, 2020 and each year after | 1.0 |

Backflow Prevention Assembly Annual Testing Compliance Ratio:

| Backflow Prevention Assembly Annual Testing Compliance Ratio | |
|---|--------------------------------|
| Compliance Date | Annual Compliance Ratio |
| By December 31, 2016 | Greater than 0.50 |
| By December 31, 2017 | Greater than 0.60 |
| By December 31, 2018 | Greater than 0.70 |
| By December 31, 2019 | Greater than 0.80 |
| By December 31, 2020 and each year after | Greater than 0.90 |

Lee Phillips has written the ordinance for Fairplay, and it is the recommendation of town staff that the board adopt this ordinance to comply with state regulations. Russell DeBaun will be taking a class to be certified as a back flow prevention technician, February 22 thru 26 in Alamosa. This will give Fairplay the ability to test all backflow preventers within in town limits to insure Fairplay is staying in compliance. This would also give Fairplay the ability to test in the surrounding municipalities if needed.

Note: the delay getting this ordinance and program started was due to the state not getting us this information until just before Christmas.

RECOMMENDED MOTION:

Motion to approve Ordinance No. 1, 2016. This will require a second and a voice vote.

ORDINANCE NO. 2016-1

AN ORDINANCE REPEALING AND REENACTING CHAPTER 13, ARTICLE II OF THE FAIRPLAY MUNICIPAL CODE CONCERNING CROSS-CONNECTIONS AND BACKFLOW PREVENTION.

BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF FAIRPLAY, COLORADO, THAT:

Section 1. Article II of Chapter 13 of the Fairplay Municipal Code entitled "Cross-Connection Devices" is hereby repealed in its entirety and reenacted to read as follows:

ARTICLE II

Cross-Connections and Backflow Preventions

Sec. 13-2-10. Purpose.

The purpose of this Article is to protect the public water system from contaminants or pollutants that could enter the distribution system by backflow from a customer's water supply system through the service connection.

Sec. 13-2-20. Authority.

(a) The authority to implement this program is contained in the following statute, legislation and regulations and acts:

- (1) Article 1-114 and Article 1-114.1 of Title 25 of the Colorado Revised Statutes.
- (2) Section 39 of 5 CCR 1002-11, Colorado Primary Drinking Water Regulations.
- (3) Colorado Plumbing Code

(b) The Town shall have the authority to survey all service connections within the distribution system to determine if the connection is a cross-connection.

(c) The Town shall have the authority to control all service connections within the distribution system if the connection is a cross-connection.

(d) The Town may control any service connections within the distribution system in lieu of a survey as long as the service connection is controlled with an air gap or reduced pressure zone backflow prevention assembly.

(e) The Town water system may collect fees for the administration of this program in an amount set by resolution of the Board of Trustees.

(f) The Town shall maintain records of cross-connection surveys and the installation, testing and repair of all backflow prevention assemblies installed for containment and containment by isolation purposes.

(g) Except as otherwise provided herein, the Town shall administer, implement and enforce the provisions of this Article.

Sec. 13-2-30. Applicability.

This Article applies to all commercial, industrial and multi-family residential service connections within the public water system and to any persons outside the Town who are, by contract or agreement with the Town's water system, users of the Town's water system. This Article does not apply to single-family-residential service connections unless the public water system becomes aware of a cross connection at the single family connection.

Sec. 13-2-40. Definitions.

- a. "ACTIVE DATE" means the first day that a backflow prevention assembly or backflow prevention method is used to control a cross-connection in each calendar year.
- b. "AIR GAP" is a physical separation between the free flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel installed in accordance with standard AMSE A112.1.2.
- c. "BACKFLOW" means the undesirable reversal of flow of water or mixtures of water and other liquids, gases or other substances into the public water systems distribution system from any source or sources other than its intended source.
- d. "BACKFLOW CONTAMINATION EVENT" means backflow into a public water system from an uncontrolled cross connection such that the water quality no longer meets the Colorado Primary Drinking Water Regulations or presents an immediate health and/or safety risk to the public.
- e. "BACKFLOW PREVENTION ASSEMBLY" means any mechanical assembly installed at a water service line or at a plumbing fixture to prevent a backflow contamination event, provided that the mechanical assembly is appropriate for the identified contaminant at the cross connection and is an in-line field-testable assembly.
- f. "BACKFLOW PREVENTION METHOD" means any method and/or non-testable device installed at a water service line or at a plumbing fixture to prevent a backflow contamination event, provided that the method or non-testable device is appropriate for the identified contaminant at the cross connection.

- g. **“CERTIFIED CROSS-CONNECTION CONTROL TECHNICIAN”** means a person who possesses a valid Backflow Prevention Assembly Tester certification from one of the following approved organizations: American Society of Sanitary Engineering (ASSE) or the American Backflow Prevention Association (ABPA). If a certification has expired, the certification is invalid.
- h. **“CONTAINMENT”** means the installation of a backflow prevention assembly or a backflow prevention method at any connection to the public water system that supplies an auxiliary water system, location, facility, or area such that backflow from a cross connection into the public water system is prevented.
- i. **“CONTAINMENT BY ISOLATION”** means the installation of backflow prevention assemblies or backflow prevention methods at all cross connections identified within a customer’s water system such that backflow from a cross connection into the public water system is prevented.
- j. **“CONTROLLED”** means having a properly installed, maintained, and tested or inspected backflow prevention assembly or backflow prevention method that prevents backflow through a cross connection.
- k. **“CROSS CONNECTION”** means any connection that could allow any water, fluid, or gas such that the water quality could present an unacceptable health and/or safety risk to the public, to flow from any pipe, plumbing fixture, or a customer’s water system into a public water system’s distribution system or any other part of the public water system through backflow.
- l. **“MULTI-FAMILY”** means a single residential connection to the public water system’s distribution system from which two or more separate dwelling units are supplied water.
- m. **“SINGLE-FAMILY”** means:
 - i. A single dwelling which is occupied by a single family and is supplied by a separate service line; or
 - ii. A single dwelling comprised of multiple living units where each living unit is supplied by a separate service line.
- n. **“UNCONTROLLED”** means not having a properly installed and maintained and tested or inspected backflow prevention assembly or backflow prevention method, or the backflow prevention assembly or backflow prevention method does not prevent backflow through a cross connection.
- o. **“WATER SUPPLY SYSTEM”** means a water distribution system, piping, connection fittings, valves and appurtenances within a building, structure, or premises. Water supply systems are also referred to commonly as premise plumbing systems.

Sec. 13-2-50. Requirements.

(a) Commercial, industrial and multi-family service connections shall be subject to a survey for cross connections. If a cross connection has been identified, an appropriate backflow prevention assembly and/or method shall be installed at the customer's water service connection within 120 days of its discovery. The assembly shall be installed downstream of the water meter or as close to that location as deemed practical by the Town. If the assembly or method cannot be installed within 120 days the Town shall take action to control or remove the cross connection, suspend service to the cross connection or receive an alternative compliance schedule from the Colorado Department of Public Health and Environment.

(b) In no case shall it be permissible to have connections or tees between the meter and the containment backflow prevention assembly.

(1) In instances where a reduced pressure principle backflow preventer cannot be installed, the owner must install approved backflow prevention devices or methods at all cross-connections within the owner's plumbing system.

(c) Backflow prevention assemblies and methods shall be installed in a location which provides access for maintenance, testing and repair.

(d) Reduced pressure principle backflow preventers shall not be installed in manner subject to flooding.

(e) Provisions shall be made to provide adequate drainage from the discharge of water from reduced pressure principle backflow prevention assemblies. Such discharge shall be conveyed in a mater which does not impact waters of the state.

(f) All assemblies and devices shall be protected to prevent freezing. Those assemblies and methods used for seasonal services may be removed in lieu of being protected from freezing. The devices must be reinstalled and then tested by a certified cross-connection control technician prior to the service being activated.

(g) Where a backflow prevention assembly or method is installed on a water supply system using storage water heating equipment such that thermal expansion causes an increase in pressure, a device for controlling pressure shall be installed.

(h) All backflow prevention assemblies shall be tested at the time of installation and on an annual schedule thereafter. Such tests must be conducted by a Certified Cross-Connection Control Technician.

(i) The Town shall require inspection testing, maintenance and as needed repairs and replacement of all backflow prevention assemblies and methods, and of all

required installations within the owner's plumbing system in the cases where containment assemblies and or methods cannot be installed.

(j) All costs for design, installation, maintenance, testing and as needed repair and replacement are to be borne by the customer.

(k) No "grandfather clauses" exist except for fire sprinkler systems where the installation of a backflow prevention assembly or method will comprise the integrity of the fire sprinkler system.

(l) For new buildings, all building plans must be submitted to the public water system and approved prior to the issuance of water service. Building plans must show:

- (1) Water service type, size and location.
- (2) Meter size and location.
- (3) Backflow prevention assembly size, type and location.
- (4) Fire sprinkler system(s) service line, size and type of backflow prevention assembly.
- (5) All fire sprinkling lines shall have a minimum protection of an approved double check valve assembly for containment of the system.
- (6) All glycol (ethylene or propylene), or antifreeze systems shall have an approved reduced pressure principle backflow preventer for containment.
- (7) Dry fire systems shall have an approved double check valve assembly installed upstream of the air pressure valve.
- (8) In cases where the installation of a backflow prevention assembly or method will comprise the integrity of the fire sprinkler system the Town will not require the backflow protection. The Town will measure chlorine residual at the service connection once a month and perform periodic bacteriological testing at the site. If the Town suspects water quality issues the public water system will evaluate the practicability of requiring that the fire sprinkler system be flushed periodically.

Sec. 13-2-60. Inspection, Testing and Repair.

(a) Backflow prevention devices or methods shall be tested by a Certified Cross-Connection Control Technician upon installation and tested at least annually, thereafter. The tests shall be made at the expense of the customer.

(1) Any backflow prevention devices or methods that are non-testable, shall be inspected at least once annually by a certified cross-connection control technician. The inspections shall be made at the expense of the customer.

(b) As necessary, backflow prevention devices shall be repaired and retested or replaced and tested at the expense of the customer whenever the devices are found to be defective.

(c) Testing gauges shall be tested and calibrated for accuracy at least once annually.

Sec. 13-2-70. Reporting and Recordkeeping.

(a) Copies of records of test reports, repairs and retests, or replacements shall be kept by the customer for a minimum of three (3) years.

(b) Copies of records of test reports, repairs and retests shall be submitted to the public water system by mail, facsimile or e-mail by the testing company or testing technician.

(c) Information on test reports shall include, but may not be limited to:

- (1) Assembly or method type;
- (2) Assembly or method location;
- (3) Assembly make, model and serial number;
- (4) Assembly size;
- (5) Test date;
- (6) Test results including all results that would justify a pass or fail outcome;
- (7) Certified cross-connection control technician certification agency;
- (8) Technician's certification number;
- (9) Technician's certification expiration date;
- (10) Test kit manufacturer, model and serial number; and
- (11) Test kit calibration date.

Sec. 13-2-80. Right of entry.

A properly credentialed representative of the Town shall have the right of entry to survey any and all buildings and premises for the presence of cross-connections for possible contamination risk to and for determining compliance with this section. This right of entry shall be a condition of water service in order to protect the health, safety and welfare of customers throughout the Town's public water system's distribution system.

Sec. 13-2-90. Compliance.

(a) Customers shall cooperate with the installation, inspection, testing, maintenance, and as needed repair and replacement of backflow prevention assemblies and with the survey process. For any identified uncontrolled cross-connections, the Town shall complete one of the following actions within 120 days of its discovery:

- (1) Control the cross-connection
- (2) Remove the cross-connection
- (3) Suspend service to the cross-connection

(b) The Town shall give notice in writing to any owner whose plumbing system has been found to present a risk to the public waters system's distribution system through an uncontrolled cross connection. The notice and order shall state that the owner must install a backflow prevention assembly or method at each service connection to the owner's premises to contain the water service. The notice and order will give a date by which the owner must comply with the order.

(1) In instances where a backflow prevention assembly or method cannot be installed, the owner must install approved backflow prevention devices or methods at all cross-connections within the owner's water supply system. The notice and order will give a date by which the owner must comply with the order.

Sec. 13-2-90. Violations and Penalties.

Any violation of the provisions of this Article, shall, upon conviction be punishable as provided in Section 1-4-20.

Sec. 13-2-100. Conflict with other codes.

If a dispute or conflict arises between the Colorado Plumbing Code as adopted herein, and any plumbing, mechanical, building, electrical, fire or other code adopted by the State, then the most stringent provisions of each respective code shall prevail.

Section 2. Safety Clause. The Town Board hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Fairplay, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Board further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. This Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ, ADOPTED, AND ORDERED PUBLISHED this
___ day of _____, 2016.

Approved: _____
Gabby Lane, Mayor

Attest: _____
Tina Darrah, Town Clerk


Approved as to form: _____
Herbert C. Phillips, Town Attorney



COLORADO

Department of Public
Health & Environment

**WATER QUALITY CONTROL DIVISION
SAFE DRINKING WATER PROGRAM POLICY**

| | |
|---|--------------|
| POLICY TITLE: Backflow Prevention and Cross-connection Control Rule Implementation Policy | |
| SDWP policy number: | DW-007 |
| Adoption date: | May 28, 2015 |
| Effective date: | June 1, 2015 |
| Scheduled review date: | June 1, 2018 |
| Version: | 1 |
| Approved by :  Ron Falco, P.E. Safe Drinking Water Program Manager | |

1.0 Purpose and Background

The purpose of this policy is to clarify the *Colorado Department of Public Health and Environment's* (Department) interpretation of Article 1-114 and Article 1-114.1 of Title 25 of the *Colorado Revised Statutes* and of Section 39 of 5 CCR 1002-11 *Colorado Primary Drinking Water Regulations* (Regulation 11) effective May 1, 2015.

Specifically, this policy clarifies the Department's interpretation of the following:

- Permitting an Uncontrolled Cross Connection
- Ensuring that Activities are Completed - Implementing Legal Authority
- Appropriate Assembly or Method for an Identified Contaminant
- Unacceptable Health and/or Safety Risk
- Site-specific Deviation Criteria
- Most Protective Backflow Prevention Assembly or Method
- Survey Process Documentation
- Public Water System's Water Supply System Cross Connections
- Active Date

Safe Drinking Water Program Policy Number DW-007: Backflow Prevention and Cross-connection Control

- i. Control the cross connection.
- ii. Remove the cross connection.
- iii. Suspend service to the connection. Before suspension of service can be considered appropriate action the Department expects that the supplier will confirm the following:
 1. The connection downstream of the valve used to suspend the service does not remain pressurized because the customer has access to an alternative source of water or a storage tank onsite.
 2. If the cross connection is to a fire suppression system; suspension of service would not result in the building being inadequately protected from loss of life through fire.
 - A. If there are service connections at the property separate from the fire suppression system causing the cross connection, a supplier may suspend service to one or all of those other service lines (e.g. domestic or irrigation) as an appropriate action.
- iv. Receive a Department-approved alternative compliance schedule.
 1. Department-approval of an alternative compliance schedule means either an email or other written communication from the Department.
- b. After 120 days, the supplier is only in compliance with Regulation 11 if the supplier is following an approved alternative compliance schedule.

4.2 Ensuring that Activities are Completed - Implementing Legal Authority

- a. Regulation 11 section 11.39(2)(a)(vi) refers to the “process the supplier will use to ensure backflow prevention assemblies are tested by a Certified Cross-Connection Control Technician”. The Department will determine the adequacy of a supplier’s process to ensure that testing has been completed by a certified professional. Typically, the supplier is in compliance with section 11.39(2)(a)(vi) of Regulation 11 if the supplier does the following:
 - i. The supplier has a documented process in place where the supplier receives a test report directly from the Certified Cross-Connection Control Technician or their associated company.
 - ii. To be considered adequate, test reports used to document compliance with Regulation 11 must include all of the following:

Safe Drinking Water Program Policy Number DW-007: Backflow Prevention and Cross-connection Control

user agreements, city/town ordinances, and other written contracts.

- ii. The supplier performs the actions necessary to complete the indicated requirement(s) in the regulation.
 - 1. If the supplier does not have a legally-enforceable mechanism in place, the Department expects the supplier to perform the actions necessary to complete the indicated requirements in the regulation.

4.3 Appropriate Assembly or Method for an Identified Contaminant

- a. The Department uses industry standards outlined in manuals such as the *Colorado Cross-Connection Control Manual*, the *EPA Cross-Connection Control Manual* and the *10th Edition Manual of Cross-Connection Control (USC Manual)* to evaluate whether the installation of a backflow prevention assembly or backflow prevention method is appropriate. Such industry standards include:

| Assembly or Method Type | Abbreviation | Typical Appropriate Uses (Note: see also Section 4.5 Site-specific Deviation Criteria)) |
|---|--------------|---|
| Testable Assemblies | | |
| Reduced Pressure Zone Backflow Prevention Assembly | RPZ | Appropriate for any identified contaminant except direct connections to sewer or installations which may impair the integrity of the assembly to function as designed. |
| Reduced Pressure Zone Fire Protection Backflow Prevention Assembly | RPF | Appropriate for cross connections to fire suppression systems. |
| Reduced Pressure Zone Detector Fire Protection Backflow Prevention Assembly | RPD | |
| Double Check Backflow Prevention Assembly | DC | Appropriate for cross connections to fire suppression systems except when upstream of a chemical other than food grade glycerin. |
| Double Check Fire Protection Backflow Prevention Assembly | DCF | |
| Double Check Detector Fire Protection Backflow Prevention Assembly | DCD | |
| Pressure Vacuum Breaker Backflow Prevention Assembly | PVB | Appropriate for any identified contaminant except direct connections to sewer or installations which may impair the integrity of the assembly to function as designed. Not appropriate for connections subject to backpressure. |
| Spill -Resistant Vacuum Breaker | SVB | |

Safe Drinking Water Program Policy Number DW-007: Backflow Prevention and Cross-connection Control

- ✕ i. Fire suppression systems;
- ii. Irrigation systems including dedicated irrigation connected directly to the water main;
- iii. Chemical process systems, including chemicals connected for temporary maintenance;
- iv. Hydronic heating and cooling systems, industrial boilers, chillers, cooling towers, double wall heat exchangers and solar panels; and
- ✕ v. Auxiliary water sources, display fountains, hot tubs, pools, reclaimed water systems, graywater systems and onsite storage tanks.

Commercial and industrial service connections:

- i. Dry cleaning and laundries;
- ii. Mortuaries;
- ✕ iii. Hair salons;
- ✕ iv. Laboratories;
- ✕ v. Auto repair shops;
- ✕ vi. Car washes;
- ✕ vii. Bulk fill water stations;
- ✕ viii. Restaurants;
- ✕ ix. Hospitals, dental facilities, medical facilities and clinics, and blood banks;
- ✕ x. Veterinary, pet stores, and livestock facilities;
- xi. Manufacturing facilities;
- ✕ xii. Green houses and agricultural commerce; and
- ✕ xiii. Other commercial and industrial service connections.

b. For connections within the supplier's waterworks

Any identified cross connections within such facilities must be controlled in accordance with the *State of Colorado Design Criteria for Potable Water Systems* and with the use of an appropriate backflow prevention assembly or method such as:

- a. The supplier may develop site-specific deviation criteria if the supplier determines that the installation of an alternative backflow prevention assembly or backflow prevention method is appropriate for the identified contaminant, or that a lower protective backflow prevention assembly or backflow prevention method can be installed due to more frequent testing and/or inspections.
 - i. Site-specific deviation criteria and modifications are subject to review by the Department.
 - ii. Site-specific deviation criteria may address situations where the assembly or method is installed in accordance with the local jurisdictional plumbing code or instances when the installation of an air gap or where the supplier considers that the RPZ retrofit would create an unreasonable burden. Examples of such situations include but are not limited to when the location of the assembly installation is in an area where there is not adequate drainage for an RPZ or the assembly is subject to flooding.
- b. A supplier may determine, during the survey process, that a multi-family residential connection poses a similar risk to the distribution system as a typical single-family residence. The supplier may develop site-specific deviation criteria to designate specific multi-family residential connections as equivalent to a single family residence connection for the purposes of backflow prevention. An example of this situation could be a separate “mother-in-law” apartment that shares a service line with a home.
 - i. Site-specific deviation criteria and modifications are subject to review by the Department.
 - ii. The site-specific deviation criteria should consider tap size, volume of water in the plumbing system and compliance with local plumbing codes for irrigation systems.
 - iii. The supplier must document where site-specific deviation criteria is applied.

4.6 Most Protective Backflow Prevention Assembly or Method

Regulation 11 section 11.39 requires the supplier to perform a survey of any non-single-family-residential connections in the distribution system if the most protective backflow assembly or method is not used at that connection. The following are acceptable “most protective backflow prevention assemblies or methods”:

- a. Method - air gap installed in accordance with standard AMSE A112.1.2.
- b. Assembly - reduced pressure zone backflow prevention assembly.

4.7 Survey Process Documentation

4.9 Active Date

- a. "ACTIVE DATE" is defined in Regulation 11 section 11.39. The following provides further explanation of the term 'active date':
 - i. For most backflow prevention assemblies or methods that are in service year-round, the active date will be January 1.
 - ii. For service connections that are seasonal in nature, the active date will be the first day that the connection is pressurized or water service provided. For example, the active date for a municipal golf course irrigation system is the date when water service is restored to the golf course following the winter season.



MEMORANDUM

TO: Mayor and Board of Trustees
FROM: Claudia Werner, Deputy Town Clerk
RE: Boys and Girls Club Torch Club Request for “No Smoking” Signs
DATE: January 29, 2016

Jamie Morrow contacted me earlier this month on behalf of the BGC Torch Club. She stated that the club has received grant funding and the group has been charged with developing a “non-smoking” project for social action. Ms. Morrow asked if she and the Torch Club members could come to a Town Board meeting and request that the Town place “No Smoking” signs at Town Hall and at other Town owned parks and recreation areas. She told me that she wanted the club members to research their request and come before you with a well prepared presentation. I suggested that she have them find out the cost of the signs and their installation so that you would be well informed of the cost of the project they are proposing. I also asked her to find out if any of the implementation costs would be covered by the grant funds they had received. She asked me if we had specific regulations in our Municipal Code regarding smoking in public. I sent her the information relating to smoking found in Chapter 10 of our Municipal Code and also sent her information regarding Colorado State Statutes that prohibit public smoking.

I was hoping to have more information regarding the cost of the project prior to bringing it before the Board but I have received limited information from Ms. Morrow. Please refer to the emails attached to this memorandum.

Claudia Werner

From: The Morrows [morrowfamily.co@gmail.com]
Sent: Friday, January 29, 2016 9:07 AM
To: cwerner@fairplayco.us
Cc: April-Dawn Knudsen
Subject: Re: FW: Tobacco use

Claudia:

Thank you so much for having the Torch Club kids on the agenda. Our grantor has charged the members with developing a "non-smoking" project for social action. Our kids have selected to focus on reducing smoking in public places. They discovered that Colorado State law prohibits smoking in public spaces.

In the interest of public health (for the children and all citizens), they propose that the town post NO SMOKING signs outside Town Hall and other public places such as parks and recreation areas.

Thank you for your interest in our project.

Jamie Morrow

On Thu, Jan 28, 2016 at 2:55 PM, Claudia Werner <cwerner@fairplayco.us> wrote:

Jamie,

Please see the email below in reference to the Torch Club appearing before the Fairplay Board of Trustees. The deadline for submission of items for the Board packets has passed, but if you can get it to me no later than 10 am on Friday, January 29th, I will put this on the agenda and include the presentation information in the packets.

Feel free to contact me with any questions you have regarding this information.

Claudia Werner

Fairplay Deputy Clerk

901 Main Street / P O Box 267

Fairplay, CO 80440
 [\(719\)836-2622 ext. 101](tel:(719)836-2622)

[\(719\)836-3279 fax](tel:(719)836-3279)
CWerner@FairplayCo.Us

From: Claudia Werner [mailto:cwerner@fairplayco.us]
Sent: Tuesday, January 12, 2016 3:12 PM
To: 'morrowfamily.co@gmail.com'
Cc: 'Tina Darrah'
Subject: Tobacco use

Jamie,

Thanks for stopping by yesterday to talk about the BGCSP Torch Club project relating to smoking in public places within the Town of Fairplay limits. I didn't find anything specifically related to the prohibition of smoking tobacco in public in Chapter 10 of the Fairplay Municipal Code but I did attach what I found in the Colorado Revised Statutes relating to smoking prohibition. Chapter 10 of the Fairplay Municipal Code does prohibit public nuisance in 10-4-10(a)(3) (which smoking in public could be considered as), littering is prohibited in 10-4-160 (including cigarette butts), 10-7-40 prohibits minors from engaging an adult's services to procure any article which a minor is forbidden to purchase (such as cigarettes), and finally 10-7-50 prohibits any person from furnishing a minor with cigarettes or other tobacco products.

I hope the attachment and the information above helps the teens with their research. When you are ready, send us a description of the presentation or request the teens will be making at the Board of Trustees meeting so that we can put this information in the Board packets prior to the meeting. The deadline to get this information to us is Tuesday, January 26th for the February 1st meeting and this can be emailed to me if that is convenient.

Please feel free to contact us if you have questions as you are preparing for our Board meeting.

Claudia Werner

Fairplay Deputy Clerk

901 Main Street / P O Box 267

Fairplay, CO 80440
(719)836-2622 ext. 101

(719)836-3279 fax
CWerner@FairplayCo.Us

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The Morrow Family

P. O. Box 1867
Fairplay, CO 80440

240-475-0185

(b) It is unlawful for any person other than a police officer of the Town intentionally to wear the uniform, apparel or any other insignia of office or anything like or similar to, or a colorable imitation of, that adopted and worn by police officers of the Town.

(c) It is unlawful for any person to counterfeit, imitate or colorably imitate, or cause to be counterfeited, imitated or colorably imitated, the uniform, apparel or insignia of office used by the Police Department. (Ord. 7, 1984 §45)

Sec. 10-3-100. Impersonating a Town official.

It is unlawful for any person falsely to pretend to be an official or employee of the Town, other than a police officer, and to perform any act in that pretended capacity. It is no defense to a prosecution under this Section that the office or position the actor pretended to hold did not in fact exist. (Ord. 7, 1984 §46)

Sec. 10-3-110. Escapes.

(a) It is unlawful for any person while being in custody or confinement and held for or charged with but not convicted of an offense, to escape or attempt to escape from said custody or confinement.

(b) It is unlawful for any person knowingly to offer or endeavor to assist any person in the custody of a police officer, or in the lawful custody of any other person, to escape or attempt to escape from such custody. (Ord. 7, 1984 §39; Ord. 11, 2002 §1)

Sec. 10-3-120. Damage to emergency equipment.

It is unlawful for any person to damage, impair, obstruct or deface any fire protection, ambulance or police buildings, vehicles, equipment or apparatus. In addition to any penalties that may be imposed for violation of this Section, the defendant, if convicted, may be held liable for the replacement cost of such damage, either as a condition of deferred sentencing, suspended sentence, probation or otherwise. (Ord. 7, 1984 §18)

ARTICLE IV

Streets and Public Places

Sec. 10-4-10. Unlawful conduct on public property.

(a) It is unlawful for any person to enter or remain in any public building or on any public property owned, operated or controlled by the Town, or to conduct himself or herself in or on the same, in violation of any order, rule or regulation limiting or prohibiting the use, activities or conduct in such public building or on such public property, as adopted by the Board of Trustees or any officer or agency having control of such building or property. In addition to any other authority as vested in such officer or agency under this Code, each such officer or agency may issue such orders, rules or regulations as are reasonably necessary for the administration, protection and maintenance of public buildings and property and specifically regarding the following matters:

(1) Preservation of property, vegetation, wildlife, signs, markers, statues, buildings and grounds, other structures, river banks and any object of scientific, historic or scenic interest;

(2) Restriction or limitation of the use of such public buildings or property as to time, manner or permitted activities;

(3) Prohibition of activities or conduct within public buildings or on public property which may be reasonably expected to substantially interfere with the use and enjoyment of such places by others or which may constitute a nuisance;

(4) Reasonable sanitation, health and safety measures;

(5) Camping and picnicking, public meetings and assemblages and other individual or group usages, including the place, time and manner in which such activities may be permitted;

Sec. 10-5-120. Damaging public property.

No person shall damage, move, remove, destroy or injure in any manner whatsoever or cause to be damaged, moved, removed, destroyed or injured any grass, tree, shrub, plant, flower, railing, bridge, culvert, sign, building or any other property whatsoever belonging to the Town or under the possession and control of the Town, unless done pursuant to a written permit or contract from the Town. (Ord. 7 §21; Ord. 11, 2002 §1)

Sec. 10-5-130. Defacing or destroying landmarks.

(a) It is unlawful for any person knowingly to cut, fell, alter or remove any certain boundary tree, monument or other allowed landmark to the damage of any person, or intentionally to deface, remove, pull down, injure or destroy any location stake, side post, corner post, landmark, monument or any other legal land boundary monument, designating or intending to designate the location, boundary or name of any mining claim, lode or vein of mineral or the name of the discoverer or date of discovery thereof.

(b) It is unlawful for any person knowingly to remove or cause to be removed any public land survey monument or a restoration of any such monument or any bearing tree knowing such is a bearing tree, or other accessory, even if such person has title to the land on which such monument or accessory is located, unless, prior to such removal, such person has caused a Colorado registered land surveyor to establish at least two (2) witness corners or reference marks for each such monument or accessory removed and has filed or caused to be filed a monument record pursuant to Article 53 of Title 38, C.R.S. (Ord. 7, 1984 §20)

Sec. 10-5-140. Handbills, posters and placards.

(a) It is unlawful for any person to post, stick or paste any handbill, poster, placard or painted or printed matter upon any public or private house,

store or other building, or upon any fence, power pole, telephone pole or other structure, without the permission of the owner, agent or occupant of the building or structure.

(b) It shall be the duty of any person who lawfully places any handbill, poster, placard or painted or printed matter which shall be posted, stuck or pasted upon any public or private house, store or other building, or upon any fence, power pole, telephone pole or other structure, to remove the same within a reasonable time after it has served its intended purpose, and failure or refusal to do so shall be unlawful. (Ord. 7, 1984 §16)

Sec. 10-5-150. Defacing posted notice.

It is unlawful for any person knowingly to mar, destroy or remove any posted notice or advertisement authorized by law. (Ord. 7, 1984 §22; Ord. 11, 2002 §1)

Sec. 10-5-160. Littering of public and private property.

(a) It is unlawful for any person to deposit, throw or leave any litter on any public or private property or in any waters.

(b) The term *litter*, as used in this Section, means all rubbish, waste material, refuse, garbage, trash, debris or other noxious or foreign substances, solid or liquid, of every form, size, kind and description.

(c) It shall be an affirmative defense that:

(1) Such property is an area designated by law for the disposal of such material and the person is authorized by the proper public authority to use the property;

(2) The litter is placed in a receptacle or container installed on such property for that purpose; or

cause, allow or permit any such child to loiter or remain upon any street, alley, park, playground, school yard or other public place in the Town, on foot or in or upon a vehicle, subsequent to the hour of 10:00 p.m., or prior to 5:00 a.m., except for lawful employment, school, church or other organized activity, or unless such child is accompanied by the parent, guardian or other person of the age of twenty-one (21) years having permission of the parent or guardian to have the custody or care of such child.

(b) It is unlawful for any child under the age of eighteen (18) years of age to loiter or remain upon any street, alley, park, playground, school yard or other public place in the Town on foot or within or upon a vehicle, subsequent to the hour of 10:00 p.m., or prior to 5:00 a.m., except for lawful employment, school, church or other organized activity, or unless such child is accompanied by the parent, guardian or other person of the age of twenty-one (21) years having permission of the parent or guardian to have the custody or care of such child.

(c) It shall be an affirmative defense to Subsections (a) and (b) above that such child is accompanied on such street, alley, park, playground, school yard or public place by his or her parent, guardian or other person at least twenty-one (21) years of age who has permission of the parent or guardian to have the care and custody of such child; or that there exists a reasonable necessity for the child's presence on such street, alley, park, playground, school yard or public place; or that such child is taking a direct course from his or her residence to or from his or her place of employment; or that such child is taking a direct course between a school function and his or her residence; or that such child has in his or her possession written permission from his or her parent or guardian to be out during the prohibited hours for a specific lawful purpose. (Ord. 5, 1991 §§1—3; Ord. 11, 2002 §1)

Sec. 10-7-20. Parent or guardian aiding, abetting.

It is unlawful for any person to knowingly permit any minor child, or to aid, abet, approve, encourage, allow, permit, tolerate or consent to the violation by any minor child of any provision of this Article or any ordinances of the Town. (Ord. 11, 2002 §1)

Sec. 10-7-30. False statement; false credentials.

It is unlawful for any person under twenty-one (21) years of age to make false statements, to furnish, present or exhibit any fictitious or false registration card, identification card, note or other document for any unlawful purpose, or to furnish, present or exhibit such document issued to a person other than the one presenting the same for the purpose of gaining admission to prohibited places or for the purpose of procuring the sale, gift or delivery of prohibited articles, including beer, liquor, wine or fermented malt beverages as defined in this Chapter. (Ord. 11, 2002 §1)

Sec. 10-7-40. Services of others.

It is unlawful for any person under the age of twenty-one (21) years to engage or utilize the services of any other person, whether for remuneration or not, to procure any article which the minor is forbidden by law to purchase. (Ord. 11, 2002 §1)

Sec. 10-7-50. Cigarettes and tobacco products.

(a) Definitions. For purposes of this Code, the following words shall have the meanings ascribed hereafter:

Cigarettes means premanufactured cigarettes and/or hand-rolled cigarettes.

Tobacco products means cigars, cheroots, stogies, periques, granulated, plug cut, crimp cut, ready rubbed and other smoking tobacco, snuff, snuff flour, cavendish, plug and twist tobacco,

fine cut and other chewing tobaccos, shorts, refuse scraps, clippings, cuttings and sweepings of tobacco and any other kinds or forms of tobacco, prepared in such a manner as to be suitable for chewing or smoking in a pipe or otherwise for chewing and smoking in any manner.

(b) Any person who knowingly furnishes to any person who is under eighteen (18) years of age, by gift, sale or any other means, any cigarettes or tobacco products, as herein defined, shall be punished as set forth in Chapter 1, Article IV. It shall be an affirmative defense to prosecution under this subsection that the person furnishing the cigarettes or tobacco products was presented with and reasonably relied upon a valid state driver's license or other government-issued form of identification which identified the person receiving the cigarettes or tobacco products as being eighteen (18) years of age or older.

(c) Any person who is under eighteen (18) years of age and who purchases any cigarettes or tobacco products, as defined herein, shall be punished as set forth in Chapter 1, Article IV, or the Court may allow such person to perform community service and be granted credit against the fine and court costs at a rate to be determined by the Municipal Court for each hour of work performed.

(d) In addition, any person eighteen (18) years of age or under who uses an altered, reproduced and/or false form of identification for the purposes of obtaining cigarettes or tobacco products shall, in addition to any penalty imposed pursuant to subsections (b) and (C), be punished as set forth in Chapter 1, Article IV.

(e) Any person who sells or offers to sell any cigarettes or tobacco products as herein defined by use of a vending machine or other coin-operated machines shall be punished as set forth in Chapter 1, Article IV; except that cigarettes may be sold at retail through vending machines as allowed by applicable state law.

(f) Any person who is in charge of or in control of a retail business of any kind, with the exception of a tobacco business as defined herein, must stock and display tobacco products in the business in a manner so as to make all tobacco products inaccessible to customers without the assistance of a retail clerk, thereby requiring a direct face-to-face exchange of the tobacco product from an employee of the business to the customer; provided, however, that this provision shall not apply to self-service displays of tobacco products that are located in a public place where access by individuals under the age of eighteen (18) is prohibited.

(g) Any person who sells or offers to sell any cigarette or tobacco products shall display a warning sign as specified in this Subsection. Any person who fails to display said warning sign commits a Class 2 petty offense and, upon conviction thereof, shall be punished by a fine of two hundred dollars (\$200.00). Said warning sign shall be displayed in a prominent place in the building and on such machine at all times, shall have a minimum height of three (3) inches and a width of six (6) inches and shall read as follows:

WARNING
IT IS ILLEGAL FOR ANY PERSON UNDER 18
YEARS OF AGE TO PURCHASE CIGARETTES
AND TOBACCO PRODUCTS, AND, UPON
CONVICTION, A \$50.00 FINE MAY BE IMPOSED

(h) Any violation of Subsection (f) above shall not constitute a violation of any other provision of this Section.
(Ord. 2009-6; Ord. No. 2014-5, § 4, 5-5-2014)

ARTICLE VIII

Alcoholic Beverages and Drugs

Sec. 10-8-10. Definitions.

For purposes of this Code, the following words shall have the meanings ascribed hereafter:

Alcoholic beverage or *alcoholic liquor* means fermented malt beverage or malt, vinous or spirituous liquors.

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1. [C.R.S. 25-14-103 \(2015\)](#), TITLE 25. HEALTH, ENVIRONMENTAL CONTROL, ARTICLE 14. CONTROL OF SMOKING, PART 1. PROHIBITION AGAINST THE USE OF TOBACCO ON SCHOOL PROPERTY, 25-14-103. Smoking prohibited in certain public places. (Repealed), COLORADO REVISED STATUTES
2. [C.R.S. 25-14-203 \(2015\)](#), TITLE 25. HEALTH, ENVIRONMENTAL CONTROL, ARTICLE 14. CONTROL OF SMOKING, PART 2. COLORADO CLEAN INDOOR AIR ACT, 25-14-203. Definitions, COLORADO REVISED STATUTES

CORE TERMS: tobacco, smoking, indoor, smoke, tobacco products, instrumentality, on-site, consumption, restaurant, cigarette, chewing, radius, food, annual gross income, annual sales, judicial branches, state government, special district, local authority, local government, place of employment, cigar-tobacco, partnership, manufacture, on-premises, contractor, nonprofit, marijuana, promotion, enclosed

... free work area" means an indoor area in a place of employment where **smoking is prohibited** under this part 2. (16) "Smoking" means the burning of a lighted cigarette,

3. [C.R.S. 25-14-206 \(2015\)](#), TITLE 25. HEALTH, ENVIRONMENTAL CONTROL, ARTICLE 14. CONTROL OF SMOKING, PART 2. COLORADO CLEAN INDOOR AIR ACT, 25-14-206. Optional prohibitions, COLORADO REVISED STATUTES

CORE TERMS: smoking, manager, specifically listed, nonsmoking, smoke-free, exempted

... posting shall have the effect of including such place, or the designated nonsmoking portion thereof, in the places where **smoking is prohibited** or restricted pursuant to this part 2. (2) If the owner or manager of a place not ...

4. [C.R.S. 25-14-208 \(2015\)](#), TITLE 25. HEALTH, ENVIRONMENTAL CONTROL, ARTICLE 14. CONTROL OF SMOKING, PART 2. COLORADO CLEAN INDOOR AIR ACT, 25-14-208. Unlawful acts - penalty - disposition of fines and surcharges, COLORADO REVISED STATUTES

CORE TERMS: fine, transmitted, hundred dollars, calendar year, corporate limits, state treasurer, general fund, collected, occurring, treasurer, smoking

... part 2. (2) It is unlawful for a person to smoke in an area where **smoking is prohibited** pursuant to this part 2. (3) A person who violates this part 2 is guilty of ...

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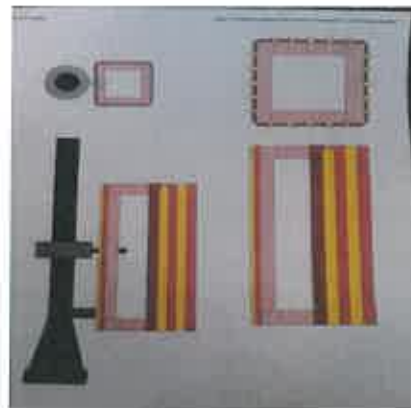
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Date: January 29, 2016
To: Board of Trustees
From: Jason Morrison, Public Works Director
Re: Public Works Staff Report

Well the last couple of weeks have not been too eventful but the events that did happen were fairly substantial. At the end of last year we noticed pump #2 at the water plant needed to be restarted each morning and would only pump around 20 gallons a minute, half of its capabilities. We had woodland pump give us an estimate for repair or replacement, so we could budget for this year. Sure enough one week into the New Year the pump died and had to be replaced. When we pulled the pump we realized if this pump was any indication of what the other pumps look like then we will need to look at budgeting for replacing another pump next year. Russell will begin looking into potential grants for upgrades at the plant. I have been working with a light manufacture that is combining fluorescent and LED technology to build long lasting, low power bulbs. The lights we use in the street light on Main Street are guaranteed for a minimum of 3 years, our current bulbs are averaging one year. I hope if this is accurate it will save in labor and material cost in the long run. We have decided to remove the current flower pots and replace each one with two planter boxes attached to either side of the light poles. We have placed the order for flowers for this year and Geritt has begun construction of the new planter boxes. We feel that the new planters will look better than the current planters, but also it would get them off the sidewalk and up onto the side of light posts. This would make them less likely to be damaged or do damage. They will be removable so they will not interfere with snow removal on the sidewalks in the winter. Oh yeah, I also broke my foot in a couple places at home and was out for a week.



Left: Pump #2 after it was removed, Right: Initial drawing of new flower box design.

“Where History Meets the High Country”