

Town of Rico Memorandum

Date: November 13th, 2019

TO: Town of Rico Board of Trustees
FROM: Kari Distefano
SUBJECT: Town Manager's Report

1. Consideration of a Memorandum of Understanding for the Southwest Colorado Enterprise Zone

As you may remember from the August meeting, the State of Colorado Office of Economic Development & International Trade offers designated Enterprise Zones, in which Rico and the rest of Dolores County reside, an opportunity to put forward projects to be considered "EZ Economic Development Projects". If the proposed project meets the criteria to become an EZ Development Project, donations to the project are eligible for a 25% income tax credit for donations of up to \$100,000 per taxpayer. I applied to this program on behalf of both the sewer project and funding for the upkeep of the Town Hall. I have not submitted the sewer application because I was waiting to see how the vote went. We still have an opportunity to do so should we decide that we want to.

Both Region 9 and the State of Colorado approved the Rico Town Hall project, but prior to becoming an Enterprise Zone Project the State requires the approval by the Board of Trustees of a Memorandum of Understanding (MOU). I have attached a copy of the MOU to this packet. I intend to talk to the Telluride Foundation to see if we can roll this into their "Telluride Gives" program if they still do that. If they don't, I would expect that they could at least help with some fundraising strategies. I believe that we may be able to mitigate some of the expense of the Town Hall upgrades through this program. I am requesting that the Board approve the MOU.

2. 1st Reading of the 2020 budget.

Based on comments from the Trustees at the last meeting, the outcome of the election and the most recent treasurer's report, I have made some revisions to the budget. The revised summaries are included in this packet. I will revise the details prior to the December meeting so that we have the most current information. Sales tax has done well in the last couple of months so I adjusted that upward. Property tax income should be based on assessed valuation, which went up as of the end of August but people do not seem to be paying some of their taxes. At this time, I am showing in the summaries, what we actually have gotten rather than what we should

have gotten this year. Our November valuation is in so the budgeted 2020 property tax revenue will reflect that. I am taking 40% of the town manager pay next year out of the water fund because I will be overseeing the meter replacement and relocation project and the water tank repair and resealing projects. Unfortunately, the bids of the water tank repairs are coming in higher than expected. I am still waiting on another bid. The water fund summary reflects that revision. I have budgeted \$15,000 for engineering from the sewer fund to explore a package plant alternative that would serve just the commercial core businesses.

3. 2nd Reading of Town of Rico Water Regulations

I made the revision that Nicole suggested, which was taking out the stipulation that when a house sold it would have to install interior meters. That could be a hardship for a potential homeowner. I also added a clause that the fees could be amended from time to time with the support of the Rico Board of Trustees. Otherwise, the attached water regulations have remained the same.

4. Consideration of the Adoption of Revised Personnel Handbook and Job Descriptions

It became apparent after our last budget discussion that Rico was in need of a more formalized Human Resources program. I had done some work a couple of years ago on a revised personnel handbook but it never got approved because we were having trouble dealing with policies for the Town Marshall. He had been operating under the Town of Telluride's policies but since he was officially working for the Town of Rico, our attorney felt that we should have our own, a process which turned out to be quite complicated. I am talking to Don Wilson about how best to deal with that issue but in the mean time. I believe that we should adopt the revised handbook. I have attached a copy for your review. The notable changes are the addition of the harassment section and the safety supplement. Both were suggested as additions by our insurance agency.

Also attached are proposed job descriptions. The description for the clerk, the town manager, the town marshal and the full time maintenance person are the ones that I believe have been used in the past. The part-time parks, open space and trails job and the part time maintenance job descriptions are new. Should the Board approve the job descriptions, employees will be evaluated annually in accordance with the job descriptions.

5. Consideration of a Date for the December meeting

Due to statutory requirements regarding the approval of the budget, we need to reschedule the regular December meeting. State law requires that budgets be approved by December 15th and our regular meeting would be on the 18th. I will not be available on the 11th because I am going to a class in Gunnison that I need to maintain my water operator's certification.

6. Consideration of a reduction in Steele's water bill payment

When Larry and Suzy Steele reclaimed Mountain Top Fuels, they were left with an outstanding unpaid water bill. They are requesting that the Town forgive this water bill.

7. Easement Agreement with Disposition Properties for use of the Gazebo Property and the Hot Springs Property

Olie Swanky has indicated that he may be willing to grant an easement on both the Hot Springs property and the Gazebo property. I am assuming that he will probably want some compensation so I think that we need to put some thought into what it would be worth to us understanding that it could be a temporary situation since he will want to eventually sell the property. Conversations with Mr. Swanky suggest that he may be willing to grant an easement if the Town were willing to give him some water taps that were apparently owned by Rico Renaissance. He sent me copies of a series of emails that discuss this. My interpretation of the emails is that Rico Renaissance does own the taps but the question remains; what happened to the Rico Renaissance assets when the property went to Disposition Properties LLC? Telling him that the Town would honor his opinion that the water taps belong to Disposition Properties could be a good way to go. The \$64,000 number to which he keeps referring would entitle him to 13 water taps. This sounds like a lot, but frankly, I don't think that he could possibly use them all. At any rate, they could be a negotiating point.

I have come up with a proposed easement agreement for the hot springs that is included in this packet. It is similar to the trail easement agreement because both are recreational uses and I believe that the landowners' concerns with respect to liability are similar. I will need more detail on the construction of the pump tract to draft an easement agreement for that. We can be working on both easements over the course of the winter but I wanted to start the process.

8. Mike Popek Easement Agreement

Mike Popek contacted me while I was on vacation regarding the status of the trail easement through his property. I had not spent any time revising it because I had a discouraging conversation with Lynn Markey regarding an easement through her property. Without that connection to the USFS property to the south, an easement through Popek's property would be of limited use. The situation appears to have changed though. Mr. Popek emailed and said that he had a contract on Markey's property and expected it to go through in early January. He is intending to build a campground. If the sale goes through as planned and if he is willing, and I believe he will be, to extend the easement through Markey's property, we will be able to make full use of the Rio Grande Southern Trail.

I have attached a copy of the easement that includes the revisions that Mr. Popek requested. The easement is awaiting his review and approval.

9. Rico Town Hall roof repair

The Town Hall roof repair is finished. I have asked the owner or a supervisor to come to Rico to do a walk through before I release their final payment. I have some concerns based on their difficulties with the sub-contractors and I would like to get a two-year warrantee before I give them their last check.

Memorandum of Understanding for the Southwest Colorado Enterprise Zone

This Memorandum of Understanding is effective October 18, 2019, by and between the Region 9 Economic Development District of Southwest Colorado Inc. dba Southwest Enterprise Zone (herein after referred to as Region 9 EDD), and the sub-grantee, **Rico Town Hall Restoration Project (hereafter referred to as TOWN HALL)**.

Whereas, Region 9 EDD is the Southwest Enterprise Zone Administrator designated by the Department of Local Affairs of the State of Colorado; and

Whereas, CRS 30-103.5(1)(a) allows tax credits for contributions to a designated Enterprise Zone Administrator for the purpose of implementing the economic development plan for the Enterprise Zone; and

Whereas, the Colorado Economic Development Commission has approved **TOWN HALL** as an Enterprise Zone project for 2019 and agrees to adhere to the Enterprise Zone Policies as set forth by the Commission; and

Whereas, the Enterprise Zone statutes allow the Enterprise Zone Administrator to certify organizations/projects to receive contributions from donors for EZ tax credits and to evaluate project activity; and

Whereas, the Colorado Department of Revenue has determined that the Zone Administrator, in certifying the appropriate purpose of a contribution, has a responsibility to assure that **TOWN HALL** is using tax creditable contributions as intended and is operating within policy guidelines and

Now Therefore, it is hereby agreed and understood that:

1. **TOWN HALL** must have a file with the Southwest Enterprise Zone Administrator and the following documents **will need to be furnish if they are not on file**: (1) Statement explaining ownership of sub-grantee organization if other than a corporation; (2) proof of legal standing; (3) tax status information such as Tax Identification number (W-9) or Federal Letter of IRS Designation; (4) Board Resolution or Board minutes to enter into this Memorandum of Understanding; (5) Articles of Incorporation; (6) Bylaws; and (7) recent (within one year) Certificate of Good Standing.
2. The SW Enterprise Zone Administrator shall be entitled to receive a three percent (**3%**) **administrative fee** on the value of all cash contributions for administrative costs. There will be a Five Hundred Dollar (\$500) maximum administrative fee on any one donation. The SW Enterprise Zone Administrator will invoice **TOWN HALL** on a quarterly basis for the administrative fee. Failure of a project to pay the quarterly administrative fee within 30 days may result in the SW Enterprise Zone Administrator declining to certify contributions from that project until the administrative fee is current.
3. The State reserves the right to request a financial report from each Enterprise Zone Project describing the work completed and the use of funds. **TOWN HALL** agrees to furnish any information deemed necessary by the State, if and when requested, to determine the nature of the use of the donations received through the EZ Contribution Project.
4. **TOWN HALL** will enter all donor information and contribution amount(s) into the State of Colorado's Office of Economic Development and International Trade (OEDIT) Salesforce online system through the Project's profile, along with uploading a copy of the check and/or other supporting documentation of in-kind contributions. **The highest minimum donation allowed for tax credits is \$250. Please refer to the EZ Policies and User Guide for Certification of Qualified Enterprise Zone Contributions provided by Region 9 EDD.** The SW Enterprise Zone Administrator will approve the contribution forms online and the donor certificate will be returned by email to either the Contribution Project for distribution or directly to the donor, the preference will be predetermined and set by **TOWN HALL**. **All donations should be submitted quarterly into Salesforce. All donations for 2019 MUST be entered by December 31, 2019. All donations for 2020 MUST be entered by December 31, 2020.**

In the case of in-kind contributions, the local project contact shall require the **donor** to submit a description of the in-kind contribution and a statement of value for the in-kind contribution. Per IRS regulation, the donor will be required to provide a “qualified appraisal” for in-kind contributions in excess of \$5,000. The minimum value of each individual in-kind donation accepted must be at least \$250. **Donated stock certificates, securities etc. are considered by the Colorado Department of Revenue as in-kind donations.**

5. A training on OEDIT’s Salesforce online system will be provided by the Enterprise Zone Administrator.
6. The Colorado Department of Revenue requires that all Certification forms have the **last 4 digits of the social security or business tax id number of the donor** prior to the Enterprise Zone Administrator being able to certify the form.
7. The sub-grantee agrees to hold Region 9 EDD, Inc. harmless from any claim of liability arising from this agreement or in carrying out the Enterprise Zone Contribution project.
8. Enterprise Zone Project Designation is renewed annually. For **TOWN HALL** to continue as an Enterprise Zone Project, the sub-grantee is required to complete an annual report for the Colorado Economic Development Commission distributed through the Salesforce online system, initiated by the SW Enterprise Zone Administrator in the fall of each year. **TOWN HALL** can certify a maximum of \$750K in credits each year but per State guidelines must have at least 5 contributors or at least \$5,000 in EZ contributions for the year to maintain designation.
9. The SW Enterprise Zone Administrator will certify **TOWN HALL** contributions directly and retain the signatory authority on all certifications.
10. **TOWN HALL** agrees to maintain their Corporation’s legal standing.
11. This Memorandum of Understanding will remain in effect until December 31, 2020 unless terminated by written notification. Enterprise Zone Projects are subject to a five-year term. **TOWN HALL’s designation will expire on December 31, 2024.**

In witness whereof, the parties here to have executed this Memorandum of Understanding on the date written above.

Rico Town Hall Restoration Project

By:

Kari Distefano, Town Manager

Date

Southwest Colorado Rural Enterprise Zone

By:

Laura Lewis Marchino, Enterprise Zone Administrator

Date

2019 and 2020 Budget Summary

Revenues			
	2019 Adopted Budget	2019 Budget Estimate	2020 Proposed Budget
General Fund	\$327,451	\$427,715	\$400,764
Street Fund	\$47,966	\$71,892	\$88,462
Water Fund	\$544,650	\$136,242	\$411,559
Sewer Fund	\$22,195	\$34,354	\$24,601
Parks, Open Space & Trails	\$36,550	\$49,473	\$38,235
Conservation Trust Fund	\$1,000	\$2,395	\$2,000
Expenditures			
General Fund	-\$448,252	-\$509,616	-\$448,854
Street Fund	-\$94,359	-\$108,626	-\$119,178
Water Fund	-\$644,110	-\$123,108	-\$798,286
Sewer Fund	-\$3,500	-\$30,347	-\$16,500
Parks, Open Space & Trails	-\$52,784	-\$76,195	-\$47,034
Conservation Trust Fund	-\$5,000	-\$0	-\$5,000

Revenues vs. Expenditures

	2019 Adopted Budget	2019 Budget Estimate	2020 Proposed Budget
General Fund	-\$120,801	-\$81,901	-\$48,090
Street Fund	-\$46,393	-\$36,734	-\$30,716
Water Fund	-\$99,460	\$13,134	-\$386,727
Sewer Fund	\$18,695	\$4,007	\$8,101
Parks, Open Space & Trails	-\$16,234	-\$26,722	-\$8,799
Conservation Trust Fund	-\$4,000	\$2,395	-\$3,000

Reserves

<i>Fund</i>	<i>From 2018 Audit</i>	<i>Projected 2019 end of year Balance</i>	<i>Projected 2020 end of year Balance</i>
General Fund	\$893,551	\$811,650	\$763,560
Street Fund	\$111,446	\$74,712	\$43,996
Water Fund	\$511,648	\$524,782	\$138,055
Sewer Fund	\$235,506	\$239,513	\$247,614
Parks, Open Space & Trails	\$97,407	\$70,685	\$61,886
Conservation Trust Fund	\$32,319	\$32,319	\$29,319

Parks, Open Space & Trails Fund	2018 Actual from Audit	2019 Original Budget	2019 Original vs. Amended	September 30 th Estimated Budget	2020 Proposed Budget
Revenues					
Operating Revenues					
Sales & Use Tax	6,328.00	7,000.00	0.00	7,000.00	7,000.00
Lodging Tax	214.00	500.00	206.43	706.43	700.00
Interest	56.00	50.00	-10.89	39.11	35.00
Excise Tax	1,664.00	0.00	3,796.33	3,796.33	1,500.00
Insurance Reimbursement	0.00	0.00	500.00	500.00	0.00
Misc. Income	0.00	0.00	202.50	202.50	0.00
Donations	0.00	0.00	0.00	0.00	0.00
Subtotal Park Fund Operating Revenues	8,262.00	7,550.00	4,923.29	12,473.29	9,235.00
Revenues - Grants					
Rico Center Grant	37,000.00	29,000.00	8,000.00	37,000.00	29,000.00
Miscellaneous	5,485.00	0.00	0.00	0.00	
Subtotal Park Fund Revenues	42,485.00	29,000.00	8,000.00	37,000.00	29,000.00
Total Revenues	50,747.00	36,550.00	12,923.29	49,473.29	38,235.00
Expenses					
Operating Expenses					
Repairs & Maintenance	0.00	1,000.00	-316.00	683.94	1,000.00
Insurance	5,416.00	4,083.60	1,023.92	5,107.52	4,083.60
Supplies	9,426.00	6,750.00	5,702.81	12,452.81	6,750.00
Miscellaneous	0.00	0.00	0.00	0.00	0.00
Subtotal Park Fund Operating Expenses	14,842.00	11,833.60	6,410.67	18,224.27	11,833.60

Parks, Open Space & Trails Fund	2018 Actual from Audit	2019 Original Budget	2019 Original vs. Amended	September 30 th Estimated Budget	2020 Proposed Budget
Special Project Expenses					
Town Clean Up	0.00	1,500.00	-1,239.14	260.00	1,500.00
Winter Trails Program (Grooming Payroll)	3,000.00	4,750.00	6,297.00	11,047.00	6,000.00
Winter Trails Program Supplies	0.00	4,000.00	-9,023.32	13,023.32	4,000.00
Rico Ice Rink Maintenance employee	1,136.00	5,500.00	-4,430.48	1,069.52	6,000.00
Rico Ice Rink Supplies	0.00	500.00	-500.00	0.00	500.00
Administrator	24,260.00	22,500.00	10,050.00	32,550.00	15,000.00
Administrator Supplies	0.00	2,00.00	-200.00	0.00	200.00
Rio Grande Southern Extension Trail	0.00	2,000.00	-2,000.00	0.00	2,000.00
Subtotal Park Fund Special Project Expenses	43,238.00	52,783.60	23,411.37	76,194.97	47,033.60
Total Expenses	43,238.00	52,783.60	31,901.37	84,684.97	55,033.60

**TOWN OF RICO
ORDINANCE NO. 2019 - 06**

**AN ORDINANCE OF THE TOWN OF RICO, COLORADO, REPEALING
ORDINANCE 2018-07, AND REPLACING IT WITH WATER
REGULATIONS REGARDING RATES, RULES PROCESS AND
PROCEDURE CONCERNING RICO MUNICIPAL WATER SERVICES
AND PROVIDING FOR PENALTIES FOR VIOLATION OF THE SAME**

WHEREAS, the Board of Trustees of the Town of Rico (Board) has the power to regulate municipal water services pursuant to the Rico Home Rule Charter, 10.4 and C.R.S. 31-35-401(b), as amended; and

WHEREAS, the Board desires repeal and replace Ordinance 2018-07 with more comprehensive regulations in connection with the water meter installation project;

THE BOARD OF TRUSTEES OF THE TOWN OF RICO HEREBY ADOPTS THE WATER OPERATION RULES AND REGULATIONS ATTACHED HEREON AS EXHIBIT A

This Ordinance shall take effect upon adoption and passage of the second reading.

If any provision of this ordinance or portion thereof is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other provision, which can be given effect without the invalid portion.

INTRODUCED, READ, APPROVED AS INTRODUCED, AND ORDERED PUBLISHED on first reading by Town of Rico Board of Trustees this 16th day of October, 2019.

READ, APPROVED AND ADOPTED BY FINAL READING by Town of Rico Board of Trustees this 20th day of November, 2019

TOWN OF RICO, COLORADO

Zach McManus, Mayor

ATTEST:

TOWN OF RICO

Linda Yellowman, Town Clerk



Exhibit A

Water Operations Rules and Regulations

Town of Rico

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Article I – General

1.1 Authority. The Town of Rico is a municipality governed by Home Rule Charter adopted May 2nd, 2000. The Town shall have and may exercise all powers, functions, rights and privileges allowed or granted to any municipalities including home rule cities or towns by law except as limited or expressly forbidden by the Charter or the Constitution of the State of Colorado or the United States. All powers of the Town shall be exercised in a manner prescribed by the Charter, or if the manner is not prescribed then as prescribed by ordinance, or if no ordinance exists which is applicable, then as prescribed by statute or other law.

1.2 Purpose. The purpose of these Rules and Regulations is to ensure an orderly and uniform administration of water operations in the Town of Rico, Colorado.

1.3 Policy. The Board of Trustees of the Town of Rico hereby declares that the Rules and Regulations hereinafter set forth will serve a public use and are necessary to promote the health, safety, prosperity, security, and general welfare of the inhabitants of the Town.

1.4 Scope. These Rules and Regulations shall be treated and considered as the comprehensive regulations governing the operations and functions of the water system for the Town of Rico.

1.5 Intent of Construction. It is intended that these Rules and Regulations shall be liberally construed to affect the general purposes set forth herein. No omission or additional material set forth in these Rules and Regulations shall be construed as an alteration, waiver or deviation from any grant of power, duty or responsibility, or limitation or restriction, imposed or conferred upon the Board of Trustees of the Town of Rico by virtue of ordinance, now existing or subsequently amended, or under any contract or agreement existing between the Town of Rico and any other entity. Nothing contained herein shall be so construed as to prejudice or affect the right of the Town to secure the full benefit and protection of any rule or regulation which is now enacted or may subsequently be enacted by the Board of Trustees pertaining to the affairs of the Town.

1.6 Amendment. It is specifically acknowledged that the Town of Rico has the power and authority to amend these Rules and Regulations from time to time to reflect those changes determined to be necessary by the Board of Trustees of the Town of Rico in their sole discretion. Prior notice of an amendment shall not be required to be provided by the Town.

Article II – Definitions

Unless the context specifically indicates otherwise, the meaning of the terms used herein shall be as follows:

2.1 Applicant. “Applicant” means any person who applies to the Town of Rico for a service connection or service disconnection or other agreement relating to the water system.

2.2 Authorized Plumber. “Authorized Plumber” means a person authorized by the Town of Rico to perform services, which physically affect the water system of the Town.

2.3 Board. “Board” or “Board of Trustees” is defined under Town of Rico Home Rule Charter, Article II.

2.4 Constructor. “Constructor” means the Owner actually paying for the construction of the lines.

2.5 Contractor. “Contractor” means any person, firm or corporation engaged to perform work on the water system on behalf of either a customer or the Town of Rico.

2.6 Customer. “Customer” means any person, company, partnership, corporation, or similar entity authorized to connect to and use the Town of Rico’s water system under a permit issued by the Town.

2.7 Dwelling Unit. “Dwelling Unit” is defined under Rico Land Use Code (RLUC) Article 910 as may be amended from time to time.

2.8 Equivalent Dwelling Unit. “Equivalent Dwelling Unit” or “Single Family Equivalent Dwelling Unit” means a use, which is estimated to have an impact upon the water system equal to that of the average dwelling unit.

2.9 Inspector. “Inspector” means that person under the direction of the Town Manager who shall inspect the water system and all facilities of the Town of Rico or customers to ensure compliance with the Rules and Regulations.

2.10 Main Line. "Main Line" or "Main" means any line used as a conduit for water in the Town of Rico's water system and owned by the Town.

2.11 Owner. "Owner" shall mean the person or persons, entity or entities, who own of record, according to the real property records of Dolores County, Colorado, fee simple title to a Site located within the Town of Rico.

2.12 Permit. "Permit" means the written permission to connect to the water system of the Town of Rico pursuant to the Rules and Regulations and shall be revocable upon the change of use of the property being served.

2.13 Person. "Person" means any individual, firm, partnership, corporation or other entity of any nature, whether public or private.

2.14 Rules and Regulations. "Rules and Regulations" means the Rules and Regulations of the Town of Rico including all amendments and policies as set forth in the minutes, ordinances and resolutions.

2.15 Service Line. "Service Line" means any pipe, line or conduit less than or equal to 4 inches in diameter, as approved by the Town of Rico, used, or to be used to provide water service from the water main to a building, whether the pipe, line or conduit is connected or not. Service lines shall be owned, maintained and repaired by the Customer(s) being served by the Service Line. Stub-outs shall become part of the respective service line at the time of payment of the Tap Fee by the Owner.

2.16 Shall / May. Whenever "shall" is used herein, it shall be construed as a mandatory direction; whenever "may" is used herein, it shall be construed as a permissible, but not mandatory, direction.

2.17 Site. "Site" shall mean each parcel of real property, together with all improvements thereon, within the Town of Rico the fee simple interest of which may be conveyed in its entirety to a third party without violating the subdivision regulations of the Town, as in effect from time to time. If authorized by the zoning, subdivision and building codes of the Town, one Accessory Housing Unit may be incorporated into the main Dwelling Unit constructed on the Site.

2.18 Stub-Out. “Stub-Out” means any connection to a main line which extends from the main line and which is intended to facilitate the connection of a Service Line to the water system. Stub-outs shall become the property of the Owner at the time of paying the Tap Fee.

2.19 Tap or Connection. “Tap” or “Connection” means the connecting of the service line to the water system, either directly to a public main line, or stub out from the main line whether or not actually connected to the structure's water system. All taps shall

- i. be buried a minimum of six (6) feet, eight (8) feet preferable below the final grade, and
- ii. be installed, bedded and compacted pursuant to Town of Rico specifications. All corporation stops (tap valves) shall be of a type “compression,” 300psi maximum, ball style with lock wing. No “flair” style shall be allowed
- iii. residential service lines shall be ¾” HDPE (PEX) or equivalent approved by the Town of Rico, commercial service lines shall be sized according to needed volume of use
- iv. be equipped with a thaw wire, only for copper pipe

2.20 Tap Fee and Connection Charge.

2.20.1 “Tap Fee” means the payment to the Town of Rico of a fee for the privilege of connecting a dwelling unit to the water system.

2.20.2 “Connection Charge” means the payment to the Town of Rico of a charge for the actual physical connection by the Town of a particular use to the water system. The Connection charge is dependent upon the cost of making the actual connection.

2.20.3 “Inspection Charge” means the payment to the Town of Rico a charge for the actual inspection of the physical connection to the water system.

2.21 Town Engineer. “Town Engineer” means that person or firm that has been authorized by the Town of Rico to perform engineering services for the Town.

2.22 Town Manager. “Town Manager” is defined under the Town of Rico Home Rule Charter, Article 4.1.

2.23 Water Main. “Water Main” shall be synonymous with Main Line.

2.24 Water System. “Water System” includes but is not limited to water mains, lines, pumps, tanks, wells, valves, appurtenances, accessories or portion thereof owned and maintained by the Town of Rico.

Article III – Ownership & Operation of Facilities

3.1 Responsibilities of the Town of Rico. Except as otherwise provided by these Rules and Regulations, the Town of Rico is responsible for the water system, which operation and maintenance shall be carried out in accordance with these Rules and Regulations. The Town shall not be liable or responsible for inadequate treatment or interruption of service brought about by circumstances beyond its direct control.

3.2 Liability of Town of Rico. It is expressly stipulated that no claim for damage shall be made against the Town of Rico by reason of the following: breakage of service lines by Town personnel; interruption of water service and the conditions resulting therefrom; breaking of any main, service, pipe, cock, or meter by any employee of the Town; failure of the water supply; shutting off or turning on water mains; damage caused by water running or escaping from open or defective faucets; burst service lines or other facilities not owned by the Town; damage to water heaters, boilers, or other appliances resulting from shutting water off or turning it on, or from inadequate or sporadic pressures or calcification and other problems resulting from hard water or other water chemistry; or for doing anything to the water system deemed necessary by the Board of Trustees or its agents. The Town shall have no responsibility for notification to customers of any of the foregoing conditions. The Town hereby reserves the right to temporarily discontinue service to any Site, at any time, for any reason deemed appropriate by the Board of Trustees or the Mayor or Manager. The Town shall have the right to revoke service to any Site for violations of these Rules and Regulations in accordance with the procedures set forth in these Rules and Regulations.

3.3 Ownership of Facilities.

3.3.1 Town of Rico System. All existing and future mains and treatment works connected with and forming an integral part of the water system shall become and are the property of the Town of Rico unless any contract with the owner or customer provides otherwise. Ownership of the water system will remain valid whether the mains and treatment works are constructed, financed, paid for, or otherwise acquired by the Town, or any other persons.

3.3.2 Customers' Ownership. That portion of all existing or future services lines, including stub-outs, extending from the main line to a Site or dwelling unit that is connected to the Town of Rico's water system is and shall remain the property of the customer. This principle shall not be changed by the fact the Town construct, finance, repair, maintain or otherwise affect the service line and shall not entitle the customer to make unauthorized uses of the Town's systems once the service line has been connected to main line. All uses of the service line or any appurtenances thereto at any time after the initial connection to the Town system shall be subject to these Rules and Regulations.

3.4 Water Meters and Shut-off Valves. Notwithstanding the above Article 3-3, all water meters and shut-off valves shall become and are the property of the Town of Rico. Said ownership shall remain valid whether the meter and/or shut-off valves are installed, financed, paid for, repaired or maintained by an Owner or another person or whether the meters and/or valves are located on a Site. The cost of maintaining, repairing or replacing any meter or valve shall be the obligation of the Owner of the site served by meter or valve and the Town shall have no responsibility or liability for damage to person or property that results from the use or breakage of a meter or shut-off valve.

3.5 Inspection Powers and Authority of Town of Rico Agents. The Town Manager, and other duly authorized employees of the Town of Rico, bearing proper credentials and identification, shall be permitted to enter upon all sites for the purpose of inspecting, observing, measuring, sampling, disconnecting service, testing and performing any other function authorized by the provisions of these Rules and Regulations. Failure to permit such inspections, observations, measurements, sampling and/or testing upon the request the Town shall result in the immediate disconnection of service to the Site of the party failing to permit such activity.

3.5 Modification, Waiver and Suspension of Rules. The Board or Mayor acting on instruction of the Rico Board of Trustees shall have the sole authority to waive, suspend or modify these Rules and Regulations, and any such waiver, suspension or modification must be in writing, signed by the Board or the Mayor. Such waiver shall not be deemed an amendment of the Rules and Regulations. No waiver shall be deemed a continuing waiver or the basis for other waivers to either the customer or any other customer.

Article IV – Use of Water System

4.1 Unauthorized Tampering with System

4.1.1 Written Permission Required. No person shall uncover, make any connection with or opening onto, use, alter, or disturb the water system without first obtaining a written permit from the Town of Rico. Unauthorized uses of the water system include, but are not limited to, tapping, connecting, an unauthorized turn-on or turn-off of water service, or a tampering or in any way modifying any meter, even though the same may be located on a privately-owned Site.

4.1.2 No Tampering. No person shall tamper with any portion of the Town of Rico's systems.

4.1.3 Prosecution. Any person who shall violate the provisions of these Rules and Regulations shall be prosecuted to the full extent of the law. Any person violating any of the provisions of these Rules and Regulations shall become liable to the Town of Rico for any expense, loss or damage occasioned by the reason of such violation.

4.2 Responsibilities of Customer

4.2.1 Usage/Maintenance/Repair. Each customer shall notify the Town of Rico prior to any change in the customer's equipment, ownership service or use of the property served by the water system. Each customer shall be responsible for constructing, repairing and maintaining, and all costs thereof, the entire length of the service line serving his property. Service lines shall be constructed in accordance with these Rules and Regulations. Leaks or breaks in the service line shall be repaired within sixteen (16) hours of obtaining knowledge of a leak or from the time of notification of such condition by the Town of Rico. The Town shall shut off the service until the

leaks or breaks have been repaired, and the cost therefor shall constitute a lien on or against the property of such customer to secure payment of such costs.

4.2.2 Cross-Connection and Backflow. Each customer is responsible for complying with the Colorado Department of Health and Environment Cross-Connection and Backflow Regulations.

4.2.3 Stop and Waste Valves. Stop and waste valves are not permitted.

4.2.4 Uninterrupted Pressure. Each person having boilers and/or other appliances on his premises depending on pressure or water in pipes, or on a continual supply of water, shall provide, at his own expense, suitable safety devices to protect himself and his property against a stoppage of water supply or 4.2.5 loss of pressure. The Town of Rico expressly disclaims any liability or responsibility for any damage resulting from a customer's failure to so equip his property.

4.2.5 Loss of Pressure. The Town of Rico expressly disclaims any liability or responsibility for any damage resulting from a customer's failure to so equip his property.

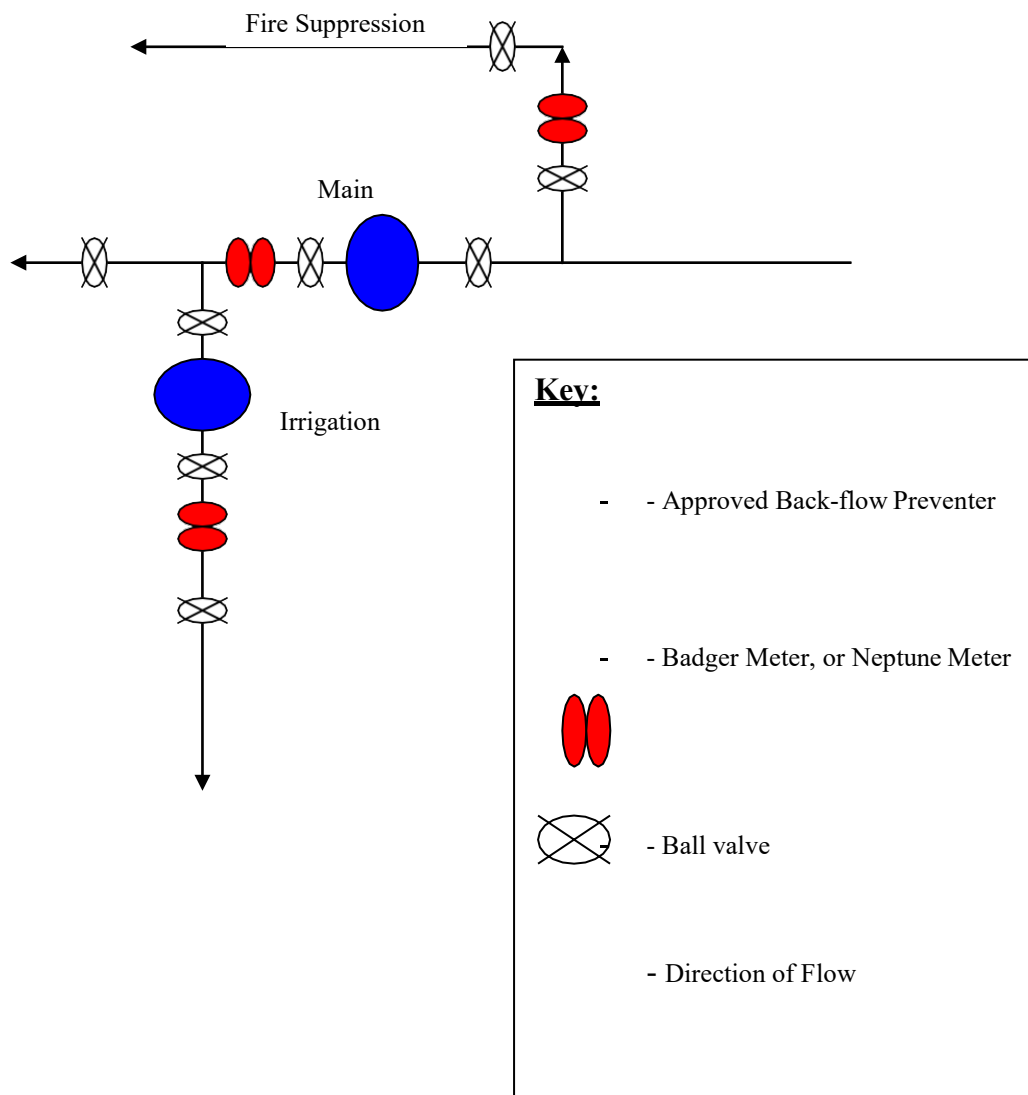
4.2.6 Valve Keys and Hydrant Wrenches. It shall be unlawful for any person other than authorized personnel to have in his possession a hydrant wrench or valve shut-off key. Any personnel of the Town of Rico or the Rico Fire Department is hereby authorized to confiscate any hydrant wrench or valve shut-off key found in the possession of any unauthorized person. Use of fire hydrants is prohibited at all times to anyone except authorized personnel.

4.2.7 Water Meters, Pressure Reducing Valves and Check Valves Required. No connection shall be made to the Town of Rico's system without a pressure reducing valve, water meter and check valve having been installed to serve the subject unit. All water meters shall have devices for remote reading. Meters shall be of the type manufactured by Neptune Meters or an equivalent to coincide with our remote read-out capabilities. All irrigation systems must have a water meter with remote readout in addition to house main water meter with remote readout. Irrigation system meters shall be located downstream of the main meter and shall be separated from the main meter by a shut off valve, plumbed in series, not in parallel as shown in Exhibit 4.2.5a. Prior to installation, the Town shall approve the type of pressure reducing valve and water meter and location of the meter. All water meters shall become and are the property of the Town; ownership

shall remain valid whether the meters are installed, financed, paid for, repaired, or maintained by another person.

4.2.8. Reading Meters. The Town shall, at the customer's expense, have the right to read, test, remove, repair or replace any and all water meters and remotes. It shall be the duty of each customer to notify the Town if his water meter is operating defectively. If any meter shall fail to register in any period, the customer shall be charged the average period consumption during the two highest preceding periods as shown by the meter when deemed by the Town to have been in working order. The Town has the authority to require any meter to be replaced at the customer's expense at any time. Meters showing greater than 1,000,000 gallons shall be replaced.

Exhibit 4.2.5 Meter, Back-flow, shut-off diagram,



*Note: Diagram is meant only as a guide. All plumbing fixtures shall follow International Plumbing Codes and be in accordance with State and Local Guidelines.

Article 5 – Application for Service

5.1 Water Saving Device Required. All new connections are required to install water saving devices as follows:

5.1.1 Toilets. All toilets shall have maximum flush of 1.6 gallons.

5.1.2 Showers. All showers shall have a shower restrictor device installed, which shall have a measured flow, at 60 pounds per square inch, of not greater than 3.20 gallons per minute. The type of toilet and shower restrictor shall be specified on the permit, shall be subject to approval by the Rico Board of Trustees, and may not be modified or replaced without the approval of the Board of Trustees.

5.1.3 Rain Sensing Device. All irrigation systems shall have a rain-sensing device in use. The type of rain sensing device shall be specified on the permit, shall be subject to approval by the Board, and may not be modified or replaced without the approval of the Rico Board of Trustees.

5.1.4 Water Conservation. Water Conservation efforts such as xeriscaping, native landscaping, and using runoff water as a source for direct irrigation are encouraged. All efforts shall be consistent with Federal, State, and Local guidelines.

5.2 Service Outside the Town of Rico. No service shall ever be provided to property outside of the Town of Rico, except upon the express written approval of the Rico Board of Trustees. Charges for furnishing service outside of the Town of Rico shall be established by contract at the discretion of the Rico Board of Trustees.

5.3 Application for Service. Applications for service must be filed with the Town of Rico on forms provided by the Town and accompanied by appropriate fees prior to any action to connect to the system.

No applications for service or taps shall be approved without the acquisition of a building permit. Only upon authorized written approval of the application and a receipt thereof may a connection to the system be made. The precise location of the water meter and the remote reading device shall be indicated on all applications for service. In addition, the following applies if applicable:

5.3.1 Sprinkler System Applications. If a fire protection water sprinkler system is to be used, a plan of the system is to accompany the application and is subject to the approval of the Town of Rico. All fire sprinkler systems shall meet NFPA requirements and additionally shall meet the requirements of all applicable County and State building and fire protection codes.

5.3.2 Tapping Period. No taps will be permitted or made between November 1 and April 15, without specific, written approval from the Town of Rico; the Town may deny approval for any reasonable purpose.

5.3.3 Accuracy of Information. All information requested on the tap application form must be completed, and a diagram of the stop box location and service lines included. Should any information disclosed on the application prove at any time to be false, or should the applicant omit any information, the Town of Rico shall have the right to:

- i re-assess the tap fee originally charged at the rate at which the discovery by the Town of Rico of the false or omitted information occurred,
- ii disconnect the service in question,
- iii back-charge the Site in question for service fees that may be due and owing, and,
- iv charge any other or additional fee or penalty specified in these regulations and any reassessment shall be due and payable, together with any penalties or other additional fees charged, and together with interest at the rate of 12% per annum, calculated per day, on the entire balance, upon and from the date of the original application.

5.4 Denial of Application. The Town of Rico reserves the right to revoke any prior approval of an application before service has been provided, and thereafter for any violation of these Rules and Regulations.

5.5 Moved or Destroyed Buildings. When buildings are moved or destroyed, the original tap authorization shall terminate and reauthorization shall be required prior to re-tapping. Credit shall be authorized for tap fees previously paid with respect to said building. The original tap shall remain in good standing provided uninterrupted payment of the Town of Rico's minimum service charge (as the same may be amended from time to time) is made. If payment of the minimum service charge ceases for any reason, said tap shall be in violation of these Rules and Regulations and the tap shall be terminated. Non-payment after twenty (20) days of the billing shall be considered cessation of payment of the minimum service charge.

5.6 Change in Customer's Equipment, Service or Use of Property. No change in the customer's equipment, service or use of property served shall be made without the prior notification of and approval by the Town of Rico. Any such change in the Town's sole discretion, will increase the burden placed on the water system by the customer shall require a redetermination of the tap fee and monthly service-charge, and a payment by the customer of any additional tap fee and monthly service charge resulting from the redetermination. Subject to Article 5.5 above, tap fees previously paid with respect to the property in question shall be credited against the re-determined tap fee so that only the unpaid portion of any re-determined tap fee shall be due; provided, however, that redetermination resulting in a conclusion that the tap fee, if assessed currently, would be in an amount less than the originally paid shall not result in a refund or credit of any kind to the customer.

5.6.1 Notice and Action. Any customer believed to have changed the equipment, service or use of their property in violation of this section shall be notified of such belief by the Town of Rico and shall be notified of the Town's intent to assess any additional tap, service or unauthorized connection fees, and shall be afforded ten (10) days in which to respond to the Town's notice. Failure to respond as required herein within the ten (10) day period shall be deemed to establish the Town's belief concerning the nature and extent of the change, and such additional tap, service and unauthorized connection fees as are deemed appropriate by the Town shall be assessed against the property in question and shall be collected as provided under these Rules and Regulations. To defer the collection of said fees, and as a prerequisite to the right to hearing as provided for and described in Section XI of these Rules and Regulations, any response by the

customer must, in addition to being provided in ten (10) days, include permission to make an inspection of the property in question as the Town's representatives deem necessary to clearly establish the nature of equipment, service and use of the property in question; any such inspection shall occur with seventy-two (72) hours of the receipt of the customer's response by the Town. Any connection, enlargement, or change shall be deemed an unauthorized connection.

5.6.2 Requirement to Upgrade. Any customer requesting renovation through the Town of Rico, change in equipment, service or use of their property shall be required to upgrade meters, meter readouts or radio transmitters, backflow prevention devices, and PRVs to current rules and regulations standards. Customers shall notify the Town Manager in writing and be inspected by water system personnel before permission is granted.

5.7 Unauthorized Connections and Fees. No person shall be allowed to connect onto the water systems or to enlarge or otherwise change equipment, service or use of property without prior payment of tap fees, approval of application for service, and adequate supervision and inspection of the tap by the Town of Rico employees. Upon the discovery of any unauthorized connection, the then current tap fee for the unauthorized connection shall become immediately due and payable and the property shall automatically be assessed an unauthorized connection fee. The unauthorized connection fee ("Penalty Fee") is an amount equal to three times the then-current tap fee that would be due for property including both the authorized and unauthorized portion of the connection. The Town shall send written notice to the owner(s) of the property benefitted by such connection stating that an unauthorized connection has been made between the owner(s)' property and the water system. The owner(s) shall then have ten (10) days from the date of the notice to pay the Penalty fee. In the event the Penalty Fee is not paid within the ten (10) days, a notice of revocation of service shall be sent and service shall be immediately disconnected pursuant to these Rules and Regulations. Once discontinued, service may be returned to the property only upon receipt by the Town of both the Penalty Fee and any turn-on/turn-off service charges and any other charges that may be provided for the collection of unpaid fees costs and charges of the Town.

5.8 Revocation of Service. Service shall be revocable by the Town of Rico upon non-payment of any valid fees or charges owing to the Town. In the event of non-payment, the customer shall be given written notice of the revocation, which notice shall set forth the reason for the revocation and the amount due. If payment of the outstanding obligation or a request for a hearing with the accompanying deposit is not received by the Town within ten (10) days of the date of mailing of the revocation notice, the Town shall

disconnect the service and the customer shall be assessed the cost of the disconnection. Any deposit for service held by the Town, if any, shall be applied against the outstanding obligation.

5.9 Revocation of Tap Rights. The right to connect to the Town of Rico's system and receive services shall be revocable by the Town upon non-payment of any Town fees owing to the Town, whether or not related to the water system, and remaining unpaid for a period of sixty (60) days, and whether or not the customer owning the right to connect has actually connected to the Town system. Such revocations shall be conducted in accordance with Section 5.8. If the right to connect to the Town's system is revoked, then the customer may reacquire such tap rights only by reapplying for service in accordance with Section 5.3 above and after paying all fees due and owing the Town and the then-current tap fees charged by the Town under these Rules and Regulations.

5.10 Turn-ons/Turn-offs of Service. All turn-ons or turn-offs of water service through a shut-off valve on a service line that has been connected to the Town of Rico's water system shall be performed only by Rico public works personnel regardless of the ownership of the shutoff valve or service line and regardless of the circumstances respecting the turn-on or turn-off. The Town shall assess a single charge of \$75.00 for each such turn-off and turn-on performed. The Town will provide this service only for the following and be notified a minimum of one (1) working day (Monday – Friday) in advance:

5.10.1 for a tap for new construction, one time prior to the occupancy of the building served; or,

5.10.2 for customers requiring service to be turned off for maintenance or repair of a service line. All other requests for a turn-off or turn-on of Town of Rico service may be granted or denied by the Town of Rico in its sole discretion.

Article IV – Construction of Service Lines

6.1 Compliance with Rules and Regulations. The requirements of these Rules and Regulations are applicable to the construction of all service lines.

6.2 Inspection and Tapping Charges. All taps shall be made under the supervision of the Town of Rico, and prior to tapping all service lines shall be inspected by a representative of the Town. All water service lines are to be tested under normal operating pressure. The owners of service lines shall call the

Town for an open ditch inspection of all service lines prior to burying. There shall be a charge for all inspections as determined from time to time by the Rico Board of Trustees.

6.3 Separate Service Lines Required. A separate and independent service line shall be provided for every Site and shall be installed at the expense of the Site owner. Existing service lines may be used in connection with new buildings only when determined by the Town, in its sole discretion, to meet all requirements of these Rules and Regulations. Separately-owned units within a building must have individual shut offs and meters.

6.4 Construction and Connection. Only persons approved by the Town of Rico shall do construction and connection of all service lines. Service stub-ins for residential installations shall terminate with a curb stop at the property line unless the Town approves another location. Meter and yoke shall be located inside buildings with a remote reader on the outside wall designated by a Public Works Representative. The applicant for the connection permit shall notify the Town when the service line is ready for inspection and connection to the Town's main. Agents of the Owner approved by the Town shall make the connection. All contractors, plumbers, and others doing work on any main, service lines, or structures shall comply with applicable Federal, County, State, and local regulations on excavation, backfill, compaction, and restoration of surfacing.

6.5 Revocation of Authorization. The violation of any of these Rules and Regulations, or the Town of Rico's installation specifications, shall constitute sufficient grounds for revocation of the authorization to do work in the Town.

6.6 Water Service Line Construction.

6.6.1 General. All water service line construction shall be done in accordance with these specifications and all other Rules and Regulations of the Town of Rico. The scope of these specifications shall include all water service line installations from the Town's mains to the associated plumbing of the building or any other facility requiring water use.

6.6.2 Licenses and Permits Required. Contractors approved by the Town of Rico shall do all water service installations. A connection permit shall be secured from the Town a minimum of three (3) days prior to construction, at which time the contractor shall:

- i. familiarize himself with the standards and specifications,
- ii. select and obtain approval of the appropriate standard water service installation for the building or facility,
- iii. submit an appropriate set of mechanical plans and
- iv. inform the Town's staff of the intended schedule for construction.

6.6.3 Road Cuts. When a road cut is required for water service, the Owner shall rebuild the road base in accordance with applicable the Town of Rico specifications on excavation, back fill, compaction, restoration of servicing and paving.

6.6.4 Inspections. All work shall be inspected by the Town's Enforcement Official as defined under RLUC, who shall have the authority to halt construction when, in their opinion, the Town's Rules and Regulations for proper construction practices are not being adhered to. Whenever such violation occurs, the Town's Enforcement Official shall order further construction to cease until all deficiencies are corrected; the Town shall give written notice of the deficiencies within forty-eight (48) hours of stopping the work.

6.6.5 Approved for Backfilling. No pipe or service line shall be covered without a Town of Rico representative's approval. Any person making an installation without such approval shall be required, at his expense, to remove all fill, topsoil or any other covering placed over the facility to be inspected.

6.7 Installation

6.7.1 Remote Readout. All water service installation shall include a remote readout meter located above an improved maintained area. The readout shall be of the manufacturer type Neptune, compatible with Neptune Pocket ProReader RF and Neptune MIU radio transmitters or the equivalent. The readout unit shall be installed on the building at a height above the ground and snowpack approved by the Town of Rico. The Town must approve the remote distance from the meter.

6.7.2 Location and Alignment of Service. Water service lines shall be constructed in locations approved by the Town Manager. The water lines shall not be located under any paved driveway or service road without the Town's approval. All water service lines shall have a minimum cover of six (6) feet, preferably eight (8) feet and must be located a minimum of 10' from any sewer service or soil treatment area. No service lines shall be laid parallel to, or within, three (3) feet of any bearing wall, which might be thereby weakened.

6.7.3 Inspection of Meters and Remote Readouts. All meters and remote readouts shall be installed in the presence of a Town of Rico representative. The operational testing of the meter and readout shall be demonstrated at this time. Under supervision of the Town's representative, the water service line is to be pressure tested at normal operating pressure from the water main and checked for leaks.

6.7.4 Service Line and Control Valves. The water service line shall be (HDPE) PEX polyethylene or copper or approved material by an authorized Town of Rico representative. The service line shall have a control valve to which Town of Rico staff will have easy access. The curb stop shall be located on an appropriate improvements survey, a copy of which shall be forwarded to the Town Manager. All service lines and fittings shall be installed to withstand 200 psi.

6.7.4 Pressure Reducing Valves. Individual pressure reducing valves are required on all service lines shall be 400 psi. Pressure reducing valves shall be placed in a location approved by the Town of Rico in front of the homeowner's service equipment.

6.7.5 Excavation. All excavations required for the installation of water service shall be open trench work unless otherwise approved by the Town of Rico. Pipe laying and backfill shall be performed in the manner described in these Rules and Regulations. All excavations for water service installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Roads, access ways and other public or private property disturbed in the course of the work shall be restored in the manner satisfactory to the Town.

6.7.6 Tapping the Main. The Town of Rico is the sole entity authorized to supervise or make taps on to the Town's water mains. No later than 48 hours prior to tapping, the owner shall notify the Town when the service is ready for inspection and connection to the main.

6.7.7 Backfill Materials. All materials for utility trenches shall meet specified requirements for gradation and other factors defining suitability for intended use. All classes of suitable material shall be free of frozen material, stumps, roots, brush and other organic matter and debris. In addition, material shall meet requirements as detailed below.

- i. **Upper Portion of Trench.** Material placed within one (1) foot of pavement subgrade or the finished surface in unpaved areas shall be soil free from rocks and stones larger than 2½ inches in any dimension.
- ii. **Remainder of Trench.** Soil may contain a limited number of stones smaller than 6 inches in any dimension provided they are dispersed in the surrounding material in a manner to allow specified compaction.
- iii. **Public Highways and Streets.** Materials placed within the limits of paved surfacing, gravel shoulders or shoulder slopes shall be approved by the agency having jurisdiction over highway/street maintenance.
- iv. **Structural Fill and Backfill.** Materials used for structural fill under or around structures shall consist of materials described above and free of stones with any dimension greater than one-half of the specified loose layer thickness. Material shall also be capable of being compacted to a specific density.

6.7.8 Surface Restoration. Paving and improved surfaces or other street improvements removed, damaged or destroyed during construction shall be replaced to the same elevation and alignment with the same type and dimensions as units removed and shall be equal to and consistent with the undisturbed portions of the improvements existing prior to trench excavation. Debris shall be removed from the site of work at the expense of the owner.

6.7.8 Maintenance of Backfill and Surface Warranty. All backfill and surfaces shall be maintained in a satisfactory condition and all places showing signs of settlement shall be filled and maintained during construction and for a period of two (2) years following the completion of construction. When the Town of Rico notifies the applicant that any backfill is hazardous, he shall correct such hazardous condition within 48 hours.

Article VII – Main Line Extensions

7.1 Compliance with Rules and Regulations. The requirements of these Rules and Regulations are applicable to the construction of all main line extensions.

7.2 Main Line Extensions by the Town of Rico. The Town of Rico or a contractor authorized by the Town is solely authorized to construct all main lines within the Town.

7.3 Procedure for Main Line Extension by the Town of Rico. The Town of Rico may construct any main line if the Rico Board of Trustees deems it in the best interest of the Town to do so. All main line extensions, which are so authorized, shall be constructed by the Town or bid and contracted for by the Rico Board of Trustees, with the contractor installing the main lines being responsible to the Board. The Town through its engineer shall supervise all work pertaining to the completion of the subject project including periodic and final payments to the contractor, inspection, and as-constructed drawings.

7.4 Main Line Sizes. Plans for main line extension shall be reviewed by a the Town or the Town designated engineer.

7.4.1 Pipe Size and Spacing. Distribution mains shall be a minimum of 6-inch pipe where the length of the main between branches is less than 800 feet; otherwise a minimum of 8-inch pipe shall be used. All piping shall be looped whenever possible. Where approved by the public works representative, however dead ends may be provided on lengths of less than 300 feet with a permanent blow-off or fire hydrant at the dead-end. Dead-ends on any line that will be tapped for service shall be provided with a temporary blow-off or fire hydrant before being extended. Dead-ends on lines that will not be extended shall be provided with permanent blow-offs or fire hydrants. All properties to be served water shall have a main adjacent to the property. In general, water main shall have a minimum of cover between top of pipe and finished ground surface.

7.4.2 Valve Spacing. Gate valves on all mains shall be placed so that no more than 800 feet of line will be out of service at one time. Valves shall also be placed at each fire hydrant and permanent blow-off. Typically every tee at an intersection will have valves at each branch to allow for the least number of homes to be out of service at one time.

7.4.3 Fire Hydrants. Fire hydrants shall be placed no more the 300 feet apart as measured within the right-of-way, so that each hydrant is easily accessible to fire fighting equipment. In general, locate fire hydrants on street corners. The minimum allowable pipe sizes delivering water to fire hydrants shall be a 6-inch diameter line of a looped network, or an 8-inch diameter on a dead-end system. Design calculations shall be submitted to demonstrate flow and residual pressure at each fire hydrant during a maximum day demand meets Rico Fire Protection Distict requirements.

Article VIII – Rates and Charges

8.1 General. The information contained in this article applies to all rates, fees, or charges to be levied for the provision of water services. Rates, fees, and charges as herein established are in existence and effect at this time, and shall remain in effect until modified by the Rico Board of Trustees under the provisions of this Ordinance.

8.2 Application of this Article. The rates, fees, and charges, and other information shown herein shall apply only to customers inside the Town, and shall in no way obligate the Town of Rico with respect to services provided outside Rico boundaries.

8.3 Tap Fee. A tap fee shall be a charge to all customers of the Town of Rico, which shall be assessed and paid before a building permit is issued. Tap fees in the Town of Rico shall be as follows:

i. 3/4" water tap	\$ 5,000.00
ii. 1" water tap	\$ 6,000.00
iii. 1 ¼" water tap	\$ 7,000.00
iv. 1½" water tap	\$ 9,000.00
v. 2" water tap	\$10,500.00

8.3.1 Modification. Any tap fee may be modified in any way by the Rico Board of Trustees in their sole discretion.

8.4 Transfer of Tap Fees. No tap fee paid on behalf of one Site, or any portion thereof, may be transferred to any other Site unless:

8.4.1 Common Owner. The owner requesting the transfer is the common owner of the Site for which the tap fee has been paid and the Site to which the transfer of the tap fee, or portion thereof, is being requested.

8.4.2 Accounts Current. The owner requesting the transfer has no outstanding unpaid accounts with the Town of Rico and has previously maintained a good credit record with the Town.

8.4.3 No Prior Connection. The Site to which the tap fee initially applied has never been connected to the Town of Rico's water system

8.4.4 Current Fee Equivalent Due. The owner requesting the transfer shall pay to the Town of Rico the difference between the tap fee which would otherwise be charged on the date the transfer is being sought, and the tap fee previously paid, but in no event shall the Town make a credit or refund. An owner cannot transfer only a portion of the total sum previously paid as a tap fee.

8.4.5 Town of Rico's Discretion. Nothing to the contrary withstanding, approval or denial of a request for a transfer of a tap or fees shall be in the sole discretion of the Town.

8.4.6 Building Permit Required. No water taps may be purchased unless a building permit is issued contemporaneous with the tap purchase.

8.4.7 Right to Municipal Water. The right to Rico municipal water shall vest upon the issuance of the building permit associated with the tap but the tap must be paid within one year of the issuance of the building permit. Money paid for revoked tap fees shall be refunded. The Town reserves the right to deny connection to the Rico municipal water system based upon capacity issues.

8.5 Service Charge. Monthly service charges shall be as follows. Service charges shall begin at the time the connection is made to the system.

8.5.1 Three Hundred Ninety-Six U.S. dollars (\$396) per year minimum for each residential tap holder within the Town of Rico. The \$396 per year minimum residential payment may be paid

monthly at the rate of Thirty-Three dollars (\$33) per month. The minimum payment shall entitle each tap holder to the use of three thousand (3,000) gallons per calendar month.

8.5.2 Seven Hundred Fifty-Six (\$756.00) per year minimum for each commercial tap holder within the Town of Rico. The \$756.00 per year minimum commercial payment may be paid monthly at the rate of Sixty-Three Dollars (\$63.00) per month. The minimum payment shall entitle each tap holder to the use of seven thousand (7,000) gallons per calendar month.

8.5.3 Each residential tap holder shall pay in addition to the minimum monthly fee Five Dollars (\$5) per one thousand (1,000) gallons of water usage above the entitled three thousand (3,000) gallons of water usage for each calendar month.

8.5.4 Each commercial tap holder shall pay in addition to the minimum monthly fee set forth above, Six Dollars (\$6.00) per thousand (1,000) gallons of water usage above the entitled seven thousand (7,000) gallons of water usage for each calendar month.

8.5.5 Each tap holder outside the municipal limits of the Town of Rico shall pay fees for water service at the rate of two times the prevailing rates in the Town.

8.5.6 Monthly service charges shall be suspended during any month(s) in which service through a newly constructed tap to a building prior to its occupancy has been turned-off in accordance with these Rules and Regulations.

8.5.7. Monthly service charges are assessed on a pro-rata per day basis.

8.6 Meter Reading and Billing. Meters shall be read on a monthly basis and bills issued the month following the reading, except during periods of deep snow when meter reading may be impractical. During this period users will be billed a minimum monthly rate based upon that usage for the last 12 months divided by 12 and shall be adjusted when the readings are continued. Bills are payable at the office of the Town Clerk. Bills are delinquent 20 days after the bill is issued by the Town Clerk. An administrative late charge of \$50.00 to defray the cost of additional accounting and record keeping plus interest at 12% per annum on the total outstanding balance and compounded daily, will be charged on all delinquent accounts. The Town of Rico has the right to assess to any customer who is late in payment of

his account, all legal, court, foreclosure, disconnection and other costs necessary to or incidental to the collection of said account.

8.7 Discontinued Service. Water service to a tap holder may be discontinued by the Town when the water assessment for such tap holder is 60 days delinquent.

8.8 Waiver. The Board of Trustees may waive any water fee due, or portion thereof, after holding a public hearing thereon, if the Board of Trustees finds that such waiver promotes the overall intent and purpose of this Ordinance and relieves undue hardship. Reasons to allow waiver of fees include, but are not limited to, reasonable failure to detect a leak causing excessive usage and water usage to flush lines of debris and sediment.

8.9 Lien and Foreclosure. All water assessments and fees, including the minimum monthly charge, shall be a lien against the premises to which said water was delivered from the date the same becomes delinquent until paid and the property owner shall be liable for all water delivered to or taken and used upon that premises. Said lien shall be in addition to any other statutory or equitable lien to which the Town may be entitled. A lien attaching to said premises may be enforced by the Town of Rico in an action at law or in equity and the Town may foreclose such premises and sell the same to satisfy said lien. Tenants in possession shall not relieve the owner or tap holder from any obligation to pay water assessments, and the same shall be the sole responsibility of the property owner. The Town shall not be required to look to any person or entity other than the property owner for the payment of these charges. In the event that legal action must be brought for the enforcement of this Ordinance, the foreclosure of any lien or action, the Town shall be entitled to reasonable attorney's fees and costs of collection and litigation. In its sole discretion, the Town may certify the amount of any water monies owed, penalties and interest owed to the County Treasurer as a delinquent charge to be collected as property taxes against such property.

Article IX – Check Valves, Backflow Preventers and Backflow Prevention

9.1 Check Valve, Backflow Preventer and Backflow Prevention. "Check Valve" shall mean a self-closing device, which is designed to permit the flow of fluids in one direction and to close if there is a reversal of flow.

9.1.2 Backflow Preventer. The Town of Rico requires an approved, testable, Reduced Pressure Backflow Assembly (RPBA) be installed on all new construction and remodels. This requirement may be reduced to an approved, testable, Double Check Valve Assembly (DCVA) at the discretion of a Town representative. All main irrigation lines and pressurized fire suppression systems shall follow UPC code.

9.1.3 Approved Air Gap. Approved Air Gap shall mean a physical separation between the free-flowing end of a potable water supply pipeline and the overflow rim of an open or non-pressurized receiving vessel. To be an air gap approved by the department, the separation must be at least:

- i Twice the diameter of the supply piping measured vertically from the overflow rim of the receiving vessel, and in no case be less than one inch, when unaffected by vertical surfaces (sidewalls); and:
- ii Three times the diameter of the supply piping, if the horizontal distance between the supply pipe and a vertical surface (sidewall) is less than or equal to three times the diameter of the supply pipe, or if the horizontal distance between the supply pipe and intersecting vertical surfaces (sidewalls) is less than or equal to four times the diameter of the supply pipe and in no case less than one and one-half inches.

9.1.4 Installation. All backflow preventers shall be installed as per the manufactures recommendations and in a manner to prevent freezing. RPBAs shall be fitted with a leak shroud and drained to an approved air gap

9.1.5 Testing. All testable backflow preventers shall be tested upon installation, after maintenance or moving of the preventer, and yearly by a certified Backflow Assembly Tester. A copy of these tests shall be submitted to the Town of Rico. The requirement for yearly testing may be waived at the sole discretion of a Town water system representative.

9.1.6 Unapproved Auxiliary Water Supply. At no time shall an unapproved water supply be piped directly into the Town of Rico water system or into a homeowner's home.

Article X - Limitation on Use

10.1 Limitation. The Rico Board of Trustees, in its sole discretion, may require an Owner or Owners to limit the number of gallons of water usage. The limitation on usage shall extend for such period of time as determined by the Rico Board of Trustees. The affected Owner or Owners shall be notified either in person, by telephone or in writing at the address shown in the existing records of the Rico Board of Trustees. Failure to comply with any usage limitation shall result in a fine determined by the Board of Trustees in its sole discretion; the fine shall not exceed the equivalent of \$250.00 per day or 10 cents per gallon, whichever is greater.

Article XI – Hearing and Appeal Procedures

11.1 Application. The hearing and appeal procedures established by this section shall apply to all complaints concerning the interpretation, application or enforcement of the Rules and Regulations of the Town of Rico, as they now exist or may hereafter be amended. The hearing and appeal procedures established by this section shall not apply to the following complaints:

11.1.1 Town of Rico Contracts. Complaints, which arise out of the interpretation of the terms of the Town of Rico contracts.

11.1.2 Personnel Matters. Complaints, which arise with regard to personnel matters, which complaints shall be governed exclusively by the Town of Rico's personnel rules as the same may be amended from time to time.

11.1.3 Other. Any other complaint, which does not concern the interpretation, application or enforcement of these Rules and Regulations of the Town of Rico.

11.2 Initial Complaint-Informal Resolution. Complaints concerning the interpretation, application or enforcement of these Rules and Regulations must be presented in writing to the Town Manager, or such representative as he or she may designate. Upon receipt of a complaint, the Town Manager or their representative, after a full and complete review of the allegation contained in the complaint, shall take such action and/or make such determination as may be warranted and shall notify the complainant of the action or determination by mail within thirty (30) days after receipt of the complaint.

11.3 Formal Hearing. In the event the decision of the Rico Town Manager concerning the complaint is deemed unsatisfactory to the complainant, a written request for Formal Hearing may be submitted to the Rico Board of Trustees within fifteen (15) days from the date written notice of the decision mailed. Upon receipt of the request, if it is timely and if any and all other prerequisites prescribed by these Rules and Regulations have been met, the Board of Trustees shall conduct a Hearing at the Board's convenience but in any event not later than sixty (60) days after the submission of the request for Formal Hearing. The Formal Hearing shall be conducted in accordance with and subject to all pertinent provisions of these Rules and Regulations.

11.4 Alter/Amend/Defer or Cancel Interpretation. The Town of Rico Board of Trustees shall determine whether clear and convincing grounds exist to alter, amend, defer or cancel the interpretation, application and/or enforcement of the Rules and regulations that are the subject of the appeal. The decision shall be based upon evidence presented at the hearing. The burden of showing that the required grounds exist to alter, amend, defer or cancel the action shall be upon the complainant.

11.5 Findings. The Rico Board of Trustees shall make written findings and an order disposing of the matter and shall mail a copy thereof to the complainant not later than forty-five (45) days after the date of the Formal Hearing. The decision of the Board shall be final and not subject to appeal.

11.6 No Hearing Required. If the Town of Rico determines that a user is in violation of any of the provisions of these regulations then it may act in any way consistent with these regulations and no hearing shall be required to proceed or authorize such action.

Article XII – Unlawful Acts and Penalties

12.1 Unlawful Acts. It shall be unlawful for any person to tamper with any meter, or to install or use any bypass or other device whereby Rico municipal water may be drawn from the service pipe without being registered by the meter. It shall also be unlawful for anyone other than a Town employee to remove or open any meter vault lid, to lock or seal any meter shutoff or meter vault lid. It shall be unlawful to service more than one dwelling, premises or building with one meter unless permitted by the Board of Trustees.

12.1.2 Tampering. It shall be unlawful for any person to tamper with, climb upon or commit any form of trespass upon any structure or facility of the Town water works, including the diversion tunnel, chlorinating structure and water tanks, or commit any act that could disrupt or contaminate the municipal water supply.

12.1.3 Motor Vehicle Damage. It shall be unlawful for any person to drive motor vehicles upon any section of water line right-of-way from the intake to the supply tank, when the same is posted against such use.

12.1.4 Contamination of System. It shall be unlawful for any person to place, dump, throw, discharge or deposit any material which will in any manner pollute or contaminate the waters of Silver Creek above the intake of the Town of Rico water system, or to allow any polluting or contaminating substance to remain in such a position that such substance may be carried by natural causes into Silver Creek, or fail to comply with any regulations placed in effect by the United States Forest Service for the protection of the municipal watershed.

12.1.5 Transfer of Water Tap. It shall be unlawful for any person, partnership, corporation or other entity to sell, offer for sale, grant option to sell or to lease, rent, encumber or in any manner, dispose of or transfer a water tap separate and apart from the real estate and appurtenant buildings which the tap services.

12.1.6 Water Tap Purchase. Failure to have the water tap connected within one year of the issuance of the building permit associated with the water tap shall result in a forfeiture of any and all amounts paid pursuant this Ordinance.

12.1.7 Other Violations. Notwithstanding the above, any violation of this Code is unlawful and subject to penalties.

12.1.8 Entities. It shall be unlawful for any person, partnership, corporation, limited liability company, or entity to violate any provision of this Ordinance.

12.1.9 Penalties. The violation of any provision of this Ordinance, except non-payment of water fees according to Article VIII, is declared to be a misdemeanor and shall be punished by a fine not to exceed \$1,000 per day for each occurrence. Unless otherwise indicated, each day or portion thereof in

violation of this Ordinance shall constitute a separate offense. Any penalties assessed for violation of this Code is in addition to the turn-on/turn-off fee, or any other fees required under this Code.

12.1.8 Discretion. The Town may, in its discretion, also proceed against any violation or violations of this Ordinance by any person, partnership, corporation, limited liability company, or entity, in a civil action for abatement, injunction, remedies, and these remedies shall be in addition to the criminal penalties provided in this section, damages, specific performance or by a lien, foreclosure, or through other equitable remedies, and these remedies shall be in addition to the criminal penalties provided in this section.

TOWN OF RICO PERSONNEL HANDBOOK



ADOPTED APRIL 20TH, 2005
AMENDED NOVEMBER 20TH, 2019

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TOWN OF RICO PERSONNEL HANDBOOK

I. DEFINITIONS.

A. The following definitions apply whenever these words and phrases are used in this Handbook, unless the context clearly indicates otherwise:

1. Town ~~Board Manager~~ means the ~~BoardManager of Trustees~~Board of Trustees of the Town of Rico, or the Trustee's designee.
2. Town means the Town of Rico, a home rule Colorado municipal corporation.
3. Home rule charter means the home rule charter of the Town of Rico.
4. ADA or Americans with Disabilities Act means the Americans with Disabilities Act, 42 U.S.C. 12101 et seq., as from time to time amended.
5. FLSA or Fair Labor Standards Act means the Fair Labor Standards Act, 29 U.S.C. 201 et seq., as from time to time amended.
6. Full-time regular employee means an employee hired to work at least 342 hour work weeks on a regular basis.
7. Part-time regular employee means an employee hired to work fewer than 342 hours per week on a regular basis.
8. Temporary or seasonal employee means an employee engages in work full-time or part-time with the understanding that the employment will be terminated at the completion of a specific project or at a specified time.

II. GENERAL PROVISIONS.

A. Introduction.

1. The purpose of this Handbook is to inform employees of the Town's personnel policies of general applicability. The Handbook is not all-inclusive, but addresses those topics most likely to be of interest to employees in the course of day-to-day operations.
- ~~1.2.~~ The Town BoardManager retains the right to enter into employment ~~contracts~~ arrangements with employees, which may specify terms of employment that differ from the policies in this Personnel Handbook.
- ~~2.3.~~ The policies in this Handbook are not intended to supersede the Town's home rule charter, ordinances, or other applicable laws; in case of any conflict between these policies and such charter, ordinances, or laws, the latter shall prevail.
- ~~3.4.~~ The policies in this Handbook are not intended and shall not be construed to vest any employee of the Town with any rights arising from any express or implied contract of employment. The Town reserves the right to change or rescind these policies, and to determine the application of these policies to specific circumstances. The Town further reserves the right to alter or eliminate any benefits provided to its employees. Any alteration, elimination, or revision may be made applicable to then-current as well as future employees.
5. The provisions of this Handbook apply to all employees of the Town except as otherwise specified.

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TOWN OF RICO PERSONNEL HANDBOOK

~~4.6.~~ The Rico Town Marshall shall operate under this Handbook and the any provisions of the Telluride Marshall's Department Policies and Procedures. Rico Town Marshall Policies and Procedures, approved and adopted by the Town. To the extent any Rico Town Marshall Policies and Procedures should conflict with this Handbook, the Rico Town Marshal Policies and Procedures shall controls.

~~5.7.~~ Certain provisions of this Handbook state that disciplinary action may result from specified conduct. The inclusion of these provisions does not and is not intended to limit, in any way, the imposition of disciplinary action for other types of conduct or for other reasons.

~~8.~~ Any matter not specifically covered by this Handbook may be administered by the Town in a manner not inconsistent with this Handbook.

~~6.9.~~ Headings used in this Handbook are for convenience only and shall not be considered in interpreting any of the provisions hereof.

B. Employment at Will-

1. Employment with the Town is "at will." Any employee may be terminated with or without cause, a statement of reasons, or a hearing, just as any employee may resign at any time, for any reason. Nothing in these policies is intended to modify the Town's at-will employment policy.

C. Applicability of Handbook-

1. This Handbook applies to all categories of employees, except where the language specifically limits application to a certain category or categories only.

III. ORGANIZATION OF PERSONNEL ADMINISTRATION-

A. Rights and Duties of the Town-

1. Except as otherwise provided in Town's home rule charter, ordinances, or other applicable laws, the Town Manager shall have and retain all rights to administer matters pertaining to employees of the Town including, but not limited to, the right to:
 - a. Hire, promote, demote, discipline, discharge, classify, reclassify, transfer, retire, assign, lay off, and recall employees;
 - b. Evaluate each employee's skill, ability, efficiency, and general performance;
 - c. Determine the starting and quitting times, and the number of hours to be worked;
 - d. Revise, eliminate, combine or establish jobs and classifications;
 - e. Establish, abolish, reduce, or expand the operation of any facility, department or division, and reduce, increase, alter, combine, transfer or cease any department's operation, equipment or service;
 - f. Privatize or contract for services;
 - g. Introduce new, improved, or modified services, methods, techniques and equipment, and otherwise generally manage the operation of and direct the work force;

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TOWN OF RICO PERSONNEL HANDBOOK

- h. Establish selection procedures for employment with the Town, ~~with Town approval~~;
- i. Prepare and revise from time to time a position classification plan and allocate or reallocate each position to its proper place within said classification plan;
- j. Prepare annually a pay plan establishing the compensation and benefits for each position of employment;
- k. Conduct wage studies from time to time and recommend changes in the pay plan as may be appropriate; and,
- l. Establish and maintain the official personnel file for each employee, and such additional records, forms and procedures as may be necessary or appropriate to facilitate personnel administration.

IV. EQUAL EMPLOYMENT OPPORTUNITY-

A. Introduction-

1. It is the policy of the Town to ensure equal employment opportunity:
 - a. Regardless of a person's race, religion, color, creed, national origin, sex, marital status, or age; and
 - b. To persons with disabilities who are otherwise qualified to perform the essential functions of a position of Town employment with or without reasonable accommodation.
2. The goals and objectives of the Town's equal employment opportunity policy are to:
 - a. Ensure fair treatment and non-discrimination in hiring, employment, and promotion; ~~and~~
 - b. Comply with applicable laws and regulations on equal employment opportunity; ~~and-~~
 - c. With regard to otherwise qualified persons with disabilities, provide reasonable accommodations as provided in the Americans with Disabilities Act, including:
 - (1) Modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position that the applicant desires;
 - (2) Modifications or adjustments to the work environment, or to the manner or circumstances under which the position in question is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position; and
 - (3) Modifications or adjustments that enable an employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by other similarly situated employees without disabilities.

(3)

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B. Equal Employment Opportunity Officer-

1. The Town ~~Board~~ ~~(manager?)~~ Manager shall serve as the equal employment opportunity officer to carry out the Town's equal employment opportunity policy. The officer shall have primary responsibility for the Town's equal opportunity efforts, and shall advise and assist Town personnel in matters regarding implementation of and compliance with this policy. The officer shall examine existing internal policies or procedures, which may serve as barriers to implementing this policy, and recommend changes in the same.
2. The equal employment opportunity officer shall be responsible for the following actions to assure equal employment opportunities in the Town:
 - a. Periodically review job descriptions to ensure that requirements are relevant to the tasks to be performed, and recommend changes needed to conform such requirements to the tasks to be performed;
 - b. Review pay and benefits to assure that they are relevant to the responsibilities of each job, and are administered on a non-discriminatory basis;
 - c. Assist Town personnel who are involved in employment decisions so that such decisions are made without discrimination, and that applicants are given equal opportunity regardless of race, creed, color, national origin, sex, marital status, or age, and that otherwise qualified applicants with disabilities are provided reasonable accommodations as provided in the Americans with Disabilities Act; and
 - d. Enlarge the pool of qualified candidates for employment to encourage diversity and ensure equal employment opportunity in hiring; including:
 - (1) Keeping vacancies in each position open for an appropriate time period;
 - (2) Advertising vacancies in available media, including but not limited to publication in at least one newspaper if general circulation in the Town; and
 - (3) Providing orientation for employees on the Town's equal employment opportunity policy.

V. SELECTION PROCEDURES

A. Town – Responsibilities-

1. The Town ~~Board~~ Manager -shall be responsible for the administration of employee selection matters in accordance with this Handbook, including but not limited to the following responsibilities:
 - a. To approve the hiring, promotion, demotion, or transfer of each employee;
 - b. To prepare or cause to be prepared job descriptions for each position of employment, and review and amend such descriptions from time to time;
 - c. To include, in the proposed annual budget of the Town, provisions for the compensation of all employees, including benefits and overtime compensation; and

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- d. To propose, for inclusion in the Town pay plan, each position of employment, the number of employees authorized for each position, and the compensation and benefits applicable to each position.

2. The Town ~~Board~~ Manager shall ensure that no person is hired or promoted into any position of employment unless the position and the compensation therefore have been provided for in the Town pay plan.

B. Vacancies; Announcements-

1. A vacancy shall exist whenever the number of positions established in the pay plan exceeds the number of employees in such positions unless the Town Manager determines that the vacancy shall remain open. Otherwise, the vacancy shall be filled as soon as practicable.
2. If the Town Manager determines that the vacancy shall be filled, the Town Manager shall cause the vacancy to be announced by posting and publication in accordance with policies for public meeting and public hearing notices, and by such additional methods of dissemination as deemed appropriate by the Town. All vacancy announcements shall include a statement that the Town is an equal opportunity employer.

C. Applications-

1. The Town ~~Board~~Manager shall determine the procedures, forms and criteria for all vacancies to be filled.

G. Nepotism-

1. The Town of Rico is a very small community and hiring of relatives of employees is sometimes the best available option for the Town; however, a relative of an employee shall only be hired as an employee or retained as an independent contractor if approved by the Rico Town Board~~General Assembly~~ and only after posting and publishing notice of the employment or contract position for a minimum of 15 days prior to date of taking hiring action.

VI. EMPLOYEE ORIENTATION AND TRAINING-

A. Employee Orientation-

1. The Town Manager shall provide orientation to all new employees. Such orientation shall include information concerning the Town pay plan, personnel policies, employee benefits, promotional opportunities, safety and training programs, and other Town policies or programs having a bearing on employment.
2. It shall be the responsibility of each supervisor to orient or assure that orientation is provided to all new employees in regard to policies, goals, objectives, and ~~job~~ related~~job-related~~ policies and programs, and any other matter having a bearing on such person's employment, which are within the supervisor's areas of responsibility.

B. Training-

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1. The Town Manager shall provide such training programs for Town employees as will promote efficiency, economy, and safety in the operation of the Town and to assist employees in improving abilities, and as can be accommodated by the Town budget.
2. Town-sponsored training, which is required for the performance of an employee's job duties, shall be conducted, to the extent possible, during regularly scheduled work hours. Overtime compensation for training which is required by the Town and which falls outside the employee's regularly scheduled work ~~hours~~ will be paid to the extent required by the FLSA.

VII. PERFORMANCE EVALUATION:

A. General-

1. Evaluating employee performance is an integral part of the Town BoardManager's responsibilities. ~~(manager or committee?)~~ The Town BoardManager must be aware of the strengths, weaknesses, and accomplishments of those employed by the Town. The evaluation process provides an opportunity for the employee and the Town BoardManager to discuss the employee's progress in the job. Suggestions and constructive criticism can be made which can help the employee to improve performance. The evaluation is intended to measure performance of all employees whether or not eligible for a pay increase. Employees who are not eligible for a pay increase should be evaluated on the same criteria as employees who are eligible for a pay increase.

B. Timing-

1. Performance evaluations shall be conducted annually ~~by the end of October~~.

C. Process-

1. The Town BoardManager shall determine the process and evaluation forms for each employee.

VIII. SAFETY; EMPLOYMENT-RELATED ACCIDENT, INJURY, OR ILLNESS:

A. General Safety Rules-

1. The following lists only some of the key safety rules; the list is not intended to be exhaustive or all-inclusive. Each department may prepare separate safety rules applicable to the specific nature of work in their area but not in conflict with these rules.
 - a. Proper training and extreme caution are required by all employees operating any type of power equipment.
 - b. Employees will use personal protective equipment appropriate to the job, such as safety glasses, gloves, safety shoes, and hard hats, if required or appropriate to the work performed.
 - c. Employees will avoid wearing loose clothing and jewelry while working on or near equipment and machines.
 - d. All accidents, regardless of severity, personal or vehicular, are to be reported immediately to the employee's supervisor.

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- e. Defective equipment must be reported immediately to the supervisor.
 - f. Supervisors will conduct a safety inspection at least annually of significant operations and properties.
 - g. Employees will not operate equipment or use tools for which appropriate training has not been received.
 - h. Material Safety Data Sheets (MSDS) will be made available to employees handling materials to which such MSDS pertain.
 - i. Proper trenching and excavation procedures will be followed by employees involved in such operations.
 - j. Proper confined space entry procedures will be followed by employees involved in such operations.
 - k. Work zone protection will be utilized when work is performed on a public way.
2. Employees are encouraged to think about how to make their workplace safer for both themselves and their coworkers. Suggestions on improving safety at the Town are welcomed and should be directed to the employee's supervisor.
3. Employees will be evaluated on their safety performance as part of their overall performance evaluation.
4. Safety rules for specific situations are included in the Town of Rico Personnel Handbook Safety Supplement (Safety Supplement). To the extent the Safety Supplement conflicts this this Handbook, the Safety Supplement shall control.
- 3-5. Rules and policies specific to the Town Marshall are included as an addendum to this handbook.

B. Safety Committee.

- ~~0. The Town shall create a standing Safety Committee which shall meet as needed. Members shall include the head of each Town department and such other employees as determined necessary or appropriate by the Town. The Committee shall be chaired by a member chosen by vote of the Committee. The chair shall be elected each year during the first meeting of the calendar year. The chair's term shall expire on the last day of the same year.~~
- ~~0. The Safety Committee shall be responsible for recommending safety rules for employees, training Town employees with regard to safety incidents and accidents, and coordinating safety issues with the applicable Town insurer.~~
- ~~0. The Safety Committee may establish safety rules, subject to approval by the Town. Employees must comply with these rules. It is the responsibility of each employee to read and understand all Town safety rules. Disobeying a safety rule may result in disciplinary action up to and including discharge and, as provided in C.R.S. § 8-42-112 (1), may also result in the reduction of any workers' compensation benefits that would otherwise be available to an employee who suffers a work related injury as a result of the disobedience.~~

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F.B. Employment-Related Accidents, Injuries, and Illnesses-

1. Any employment-related accident involving any injury or property damage whatsoever must be reported to the immediate supervisor by each employee involved in or witnessing the accident. Such report shall be made immediately. Failure to report any accident involving injury or property damage may result in disciplinary action up to and including discharge.
2. The Colorado Workers' Compensation Act covers employees for employment-related injury or illness. Under the Act, an employee may receive certain benefits pertaining to an employment-related injury or illness.
3. Under the Act, a work-related injury or illness must be reported within four (4) working days.
4. To the extent practicable, the employee will be reinstated to the employee's position upon return from leave for an employment-related injury or illness. Where the operations of the Town permit, modified duty may also be available to facilitate a return to work by an employee.
5. The [TownCity](#) will comply with the Americans with Disabilities Act (ADA) with regard to reasonable accommodations for an employee whose employment-related injury or illness results in a disability to which the ADA applies.

G.C. Coordination of Workers' Compensation Benefits and Injury Leave-

1. As provided in Chapter XI, Section D, the Town will continue to pay the employee's applicable salary and benefits during the first ninety (90) days of the employee's temporary disability resulting from an injury arising out of and in the course of the employee's employment.
2. Accordingly, any worker's compensation benefits payable to the employee, during the first 90 days of any injury leave period during which the employee is eligible for temporary disability benefits under the workers' compensation laws, shall be paid directly to the Town in the manner provided in §8-42-124 C.R.S. The Town [Manager](#) shall request such direct payment from the State Division of Labor and the applicable Town insurer. The Town [Manager](#) shall notify the employee of such a request at the same time the Town [Manager](#) makes the request to the State Division of Labor and the applicable Town insurer.

IX. SEXUAL HARASSMENT

A. Introduction-

1. It is the policy of the Town that all employees are entitled to work in an environment free of sexual harassment. Sexual harassment will not be tolerated. A prompt investigation of all claims and complaints of sexual harassment will be undertaken, and effective and appropriate corrective action will be taken when determined to be warranted based on the investigation.

B. Sexual Harassment Described-

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1. Unwelcome sexually-related conduct, including sexual advances, requests for sexual favors, or other physical, verbal, or written conduct of a sexual nature constitutes sexual harassment when:
 - a. Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - b. Submission to or rejection of the conduct by an individual is used as the basis for employment decisions affecting that individual; or
 - c. The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile or offensive work environment.
2. Examples of conduct which may constitute sexual harassment include, but are not limited to: pinching; grabbing; fondling; propositioning; making either explicit or implied job threats or promises in return for submission to sexual favors; making sexually-oriented stories or jokes; and display or circulation of sexually-oriented pictures or photographs.

C. ~~Procedures-~~

1. Any employee who believes that he or she is being subjected to sexual harassment should inform the person responsible for the conduct that such conduct is unwelcome and plainly request that it stop immediately.
2. The employee shall inform the Town of the sexual harassment by notifying his/her immediate supervisor, department head, ~~or the Town Manager, or the Mayor,~~ as the employee chooses. The notification may be in the form chosen by the employee; the employee is urged to put the notification in writing.
3. No employee shall be subjected to reprisal or retaliation for making such a notification. The employee should report immediately any incidents of reprisal, retaliation, or harassment which occur as a result of making such a notification.
4. Upon notification, an investigation will be undertaken promptly. Disciplinary and/or corrective action will be taken when determined ~~to~~ be warranted pursuant to the investigation. The complaining employee will be notified of the results of the investigation.
5. To the extent possible, complaints and investigations will be handled in a confidential manner.
6. If it is determined that any employee's conduct constitutes sexual harassment, the employee shall be subject to corrective and/or disciplinary action. That action may include verbal or written reprimand, suspension, or discharge as justified based on the findings of the investigation.

X. OTHER PROHIBITED HARASSEMENT

A. Introduction

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TOWN OF RICO PERSONNEL HANDBOOK

1. It is the policy of the Town of Rico Colorado that all employees are entitled to work in an environment free of prohibited harassment as defined in Subsection B below. Prohibited harassment will not be tolerated. A prompt investigation of all claims and complaints of prohibited harassment will be undertaken, and effective and appropriate corrective action will be taken when determined to be warranted based on the investigation.

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B. Definitions

1. The following definitions shall be governed by applicable law, which may change from time to time.

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a. "Age harassment" means harassment because an individual is 40 years of age or older.

b. "Disability harassment" means harassment because of an individual's physical or mental impairment that substantially limits one or more of the individual's major life activities, because the individual has a record of such an impairment, or because the individual is regarded as having such an impairment. "Disability" does not include current illegal use of drugs, or impairment on the job by alcohol.

c. "Gender harassment" means harassment because of an individual's male or female gender.

d. "Marital or family status harassment" means harassment because an individual is a parent or non-parent, married, single, divorced, separated, or widowed.

e. "National origin harassment" means harassment because of an individual's ancestor's place of origin; or because an individual has the physical, cultural, or linguistic characteristics (such as language, accent, or manner of speaking) of a national origin group. Examples of "national origin groups" include but is not limited to Hispanic (i.e., persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin), Pacific Islander, Asian, Eastern, Middle Eastern, and Southern European origin.

f. "Prohibited harassment" means unwelcome conduct, including physical, verbal, or written conduct, that constitutes

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~~race/color harassment, national origin harassment, gender.~~ 1. The following definitions shall be governed by applicable law, which may change from time to time.

a. "Age harassment" means harassment because an individual is 40 years of age or older.

b. "Disability harassment" means harassment because of an individual's physical or mental impairment that substantially limits one or more of the individual's major life activities, because the individual has a record of such an impairment, or because the individual is regarded as having such an impairment. "Disability" does not include current illegal use of drugs, or impairment on the job by alcohol.

c. "Gender harassment" means harassment because of an individual's male or female gender.

d. "Marital or family status harassment" means harassment because an individual is a parent or non-parent, married, single, divorced, separated, or widowed.

e. "National origin harassment" means harassment because of an individual's ancestor's place of origin; or because an individual has the physical, cultural, or linguistic characteristics (such as language, accent, or manner of speaking) of a national origin group. Examples of "national origin groups" include but is not limited to Hispanic (i.e., persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin), Pacific Islander, Asian, Eastern, Middle Eastern, and Southern European origin.

f. "Prohibited harassment" means unwelcome conduct, including physical, verbal, or written conduct, that constitutes race/color harassment, national origin harassment, gender.

C. Procedures

1. ~~1.~~ Any employee who believes that he or she is being subjected to prohibited harassment should inform the person responsible for the conduct that such conduct is unwelcome and plainly request that it stop immediately.

~~2.~~ The employee shall inform the Town of Rico of prohibited harassment by notifying his/her immediate supervisor, department head, the Town Manager, as :

~~the employee chooses.~~ The notification may be in the form chosen by the employee; ~~t~~ the employee is encouraged to put the notification in writing.

3. No employee shall be subjected to reprisal or retaliation for making a notification of prohibited harassment. The employee should report immediately

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any incidents of reprisal, retaliation, or harassment which occurs as a result of making such a notification.

4. Upon notification under Paragraph 2 or 3 above, an investigation will be undertaken promptly. Disciplinary and/or corrective action will be taken by the appropriate supervisor when determined to be warranted pursuant to the investigation. The complaining employee will be notified of the results of the investigation.

5. To the extent possible, complaints and investigations will be handled in a confidential manner.

6. If it is determined that any employee's conduct constitutes prohibited harassment, the employee shall be subject to corrective and/or disciplinary action by the appropriate supervisor. That action may include verbal or written reprimand, suspension, or discharge as determined appropriate based on the findings of the investigation.

7. No employee shall make a false report of prohibited harassment.

XI. HOLIDAYS/VACATION/LEAVE TIME

A. Holidays

1. This policy applies to full time employees only.
2. The following days are declared paid holidays:

The first day of January (New Year's Day)
The third Monday of January (Martin Luther King's Birthday)
The third Monday of February (President's Day)
The last Monday of May (Memorial Day)
The fourth day of July (Independence Day)
~~The first Monday of August (Colorado Day)~~
The first Monday of September (Labor Day)
The second Monday in October (Columbus Day)

The eleventh day of November (Veterans Day)
The fourth Thursday and Friday of November (Thanksgiving Day)
The twenty-fifth day of December (Christmas Day)

3. Other than the fourth of July, when the holiday listed above falls on a Sunday, the following Monday shall be considered a holiday, and when the holiday listed above is on a Saturday, the preceding Friday shall be considered a holiday.
4. A holiday falling within an employee's pre-approved scheduled vacation will not be charged against the employee's accrued vacation time.

B. Personal Leave

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1. This policy applies to full time employees only.
2. An employee shall accrue paid personal leave time at the rate of 7.3 hours per semi-monthly pay period. No additional paid personal leave time is accrued while an employee is engaged in overtime work.
3. An employee who terminates employment with accrued but unused vacation shall be paid at the employee's then-current regular rate for such accrued vacation time.
4. An employee may accrue and carry over to the next year ~~personal~~ time up to a maximum of 320 hours. Accrual and carry over of more personal time requires the Town Board Manager's approval.
5. Any personal time in excess of the amount permitted by Paragraph 4 above, not approved by the Town Board Manager, and not used by the last full pay period of the calendar year shall be forfeited.
6. Upon separation from employment, the employee shall be paid at the employee's regular rate of pay for accrued personal time.

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C. Injury Leave:-

1. This policy applies to full-time employees.
2. The employee shall receive full salary and benefits, for a period of ninety (90) calendar days, for an injury to the employee arising out of and in the course of employment for which the employee is eligible for temporary disability benefits under the workers' compensation laws.
3. The employee shall provide the Town Manager with such medical reports as the Town requires, and such reports as required by the Town's workers' compensation insurer, throughout the period of injury leave.
4. After the 90th day of the employee's injury leave, any additional period of leave for a work-related injury shall be charged as follows, in the following order:
 - a. Accumulated personal time; and
 - b. Leave without pay
5. The following benefits shall continue, to the extent applicable, during the first 90 days of an employment-related injury or illness which necessitates leave from work:
 - a. Personal time; and
 - b. payment of the premium for group benefits.

~~5. Upon separation from employment, the employee shall be paid as follows for accrued sick leave: --?~~

F.E. Family and Medical Leave Act of 1993:

1. ~~In 1993, Congress enacted the Family and Medical Leave Act (FMLA). While the FMLA applies to public employers, the public employer must who employ at least 50 employees. Accordingly, leave under in order for the employee to be eligible for FMLA leave. Since the Town does not currently employ at least 50 employees, no Town employee is eligible for FMLA leave. FMLA is not allowed applicable to employees of the Town of Rico.~~

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G-F. Military Leave:

1. Any employee who is a member of the national guard, or any other component of the military forces of the state organized or constituted under state or federal law, or who is a member of the reserve forces of the United States, organized or constituted under federal law, is entitled to leave of absence without loss of pay or applicable benefits during the time the employee is engaged with such organization or component in training or active service ordered or authorized by proper authority pursuant to law. Such leave without loss of pay or applicable benefits shall not exceed 15 days in any calendar year, shall be allowed if the required military service is satisfactorily performed, and shall be subject to any applicable conditions prescribed in C.R.S. §28-3-601 to -607.
2. The employee shall be entitled to payment from the Town in such amount as to make up the difference between payment received from such organization or component for the period and the regular rate of pay ordinarily received from the Town.
3. Military leave shall be in addition to and shall not be concurrent with authorized vacation leave.
4. Any employee who is required to continue in military service beyond the 15-day period shall be granted military leave without pay. During the period of military leave without pay, the employee shall continue to accrue applicable benefits, except sick leave and vacation leave. While on military leave without pay, the employee will be required to pay the full cost of any insurance benefits provided by the Town, if he/she wishes to continue the insurance benefits.

H-G. Bereavement Leave:

1. An employee who suffers a death in his/her immediate family shall be granted funeral leave. The survivor may, in his or her discretion, grant up to five (5) days with pay based upon distance to be traveled and mode of transportation.
 - a. For purposes of this policy, an employee's "immediate family" includes his or her spouse, children, parents, grandparents, grandchildren or siblings, and the parents, siblings, or children of the employee's spouse.
 - b. Bereavement leave shall not be granted for settlement of estates, nor for any other matter except required time to travel to, attend, and return from the funeral. Leave taken in excess of that required to attend the funeral shall be charged as vacation leave, or leave without pay, as appropriate.

H. Administrative Leave:

1. Employees may be placed on administrative leave, with or without pay at the discretion of the Town Manager, when possible disciplinary action is under consideration, or under such other circumstances as may be deemed necessary by the Town Manager. Employees placed on administrative leave will be advised of the reason for the leave and, if possible, the probable duration of the leave
 - a. Employees placed on administrative leave will be advised of the reason for the leave and, if possible, the probable duration of the leave.

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I. Jury Duty/Court Time-

1. This policy applies to full time employees
2. An employee who is summoned for jury duty or subpoenaed in connection with his/her employment during a regularly scheduled work time will be compensated for the scheduled hours.
3. A copy of the subpoena or order requiring such duty must be submitted with a leave request in order for such compensation to be paid. As a condition of the receipt of such pay, any stipend paid to the employee for jury service or as a witness fee must be paid to the City or an equivalent amount deducted from the employee's pay.

J. Voting-

1. Any employee whose work schedule effectively prevents voting before or after work hours shall be permitted paid leave not exceeding two hours for the purpose of voting. No such paid leave shall apply to any employee whose work schedule is such that there are three or more hours between the time of opening and the time of closing of the polling site during which the employee is not required to be on the job.

XII. DRUGS AND ALCOHOL-

A. Drug-Free Workplace Act of 1988-

1. The following policy is adopted pursuant to the Drug-Free Workplace Act of 1988, 41 U.S.C. §702.
 - a. The Town is a drug-free workplace as required by the Drug-Free Workplace Act. It is both the Town's and each employee's responsibility to maintain such an environment.
 - b. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace. An employee's violation of this prohibition, or any other drug abuse violation, may result in disciplinary action up to and including discharge.
 - c. The Town [Manager](#) will provide such educational information to employees on the dangers of drug abuse in the work place as the Town and each supervisor determine appropriate.
 - d. While the Town does not have a formal employee assistance program, the use of other available resources, including any applicable health insurance coverage, is encouraged for any employee desiring drug counseling or rehabilitation.
 - e. As required by the Drug-Free Workplace Act, each employee engaged in the performance of any federal grant, as a condition of employment, must:
 - f. Abide by the terms of this policy; and
 - g. Notify the Town [Manager](#) in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction. Upon notification of any such conviction, the Town [Manager](#) will take action in compliance with the Drug-Free Workplace Act and Regulations.

XIII. EMPLOYEE CONDUCT-

A. General Rules of Conduct-

1. The Town expects all of its employees to act in the best interests of the Town and the members of the public served by the Town. It is the responsibility of all employees to observe all rules, policies, operating procedures, and directives of the Town.
2. The Town further expects that each of its employees will behave with courtesy and respect toward other employees and members of the public. Specific rules of conduct adopted by the Town or described in these policies are not meant to be all inclusive, but rather address some common and serious potential problems.

B. Workplace Violence-

1. The Town has a ~~zero-tolerance~~zero-tolerance policy with regard to workplace violence. Employees are entitled to a work environment free of harassment, intimidation, stalking, threats of violence, and violence.
2. Any employees who experience any of the foregoing, whether from a member of the public, a co-worker, a supervisor, or other person, should report the same promptly to a supervisor, department head, Town Manager, or Mayor, as the employee chooses. The notification may be in the form chosen by the employee; the employee is urged to put the notification in writing.
3. No employee shall be subjected to reprisal or retaliation for making such a notification; the employee should report immediately any incidents of reprisal, retaliation, or harassment, which occur as a result of making such notification.
4. Upon notification, an investigation will be undertaken promptly. Disciplinary and/or corrective action will be taken when determined ~~to~~ to be warranted pursuant to the investigation. The complaining employee will be notified of the results of the investigation.
5. To the extent possible, complaints and investigations will be handled in a confidential manner.
6. If it is determined that any employee's conduct violates the Town's workplace violence policy, the employee shall be subject to corrective and/or disciplinary action. That action may include verbal or written reprimand, suspension, or discharge as justified based on the findings of the investigation.

C. Supplemental Rules-

1. Each department may have unique circumstances that may require supplemental rules of conduct. Such rules may be adopted by the department head subject to approval by the Town Manager.

D. Use of Town Property-

1. Town property is to be used only for official Town business, in an appropriate manner, and in accordance with all applicable rules, operating procedures, and directives. No employee shall remove Town property or the property of any other employee from Town premises or Town work sites without proper authorization.

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Any employee who steals Town property or the property of any other employee, or who abuses, misuses, damages, or destroys Town property, shall be subject to discipline, up to and including discharge.

E. Use of Town Vehicles-

1. Town vehicles (whether rented or owned by the Town) may be used only for the purposes and in the manner authorized by the Town. Only authorized, qualified, and licensed Town employees may operate Town vehicles. All vehicles shall be operated in accordance with all applicable traffic laws, and vehicle operators shall be responsible for the condition and proper use of their vehicles. Unauthorized or improper use of Town vehicles may result in discipline, up to and including discharge. The Town reserves the right to review an employee's driving record at any time. No smoking shall be permitted in Town vehicles

F. Conflict of Interest-

1. Town employees shall not place their personal or business interests above the best interests of the Town's constituents. Accordingly, in addition to any other prohibitions established by charter, ordinance or other applicable law, employees of the Town shall not:
 - a. Engage in a substantial financial transaction for private business purposes with another employee whom they supervise.
 - b. Take any official action directly and substantially affecting their economic benefit, a business or other undertaking in which there is a substantial financial interest or business arrangement;
 - c. Disclose or use confidential information acquired in the course of their official duties to further personal financial interests; or
 - d. Accept a gift of substantial value or a substantial economic benefit which might tend improperly to influence an employee in the discharge of their responsibilities, or which could be construed as a reward for action taken in the course of official duties.

XIII. SEPARATION FROM EMPLOYMENT-

A. Resignation-

1. Resignation is a voluntary act of separation from employment initiated by the employee. The employee shall give the employee's supervisor at least ten (10) working days' prior notice of resignation.
2. An employee who, without authorization, fails to report for work for two consecutive working days, shall be considered to have resigned voluntarily as of the end of the second consecutive day. The department head shall provide written notice to the employee that the resignation has been accepted and that the position has been declared vacant.

B. Reduction in Force-

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1. When warranted by changes in Town operations or by fiscal circumstances, the Town pay plan may be amended to impose a reduction in force in one or more departments. The Town Manager shall then notify the affected employee or employees at least two weeks in advance of such reductions.
2. A reduction of the number of employees in any department shall be made in the following order:
 - a. Temporary or seasonal employees; then
 - b. Introductory period employees; then
 - c. Regular full-time and part-time employees.
3. If an eligible list exists pursuant to Chapter V, Section B, Subsection 4 for a position in which a reduction in force has occurred, the name of each employee to whom the reduction applies shall be placed on the eligible list for a period not to exceed one year.

C. Discharge

1. Employment with the Town is terminable at-will. Any employee may be discharged with or without cause, at the sole discretion of and upon notice from the Town Manager.

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~~1. An employee in a regular full or part time position shall receive at least ten (10) working days' prior notice of the discharge, or the employee's regular rate of pay for ten (10) working days, and an employee in a temporary or seasonal position shall receive at least five (5) working days' prior notice of the discharge, or the employee's regular rate of pay for five (5) working days.~~

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XIV. DISCIPLINE

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A. Disciplinary Action – General.

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1. The type of discipline to be imposed for an infraction shall be that which the Town, through the Town Manager, department heads, or supervisors deem appropriate under the circumstances; each may, in his or her discretion, determine that any of the following disciplinary actions is appropriate, and may determine the order of any such disciplinary actions.
2. Certain provisions of this Handbook state that disciplinary action may result from specified conduct. The inclusion of these provisions does not limit, and is not intended to limit, in any way, the imposition of disciplinary action for other types of conduct or for other reasons.
3. Disciplinary action may include:
 - a. Oral warning or reprimand: The employee is orally counseled as to the unsatisfactory areas of work, and methods of improvement.
 - b. Written reprimand: The employee is issued a written reprimand, which includes a statement of the problem and a notation to the effect that the problem was

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discussed with the employee. A copy of the reprimand is placed in the employee's personnel file. The reprimand may also place the employee back in an introductory period for a specified time.

- c. Suspension without pay: The employee is suspended from employment for any number of days, depending on the seriousness of the problem, without pay.
- d. Disciplinary demotion: The employee is placed into a position with a lower compensation rate for disciplinary reasons.
- e. Discharge: The employee is discharged from employment.

B. Disciplinary Rules

1. In addition to any other conduct described in this Handbook, the following conduct, by way of example and not limitation, may result in disciplinary action to and including discharge:

- a. Inadequate job performance, incompetence, or inefficiency;
- ~~b.~~ b. Insubordination;
- ~~b-c.~~ c. Dishonesty;
- ~~e-d.~~ d. Conduct unbecoming to an employee of the Town;
- ~~d-e.~~ e. Violation of any lawful rule, regulation, policy, or order, or failure to obey any proper directive made and given by his/her supervisor;
- ~~e-f.~~ f. Taking a fee, gift, or other valuable things in the course of or in connection with work for personal use from any person, when such gift or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than that accorded other persons;
- ~~f-g.~~ g. Conviction of, a plea of guilty to, or failure to contest a crime which involves moral turpitude or which affects the employee's ability to perform a job function;
- ~~g-h.~~ h. Falsification of or material omission from an employment application, payroll records, time reports, or other Town documents;
- ~~h-i.~~ i. Negligent or willful damage, destruction, waste, or carelessness, negligence, or misuse of Town or public property;
- ~~i-j.~~ j. Theft of Town property;
- ~~j-k.~~ k. Use of or attempting to use political influence in securing promotion, leave of absence, transfer, change of grade, pay or character of work;
- ~~k-l.~~ l. Improper use of Town vehicles or equipment, including communications equipment;
- ~~l-m.~~ m. Violation of safety rules or practices;
- ~~m-n.~~ n. Unauthorized absence or unauthorized failure to report for work;
- ~~n-o.~~ o. Frequent or habitual tardiness;
- ~~o-p.~~ p. Leaving assigned work area without prior authorization;

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- ~~p-q.~~ Possession of firearms or dangerous weapons on Town property, other than as required or permitted in the performance of official duties;
 - ~~q-r.~~ Abuse of leave;
 - ~~r-s.~~ Abuse of break periods;
 - ~~s-t.~~ Release of confidential information of the Town except as required or authorized by law;
 - ~~t-u.~~ Violation of the Town's sexual harassment or other prohibited harassment policies;
 - ~~u-v.~~ Violation of the Town's drug and alcohol policy;
 - ~~v-w.~~ Violation of the Town's workplace violence policy;
 - ~~w-x.~~ Including or encouraging any employee of the Town to violate any Town ordinance, rule, regulation, policy, or directive;
 - ~~x-y.~~ Engaging in any unauthorized interruption of work;
 - ~~y-z.~~ Failure of a nonexempt employee to obtain advance authorization for overtime work;
 - ~~z-aa.~~ Loss of any license, certificate, or other credential required for the performance of a job responsibility;
 - ~~aa-bb.~~ Violation of any other applicable Town policy concerning employee conduct; or
 - ~~bb-cc.~~ Any other activity, which is not compatible with good public service.
2. The foregoing list is not exhaustive; employees shall be subject to discipline under other appropriate circumstances.

XV. COMPENSATION AND BENEFITS

A. General

1. Employees shall be paid at the following periods: the 15th and the 30th of each month. In the event that said pay period falls on a holiday, payment shall be made on the last working day preceding such holiday.
- ~~2. The workweek is declared to be a seven consecutive day period beginning at 12:01 A.M. on each _____ and ending at midnight on each _____.~~
- ~~3-2.~~ The regular workweek for all full-time Town employees shall be ~~thirty four~~thirty-four (3440) hours except in cases where the employee is in an exempt position for purposes of the Fair Labor Standards Act and the duties of the employee require work exceeding such forty (40) hour period.
- ~~4-3.~~ Nonexempt employees under the Fair Labor Standards Act shall be paid for overtime work at a rate of one and one-half times the employee's regular hourly rate of pay for each hour of work in excess of forty (40) in any workweek. No overtime shall be worked or compensated unless approved by the supervisor in advance

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TOWN OF RICO

PERSONNEL HANDBOOK

SAFETY SUPPLEMENT



Town of Rico Safety Manual

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General Safety Rules

1. Use caution when lifting. Bend knees, and keep back straight. Leg muscles, not your back, should do the work. When lifting heavy loads, use lifting devices such as forklift, pallet truck, etc. or get help from other employees. Do not lift large objects in high winds. **DO NOT ATTEMPT TO LIFT LARGE/HEAVY LOADS BY YOURSELF.** Supervisors should provide appropriate equipment to assist employees in managing heavy loads.
2. Fighting or horseplay is strictly prohibited.
3. Smoking is permitted only in designated areas.
4. Personal protective equipment shall be worn at all times when required by your supervisor or safety regulations. All PPE must be maintained in good condition.
5. Tools and equipment shall be kept in proper working condition, and proper electrical grounding and guards in place before use.
6. Good housekeeping practices shall be maintained at all times in all Town work areas and vehicles.
7. All employees should familiarize themselves with the nearest fire extinguisher and first aid kit and know the proper use of each.
8. Report missing or damaged equipment immediately to your supervisor.
9. All equipment used during the work-day shall be de-energized and secured at the end of the day.
10. Hazardous wastes such as waste oils, hydraulic fluids, cleaning fluids etc. shall be disposed in a proper manner. Contact your supervisor for proper disposal procedures. Consult with the Fire Department Hazardous Materials Division for disposal problems.
11. All Town speed limits and traffic signs shall be observed.
12. Report accidents immediately to your supervisor and complete accident forms promptly.
13. Report unsafe work situations to your supervisor.
14. Frequently review and be aware of the requirements of the emergency evacuation plan for your building.

15. Do not interfere with other employees while they are using power tools, motorized equipment, or when they are working near electrical lines and equipment.
16. Use equipment with safeguards that are adequately designed and intended for normal operations.
17. Wrist watches, metal wristbands, rings, or other jewelry shall not be worn while working near moving parts of machines or energized circuits.
18. Clean clothes are essential in preventing skin irritations. Clothing saturated with solvents or other materials shall be removed and shall not be worn until properly cleaned. It is recommended that employees working in areas of high contamination keep an extra set of work clothes on the job.
19. When in doubt about safety regulations consult the appropriate OSHA standard.

Fire Fighting Equipment

1. Use fire extinguishers for emergencies only, unless otherwise approved for training purposes. If used for training, make sure that extinguishers are recharged.
2. Report all fires immediately to your supervisor and call 911.
3. Personnel shall be trained in the proper use of fire extinguishers.
4. Keep fire equipment and exit routes free from obstructions.
5. Inspect fire extinguishers on a monthly basis.
6. Inspect buildings at least annually for presence of fire hazards, and review emergency evacuation routes and procedures.
7. For further guidance on fire protection, consult OSHA standard 29 CFR 1910 subpart L.

Personal Protective Equipment

1. Personnel shall wear personal protective equipment that is consistent with the type of work conducted. This may include but is not limited to eye protection, hand protection, head protection, skin protection, hearing protection or respiratory protection. Use appropriate Material Safety Data Sheets, and contact your supervisor to determine what personal protective equipment is required.

2. Approved clothing (including issue clothing, caps, etc.) shall be worn and maintained in good repair. Loose sleeves, tails, ties, lapels, cuffs, or other loose clothing which can become entangled shall not be worn. Working without shirts is not permitted.
3. Any employee not using the personal protective equipment required by the Town, who is injured on the job and whose injury was caused by failure to use prescribed personal protective equipment, shall forfeit 50% of his/her workers' compensation benefits, pursuant to the Colorado Workers' Compensation Act, section 8-52-104.
4. Employees will wear hearing protection when working in areas marked with appropriate warning signs or upon instructions to do so by their supervisor.
5. Welders and their assistants shall wear approved eye protection during cutting, welding or brazing operations. See page 16 for welding & cutting requirements.
6. Respirators shall be worn as necessary. Supervisors shall ensure that employees are properly fitted and trained in the use of respiratory equipment.
7. Per the OSHA construction standard [29 CFR 1926.502](#), each employee on a walking/working surface with an unprotected side or edge which is 6 feet or more above a lower level shall be protected from falling by the use of guardrail systems, safety net systems, or personal fall arrest systems. Some Town operations may fall under the OSHA general industry standard [29 CFR 1910.23](#), which requires open-sided floors or platforms 4 feet or more above adjacent floor or ground level to be guarded by a standard railing (guardrail) or equivalent.
8. Hard Hats:
 - A. OSHA approved hard hats that meet the [ANSI Z89.1](#) Standard, along with proper Class and Type are required as minimum standards for the following jobs:
 1. On all contractor construction sites where there is danger of overhead impact or where contractor employees are required to wear hard hats.
 2. All job sites with heavy equipment in use or present on the job, such as backhoe, loaders, skid Steers, dump trucks, etc.
 3. By all employees working in or near excavations 4' deep or greater.
 4. Where danger from electrical hazards exist, such as working out of a bucket on boom truck or working in an electrical panel.
 - a. Class G hard hat is required up to 2200 volts
 - b. Class E hard hat is required up to 20000 volts

5. Where there is a risk of an overhead impact.
6. A class II type hardhat is required where there is a risk of a side impact.
7. Where workers are working in or underneath vertical lift devices such as bucket trucks, man lifts and personnel baskets for forklifts.
8. Supervisors and Crew Leaders in charge of a work site will be responsible for wearing of personal protective equipment in the work zone.

B. Requirements

1. Hard hats must be in good condition and free of physical defects.
2. Hard hats should be worn and maintained according to manufacturer recommendations.
3. Bump caps are not acceptable head protection.
4. Hard hats should be inspected before each use. Damaged hats or those that have sustained a heavy impact should be removed from service and replaced.

C. Remember the goal of wearing a hard hat is to provide a safe working environment and reduce injuries to employees and job site visitors.

9. Footwear:

- A. Sturdy work boots are required and safety toed boots are encouraged. No open toed or tennis type shoes are allowed except when special operations specify non-hard soled footwear.
- B. Safety toed boots are required when working with equipment or material that could pose a risk of foot injury.
- C. Metatarsal foot protectors or safety toed boots are required when operating jackhammer or compaction equipment.
- D. Each Division should create a list of safety shoe required and safety shoe exempted routine tasks. For non-routine tasks supervisory discretion should be exercised according to the above guidelines.

10. Gloves shall be worn during any work where there is danger of hand injury.
11. High Visibility Safety Apparel: See page 12 for safety apparel requirements in work zones exposed to traffic hazards.
12. All personal protective equipment shall be kept clean, in good repair, and ready for use.
13. If in doubt, wear protective equipment for your safety!

Vehicle and Equipment Operation

1. Employees operating motor vehicles will carry a current driver's license that is valid for the type of vehicle driven.
2. Personnel operating motorized equipment will be adequately trained in its use and operation. Equipment operation should not be assigned to an untrained member of a crew.
3. All employees operating forklifts shall maintain proof of training.
4. Lift trucks will be attended at all times when running.
5. Pedestrians will be given right-of-way in all cases.
6. Equipment operators shall obey all speed limit and warning signs, drive at reasonable speeds for the type of equipment driven with due regard for weather, traffic conditions, and intersections.
7. Tank trucks and semi trucks will be braked and the engine turned off during loading or unloading operations unless otherwise required for specific equipment operation.
8. All safety and emergency equipment will be in proper working order on vehicles or moving equipment currently in use.
9. Vehicles must meet all DOT requirements before use. Deficiencies must be reported immediately to your supervisor.
10. The brakes and other safety systems shall be tested by the operator before leaving on the first trip of the day and any deficiencies noted and corrected. When required, DOT inspection logs shall be properly filled out and kept in the vehicle.
11. Employees will have their entire body inside the moving equipment at all times and shall not enter or exit a vehicle while it is moving.
12. Drivers shall make certain that all loads are properly loaded and secure. Employees must position themselves properly to avoid being exposed to loads shifting or falling from the sides or end of the vehicle.
13. Employees will not ride in buckets, Hi-Ranger lift baskets, forks (of lift trucks), etc. not designed to transport personnel while the vehicle or equipment is in motion.

14. Seat belts will be used in all vehicles except as permitted by Colorado law for emergency vehicles, sanitation vehicles, and meter reading operations.
15. The driver shall inspect their footwear before driving a vehicle to ensure their footwear is free of mud, excessive water, oil or grease to prevent a slippery contact with brake and/or clutch pedals.
16. Vehicles shall not be operated with dirty or damaged windshields, mirrors, inadequate brakes, faulty steering gear, horn or lights.
17. The severe application of brakes, especially booster brakes, shall be avoided except in an emergency. The operator must at all times have the vehicle under control so as to be able to bring it to a complete stop within the assured clear distance ahead.
18. No vehicle shall be parked on a hill or grade unless the front wheels are turned into the curb or the wheels securely chocked.
19. No vehicle shall be driven on a downgrade with gears in neutral or clutch disengaged.
20. Employee drivers shall not permit more employees to ride in the vehicle than the number of seat belts provided.
21. All tools and equipment shall be properly guarded, stowed, and securely fastened when transported.
22. All doors of cabinets, lockers, and tail gates must be latched before moving the vehicle.
23. All trucks except those equipped with closed circuit camera systems shall have someone directing during backing. See "Vehicle Backing" below for specifics.
24. When possible do not load and unload a vehicle from the street side of the load.
25. Special regulations and instructions governing the loading and unloading of poles, pipes, etc., shall be strictly observed in every case.
26. The vehicle hood shall be secure at all times when it is raised. When it has been lowered into position it shall be checked to determine that it is completely latched.

Vehicle Backing Operations

Driving large trucks, in general, is a challenge to any professional driver -- but backing is the toughest and most hazardous operation. Backing accidents are the source of some of the most costly and heartbreaking accidents in the workplace. Town employees consequently should use extra care and precaution in backing.

1. Prior to backing, check the path of your truck to make sure the way is clear. If you can't see where you are going, get out and look. Check all clearances, on the right side, left side, front, back, and top of your truck. Do this as often as is necessary to do a safe job of backing.
2. Back your vehicle slowly and cautiously. Make sure you have absolute control of your vehicle at all times.
3. Alert other drivers or pedestrians who may be in, or about to cross your path of travel by blowing your horn. Be careful, though. They may not understand your intentions.
4. If you have a loader or helper working on your crew, always have the helper direct you in the backing up operation. Only one person, however, should be giving the backing signals.
5. It is both the Driver and the Helper's responsibility to have a clear understanding of the signals that will be used for direction. Even though there is someone directing, drivers are not relieved of their responsibility. It is still up to them to see that the backing operation is done safely.
6. If there is any other way of driving to your objective, do it rather than by backing. Plan or help management to plan your route to eliminate all unnecessary backing.

Material Handling and Storage

1. Store and stack material so that the load is stable.
2. Floors and platforms supporting loads must be properly constructed to support the weight of the load, particularly on upper level floors.
3. When moving material with a lift truck, make sure the load is balanced and stable.
4. Do not exceed load carrying capacity of vehicles being used.

5. Store and stack material in approved locations. Make sure all aisle widths conform to Fire and Building Codes.
6. Keep aisles, stairways, exits, fire equipment, water heaters, boilers, electric panels and switch boxes well marked.
7. Do not store materials where exits, firefighting equipment, emergency equipment, ladders, walkways or roadways may be obstructed.
8. Do not store materials near sources of combustion or electrical equipment.
9. Maintain a clear view when moving loads.
10. Use caution to prevent contact of sharp or pointy materials with other items or people. Remove packing nails and/or wire if they are not necessary for storage.
11. Flammables must be stored a safe distance from regularly occupied office areas.
12. Materials hauled in a dump truck must be secured with a tarp in accordance with Colorado law to prevent materials from falling or blowing off the truck.
13. Consult OSHA Construction standard [26 CFR 1926.953](#) for material handling safety issues on jobsites.

Housekeeping

1. Keep all work areas orderly and clean. (See OSHA Standard [26 CFR 1910.22](#))
2. Keep aisles, passageways and stairways clear and accessible.
3. Clean up all spills and/or leaks.
4. Place rags and other materials in approved containers.
5. At the end of the work day or upon completion of a job, remove all tools and excess materials and barricade the area if necessary.

Hand Tools

1. Select the proper tool for the job.
2. Use tools that are in good repair. Replace any broken tools immediately.
3. Tools should be inspected before each use.
4. Secure tools when transporting them in vehicles.

Power Tools

1. Carefully read instructions before using power tools.
2. Ground all tools before using them, and do not alter three prong grounding plugs.
3. Powered electrical tools are required to have a grounding plug or be double insulated.
4. All tools must have a "dead man" switch.
5. Use the correct tool for the job.
6. Do not disconnect tools by pulling on the cord.
7. Do not use equipment with frayed or damaged cords.
8. Avoid using power tools in wet situations whenever possible; otherwise be sure GFI (Ground Fault Interrupter) protection is in place and functioning properly.
9. Do not change bits, blades, etc. when the tool is energized. Unplug the tool before making changes.
10. Do not operate power tools without guards.
11. Wear eye protection when using power tools.
12. Breakers, fuses and other over-current protection shall be maintained in all circuits. Power tools should not be used on circuits exceeding 20 amperes rating unless otherwise approved in the Uniform Building Code.
13. Extension cords shall not be used as a substitute for fixed wiring of a structure or building. Electrical outlets should be installed where needed.
14. Do not leave cords of portable electric tools where cars or trucks will run over them.
15. Consult OSHA standard [26 CFR 1910 subpart P](#) for hand and power tool safety.

Ladders

1. Ladders shall be in good repair and used in their intended manner.
2. Wooden ladders shall not be painted.

3. Ladders shall be placed so that the base is one (1) foot out for every four (4) feet of height.
4. Ladders shall be properly secured and equipped with shoes at the bottom to prevent slippage.
5. Always climb and descend facing the ladder. Ladders are not to be used as scaffolds.
6. Only one (1) person shall work on a ladder at a time.
7. Metal ladders shall not be used near electrical lines, electrical cabinets, or energized equipment.
8. Benches, boxes and other materials shall not be used in place of a ladder.
9. Damaged ladders will be repaired or discarded.
10. Ladders should be inspected prior to each use, and repaired or taken out of service if not up to standards. Weight limits should be observed for each ladder used.
11. Ladders should not be placed in front of doors unless the door can be and is secured.
12. Materials should not be carried by hand when ascending and descending a ladder.
13. Use 3 points of contact when going up or down a ladder.
14. When using a ladder to gain access and dismount onto a higher surface, be sure the top of the ladder extends 3 ft above top surface and the ladder is firmly anchored.
15. Consult [OSHA Ladder Safety E-Tool](#) for guidance regarding ladder safety.

Scaffolds

1. All scaffolding shall be installed by qualified individuals.
2. All scaffolding shall be constructed of approved materials in an approved manner, in accordance with applicable OSHA Standards.
3. Scaffolding shall be equipped with toe boards and guardrails in locations greater than ten (10) feet.

4. A personal fall arrest system per OSHA Standard [29 CFR 1926.502](#) shall be used if scaffolding cannot be provided with guardrails.
5. Scaffolding shall be equipped with a ladder to facilitate access.
6. Scaffold boards shall not be painted.
7. Mobile scaffolds shall not be moved while personnel are located on them.
8. Metal scaffolds shall not be used in or near electrical lines or equipment.
9. Consult OSHA standard [26 CFR 1910.28](#) for guidance on scaffold safety.

Barricades and Work Area Protection

1. Working in traffic exposes employees to extreme danger. Construction, maintenance, utility and incident zones on streets and roadways can result in hazards to workers, motorists, and citizens alike. Since the risk of injury or death in such work is significant, certain safeguards must be instituted to minimize the risks. Temporary traffic control can compensate for the unusual or unexpected situations faced by road users.
2. All Town temporary traffic control work zone set-ups must conform to the current Manual on Uniform Traffic Control Devices, [MUTCD 2009 Edition](#) (Published by the Federal Highway Administration).
3. It is very important to pay special attention to the safety and accessibility of all pedestrians, bicyclists, motorists, and workers during each step of the planning process. Coordinate with transit, other highway agencies, law enforcement and other emergency units, utilities, schools and railroad companies to reduce unexpected and unusual road user operation situations. Commercial vehicles may need to follow a different route than passenger vehicles because of bridge, weight, clearance or geometric restrictions. Follow the fundamental principles of the Temporary Traffic Control chapter in the MUTCD to assist road users and protect workers.
4. Temporary traffic control work zones shall be designed and set up under the supervision of a person possessing an American Traffic Safety Services Association (ATSSA) certification as a traffic control supervisor. The traffic control design and set up may be accomplished in-house by qualified Town personnel or by contracting with a traffic control company.

Prior to their assignment, all workers will be trained on how to work next to motor vehicle traffic in a way that minimizes their vulnerability. Workers having specific temporary traffic control responsibilities will be trained in temporary traffic control techniques, device usage and placement.

High Visibility Safety Apparel

1. Night Hours: When working at night on streets, roads, or highways employees are required to wear class III ANSI #107 approved apparel.
2. Daytime:
 - A. On State and Federal Highways, or roads with posted speed limit of 50 mph or higher, employees are required to wear class III ANSI #107 approved apparel.
 - B. Employees shall also wear class III ANSI #107 approved apparel on traffic arterials with high traffic volume. Examples: 1st, 7th & 12th Streets and 28 Road.
 - C. Class II apparel is required for streets and roads with posted speed limits between 26 mph and 49 mph.
 - D. Low traffic side streets with speed limits marked 25 mph or less will only require the employee to wear the standard Town-issued lime green upper attire.

To keep costs down for the Town, class III apparel should be worn by all employees who have already been issued such attire, even when working in lower speed limit or traffic volume areas. Class II ANSI #107 approved apparel may be used in areas indicated by 2 C above if Class III is not available. It is always acceptable to wear a higher class than specified for conditions.

3. Hard Hats: See Hard Hat guidelines under Personal Protective Equipment on page 3. Hats shall conform to ANSI Z89.1 and be of the appropriate type and class for the hazard that may potentially be encountered in the work zone.
4. Other personal protective equipment may be required depending on the type of work being done, including but not limited to hearing, eye, and respiratory protection.

Working Overhead

1. When working overhead, take precautions to protect personnel working below. Loose materials, tools and the like must not be left in places where they can be knocked, blown or vibrated off balance and fall.
2. Rope off or barricade the area below the overhead work to prevent access to non-working personnel.
3. Do not drop or throw material, tools or supplies from overhead work areas.
4. Use a tag line to lift heavy or awkward loads.

Cranes, Hoists Etc.

1. Inspect the hoist or crane before work begins.
2. Inspect chains, chocks, etc. before securing to load.
3. Fasten chains, chocks, etc. securely to the load.
4. Use tag lines for heavy or awkward loads.
5. Keep all personnel away from the area below the boom or load and barricade off the area.
6. Only one person shall give directions to the equipment operator.
7. When equipment is left unattended, its block and load shall be secured and the equipment de-energized.
8. Personnel shall be adequately trained in the use of hoists, cranes, etc.
9. Repair and/or maintenance of chains, chokers, hoists, etc. shall be conducted by a qualified individual.
10. Personnel shall not be lifted or lowered with a crane unless proper equipment is utilized. Contact your supervisor for additional instructions.
11. For Safety guidance, consult OSHA Construction standard [26 CFR 1926.550](#) or General Industry standard [26 CFR 1910.175](#).

Manual Lifting

1. Inspect the path to be traveled prior to lifting and carrying heavy objects. Where possible, remove obstacles from path.
2. Back support belts will be made available to employees and should be used when lifting. In certain situations, belt use is mandatory: consult your supervisor.
3. Use powered equipment whenever possible to avoid unnecessary back strain.
4. When you must lift heavy materials, use the following procedures:
 - A. Separate and place both feet close to the object lifted.
 - B. Bend knees and squat down to the object to be lifted.
 - C. Grip the object with the palms of the hands.
 - D. Position the arms and elbows close to the body.
 - E. Draw the chin towards the chest to straighten the back and lift with the back in a vertical position.

- F. When shifting a load, turn the feet but do not twist the trunk.
5. When two or more individuals are lifting a load, use signals to coordinate the lift so that an injury does not result.

Lockout / Tagout Procedure

1. Review the specific **Lockout/Tagout Procedure** of your specific facility before beginning work. Consult OSHA Standard [29 CFR 1910.147](#).
2. All types of electrical wiring and equipment regardless of voltage shall be handled properly and safely.
3. Only qualified individuals will work on live or energized equipment.
4. When working on live equipment, work on only one (1) wire at a time and insulate all conductors, which may come in contact with the live circuit.
5. Adequate personal protective equipment must be used when working on live circuits.
6. Use only **nonconductive** ladders and hard hats when working near energized circuits.
7. Treat all electrical equipment as though it is live.
8. Shut off power before removing guards from motor driven equipment.
9. Keep the work area as dry as possible.
10. Fuses shall be replaced with fuses of the same capacity as the ones removed.
11. Finger rings, bracelets or metal watch bands shall not be worn when working with electrical equipment.
12. When opening disconnects, wear proper eye protection to shield the eyes from the flash or sparks and approved hand protection, such as lineman gloves.
13. After repairs, replace cover plates on lighting and power cabinets or electrical enclosures.
14. All portable tools and equipment shall be grounded by means of a three wire cord and polarized plug or wire leading from the frame of a machine to a good return ground, or OSHA approved insulated portable power tools may be used. Grounding plugs shall not be altered.
15. Consult [OSHA Lockout/Tagout E-Tool](#) and section on Power Tools Pg 11 for further training and guidance.

Compressed Gas Cylinders

1. Store all cylinders in upright and fastened positions. (Except 1 ton cylinders designed for horizontal storage.)
2. Place the protective cap on cylinders when they are not being used.
3. Keep stored oxygen cylinders at least twenty (20) feet from acetylene cylinders and other flammables.
4. Always check the label or stencil on the cylinder to make certain you have the proper gas.
5. Never use oil or grease as a lubricant on valves or attachments of oxygen cylinders.
6. Do not store cylinders next to heat sources.
7. Always transport cylinders in a secured, upright manner.
8. Tag or label all cylinders that are empty and remove them from the workplace.
9. Unless cylinders are firmly secured on a special carrier intended for this purpose, regulators shall be removed and valve protection caps put in place before cylinders are moved or transported.
10. Consult OSHA Standard [26 CFR 1926.153](#) and Safety Manual Page [66 LPG](#) for safety information on handling of Liquefied Petroleum Gases. (Propane)

Welding, Cutting or Brazing

1. Inspect the area to ensure that flammable or combustible materials are not present.
2. Inspect the equipment to be worked upon before the work begins. Drums, barrels or small containers shall be thoroughly cleaned before the work begins.
3. All storage tanks or vessels must be clean, gas free, and blinded before the work begins. Mechanical ventilation shall be provided in any space less than 10 cubic feet per welder or any other confined space where natural cross ventilation is restricted. Ventilation shall be at a rate of at least 2,000 cubic feet per minute.
4. When working inside a vessel, welding gases which are not in current use shall be turned off both at the nozzles and the cylinders to prevent leakage and gas buildup.
5. Test the area for flammable or combustible materials before re-entering after taking any breaks.

6. Test the area for flammable or combustible materials at the beginning of each shift if work is going on continuously.
7. A firewatcher shall be assigned to all cutting or welding operations that are conducted outdoors or in the vicinity of any flammables.
8. A fire extinguisher shall be made readily available during all cutting or welding operations. The firewatcher and employees doing welding or cutting shall be familiar with the operation of a fire extinguisher.
9. Report any fire that results during a cutting or welding operation.
10. Welding shields shall be used if the work is conducted in a high activity area, for protection of passersby. Avoid looking at an electric arc without eye protection; serious eye injury could result.
11. Personnel will wear appropriate eye and skin protection, including gloves, and approved helmet or goggles for the type of operation performed.
12. Welding and/or cutting cylinders will be operated in a standing position, with cylinders properly secured.
13. Keep grease and oil away from oxygen cylinders. Also be cautious of grease or oil your hands when turning on or off cylinders; the combination forms a highly explosive mixture.
14. Open valves on welding and/or cutting cylinders slowly. Before connecting a regulator to a cylinder valve, the valve should be opened slightly and closed immediately. (This is termed "cracking" and is done to purge the valve of dust or dirt that might enter the regulator.) Stand to one side of the outlet, not in front of it, when cracking the valve.
15. When an oxygen cylinder is in use, valves shall always be opened completely. Valves shall be turned "OFF" when not in use.
16. Replace caps and properly store empty welding and/or cutting cylinders. Oxygen cylinders in storage shall be separated from fuel gas cylinders (and other combustibles) by at least 20 feet or separated by a 30 minute fire resistive barrier of at least 5 feet high.
17. Practice good housekeeping techniques at all times in welding and cutting areas.
18. Properly ventilate any welding area. Check ventilation equipment annually to make sure air flow is adequate.
19. Use Acetylene only at pressures below 15 pounds per square inch. At higher pressures the gas is unstable and may explode.

20. Do not use copper tubing to repair acetylene hose. Acetylene will attack pure, unalloyed copper, forming a very explosive powder, copper acetylene.
21. Never strike an arc or tap an electrode against a cylinder.
22. Always use a spark lighter to light a torch. Never use matches.
23. Never use oxygen to dust off clothing and the work area. Use fuel gases only for intended purpose.
24. All arc welding ground connections shall be mechanically strong and adequate for the required current.
25. When not in use, electrode holders shall be placed so that they cannot make electrical contact with people, objects, fuel or compressed gas tanks.
26. Cables with splices within 10 feet of electrodes are prohibited from being used.
27. Cables with damaged insulation or exposed bare conductors shall be replaced.
28. The welder shall not coil or loop the electrode cable around parts of his body.
29. Do not leave welding rod stubs on the ground or floor where they may cause an accident.
30. See applicable OSHA [Welding Cutting and Brazing](#) Standards.

Confined Space Work

Introduction

The term "confined space" is often misunderstood. The following introductory section is designed to be educational: it explains confined spaces and outlines their characteristics and hazards, with an explanation of the Town confined space program. Actual Town safety rules regarding confined spaces begin on page 22.

What is Confined Space

Unlike a trench or excavation, 'confined space' is not something easily visualized by the mind. Part of the reason for this is that a confined space can be almost anything. However, it does have some common components that we can define.

1. It is not designed for continuous human occupancy.
2. It has restricted or limited entry and exit...hence, **confined**.

What are some typical confined spaces?

In a municipality, sewer lines and manholes are among the most commonly encountered confined spaces. However, other common confined spaces found in municipal operations might include:

- storage tanks and trash containers
- utility pits
- tank trucks and trash trucks
- storm sewers
- lift stations
- trenches
- water vaults

Again, however, a confined space may be any space meeting the above three criteria, and failing to recognize or identify a confined space can be a hazard in itself.

Why are confined spaces hazardous?

The word that best describes the hazardous nature of a confined space is: "uncertainty." Often the conditions within a confined space appear benign. Workers enter such spaces routinely to make repairs, perform maintenance work, check readings of gauges or meters, clean, etc. At such times, the conditions within the confined space may have been harmless. In many instances the worker has performed the task within the confined space repeatedly without incident. Thus, the worker is lulled into a false sense of security that the space will always be harmless, or that any necessary escape from the space will be quick and easy.

However, because the space is **confined**, toxic or flammable atmospheres may become contained and concentrated. Mechanical or electrical hazards may be in direct proximity to the worker where they can be mangled or electrocuted. The worker can become entrapped or engulfed by material within the space. Because, by definition, a confined space has restricted entry and exit, escape becomes difficult or impossible. The worker thus may be seriously or fatally injured.

Another reason confined spaces can be hazardous is that workers fail to recognize a confined space as being such. It is important for the municipality to first identify every confined space that it has as the first step in a confined space safety program.

What are some common hazards?

Atmospheric Hazards

Atmospheric hazards can vary depending on the type of confined space. However, one potential atmospheric hazard common to most confined spaces is oxygen deficiency. There are numerous conditions that can cause oxygen deficiency. Furthermore, insufficient oxygen is a condition that cannot be sensed by the worker. The end result may be that the worker enters the space, gradually becomes faint, passes out, and perhaps dies from this lack of adequate oxygen.

A common toxic hazard in sewers and manholes is sewer gas or hydrogen sulfide. Because it is heavier than air, this gas settles near the bottom of the confined space. In small concentrations, its typical 'rotten egg' smell is easily recognized for a short time, until it dulls the senses. In higher concentrations it may not be smelled and can immediately cause unconsciousness and/or death in a matter of a few seconds.

Flammable atmospheres are another risk. Methane can reach levels of explosive concentration. Petroleum products fumes can often be encountered in many confined spaces, as well as fumes of other flammable chemicals. A match, a spark from a hammer, static electricity, lighting a welding torch... all can easily cause an immediate explosion. Gases such as hydrogen sulfide and carbon monoxide are also very toxic and can cause death in relatively low concentrations.

Mechanical Hazards

Some confined spaces may contain mechanical equipment with sharp blades or other moving parts that can become accidentally energized and mangle a worker. Stored energy from springs or counterweights, for example, can be accidentally triggered causing the mechanical equipment to move suddenly and injure the worker.

Electrical Hazards

Like mechanical hazards, a confined space may also contain electrical equipment that can accidentally become energized and electrocute the worker.

Entrapment

Workers can become trapped within a confined space and die from exposure. The space can unknowingly close, trapping a worker inside. Workers can drown inside a water line when an upstream valve is unknowingly opened. Some substances, such as asphalt, can cause entrapment due to their viscosity or "stickiness."

Engulfment

An example of this type of hazard would be a salt or sand bin where a worker walking on the surface of the substance in the bin can literally be swallowed by the motion of the material and suffocate.

In addition to these possible hazards, confined spaces may contain excessive heat causing heat exhaustion or can contain excessive noise requiring hearing protection. Dim or inadequate lighting may increase the likelihood of accident and injury.

Identify All Confined Spaces

You should begin by identifying every confined space that workers may be required to enter within the scope of their work. Applicable employees then need to be informed of the existence, locations and dangers of these spaces by posting danger signs or other equally effective means.

Testing

Testing for atmospheric hazards is also an OSHA requirement. Many hazardous atmospheres cannot be detected by our sense of smell. These include carbon monoxide, oxygen deficiency, methane, and large concentrations of hydrogen sulfide. Without testing, the worker's first clue to the presence of the hazard might be sudden collapse and subsequent death. Testing of a confined space thus becomes critical. Furthermore, since such hazardous substances tend to be heavier than air and displace air, testing of the confined space must be done **at the bottom** of the confined space especially, although the rest of the space also needs to be tested.

Safety Equipment

This might include respirators, hard hats, safety harnesses, etc. This would also include emergency equipment necessary for any rescue such as a rescue tripod, winch, first aid kit, etc.

Monitoring

For prolonged periods of work in a confined space, provision for continued monitoring of the space may be necessary. Portable monitoring devices may be needed to detect and warn workers of changing atmospheric hazards.

Ventilation

One of easiest methods of reducing or eliminating hazardous atmospheres, particularly in manholes and sewer lines, is through ventilation. Mechanical blowers can eliminate many hazardous atmospheres if properly set up and used.

Observation

No worker should enter a confined space without a trained attendant standing by to summon help or operate a man-lift in the event of an emergency. The attendant is part of the permit entry system.

Training

As with any hazardous activity, training is essential to prevent accidents and fatalities. Equally important is the periodic use of emergency drills. Such drills help ensure that employees respond properly in emergency situations. Training should be documented and records maintained. Contact Risk Management or the insurance loss control representative for confined space training.

Below are listed the safety regulations that apply to all Town operations when a confined space must be entered. However, some Town locations may have their own specific confined space entry program. If you are working in one of these areas, consult this program for more detailed instruction.

1. Review the specific **Confined Space Program** of the department or facility before beginning work.
2. Any vessel entered shall be properly blinded and/or isolated before work begins.
3. The vessel will be clean, gas free and contain adequate oxygen concentration before entry is permitted.
4. A **Confined Space Attendant** shall be assigned to the work area. The attendant will be adequately trained in the duties of a **Confined Space Attendant** as defined in OSHA regulations.
5. A **Confined Space Attendant** shall not leave the area when personnel are working inside a confined space.
6. The potential hazards of a confined space will be determined prior to entering the confined space.
7. All personnel entering the **confined space** will be adequately trained.
8. Personnel entering the confined space will be briefed by their supervisor as to the risks of the operation.
9. The confined space atmosphere shall be monitored on a regular basis. The area should be retested after breaks or lunch periods.
10. Do not enter a confined space unless you are properly attired to do so.
11. Contact a supervisor if assistance is required. **Never enter a confined space when unsure of the hazards.**
12. Rescue involving a confined space **shall not be attempted** unless the rescuers are qualified and properly trained and equipped for confined space rescue.
13. Do not attempt rescue without appropriate personal protective equipment.
14. Immediately report any confined space incident and/or accident to your **supervisor**.
15. Consult OSHA Standard [29 CFR 1910.146](#) for guidance on Confined Space entry procedures.

Maintenance Shop Safety

Maintenance shop personnel, in addition to the areas outlined below, should pay particular attention to Safety Manual sections on Welding Cutting & Brazing, Cranes, Power Tools, Hand Tools, and Lockout/Tagout procedures.

Radiator Service

Be careful when checking the radiator since automotive cooling systems work under pressure. The coolant may be in the boiling range and therefore too hot to check safely. Always observe the following precautions when checking the radiator.

1. Place wiping cloth over cap and turn it 1/4 turn counter-clockwise. This will permit the escape of pressure.
2. Caution: If a rumbling noise is heard coming from the radiator, or if coolant spews out from under the cap, close the cap immediately because the coolant is too hot and will boil over violently if pressure is released. The coolant will have to cool down before it can be checked safely.
3. Remove the cap by turning it counter-clockwise until stop is reached, and then lift it off.
4. Operate the engine at idle speed when adding water or anti-freeze while the engine is hot. This will allow it to circulate quickly without damage to the engine block. If water is very low or engine is extremely hot, wait for it to cool before adding coolant.

Tire Service

1. Check pressure and inspect tires before inflating them.
2. Protect yourself against blowout when inflating tires. Never squat facing the tire. Stand at one side, so that the fender is between you and the tire, if possible. Use chuck gauge with clip and extension hose.
3. Never leave jack handles or other tools where they can be a tripping hazard.
4. A protective cage or equivalent protection shall be provided for the inflating of truck tires.

Battery Service

1. Do not smoke or permit open flames or sparks near batteries that are being recharged, as they emit hydrogen gas, which is explosive. Recharge batteries only in a well ventilated area.
2. When disconnecting a battery always remove the ground cable first in order to prevent sparks if the wrench is accidentally grounded.
3. When installing a battery always attach the ground cable last.
4. Wash acid and corroded particles from hands immediately after performing battery service. Be sure that clothing is free of acid and corroded particles.

5. Face shields or other eye protection shall be worn when handling batteries. If acid gets into the eye, promptly rinse the eye thoroughly with water until chemical is completely removed. After a thorough rinsing, cover the eye with a sterile gauze compress and take the injured person to a doctor.
6. Use great care in the storing and handling of electrolyte for dry charge batteries.
7. Follow safe lifting practices when handling batteries. Use only an approved carrier. When lifting batteries in and out of under hood mountings, you can sometimes gain additional leverage by resting your elbows on the fenders.

Lubrication and Maintenance Service

1. To prevent slipping, promptly clean up oil and grease from floors. Never discharge a high pressure grease gun at any part of the body, as grease may penetrate the skin, causing injury.
2. Do not rock cars while they are on a twin post or free wheel lift, as movement may cause enough shifting of the car on the supports to fall off the lift.
3. Do not stand in front of a vehicle when guiding onto a lift or pit. If you do, you may be injured if it does not stop in time.
4. When using floor lift jacks, be sure they are resting on a firm base and make good contact with the car. When chain hoists or jacks are used, vehicles shall be securely blocked before employees go under them.
5. Do not allow anyone to remain in a vehicle being raised on a lift.
6. Do not overload the lift.
7. Keep your hand on the control valve when the lift is being raised or lowered. Do not prop it open.
8. Do not allow anyone to walk under the lift when it is being raised or lowered.
9. Report immediately to your supervisor any faulty operation of the lift. Do not use the lift until the defect has been corrected. A jumpy lift usually means low oil -- have it filled or repaired. Tag lift until repaired to warn others.
10. When using the lift, observe the following precautions:
 - A. Center the vehicle over the lift.
 - B. Adjust the adapters to make proper contact with the vehicle.
 - C. Raise the lift slightly off the floor almost making contact with the vehicle.
 - D. Look under the vehicle, making sure that the gas line, muffler, tail pipe, or other parts of the car will not be damaged by contact with the lift.
 - E. Raise the lift until contact is made and vehicle begins to rise slightly.

- F. Look under the vehicle, checking that proper contact is being made, and if satisfactory, continue raising the lift to the proper height.
 - G. When fully raised, inspect contact points to make certain that the vehicle is firmly positioned.
 - H. Do not open the doors of vehicle that is raised on a frame contact lift.
 - I. After lowering, check to ensure that there is adequate clearance under the vehicle before moving it off the lift.
 - J. When not in use, the lift shall be lowered completely to avoid accidents.
 - K. Lift areas shall be cleared of objects from prior jobs. Oil absorbent material shall be used to remove excess oil and grease before a new job is started.
- 11. Vehicles shall be properly positioned and automatic chocks shall be operative on all lifts.
 - 12. Safety legs or pins shall be operative to prevent dropping of lifts in event of pressure failure.
 - 13. Do not work under vehicles or other equipment supported by jacks or chain hoists without protective blocking or stands that will prevent injury if jacks or hoists should fail.
 - 14. Hoods, dump sections of dump trucks and similar movable parts shall be blocked to keep them stationary during repairs. (See [Lockout/Tagout](#) section of Safety Manual.)

Air Compressors

- 1. Turn off the main switch before oiling, wiping, or working on the air compressor.
- 2. Test safety valve weekly to be sure that it operates properly.
- 3. Never tamper with the safety valve or controls. All adjustments and repairs should be made by qualified mechanics.
- 4. Do not pile objects near the compressor, nor hang them above it in such a way that they could fall into the mechanism.
- 5. See OSHA compressed air standard [29 CFR 1917.154](#).

Special Fire Prevention - Protection

- 1. No petroleum products or solutions containing petroleum shall be poured into any drain or sewer.
- 2. Never use gasoline for cleaning purposes under any circumstances.
- 3. Put all oily waste in covered metal containers. Approved and properly marked storage containers shall be provided for waste, oily rags, etc. Empty them frequently to prevent spontaneous combustion.

4. Welding and brazing shall be done away from flammable or explosive substances. Appropriate fire extinguisher shall be located nearby.
5. Smoking shall not be permitted in any maintenance shop area in the vicinity of flammables.
6. The correct type, proper size and adequate number of clearly marked and easily accessible extinguisher shall be provided.
7. Fire exits shall be properly marked and kept clear at all times. During working hours all exit doors must be kept unlocked.
8. Employees shall be instructed in the safe handling of flammables. (See Hazard Communication Section)
9. Only approved and properly marked cans shall be used for flammable liquids.
10. Fire authorities should be given information about the premises to enable them to respond to an emergency.
11. Employees shall be instructed in evacuation procedures.

What to do in Case of Fire

1. Know the location of firefighting equipment and how to use it.
2. Call 911 to contact the Fire Department.
3. When a fire starts, lose no time in using firefighting equipment at hand to try to control the fire before it spreads. Call, or have someone call the Fire Department immediately.
4. When a gasoline spill catches fire, attack the flame at its base. When using a dry chemical or carbon dioxide extinguisher, use a rapid side-to-side motion. Be sure that all of the fire is put out or it will reflash.
5. Notify your supervisor and the Risk Manager as soon as possible after a fire has occurred.
6. Consult Fire Fighting Equipment Section of Safety **Manual pg 6.**

Closing of Vehicular Service Building

1. Turn off air compressor at main control switch and air valves at the tanks.
2. Check control setting of heating equipment, and be sure it is working properly
3. Lock all windows and doors.

4. Disconnect all coffee makers and appliances except refrigerators.

Fuel Dispensing Safety

1. Good housekeeping shall be maintained in the entire service area.
2. Gasoline, diesel and other fuel dispensing pumps shall be properly labeled.
3. Shut off the pump immediately if a fire occurs while the nozzle is still in the tank. Do not remove the nozzle until the fire has been put out.
4. Report unsafe gasoline nozzle i.e. faulty automatic shut-off.
5. Smoking is not permitted in any fuel dispensing area.
6. Stand in a safe position at the pump. Do not cross in front of moving vehicles.
7. Before delivering fuel into the fuel tank, make certain the engine is off.
8. Good metallic contact shall be made between the nozzle and tank before filling the tank. Use particular care when topping off, so as to avoid spillage of gasoline.
9. Always replace fuel tank cap immediately after delivery.
10. Be sure hose nozzle is hung securely on the pump after delivery.
11. Keep pump hose exactly placed within island limits so it will not catch on bumpers or fenders.
12. Keep hose, nozzles, and connections in good condition.
13. Report immediately any leakage near a fuel pump. Do not use the pump until the leak is fixed. This work shall be done only by a qualified mechanic.
14. Fuel spillage on driveways should be reported immediately. If the spill is large enough to create a risk of the fuel reaching drains, immediate measures should be taken to stop the flow of the fuel. Dumping sand on and in the way of the flow is recommended.
16. Remove clothing wet with gasoline immediately and be sure that it is cleaned before it is worn again. Do not go near a heater or open flame wearing gasoline soaked clothing. When the skin has been wet with gasoline, wash the affected part thoroughly with soap and water to prevent skin inflammation.
17. Deliver gasoline into fuel tanks of properly labeled metal containers only. Never deliver gasoline into glass bottles, open containers, or food, drug, or cosmetic containers. The Federal Hazardous Substances Labeling Act requires that any container that is filled with

gasoline, kerosene or other hazardous substances must be labeled in an approved manner. (In private service stations, if the container does not have such a label, the dealer must apply one before filling it.)

18. Employees shall not siphon gas with a hose or tube, particularly where the mouth is used to create suction.
19. The location of shut-off switch should be clearly marked, and all employees should know where it is and how to use it.

Automatic Nozzles

1. Use only automatic nozzles which have been approved by Underwriters Laboratories, Inc. and the Town Fire Department.
2. In situations where the nozzle cannot be secured to prevent it from falling out, remain by the nozzle and fill the tank on manual control.
3. Observe the nozzle frequently while gasoline is being delivered so any mechanical failure will be noticed immediately.
4. Check the automatic nozzle regularly and keep it in good repair.

Receiving and Storing Gasoline

1. Fill pipes of underground tanks shall be plainly marked by color code, tags, or other methods on the installation to show the contents of the tank. Always take precautions to prevent the mixing of products as a result of delivery into the wrong tank.
2. Keep fill caps tight between deliveries to keep water or dirt from entering. The use of grease on threads will aid in keeping fill caps watertight.
3. Gauge tanks with calibrated sticks in gallons or inches, before ordering, and again before receiving deliveries to be sure the quantity being delivered will not overflow. Be sure also that the correct tank chart is used.
4. Clear fill pipe areas of parked cars prior to the time of delivery of gasoline. Do not allow parking in those areas where it will interfere with absentee deliveries. A car parked near or over a fill pipe may be a serious fire hazard.
5. Make sure that gasoline vapor discharged from vent pipes does not enter buildings. Do not strike matches or permit other sources of ignition near vent openings. (It is especially important when tanks are being filled because an equal volume of flammable vapor is being discharged into the air through the vents.)
6. Report to the immediate supervisor on duty at once if liquid gasoline should discharge from vents at any time.

7. Consult OSHA standard [29 CFR 1917.156](#) Fuel Handling and Storage.

Office Safety

1. Practice good housekeeping at all times in office areas.
2. Keep cords and other wiring covered so they do not become tripping hazards. Do not overload outlets by connecting too many items.
3. Keep equipment in good repair.
4. Do not block stairs, steps or doorways.
5. Clean up all spills immediately.
6. Use the proper ladder or stool for reaching high places do not stand on chairs or furniture.
7. Portable electric heaters should not be used in office spaces.
8. Follow proper lifting techniques when carrying large or awkward materials.
9. Practice sound electrical safety techniques when working with computers, typewriter, photocopiers, etc.
10. Report unsafe situations to your supervisor immediately.
11. Report accidents and injuries immediately to your supervisor.
12. Do not store food in desks, cabinets or other similar areas.
13. Know the **Emergency Evacuation Plan** for your particular office area.
14. Know the location of the nearest fire extinguisher, fire alarm, and first aid kit.

Cellular Phone Use in Vehicles

Distracted drivers are more likely to make a driving error or react too slowly. As more Town drivers are using cellular phones, it is important that they be used safely and courteously. Currently, there is no law or Town policy against using a cellular phone while driving, but you could be charged with dangerous or careless driving if you cause an accident while using one, and cellular phone use is frequently cited by other drivers as an annoyance or hazard because distracted cell phone users often behave more erratically. It is important both for safety and for the image of Town drivers that

common sense and courtesy be followed in using Cellular phones while in Town of Rico vehicles.

Guidelines for Cellular Phone Use in Vehicles

1. Whenever possible, use your cellular phone when parked, or have a passenger use the phone.
2. If your position requires frequent cell phone use in a vehicle, you should have voice mail service and hands-free equipment for your phone, and use both to avoid distractions.
3. If your phone rings when you are driving – especially during hazardous conditions -- let your cellular voice mail service take the call and listen to the message later when you are parked, or pull over before answering, if traffic conditions permit.
4. Make sure the phone is easy to see and reach: Place your cellular phone in your vehicle where you can grab it without removing your eyes from the road.
5. Suspend conversations during hazardous driving conditions or situations.
6. Let the person you are speaking to know you are driving and that the call may need to be suspended at any time.
7. Do not take notes or look up phone numbers while driving. As a driver, your first responsibility is to pay attention to the road. Common sense dictates you do not read, look up an address or attempt to write or take notes while driving.
8. Attempt to dial and place all calls when you are not moving.
9. When possible, plan your calls before you begin your trip, or call when your vehicle is parked at a stop sign or red light. If you absolutely need to dial while driving, assess the traffic and dial only a few numbers at a time.
10. Learn and use the pre-programmed number dial features of your phone. Practice using this feature for commonly dialed numbers *before* driving so you are familiar with the procedures.
11. Do not engage in stressful or emotional conversations while driving. A stressful or emotional phone conversation while driving is distracting and potentially dangerous. If necessary, suspend the phone conversation.
12. Use your cellular phone to call for help or to help others in emergencies. Your cellular phone lets you be a "good Samaritan" in the community. If you see an auto accident, crime in progress or other serious emergency where lives are in danger, call 911 and give the exact location and information to fire, police or ambulance personnel.

LPG – Liquid Petroleum Gas (Propane)

Mixtures of Propane, Methane, and Butane comprise Liquid Petroleum Gas (LPG), often referred to as simply Propane. It is used in a wide variety of operations, including fueling vehicles, as heat source for heating or melting materials, weed burning operations, cutting, soldering, and heating buildings or equipment.

Applicable OSHA standards for handling and storage of LPG are contained at [29 CFR 1910.110](#).

Basic Precautions

1. The material is extremely flammable. DO NOT smoke while using LPG.
2. Operate in only well ventilated areas.
3. Never puncture the container.
4. Keep the container away from sources of flame or heat.
5. Never incinerate the container.
6. Keep the container away from exposure to heat sources.
7. When changing propane cylinders, make sure that tank valves are closed before breaking connections. Check for leaks after change is complete using a soapy water solution.
8. Have a fire extinguisher or other firefighting equipment nearby when using propane.
9. Have a first aid kit nearby when using propane.
10. Use chemical goggles and leather gloves and cover extremities when working with propane, especially when lighting a pilot or burner on a propane system or changing system connections. Use of a Face shield is recommended while lighting pilot lights, especially when re-lighting after a pilot light has gone out.
11. Store excess cylinders securely and in a manner that protects the valve assembly from accidental blows. (Storage of liquefied petroleum gases shall be stored and handled in compliance with NFPA No. 58.[12] Taken from the “Handbook of COMPRESSED GASES second edition, Compressed Gas Association, Inc.)
12. NFPA hazard labels should be placed on all cylinders. (Part of 29 CFR 1910.1200)
13. Never store excess cylinders near walkways, exits, and general path of travel.
14. Never store excess cylinders under stairs, decks, ramps, etc.
15. Never store cylinders together with oxygen sources or strong oxidants.
16. Always secure the valve opening with a cap or similar device when storing excess cylinders.
17. Prior to each use, inspect cylinders for signs of damage and/or wear.
18. Damaged cylinders must be taken out of service and replaced or repaired.
19. Periodically check cylinders to assure that they are inspected and approved for use. This inspection should also be performed each time a cylinder is brought on-site from an outside source.
20. Never attempt to repair a propane cylinder. Refer all repairs to qualified propane service personnel.
21. Never refill a cylinder that has exceeded the certification date. (5 years)
22. Never improperly dispose of cylinders. Return them to an authorized propane dealership for proper disposal.
23. Immediately report unsafe conditions to your Supervisor or the Risk Manager.

General Safe Work Practices

These work practices shall be observed when using propane fired equipment:

1. All employees using propane equipment must be adequately trained, and must carefully read and understand the Operator's Manual before using the equipment:
 - A. Read the igniting procedure before initiating the firing operation.
 - B. Learn the warning steps if the equipment does not ignite properly.
 - C. Be familiar with the specific purge cycles for each pilot light system.
2. Inspect the equipment before use.
3. Be sure that the equipment is adequately maintained.
4. Become familiar with the MSDS that applies to propane.
5. Stay alert for the smell of propane.
6. Never work on propane powered equipment near energized electrical equipment.
7. Never refuel or re-charge propane cylinders near flames or excessive heat.
8. If you have problems with a pilot light, immediately shut off the equipment and refer to the operator's manual or contact your Supervisor.
9. Never force any gas controls.
10. If you cannot operate knobs, switches, valves, etc. on a propane system, contact your fleet maintenance or your Supervisor for assistance.
11. Do not tamper with and/or alter any controls, valves, switches, etc.
12. Never use tools to turn valves, knobs, switches, etc. on a propane system.
13. Faulty propane equipment must be serviced immediately by qualified service personnel.
14. Be sure that NFPA hazard labels are attached to all cylinders.

Health Considerations

1. Propane can be both a heat and cold hazard to employees. Note that escaping propane gas can cause sudden freezing of exposed skin.
2. Know the basic first aid procedures for coming in contact with propane.
3. Be sure that an MSDS on propane is available in the area of operation.
4. Wear chemical goggles when working with propane.
5. Wear leather gloves and other protective clothing to cover extremities when working with propane.
6. Report injuries immediately.
7. Use propane in adequately ventilated work areas.

Personal Protective Equipment (PPE)

1. Wear chemical goggles when working with propane gas.
2. Wear leather gloves when working with propane gas.
3. Cover extremities with long sleeves when working with propane gas.
4. Wear a face shield if re-lighting a unit which has recently gone out.

Emergency Gas Procedures

If you smell gas or see escaping propane gas:

1. Shut off the main fuel supply.

2. Call 911, secure the area from approach by the public or other workers, and contact your supervisor.
3. Never touch electrical switches, light matches or use electrical or electronic equipment.
4. Be cautious about creating sparks from static or ferrous metals.

Trenching and Shoring Operations

1. THE NATURE OF TRENCHING AND EXCAVATION ACCIDENTS

Studies show that trenching and excavation work is one of the most hazardous activities performed in the construction and utility industry. Excavation and trench cave-ins result in more than one hundred fatalities annually in the United States. With little or no warning, an unsupported, improperly-shored or sloped trench or excavation wall can collapse, trapping workers below in seconds. For each fatality, there are an estimated fifty related serious injuries. In addition to loss of life due to excavating and trenching accidents, the financial cost of property damage, work stoppage, and workers' compensation claims can be substantial.

Most trenching and excavation accidents are a result of inadequate planning, inadequately trained employees, failure of employees to identify and heed a hazard, inadequately designed or installed protective systems, or the disregard for trenching and excavation safety policies and procedures. City employees may have to work in trenches and excavations when repairing or installing water and sewer lines, constructing storm water pipes, pits and other tasks. Therefore, it is imperative that the safeguards described in this program are followed.

2. CAUSES OF CAVE-INS

All soil possesses a certain degree of cohesive strength that tends to hold individual particles together. Once an excavation is made, the soil's natural strength is affected by the downward force of gravity. When cohesive strength is overcome by this downward force, the side walls collapse and the trench caves in. The soil strength and downward force are affected by the following factors:

- a. Soil Type - Loose-grained sandy soils have little cohesive strength and tend to cave-in easily if they are unsupported. Clays and silts generally tend to stick together and be self-supporting.
- b. Recent Excavations - Soil that has never been disturbed is stronger than soil that has been previously excavated. The more recently the soil has been disturbed, the weaker it will be.

- c. Moisture - Water has a decided effect on the cohesiveness of soil. Too much water affects the ability of soil particles to stick together, allowing them to slide and move more easily. This can be especially critical when repairing water or sewer line breaks. Conversely, too little water results in drying which can cause soil to crack and collapse.
- d. Freezing and Thawing - When water freezes, it expands, and when ice thaws, it contracts.
 Movement resulting from expansion and contraction during freeze-thaw cycles can affect both shoring materials and soil stability. A cave-in can occur without warning as a mid-morning sun thaws the excavation's face.
- e. Surcharged Loads - Construction materials, heavy equipment and the weight of the spoil piles all contribute to the downward force on soil. The greater the surcharged load (excessive load), the less stable the soil will be and more likely it will fail.
- f. Shock and Vibration - Moving trains, highway traffic, pile driving and blasting are all sources of vibration which can affect the cohesiveness of soil and weaken excavation walls.
- g. Intersecting Trenches - The point formed by the intersection of two trenches is quite vulnerable to collapse. If not properly protected, a large wedge-shaped chunk of soil can easily break off and fall in the point of the intersection.

3. RESPONSIBILITIES FOR TRENCHING AND EXCAVATIONS

- a. Department Heads - Department heads have overall responsibility for ensuring that any trenching or excavation work done by City employees is performed in a safe manner. They shall be responsible for the following:
 - (1) Providing the time and resources to ensure that an adequate number of City employees under their responsibility (including supervisors) receive adequate training to be designated as "competent persons". Refresher training shall be provided as needed.
 - (2) Providing the time and resources to ensure that all employees involved in trenching and excavation work receive training to perform their individual responsibilities in a safe manner.
 - (3) Providing the resources and approvals necessary to acquire safety equipment and protective systems so employees can perform their jobs in a safe manner.

- (4) Insisting that all trenching and excavation work be performed in a safe manner.
- (5) Assisting in the development of initial work plans for each trenching and excavation job.
- (6) Investigating any trenching and excavation accidents and taking appropriate action to prevent any recurrences.

- b. Competent Persons - A "competent person" is a City employee (or contractor employee) who is capable of identifying existing and predictable hazards in the surroundings, or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them.

At least one competent person shall be on-site during all trenching or excavation operations. The City shall maintain an up-to-date list of competent persons.

The competent person is responsible for employee safety at each specific job including but not limited to the following:

- (1) Locating and protecting underground installations.
- (2) Recognizing, testing and controlling potentially hazardous atmospheres.
- (3) Removing or supporting hazardous surface encumbrances.
- (4) Monitoring the equipment and operation of water removal.
- (5) Protecting employees from loose rocks or soils.
- (6) Conducting daily inspections of excavations, adjacent areas and protective systems.
- (7) Determining the impact of distress and/or surcharge loads and adjust the protective systems accordingly.
- (8) Training employees to perform their jobs in a safe manner.
- (9) Removing employees from hazardous conditions until the necessary precautions have been taken to ensure their safety.
- (10) Conducting soil classifications as necessary.

- c. Employees - All employees have a responsibility to themselves and their fellow employees for the prevention of accidents by following all safety procedures and performing assigned work without injury. Employees are expected to perform all trenching and excavation work according to the procedures set forth in this program. As each employee is the person most concerned with his or her safety, he or she must assume certain duties and responsibilities to assure on-the job safety, including recognizing the hazards of trenching and excavation work and taking precautions to ensure the safety of themselves and co-workers.

4. TRAINING

It is essential that competent persons and other employees receive adequate training so they have the knowledge and skills to perform trenching and excavation activities in a safe manner.

- a. Competent persons shall receive at least eight hours of initial training and annual refresher training of at least four hours. Employees who are required to work in or around trenches and excavations shall receive at least 4 hours of initial training and annual refresher training of at least two hours. This training is minimum and may be expanded and repeated as deemed necessary by individual departments.
- b. Training shall be conducted by person(s) knowledgeable in trench safety practices. Training shall include, but is not limited to, the causes of trench cave-ins, work site protection, communications, utility identification, access and egress, hazardous atmospheres, water hazards, fall protection, emergency situations, use and limitations of protective systems, and other trench safety requirements.
- c. Training shall be documented on the Training Log in Appendix I, or equivalent form, and kept on file by the applicable supervisor. A copy of each Training Log shall be sent to the Risk Management Division.

GENERAL SAFETY PROCEDURES

1. INITIAL WORK PLAN

The supervisor or competent person with responsibility for completing trenching and excavation work shall develop an initial work plan consistent with the potential hazards of the job. Where practical, the work plan shall be developed in advance of commencing the job. The work plan shall include the following items:

- a. Determination of the type of work to be performed and the potential hazards that may be encountered including but not limited to traffic, nearness of other structures, soil type, surface and ground water, overhead and underground utilities, and anticipated weather conditions.
- b. Arranging for adequate tools, personal protective equipment, protective devices, and other materials and equipment. Standard personal protective equipment (PPE) includes hard hats, safety shoes, reflective vests, eye protection and gloves. Other PPE may be needed as specific job hazards dictate.

- c. Reviewing trenching and excavation safety procedures and job hazards with applicable employees.
- d. Coordination of job site safety procedures with contractors, other public entities and the general public as needed.
- e. Providing communication equipment and establishing procedures for notifying emergency and rescue personnel in the event of a cave-in or other serious accident.

2. TRENCHING AND EXCAVATION FIELD SAFETY CHECKLIST

- a. The Trenching and Excavation Field Safety Checklist (See Appendix G) shall be completed on all job sites before personnel are allowed to enter any trench or excavation.
- b. The Checklist shall be completed by the competent person in charge of the job.
- c. If the job extends for more than one day, a new Checklist shall be completed at the beginning of each day.
- d. Any trench or excavation determined to be a confined space shall meet all applicable requirements of the City Confined Space Entry Program.
- e. Checklists shall be kept on file for a period of one year.

3. WORK SITE PROTECTION

Upon arrival at the work site, the competent person shall determine the safeguards required to protect the trenching and excavation area. Any action taken shall comply with Administrative Directive 8-3, Traffic Control Procedures.

- a. Provide warning devices and visibility devices to alert any vehicular or pedestrian traffic.
- b. Arrange for proper traffic flow and channeling through and/or around the work area.
- c. Protect the trench or excavation from exhaust fumes, flowing water, or other potential dangers or contaminants.
- d. Clear and maintain a safe work area around the trench or excavation to prevent any soil, vehicles, equipment or other materials from falling into and striking employees.

4. COMMUNICATIONS

- a. Two-way communications shall be readily available at the job site and a monitored communication base station any time employees are working in a trench or excavation.
- b. All City base communication stations shall keep updated lists of all appropriate fire and police department numbers readily available.
- c. Any trench or excavation determined to be classified as a permit required confined space shall meet all applicable communication procedures described in the City Confined Space Entry Program.

5. UTILITY IDENTIFICATION

Employees may be exposed to serious hazards such as flooding, electrical shock, asphyxiation, fires and explosions resulting from damage to underground installations. In addition, the City may be responsible for the costs to repair or replace damaged utilities. Therefore, it is essential that reasonable attempts be made to locate gas, electric, telephone, fiber optic, sewer, water and other installations before digging begins.

Appropriate contact with utility owners must be made to advise them of the proposed work and have them establish the location of the utility's underground installation prior to the start of actual excavation. For utilities not owned or operated by the City, this task can be simplified by contacting the Utility Notification Center of Colorado to coordinate the activities of City with utility owners.

- a. For utilities owned by the City such as water and sewer lines, call Public Works at _____ to have the appropriate locates made. For non-owned or operated utilities, contact the Utility Notification Center of Colorado at 1-800-922-1987 for line locations. Where possible, call the Center at least two business days in advance of the dig. The Center may also be notified in writing using the appropriate form.
- b. Inform the Center of the intent to excavate. Be specific on the address, extent and duration of the excavation. **IF IT IS AN EMERGENCY LOCATE, TELL THE CENTER NOW!** For routine locates, the Center will ask the following:
 - (1) Identification of Caller
 - (2) Phone Number
 - (3) Job Location
 - (4) Type of Work
 - (5) Date and Time of Work

- c. The Center will contact all utilities that may have services in the job area. Utilities have 2 working days to locate and mark their respective underground lines for routine location requests.
- d. For an emergency locate, advise the Center that the locate is needed for an out-of-service condition and is considered an emergency. Normally, within one hour, the emergency locates will be completed. If locator response is slow, continue to call and inform the Center.
- e. After locating underground lines, the utility personnel will paint marks on the ground showing the approximate location of the lines and will sometimes implant small flags along the course of the line. The underground lines are marked according to the following color scheme:

<u>Utility</u>	<u>Paint Color</u>
Gas	Yellow
Telephone	Orange
Fiber Optics	Orange with Circle Symbol
Water	Blue
Sewer	Green
Electric	Red

- f. When a utility company or owner of the underground lines cannot respond to a request to locate underground utility installations within the 48 hours or cannot establish the exact location of the installations, the excavation can proceed provided City personnel do so with caution and provided detection equipment or other acceptable means to locate utility installations are used.
- g. When excavation operations approach the estimated location of underground installations, the exact location of the installations shall be determined by safe and acceptable means. Use extreme caution while excavating around any utility. Hand dig when necessary. The utility owner must mark the location of the underground line within 18 inches horizontally from the exterior sides of the line along with the depth thereof
- h. While the excavation is open, underground utility installations shall be protected, supported or removed as necessary to safeguard employees.
- i. If a utility line is accidentally damaged, notify the utility owner immediately. Document the situation carefully if necessary. If the utility was not marked correctly ensure this information is well

documented. Notify the City Risk Management Division as soon as possible after securing the area.

- j. After the excavation and repair/installation is complete but before backfilling, make a schematic drawing of the excavation documenting all underground utilities, their purpose, function, size and depth. Record this information on the back of the Trenching and Excavation Field Safety Checklist.

6. SURFACE ENCUMBRANCES

All surface encumbrances (such as trees and boulders) that are located so as to create a hazard to employees shall be removed or supported, as necessary, to safeguard employees.

7. ACCESS AND EGRESS

a. Structural ramps:

- (1) Structural ramps that are used solely by employees as a means of access or egress from excavations shall be designed by a competent person qualified in structural design, and shall be constructed in accordance with the design.
- (2) Ramps and runways constructed of two or more structural members shall have the structural members connected together to prevent displacement.
- (3) Structural members used for ramps and runways shall be of uniform thickness.
- (4) Cleats or other appropriate means used to connect runway structural members shall be attached to the bottom of the runway or shall be attached in a manner to prevent tripping.
- (5) Structural ramps used in lieu of steps shall be provided with cleats or other surface treatments on the top surface to prevent slipping.

b. Means of egress from trench excavations:

A stairway, ladder, ramp or other safe means of egress shall be located in trench excavations that are more than 4 feet or more in depth, so as to require no more than 25 feet of lateral travel for employees.

8. EXPOSURE TO VEHICULAR TRAFFIC

Employees exposed to public vehicular traffic shall be provided with, and shall wear, warning vests or other suitable garments marked or made of reflectorized high-visibility material.

9. EXPOSURE TO FALLING LOADS

No employee shall be permitted underneath loads handled by lifting or digging equipment. Employees shall stand away from any vehicle being loaded or unloaded to avoid being struck by any spillage or falling materials. Operators may remain in the cabs of vehicles when the vehicles are equipped with adequate protection for the operator during loading and unloading operations.

10. WARNING SYSTEMS FOR MOBILE EQUIPMENT

When mobile equipment is operated adjacent to an excavation, or when such equipment is required to approach the edge of an excavation, and the operator does not have a clear and direct view of the excavation, a warning system shall be utilized such as barricades, hand or mechanical systems or stop logs. If possible, the grade should be away from the excavation.

11. HAZARDOUS ATMOSPHERES

Excavations dug near gas stations, chemical plants, storage tanks, sewer lines, and landfills may contain hazardous atmospheres formed by liquids, gases, and vapors which may seep through the soil. The competent person must be alert for these conditions and ensure that proper safeguards are in place.

- a. Where hazardous atmospheres exist or could develop, the City's Confined Space Entry Program shall be followed including provisions related to monitoring, ventilation, entry permits, entry precautions, attendant/entrant requirements, personal protective equipment and rescue/safety equipment, rescue operations, and emergency entrance situations.
- b. Atmospheric testing shall be conducted in excavations over 4 feet deep when hazardous atmospheres could or may exist.
- c. Employees entering bell-bottom pier holes, or other similar deep and confined footing excavations, shall wear a harness with a life-line securely attached to it. The lifeline shall be separate from any line used to handle materials, and shall be individually attended at all times while the employee wearing the lifeline is in the excavation.

12. PROTECTION FROM THE HAZARDS OF WATER ACCUMULATION

Water is a trench's worst enemy. Accumulation resulting from rain, melting snow, or leakage from broken water or sewer lines can saturate the side walls of excavations and weaken them. Flowing water can erode materials from shoring systems to the point of failure. Henceforth, the following procedures apply when working in excavation where water may be present:

- a. Employees shall not work in excavations in which there is accumulated water, or in excavations where water is accumulating, unless adequate precautions have been taken to protect against the hazards posed by water accumulation. The precautions necessary to protect employees adequately vary with each situation, but could include special support or shield systems to protect from cave-ins, water removal to control the level of accumulating water, or use of a safety harness and lifeline.
- b. If water is controlled or prevented from accumulating by use of water removal equipment, the water removal equipment and operations shall be monitored by a competent person to ensure proper operation.
- c. If excavation work interrupts the natural drainage of surface water (such as streams) diversion ditches, dikes, or other suitable means shall be used to prevent surface water from entering the excavation and to provide adequate drainage of the area adjacent to the excavation. Excavations subject to runoff from heavy rains will require an inspection by a competent person and compliance with sections (a) and (b) above.

13. STABILITY OF ADJACENT STRUCTURES

- a. Where the stability of adjoining buildings, walls, or other structures is endangered by excavation operations, support systems such as shoring, bracing, or underpinning shall be provided to ensure the stability of such structures for the protection of employees.
- b. Excavations below the level of the base or footing of any foundation or retaining wall that could be reasonably expected to pose a hazard to employees shall not be permitted except when:
 - (1) A support system, such as underpinning, is provided to ensure the safety of employees and the stability of the structure; or
 - (2) The excavation is in stable rock; or
 - (3) A registered professional engineer has approved the determination that the structure is sufficiently removed from the excavation so as to be unaffected by the excavation activity; or
 - (4) A registered professional engineer has approved the determination that such excavation work will not pose a hazard to employees.
- c. Sidewalks, pavements, and other structures shall not be undermined unless a support system or other method of protection is provided to protect employees from possible collapse of such structures.

14. PROTECTION OF EMPLOYEES FROM LOOSE ROCK OR SOIL

- a. Adequate protection shall be provided to protect employees from loose rock or soil that could pose a hazard by falling or rolling from an excavation face. Such protection shall consist of scaling to remove loose material; installation of protective barricades at intervals as necessary on the face to stop and contain falling material; or other means that provide equivalent protection.
- b. Employees shall be protected from excavated or other materials or equipment that could pose a hazard by falling or rolling into excavations. Protection shall be provided by placing and keeping such materials or equipment at least 2 feet from the edge of excavations, or by use of retaining devices that are sufficient to prevent materials or equipment from falling or rolling into excavations, or by a combination of both if necessary.

15. INSPECTIONS

- a. Daily inspections of excavations, the adjacent areas, and protective systems shall be made by a competent person for evidence of a situation that could result in possible cave-ins, indications of failure of protective systems, hazardous atmospheres, or other hazardous conditions. An inspection shall be conducted by the competent person prior to the start of work and as needed throughout the shift. Inspections shall also be made after every rainstorm or other hazard increasing occurrence. These inspections are only required when employee exposure can be reasonably anticipated.
- b. Where the competent person finds evidence of a situation that could result in a possible cave-in, indications of failure of protective systems, hazardous atmospheres, or other hazardous conditions, exposed employees shall be removed from the hazardous area until the necessary precautions have been taken to ensure their safety.

16. FALL PROTECTION

- a. Where employees or equipment are required or permitted to cross over excavations, walkways or bridges with standard guardrails shall be provided.
- b. Adequate barrier physical protections shall be provided at all remotely located excavations. All wells, pits, shafts, etc., shall be barricaded, covered or backfilled.

17. INSPECTION OF CONTRACTOR WORK

From time to time, City employees may need to inspect work performed by private contractors associated with the City's utilities and other jobs. City employees are expected to follow the policies and procedures spelled out in this document when required to enter a contractor's trench to perform an inspection or do other work. If an unsafe condition exists, the City employee shall contact his or her supervisor and will not enter the excavation until the hazardous condition has been removed. Private contractors are required to comply with applicable OSHA regulations on trenching and excavations.

18. EMERGENCY AND RESCUE SITUATIONS

In the event of a trench collapse or other emergency situation where lives may be at stake, the following emergency and rescue procedures shall apply:

- a. Call dispatch to report the emergency and the need for rescue/emergency assistance from the City Police Department, the Fire Protection District, utilities, and other agencies.
- b. Dispatch shall notify the appropriate emergency agency(s) for emergency assistance
- c. Attempt to notify the applicable supervisor, Risk Management Division, and media spokesperson for the City, of the emergency.
- d. If any person(s) are buried within the trench, mark the location where they were last seen.
- e. Utilize appropriate emergency equipment to rescue personnel. **Do not enter the trench to attempt emergency rescue if known dangers within the trench are immediately life threatening. Wait for rescue crews.**
- f. Assist emergency/rescue personnel as requested to mitigate the emergency.
- g. Assist in securing the area and eliminating any hazardous conditions. Keep the general public away from any hazardous areas.
- h. Conduct an accident investigation and complete the appropriate report forms.

REQUIREMENTS FOR PROTECTIVE SYSTEMS

1. TYPES OF PROTECTIVE SYSTEMS

Various alternatives exist for protecting employees while working in trenches and excavations. These include sloping and benching, shield systems, timber shoring, aluminum hydraulic shoring, and other protective systems. Specific requirements exist for the design and use of these systems. City employees shall follow the applicable OSHA regulation and appendix detailed in this document plus the manufacturers instructions when using any of the protective systems.

The primary protective system City employees will use when working in trenches and excavations is the Griswold Machine & Engineering, Inc. (GME) Lite Shield system. Specific instructions for installing this system are included in the manufacturers information included in Appendix H of this document. The use of the GME system and any other protective system must be done so under the supervision of a competent person.

The GME system is kept on a trailer in the City Maintenance Facility at _____, _____, CO. It is permanently assigned to the Utilities Department Lines Maintenance crews. Lines Maintenance will take the trailer to all water breaks per Section II.C.8. of Directive 1.20 (WATER BREAK PROCEDURES). The GME system shall be utilized to protect employees while working in trenches or excavations as required.

Other City departments may utilize the GME system for trenching jobs provided the system is available, will provide adequate protection for the employees in the trench, and a competent person trained in the use of the GME system is available to supervise the job.

If the GME system is unavailable or will not provide adequate protection for employees working in a trench or excavation, an alternative protective system shall be used. The selection of the type of system, its design, installation and use shall be made by appropriate City employees, including a competent person, and a registered professional engineer as necessary.

Listed below are general as well as specific requirements for various types of protective systems.

2. PROTECTION OF EMPLOYEES IN EXCAVATIONS - GENERAL

- a. Each employee in an excavation shall be protected from cave-ins by an adequate protective system designed in accordance with the requirements below except when:
 - (1) Excavations are made entirely in stable rock.
 - (2) Excavations are less than five (5) feet deep and examination by a competent person provides **no indication of a potential cave-in.**

Many trenches less than five (5) feet deep have caved-in causing serious injuries. Extreme care must be taken when working in shallow trenches as well.

- b. Protective systems shall have the capacity to resist without failure all loads that are intended or could reasonably be expected to be applied or transmitted to the system.

3. DESIGN OF SLOPING AND BENCHING SYSTEMS

The slopes and configurations of sloping and benching systems shall be selected and constructed in accordance with one of the following requirements:

- a. Allowable configurations and slopes - Excavations shall be sloped at an angle not steeper than one and one-half horizontal to one vertical (34 degrees measured from the horizontal). Such slopes shall be excavated to form configurations that are in accordance with the slopes shown for Type C soil in Appendix B of this document.
- b. Determination of slopes and configurations using Appendices A and B - Maximum allowable slopes, and allowable configurations for sloping and benching systems, shall be determined in accordance with the conditions and requirements set forth in appendices A and B on this document.
- c. Designs using other tabulated data - Designs of sloping or benching systems shall be selected from and be in accordance with tabulated data, such as charts and tables. The tabulated data shall be in written form and shall include all of the following:
 - (1) Identification of the parameters that affect the selection of a sloping or benching system drawn from such data;
 - (2) Identification of the limits of use of the data to include the magnitude and configuration of slopes determined to be safe;
 - (3) Explanatory information as may be necessary to aid the user in making a correct selection of a protective system from the data.

At least one copy of the tabulated data which identifies the registered professional engineer who approved the data, shall be maintained at the jobsite during construction of the protective system. After that time, the data may be stored offsite.

- d. Designed by a registered professional engineer - Sloping and benching systems not utilizing option a, b, or c above shall be approved by a registered professional engineer. Designs shall be in writing and shall include at least the following:

- (1) The magnitude of the slopes that were determined to be safe for the particular project;
- (2) The configurations that were determined to be safe for the project; and
- (3) The identity of the registered professional engineer approving the design.

At least one copy of the design shall be kept at the jobsite while the slope is being constructed. After that time, the design may be kept offsite.

4. DESIGN OF SUPPORT SYSTEMS, SHIELD SYSTEMS, AND OTHER PROTECTIVE SYSTEMS

Designs of support systems, shield systems and other protective systems shall be selected and constructed in accordance with one of the following requirements:

- a. Designs using appendices A, C, and D - Designs for timber shoring in trenches shall be determined in accordance with the conditions and requirements set forth in appendices A and C of this document. Designs for aluminum hydraulic shoring shall be in accordance with appendix D or manufacturers tabulated data.
- b. Designs using manufacturer's tabulated data - Design of support systems, shield systems, or other protective systems that are drawn from manufacturer's tabulated data shall be in accordance with all specifications, recommendations, and limitations issued or made by the manufacturer.
 - (1) Deviations from the specifications, recommendations or limitations issued or made by the manufacturer shall only be allowed after the manufacturer issues specific written approval.
 - (2) Manufacturer's specifications, recommendations and limitations and any deviations shall be in written form at the jobsite during construction of the protective system. After that time, the data may be stored offsite.
- c. Designs using other tabulated data - Designs of support systems, shield systems, or other protective systems shall be selected from and be in accordance with tabulated data, such as tables and charts. The tabulated data shall be in written form and include all of the following:
 - (1) Identification of the parameters that affect the selection of a protective system drawn from such data;

- (2) Identification of the limits of use of the data;
- (3) Explanatory information as may be necessary to aid the user in making a correct selection of a protective system from the data.

At least one copy of the tabulated data, which identifies the registered professional engineer who approves the data, shall be maintained at the jobsite during construction of the protective system. After that time, the data may be stored offsite.

- d. Designed by a registered professional engineer - Support systems, shield systems, and other protective systems not utilizing options a, b, or c above, shall be approved by a registered professional engineer. Designs shall be in written form and shall include the following:
 - (1) A plan indicating the sizes, types, and configurations of the materials to be used in the protective system; and
 - (2) The identity of the registered professional engineer approving the design.

At least one copy of the design shall be maintained at the jobsite during the construction of the protective system. After that time, it may be stored offsite.

5. MATERIALS AND EQUIPMENT

- a. Materials and equipment used for protective systems shall be free from damage or defects that might impair their proper function.
- b. Manufactured materials and equipment used for protective systems shall be used and maintained in a manner that is consistent with the recommendations of the manufacturer, and in a manner that will prevent employee exposure to hazards,
- c. When material or equipment that is used for protective systems is damaged, a competent person shall examine the material or equipment and evaluate its suitability for continued use. If the competent person cannot assure the material or equipment is able to support the intended loads or is otherwise suitable for safe use, then such materials and equipment shall be removed from service, and shall be evaluated and approved by a registered professional engineer before being returned to service.

6. INSTALLATION AND REMOVAL OF SUPPORT SYSTEMS

- a. General:

- (1) Members of support systems shall be securely connected together to prevent sliding, falling, kickouts, or other predictable failure.
- (2) Support systems shall be installed and removed in manner that protects employees from cave-ins, structural collapses, or from being struck by members of the support system.
- (3) Individual members of support systems shall not be subject to loads exceeding those which the members were designed to withstand.
- (4) Before temporary removal of individual members begins, additional precautions shall be taken to ensure the safety of employees, such as installing other structural members to carry the loads imposed on the support system.
- (5) Removal shall begin at, and progress from, the bottom of the excavation. Members shall be released slowly so as to note any indication of possible failure of the remaining members of the structure or possible cave-ins of the sides of the excavation.
- (6) Backfilling shall progress together with the removal of support systems from excavations.

b. Additional requirements for support systems for trench excavations:

- (1) Excavation of material to a level no greater than 2 feet below the bottom of the members of a support system shall be permitted, but only if the system is designed to resist the forces calculated for the full depth of the trench, and there is no indications while the trench is open of possible loss of soil from behind or below the bottom of the support system.
- (2) Installation of a support system shall be closely coordinated with the excavation of trenches.

7. SLOPING AND BENCHING SYSTEMS

Employees shall not be permitted to work on the faces of sloped or benched excavations at levels above other employees except when employees at lower levels are adequately protected from the hazards of falling, rolling or sliding material or equipment.

8. SHIELD SYSTEMS

- a. Shield systems shall not be subjected to loads exceeding those which the system was designed to withstand.
- b. Shields shall be installed in a manner to restrict lateral or other hazardous movement of the shield in the event of application of scudded lateral loads.

- c. Employees shall be protected from hazards of cave-ins when entering or exiting the areas protected by shields.
- d. Employees shall not be allowed in shields when shields are being installed, removed, or moved vertically.
- e. Excavations of earth materials to a level not greater than 2 feet below the bottom of a shield shall be permitted, but only if the shield is designed to resist the forces calculated for the full depths of the trench, and there is no indications while the trench is open of a possible loss of soil from behind or below the bottom of the shield.

DEFINITIONS

These definitions apply to all open excavations and trenches made in the earth's surface.

Accepted engineering practices - those requirements which are compatible with standards of practice required by a registered professional engineer.

Aluminum Hydraulic Shoring - pre-engineered shoring system comprised of aluminum hydraulic cylinders (crossbraces) used in conjunction with vertical rails (uprights) or horizontal rails (walers). Such system is designed, specifically to support the sidewalls of an excavation and prevent cave-ins.

Bell-bottom pier hole - a type of shaft or footing excavation, the bottom of which is made larger than the cross section above to form a belled shape.

Benching (Benching system) - a method of protecting employees from cave-ins by excavating the sides of an excavation to form one or a series of horizontal levels or steps, usually with vertical or near-vertical surfaces between levels.

Cave-in - the separation of a mass of soil or rock material from the side of an excavation, or the loss of soil from under a trench shield or support system, and its sudden movement into the excavation, either by falling or sliding, in sufficient quantity so that it could entrap, bury, or otherwise injure and immobilize a person.

Competent person - one who is capable of identifying existing and predictable hazards in the surroundings, or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them.

Cross braces - the horizontal members of a shoring system installed perpendicular to the sides of the excavation, the ends of which bear against either uprights or wales.

Excavation - any man-made cut, cavity, trench, or depression in an earth surface, formed by earth removal.

Faces or sides - the vertical or inclined earth surfaces formed as a result of excavation work.

Failure - the breakage, displacement, or permanent deformation of a structural member or connection so as to reduce its structural integrity and its supportive capabilities.

Hazardous atmosphere - an atmosphere which by reason of being explosive, flammable, poisonous, corrosive, oxidizing, irritating, oxygen deficient, toxic, or otherwise harmful, may cause death, illness, or injury.

Kickout - the accidental release or failure of a cross brace.

Protective system - a method of protecting employees from cave-ins, from material that could fall or roll from an excavation face or into an excavation, or from the collapse of adjacent structures. Protective systems include support systems, sloping and benching systems, shield systems, and other systems that provide the necessary protection.

Ramp - an inclined walking or working surface that is used to gain access to one point from another, and is constructed from earth or from structural materials such as steel or wood.

Registered Professional Engineer - a person who is registered as a professional engineer in the state where the work is to be performed. However, a professional engineer, registered in any state is deemed to be a "registered professional engineer" within the meaning of this standard when approving designs for "manufactured protective systems" or "tabulated data" to be used in interstate commerce.

Sheeting - the members of a shoring system that retain the earth in position and in turn are supported by other members of the shoring system.

Shield (Shield system) - a structure that is able to withstand the forces imposed on it by a cave-in and thereby protect employees within the structure. Shields can be permanent structures or can be designed to be portable and moved along as work progresses. Shields used in trenches are usually referred to as "trench boxes" or "trench shields."

Shoring (Shoring system) - a structure such as a metal hydraulic, mechanical or timber shoring system that supports the sides of an excavation and which is designed to prevent cave-ins.

Sloping (Sloping system) - a method of protecting employees from cave-ins by excavating to form sides of an excavation that are inclined away from the excavation so as to prevent cave-ins. The angle of incline required to prevent a cave-in varies with

differences in such factors as the soil type, environmental conditions of exposure, and application of surcharge loads.

Stable rock - natural solid mineral material that can be excavated with vertical sides and will remain intact while exposed. Unstable rock is considered to be stable when the rock material on the side or sides of the excavation is secured against caving-in or movement by rock bolts or by another protective system that has been designed by a registered professional engineer.

Structural ramp - a ramp built of steel or wood, usually used for vehicle access. Ramps made of soil or rock are not considered structural ramps.

Support system - a structure such as underpinning, bracing, or shoring, which provides support to an adjacent structure, underground installation, or the sides of an excavation.

Tabulated data - tables and charts approved by a registered professional engineer and used to design and construct a protective system.

Trench (Trench excavation) - a narrow excavation (in relation to its length) made below the surface of the ground. In general, the depth is greater than the width, but the width of a trench (measured at the bottom) is not greater than 15 feet. If forms or other structures are installed or constructed in an excavation so as to reduce the dimension measured from the forms or structure

to the side of the excavation to 15 feet or less (measured at the bottom of the excavation), the excavation is also considered to be a trench.

Uprights - the vertical members of a trench shoring system placed in contact with the earth and usually positioned so that individual members do not contact each other. Uprights placed so that individual members are closely spaced, in contact with or interconnected to each other, are often called "sheeting."

Wales - horizontal members of a shoring system placed parallel to the excavation face whose sides bear against the vertical members of the shoring system or earth.



**Town of Rico
Clerk Requirements and Description
Updated 10/2019**

Maintenance I requirements are intended to be flexible with the understanding that the Town of Rico faces limitations in attracting a pool of qualified potential candidates, including, but not limited to the small local and regional population, limited housing stock, limited funding, etc.. Accordingly, many of the requirements listed below are stated in the alternative, and preferences are noted.

Job Title: Town Clerk

Reports To: Mayor and Board of Trustees and Town Manager

Position Classification: Full or Part Time Employee as determined by Board of Trustees, Exempt

Prepared Date: October 22nd, 2019

Approved Date: November 20th, 2019

Summary

Assists municipal government with a variety of routine and complex clerical, treasurer and administrative work by performing the following duties.

Essential Duties and Responsibilities include the following. Other duties may be assigned.

- Serves as custodian of official Town records and public documents; performs certification and recording for the Town as required on legal documents and other records requiring such certification; seals and attests by signature to ordinances, resolutions, contracts, easements, and other documents requiring Town certification; catalogs and files all Town records in accordance with state laws.
- Attends regular and special Board of Trustees meetings and Planning Commission meetings; performs an accurate recording of the proceedings; prepares action minutes of the proceedings.
- Prepares, posts on website and distributes agendas, materials, minutes, and records of meetings.
- Prepares and insures meeting agendas, resolutions, ordinances, legal notices, and other official documents are properly noticed, executed, and recorded.
- Administers employee benefits enrollment, issues, and changes.
- Serves as a notary public.
- Administers the issuance of municipal licenses, including business, dog, and liquor licenses.
- Provides public records and information to citizens, the media, and other governments as requested in accordance with State law.

- Coordinates the updating of town website.
- Serves as the Election Official; manages municipal elections. Ensures that all noticing and materials are in compliance with State statute and the Home Rule Charter.
- Serves as Municipal Court Clerk; keeps records of the proceedings of the municipal court; maintains municipal court files; collects and processes fines and fees.
- Serves as secretary to the Planning Commission.
- Continually seeks to improve the Town's filing and organization system for records and documents.
- Manages the payment of bills and collection of revenue; manages enterprise billing systems.
- Prepares monthly Treasurer's Report and Town Clerk memo.
- Oversees digitization and electronic organization of official town documents.
- Manages the reservation and usage of the Town Hall by outside parties.
- Performs Town Clerk duties as specified by state statute and the Home Rule Charter.
- Performs and oversees janitorial needs of the courthouse.
- Maintains inventory and orders office and cleaning supplies.

Supervisory Responsibilities

On-site supervision of community service volunteers.

Competencies

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- Demonstrates attention to detail.
- Problem Solving - Identifies and resolves problems in a timely manner; Gathers and analyzes information skillfully; Develops alternative solutions; Works well in group problem solving situations; Uses reason even when dealing with emotional topics.
- Technical Skills - Assesses own strengths and weaknesses; Pursues training and development opportunities; Strives to continuously build knowledge and skills; Shares expertise with others.
- Customer Service - Manages difficult or emotional customer situations; Responds promptly to customer needs; Solicits customer feedback to improve service ; Responds to requests for service and assistance; Meets commitments.
- Interpersonal Skills - Focuses on solving conflict, not blaming; Maintains confidentiality; Listens to others without interrupting; Keeps emotions under control; Remains open to others' ideas and tries new things.
- Oral Communication - Speaks clearly and persuasively in positive or negative situations; Listens and gets clarification; Responds well to questions; Demonstrates group presentation skills; Participates in meetings.

- Written Communication - Writes clearly and informatively; Edits work for spelling and grammar; Varies writing style to meet needs; Presents numerical data effectively; Able to read and interpret written information.
- Teamwork - Balances team and individual responsibilities; Exhibits objectivity and openness to others' views; Gives and welcomes feedback; Contributes to building a positive team spirit; Puts success of team above own interests; Able to build morale and group commitments to goals and objectives; Supports everyone's efforts to succeed.
- Cost Consciousness - Works within approved budget; Develops and implements cost saving measures; Contributes to profits and revenue ; Conserves organizational resources.
- Diversity - Demonstrates knowledge of EEO policy; Shows respect and sensitivity for cultural differences; Educates others on the value of diversity; Promotes a harassment-free environment; Builds a diverse workforce.
- Ethics - Treats people with respect; Keeps commitments; Inspires the trust of others; Works with integrity and ethically; Upholds organizational values.
- Organizational Support - Follows policies and procedures; Completes administrative tasks correctly and on time; Supports organization's goals and values; Benefits organization through outside activities; Supports affirmative action and respects diversity.
- Judgment - Displays willingness to make decisions; Exhibits sound and accurate judgment; Supports and explains reasoning for decisions; Includes appropriate people in decision-making process; Makes timely decisions.
- Motivation - Sets and achieves challenging goals; Demonstrates persistence and overcomes obstacles; Measures self against standard of excellence; Takes calculated risks to accomplish goals.
- Planning/Organizing - Prioritizes and plans work activities; Uses time efficiently; Plans for additional resources; Sets goals and objectives; Organizes or schedules other people and their tasks; Develops realistic action plans.
- Professionalism - Approaches others in a tactful manner; Reacts well under pressure; Treats others with respect and consideration regardless of their status or position; Accepts responsibility for own actions; Follows through on commitments.
- Quality - Demonstrates accuracy and thoroughness; Looks for ways to improve and promote quality; Applies feedback to improve performance; Monitors own work to ensure quality. Shows attention to detail in all aspects of duties and responsibilities.
- Quantity - Meets productivity standards; Completes work in timely manner; Strives to increase productivity; Works quickly.
- Safety and Security - Observes safety and security procedures; Determines appropriate action beyond guidelines; Reports potentially unsafe conditions ; Uses equipment and materials properly.
- Adaptability - Adapts to changes in the work environment; Manages competing demands; Changes approach or method to best fit the situation; Able to deal with frequent change, delays, or unexpected events.
- Attendance/Punctuality - Is consistently at work and on time; Ensures work responsibilities are covered when absent; Arrives at meetings and appointments on time.

- Dependability - Follows instructions, responds to management direction; Takes responsibility for own actions; Keeps commitments; Commits to long hours of work when necessary to reach goals.; Completes tasks on time or notifies appropriate person with an alternate plan.
- Initiative - Volunteers readily; Undertakes self-development activities; Seeks increased responsibilities; Takes independent actions and calculated risks; Looks for and takes advantage of opportunities; Asks for and offers help when needed.
- Innovation - Displays original thinking and creativity; Meets challenges with resourcefulness; Generates suggestions for improving work; Develops innovative approaches and ideas; Presents ideas and information in a manner that gets others' attention.

Education / Experience

Professional certification; or two years related experience and/or training; or equivalent combination of education and experience.

Language Skills

Ability to read and comprehend simple instructions, short correspondence, and memos. Ability to write simple correspondence. Ability to effectively present information in one-on-one and small group situations to customers, clients, and other employees of the organization.

Mathematical Skills

Ability to add and subtract two digit numbers and to multiply and divide with 10's and 100's. Ability to perform these operations using units of American money and weight measurement, volume, and distance.

Reasoning Ability

Ability to apply common sense understanding to carry out detailed but uninvolved written or oral instructions. Ability to deal with problems involving a few concrete variables in standardized situations.

Computer Skills

To perform this job successfully, an individual should be competent and proficient in Accounting/Payroll software; Internet software; Spreadsheet software and Word Processing software.

Certificates, Licenses, Registrations

Notary Public

Other Skills and Abilities

Willingness and able to obtain various certifications at the request of the Town Board or Town Manager.

Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this Job, the employee is regularly required to sit and talk or hear. The employee is occasionally required to stand and walk. The employee must frequently lift and/or move up to 10 pounds and occasionally lift and/or move up to 25 pounds.

Work Environment

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this Job, the employee is occasionally exposed to outside weather conditions. The noise level in the work environment is usually quiet.

The job description does not create any property rights for job positions. All employees are "at will" employees as set for in Article 4.5 of the Home Rule Charter. The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.



**Town of Rico
Maintenance I Requirements and Description
Updated 10/2019**

Maintenance I requirements are intended to be flexible with the understanding that the Town of Rico faces limitations in attracting a pool of qualified potential candidates, including, but not limited to the small local and regional population, limited housing stock, limited funding, etc.. Accordingly, many of the requirements listed below are stated in the alternative, and preferences are noted.

Job Title: Maintenance I

Reports To: Town Manager

Position Classification: Full or Part Time Employee as determined by Board of Trustees, Non-Exempt

Prepared Date: October 22nd, 2019

Approved Date: November 20th, 2019

Summary

Performs a variety of unskilled, semi-skilled, and skilled maintenance work and operates a variety of equipment in the construction, operation, repair, maintenance, and replacement of Town water, streets, drainage systems and other town property:

Essential Duties and Responsibilities include the following. Other duties may be assigned.

- Inspects and/or repairs chlorine machine, booster pumping stations, reservoir, meters, streets, and drainage systems at frequent intervals to insure that all aspects of the systems are functioning properly.
- Maintains a variety of records relating to inspections, maintenance activity, water supply, consumption, etc.
- Determines the locations of water lines prior to excavation.
- Responds to complaints regarding water leaks, pressure loss, frozen water lines, water quality or no water.
- Contacts residents and business owners in area where services will be discontinued and explains when services will be shut off and how soon it will be turned back on.
- Ensures the proper maintenance of equipment and tools by cleaning and checking equipment and tools after use.
- Drives trucks of various sizes and weights in the loading, hauling, and unloading of various equipment, gravel, snow and sand.
- Performs snow removal and street grading operations.

- Performs routine inspection and preventive maintenance on assigned equipment and town shop and storage facilities.
- Operates light and medium-sized construction and power equipment, such as backhoe/loader.
- Performs all duties in conformance to appropriate safety standards. Compliance with HAZMAT standards.
- Performs required labor involved in construction and maintenance projects, including water distribution maintenance and CDPHE testing.
- Maintains and services water supply. Performs tests related to water quality under the supervision of the water operator.
- Operates a variety of power construction and maintenance equipment used in the service of water and streets.
- Maintain and perform minor repairs of town buildings, structures and grounds.
- Supervises Parks, Open Space and Trails employee(s) and part time maintenance employee(s) in coordination with Town Manager.

Supervisory Responsibilities

On-site supervision of community service volunteers as needed.

Qualifications To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education / Experience

High school diploma or general education degree (GED); or one to three years related experience and/or training; or equivalent combination of education and experience.

Language Skills

Ability to read and comprehend simple instructions, short correspondence, and memos. Ability to write simple correspondence. Ability to effectively present information in one-on-one and small group situations to customers, clients, and other employees of the organization.

Mathematical Skills

Ability to add and subtract two digit numbers and to multiply and divide with 10's and 100's. Ability to perform these operations using units of American money and weight measurement, volume, and distance.

Reasoning Ability

Ability to apply common sense understanding to carry out detailed but uninvolved written or oral instructions. Ability to deal with problems involving a few concrete variables in standardized situations.

Certificates, Licenses, Registrations

Valid driver's license. Valid or ability to obtain a commercial driver's license. Possess or or ability to obtain a water distribution certification.

Other Skills and Abilities

General mechanical abilities.

Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to

enable individuals with disabilities to perform the essential functions.

While performing the duties of this Job, the employee is regularly required to sit and talk or hear. The employee is frequently required to stand; walk and stoop, kneel, crouch, or crawl. The employee is occasionally required to use hands to finger, handle, or feel; reach with hands and arms and climb or balance. The employee must regularly lift and /or move up to 10 pounds and occasionally lift and/or move up to 100 pounds.

Work Environment

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this Job, the employee is regularly exposed to outside weather conditions. The employee is frequently exposed to moving mechanical parts. The employee is occasionally exposed to fumes or airborne particles.

Competencies

To perform the job successfully, an individual should demonstrate the following competencies:

- Problem Solving - Identifies and resolves problems in a timely manner; Gathers and analyzes information skillfully; Develops alternative solutions; Works well in group problem solving situations; Uses reason even when dealing with emotional topics.
- Project Management - Develops project plans; Coordinates projects; Communicates changes and progress; Completes projects on time and budget; Manages project team activities.
- Technical Skills - Assesses own strengths and weaknesses; Pursues training and development opportunities; Strives to continuously build knowledge and skills; Shares expertise with others.
- Customer Service - Manages difficult or emotional customer situations; Responds promptly to customer needs; Solicits customer feedback to improve service ; Responds to requests for service and assistance; Meets commitments.
- Interpersonal Skills - Focuses on solving conflict, not blaming; Maintains confidentiality; Listens to others without interrupting; Keeps emotions under control; Remains open to others' ideas and tries new things.
- Oral Communication - Speaks clearly and persuasively in positive or negative situations; Listens and gets clarification; Responds well to questions; Demonstrates group presentation skills; Participates in meetings.
- Written Communication - Writes clearly and informatively; Edits work for spelling and grammar; Varies writing style to meet needs; Presents numerical data effectively; Able to read and interpret written information.
- Teamwork - Balances team and individual responsibilities; Exhibits objectivity and openness to others' views; Gives and welcomes feedback; Contributes to building a positive team spirit; Puts success of team above own interests; Able to build morale and group commitments to goals and objectives; Supports everyone's efforts to succeed.
- Cost Consciousness - Works within approved budget; Develops and implements cost saving measures; Contributes to profits and revenue ; Conserves organizational resources.
- Diversity - Demonstrates knowledge of EEO policy; Shows respect and sensitivity for cultural differences; Educates others on the value of diversity; Promotes a harassment-free environment; Builds a diverse workforce.

- Ethics - Treats people with respect; Keeps commitments; Inspires the trust of others; Works with integrity and ethically; Upholds organizational values.
- Organizational Support - Follows policies and procedures; Completes administrative tasks correctly and on time; Supports organization's goals and values; Benefits organization through outside activities; Supports affirmative action and respects diversity.
- Judgment - Displays willingness to make decisions; Exhibits sound and accurate judgment; Supports and explains reasoning for decisions; Includes appropriate people in decision-making process; Makes timely decisions.
- Motivation - Sets and achieves challenging goals; Demonstrates persistence and overcomes obstacles; Measures self against standard of excellence; Takes calculated risks to accomplish goals.
- Planning/Organizing - Prioritizes and plans work activities; Uses time efficiently; Plans for additional resources; Sets goals and objectives; Organizes or schedules other people and their tasks; Develops realistic action plans.
- Professionalism - Approaches others in a tactful manner; Reacts well under pressure; Treats others with respect and consideration regardless of their status or position; Accepts responsibility for own actions; Follows through on commitments.
- Quality - Demonstrates accuracy and thoroughness; Looks for ways to improve and promote quality; Applies feedback to improve performance; Monitors own work to ensure quality.
- Quantity - Meets productivity standards; Completes work in timely manner; Strives to increase productivity; Works quickly.
- Safety and Security - Observes safety and security procedures; Determines appropriate action beyond guidelines; Reports potentially unsafe conditions ; Uses equipment and materials properly.
- Adaptability - Adapts to changes in the work environment; Manages competing demands; Changes approach or method to best fit the situation; Able to deal with frequent change, delays, or unexpected events.
- Attendance/Punctuality - Is consistently at work and on time; Ensures work responsibilities are covered when absent; Arrives at meetings and appointments on time.
- Dependability - Follows instructions, responds to management direction; Takes responsibility for own actions; Keeps commitments; Commits to long hours of work when necessary to reach goals.; Completes tasks on time or notifies appropriate person with an alternate plan.
- Initiative - Volunteers readily; Undertakes self-development activities; Seeks increased responsibilities; Takes independent actions and calculated risks; Looks for and takes advantage of opportunities; Asks for and offers help when needed.
- Innovation - Displays original thinking and creativity; Meets challenges with resourcefulness; Generates suggestions for improving work; Develops innovative approaches and ideas; Presents ideas and information in a manner that gets others' attention.

The job description does not create any property rights for job positions. All employees are "at will" employees as set for in Article 4.5 of the Home Rule Charter. The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.



Town of Rico
Parks, Open Space and Trails Job Requirements and Description
Updated 10/2019

Parks, Open Space and Trails job requirements are intended to be flexible with the understanding that the Town of Rico faces limitations in attracting a pool of qualified potential candidates, including, but not limited to the small local and regional population, limited housing stock, limited funding, etc.. Accordingly, many of the requirements listed below are stated in the alternative, and preferences are noted. Further some duties may be split among more than one person.

Job Title: Parks, Open Space and Trails
Reports To: Town Manager / Maintenance I
Position Classification: Part Time Employee, Non-Exempt
Prepared Date: October 22nd, 2019
Approved Date: November 20th, 2019

Summary

Performs a variety of unskilled, semi-skilled, and skilled park and landscaping maintenance work. Performs winter maintenance on the cross country ski trails and ice skating rink.

Essential Duties and Responsibilities include the following. Other duties may be assigned.

- Mows, weeds, trims, and removes grass clippings. Waters, aerates, renovates and fertilizes turf areas. Plants, waters, edges, prunes and removes trees, shrubs, bushes, and flowers. Clears snow and leaves from parks, rights-of-way, sidewalks, and sports fields and courts.
- Picks up trash and polices areas. Empties trash receptacles.
- Performs snow removal from sidewalks surrounding Town properties.
- Performs, oversees and coordinates winter grooming on cross-country ski trails using a snowmobile and a grooming apparatus.
- Performs ice rink maintenance including installing and and taking down rink.
- Ensures the proper maintenance and storage of equipment and tools by cleaning and checking equipment and tools after use, organizing and securing storage areas.
- Performs routine inspection and preventive maintenance on assigned equipment.
- Operates light and medium-sized construction and power equipment.
- Performs all duties in conformance to appropriate safety standards.
- Performs required labor involved in construction and maintenance projects..

- Maintains and performs minor repairs of recreational facilities and grounds.
- Winter Carnival – assists with setup and removal of any equipment specific to the Winter Carnival, cleans area when the Carnival is over.
- Spring Clean-up assists with cleanup activities including assisting residents with unloading trash and putting it in the dumpster and collecting garbage on Town Properties and right-of-ways.
- Apply for parks, open space, trails and recreational grant funding and technical assistance in coordination with Town Manager.

Qualifications To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education / Experience

High school diploma or general education degree (GED).

Language Skills

Ability to read and comprehend simple instructions, short correspondence, and memos. Ability to write simple correspondence. Ability to effectively present information in one-on-one and small group situations to customers, clients, and other employees of the organization.

Mathematical Skills

Ability to add and subtract two digit numbers and to multiply and divide with 10's and 100's. Ability to perform these operations using units of American money and weight measurement, volume, and distance.

Reasoning Ability

Ability to apply common sense understanding to carry out detailed but uninvolved written or oral instructions. Ability to deal with problems involving a few concrete variables in standardized situations.

Certificates, Licenses, Registrations

Valid driver's license. Valid or ability to obtain a commercial driver's license. First Aid and CPR Certification.

Other Skills and Abilities

General mechanical abilities; basic carpentry skills.

Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this Job, the employee is regularly required to sit and talk or hear. The employee is frequently required to stand; walk and stoop, kneel, crouch, or crawl. The employee is required to dig and shovel snow and perform other physical tasks. The employee is required to use hands to finger, handle, or feel; reach with hands and arms and climb or balance. The employee must regularly lift and /or move up to 10 pounds and occasionally lift and/or move up to 100 pounds.

Work Environment

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this Job, the employee is regularly exposed to outside weather and

seasonal conditions. The employee is frequently exposed to moving mechanical parts. The employee is occasionally exposed to fumes or airborne particles.

Competencies

To perform the job successfully, an individual should demonstrate the following competencies:

- Problem Solving - Identifies and resolves problems in a timely manner; Gathers and analyzes information skillfully; Develops alternative solutions; Works well in group problem solving situations; Uses reason even when dealing with emotional topics.
- Technical Skills - Assesses own strengths and weaknesses; Pursues training and development opportunities; Strives to continuously build knowledge and skills; Shares expertise with others.
- Customer Service - Manages difficult or emotional customer situations; Responds promptly to customer needs; Solicits customer feedback to improve service; Responds to requests for service and assistance; Meets commitments.
- Interpersonal Skills - Focuses on solving conflict, not blaming; Maintains confidentiality; Listens to others without interrupting; Keeps emotions under control; Remains open to others' ideas and tries new things.
- Oral Communication - Speaks clearly and persuasively in positive or negative situations; Listens and gets clarification; Responds well to questions; Demonstrates group presentation skills; Participates in meetings.
- Teamwork - Balances team and individual responsibilities; Exhibits objectivity and openness to others' views; Gives and welcomes feedback; Contributes to building a positive team spirit; Puts success of team above own interests; Able to build morale and group commitments to goals and objectives; Supports everyone's efforts to succeed.
- Cost Consciousness - Works within approved budget; Develops and implements cost saving measures; Contributes to profits and revenue ; Conserves organizational resources.
- Ethics - Treats people with respect; Keeps commitments; Inspires the trust of others; Works with integrity and ethically; Upholds organizational values.
- Organizational Support - Follows policies and procedures; Completes administrative tasks correctly and on time; Supports organization's goals and values; Benefits organization through outside activities; Supports affirmative action and respects diversity.
- Judgment - Displays willingness to make decisions; Exhibits sound and accurate judgment; Supports and explains reasoning for decisions; Includes appropriate people in decision-making process; Makes timely decisions.
- Motivation - Sets and achieves challenging goals; Demonstrates persistence and overcomes obstacles; Measures self against standard of excellence; Takes calculated risks to accomplish goals.
- Planning/Organizing - Prioritizes and plans work activities; Uses time efficiently; Plans for additional resources; Sets goals and objectives.
- Professionalism - Approaches others in a tactful manner; Reacts well under pressure; Treats others with respect and consideration regardless of their status or position; Accepts responsibility for own actions; Follows through on commitments.
- Quality - Demonstrates accuracy and thoroughness; Looks for ways to improve and promote quality; Applies feedback to improve performance; Monitors own work to ensure quality.

- Quantity - Meets productivity standards; Completes work in timely manner; Strives to increase productivity; Works quickly.
- Safety and Security - Observes safety and security procedures; Determines appropriate action beyond guidelines; Reports potentially unsafe conditions ; Uses equipment and materials properly.
- Adaptability - Adapts to changes in the work environment; Manages competing demands; Changes approach or method to best fit the situation; Able to deal with frequent change, delays, or unexpected events.
- Attendance/Punctuality - Is consistently at work and on time; Ensures work responsibilities are covered when absent; Arrives at meetings and appointments on time.
- Dependability - Follows instructions, responds to management direction; Takes responsibility for own actions; Keeps commitments; Commits to long hours of work when necessary to reach goals.; Completes tasks on time or notifies appropriate person with an alternate plan.
- Initiative - Volunteers readily; Undertakes self-development activities; Seeks increased responsibilities; Takes independent actions and calculated risks; Looks for and takes advantage of opportunities; Asks for and offers help when needed.
- Innovation - Displays original thinking and creativity; Meets challenges with resourcefulness; Generates suggestions for improving work; Develops innovative approaches and ideas; Presents ideas and information in a manner that gets others' attention.

The job description does not create any property rights for job positions. All employees are "at will" employees as set for in Article 4.5 of the Home Rule Charter. The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.



Town of Rico
Maintenance II Requirements and Description
Updated 10/2019

Maintenance requirements are intended to be flexible with the understanding that the Town of Rico faces limitations in attracting a pool of qualified potential candidates, including, but not limited to the small local and regional population, limited housing stock, limited funding, etc.. Accordingly, many of the requirements listed below are stated in the alternative, and preferences are noted. Further some duties may be split among more than one person.

Job Title: Maintenance II

Reports To: Town Manager / Maintenance I

Position Classification: Part Time Employee, Non-Exempt

Prepared Date: October 22nd, 2019

Approved Date: November 20th, 2019

Summary

Performs a variety of unskilled, semi-skilled and skilled tasks. Operates a variety of equipment in the construction, operation, repair, maintenance, and replacement of Town water, streets, drainage systems and other town property.

Essential Duties and Responsibilities include the following. Other duties may be assigned.

- Inspects and/or repairs chlorine machine, booster pumping stations, reservoir, meters, streets, and drainage systems at frequent intervals to ensure that all aspects of the systems are functioning properly.
- Drives trucks of various sizes and weights in the loading, hauling, and unloading of various equipment, gravel, snow and sand.
- Performs snow removal and street grading operations.
- Ensures the proper storage and maintenance of equipment and tools by cleaning and checking equipment and tools after use organizing and securing storage areas.
- Performs routine inspection and preventive maintenance on assigned equipment and facilities.
- Operates light and medium-sized construction and power equipment, such as backhoe/loader.
- Performs all duties in conformance to appropriate safety standards. Compliance with HAZMAT standards.
- Performs required labor involved in construction and maintenance projects.
- Operates a variety of power construction and maintenance equipment used in the service of

water and streets.

- Maintains and performs minor repairs of town buildings, structures and grounds.
- Cleans and stocks Town Hall restroom
- Cleans floors in Town Hall meeting room

Qualifications To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education / Experience

High school diploma or general education degree (GED).

Language Skills

Ability to read and comprehend simple instructions, short correspondence, and memos. Ability to write simple correspondence. Ability to effectively present information in one-on-one and small group situations to customers, clients, and other employees of the organization.

Mathematical Skills

Ability to add and subtract two digit numbers and to multiply and divide with 10's and 100's. Ability to perform these operations using units of American money and weight measurement, volume, and distance.

Reasoning Ability

Ability to apply common sense understanding to carry out detailed but uninvolved written or oral instructions. Ability to deal with problems involving a few concrete variables in standardized situations.

Certificates, Licenses, Registrations

Valid driver's license. Valid or ability to obtain a commercial driver's license.

Other Skills and Abilities

General mechanical abilities.

Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this Job, the employee is regularly required to sit and talk or hear. The employee is frequently required to stand; walk and stoop, kneel, crouch, or crawl. The employee is required to dig and shovel snow and perform other physical tasks. The employee is required to use hands to finger, handle, or feel; reach with hands and arms and climb or balance. The employee must regularly lift and /or move up to 10 pounds and occasionally lift and/or move up to 100 pounds.

Work Environment

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this Job, the employee is regularly exposed to outside weather conditions. The employee is frequently exposed to moving mechanical parts. The employee is occasionally exposed to fumes or airborne particles.

Competencies

To perform the job successfully, an individual should demonstrate the following competencies:

- Problem Solving - Identifies and resolves problems in a timely manner; Gathers and analyzes information skillfully; Develops alternative solutions; Works well in group problem solving situations; Uses reason even when dealing with emotional topics.
- Technical Skills - Assesses own strengths and weaknesses; Pursues training and development opportunities; Strives to continuously build knowledge and skills; Shares expertise with others.
- Customer Service - Manages difficult or emotional customer situations; Responds promptly to customer needs; Solicits customer feedback to improve service ; Responds to requests for service and assistance; Meets commitments.
- Interpersonal Skills - Focuses on solving conflict, not blaming; Maintains confidentiality; Listens to others without interrupting; Keeps emotions under control; Remains open to others' ideas and tries new things.
- Oral Communication - Speaks clearly and persuasively in positive or negative situations; Listens and gets clarification; Responds well to questions; Demonstrates group presentation skills; Participates in meetings.
- Teamwork - Balances team and individual responsibilities; Exhibits objectivity and openness to others' views; Gives and welcomes feedback; Contributes to building a positive team spirit; Puts success of team above own interests; Able to build morale and group commitments to goals and objectives; Supports everyone's efforts to succeed.
- Cost Consciousness - Works within approved budget; Develops and implements cost saving measures; Contributes to profits and revenue ; Conserves organizational resources.
- Ethics - Treats people with respect; Keeps commitments; Inspires the trust of others; Works with integrity and ethically; Upholds organizational values.
- Organizational Support - Follows policies and procedures; Completes administrative tasks correctly and on time; Supports organization's goals and values; Benefits organization through outside activities; Supports affirmative action and respects diversity.
- Judgment - Displays willingness to make decisions; Exhibits sound and accurate judgment; Supports and explains reasoning for decisions; Includes appropriate people in decision-making process; Makes timely decisions.
- Motivation - Sets and achieves challenging goals; Demonstrates persistence and overcomes obstacles; Measures self against standard of excellence; Takes calculated risks to accomplish goals.
- Planning/Organizing - Prioritizes and plans work activities; Uses time efficiently; Plans for additional resources; Sets goals and objectives.
- Professionalism - Approaches others in a tactful manner; Reacts well under pressure; Treats others with respect and consideration regardless of their status or position; Accepts responsibility for own actions; Follows through on commitments.
- Quality - Demonstrates accuracy and thoroughness; Looks for ways to improve and promote quality; Applies feedback to improve performance; Monitors own work to ensure quality.
- Quantity - Meets productivity standards; Completes work in timely manner; Strives to increase productivity; Works quickly.
- Safety and Security - Observes safety and security procedures; Determines appropriate action beyond guidelines; Reports potentially unsafe conditions ; Uses equipment and materials

properly.

- Adaptability - Adapts to changes in the work environment; Manages competing demands; Changes approach or method to best fit the situation; Able to deal with frequent change, delays, or unexpected events.
- Attendance/Punctuality - Is consistently at work and on time; Ensures work responsibilities are covered when absent; Arrives at meetings and appointments on time.
- Dependability - Follows instructions, responds to management direction; Takes responsibility for own actions; Keeps commitments; Commits to long hours of work when necessary to reach goals.; Completes tasks on time or notifies appropriate person with an alternate plan.
- Initiative - Volunteers readily; Undertakes self-development activities; Seeks increased responsibilities; Takes independent actions and calculated risks; Looks for and takes advantage of opportunities; Asks for and offers help when needed.
- Innovation - Displays original thinking and creativity; Meets challenges with resourcefulness; Generates suggestions for improving work; Develops innovative approaches and ideas; Presents ideas and information in a manner that gets others' attention.

The job description does not create any property rights for job positions. All employees are "at will" employees as set for in Article 4.5 of the Home Rule Charter. The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.



**Town of Rico
Clerk Requirements and Description
Updated 10/2019**

Town Marshall requirements are intended to be flexible with the understanding that the Town of Rico faces limitations in attracting a pool of qualified potential candidates, including, but not limited to the small local and regional population, limited housing stock, limited funding, etc.. Accordingly, many of the requirements listed below are stated in the alternative, and preferences are noted.

Job Title: Town Marshal

Reports To: Town Manager

Position Classification: Full or Part Time Employee as determined by Board of Trustees, Non-Exempt

Prepared Date: October 22nd, 2019

Approved Date: November 20th, 2019

Summary

Performs a variety of routine and complex public safety work in the performance and administration of police patrol, investigation, traffic regulation, and related law and code enforcement activities as prioritized by the Board of Trustees and Town Manager.

Essential Duties and Responsibilities include the following. Other duties may be assigned. Carries out duties in conformance with Federal, State, County, and Town laws and ordinances.

- Maintains contact with general public, court officials, and other Town officials in the performance of police activities, as assigned.
- Serves as the code enforcement officer; enforces Town ordinances.
- Works a uniformed shift in controlling traffic and enforcing traffic violations in accordance with the State Model Traffic Code.
- Maintains contact with other law enforcement agencies.
- Provides mutual assistance to other agencies during emergency situations.
- Patrols Town to preserve the peace, enforce the law, and otherwise serve and protect.
- Prepares cases and self to testify in court, if needed.
- Prepares a variety of reports and records including officer's Daily Log and regular Board of Trustees Reports.
- Assists citizens with such matters as locked or stalled vehicles, crime prevention, drug enforcement, traffic safety, animal control, etc.

- Performs Marshal duties as specified by state statute, town ordinance and the Home Rule Charter.

Supervisory Responsibilities

This job has no supervisory responsibilities.

Competencies

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- Demonstrates attention to detail.
- Problem Solving - Identifies and resolves problems in a timely manner; Gathers and analyzes information skillfully; Develops alternative solutions; Works well in group problem solving situations;
- Uses reason even when dealing with emotional topics.
- Technical Skills - Assesses own strengths and weaknesses; Pursues training and development opportunities; Strives to continuously build knowledge and skills; Shares expertise with others.
- Customer Service - Manages difficult or emotional customer situations; Responds promptly to customer needs; Solicits customer feedback to improve service ; Responds to requests for service and assistance; Meets commitments.
- Interpersonal Skills - Focuses on solving conflict, not blaming; Maintains confidentiality; Listens to others without interrupting; Keeps emotions under control; Remains open to others' ideas and tries new things.
- Oral Communication - Speaks clearly and persuasively in positive or negative situations; Listens and gets clarification; Responds well to questions; Demonstrates group presentation skills; Participates in meetings.
- Written Communication - Writes clearly and informatively; Edits work for spelling and grammar; Varies writing style to meet needs; Presents numerical data effectively; Able to read and interpret written information.
- Teamwork - Balances team and individual responsibilities; Exhibits objectivity and openness to others' views; Gives and welcomes feedback; Contributes to building a positive team spirit; Puts success of team above own interests; Able to build morale and group commitments to goals and objectives; Supports everyone's efforts to succeed.
- Cost Consciousness - Works within approved budget; Develops and implements cost saving measures;
- Contributes to profits and revenue ; Conserves organizational resources.
- Diversity - Demonstrates knowledge of EEO policy; Shows respect and sensitivity for cultural differences; Educates others on the value of diversity; Promotes a harassment-free environment; Builds a diverse workforce.
- Ethics - Treats people with respect; Keeps commitments; Inspires the trust of others; Works with integrity and ethically; Upholds organizational values.
- Organizational Support - Follows policies and procedures; Completes administrative tasks correctly and on time; Supports organization's goals and values; Benefits organization through outside activities; Supports affirmative action and respects diversity.

- Judgment - Displays willingness to make decisions; Exhibits sound and accurate judgment; Supports and explains reasoning for decisions; Includes appropriate people in decision-making process; Makes timely decisions.
- Motivation - Sets and achieves challenging goals; Demonstrates persistence and overcomes obstacles; Measures self against standard of excellence; Takes calculated risks to accomplish goals.
- Planning/Organizing - Prioritizes and plans work activities; Uses time efficiently; Plans for additional resources; Sets goals and objectives; Organizes or schedules other people and their tasks; Develops realistic action plans.
- Professionalism - Approaches others in a tactful manner; Reacts well under pressure; Treats others with respect and consideration regardless of their status or position; Accepts responsibility for own actions; Follows through on commitments.
- Quality - Demonstrates accuracy and thoroughness; Looks for ways to improve and promote quality; Applies feedback to improve performance; Monitors own work to ensure quality.
- Quantity - Meets productivity standards; Completes work in timely manner; Strives to increase productivity; Works quickly.
- Safety and Security - Observes safety and security procedures; Determines appropriate action beyond guidelines; Reports potentially unsafe conditions ; Uses equipment and materials properly.
- Adaptability - Adapts to changes in the work environment; Manages competing demands; Changes approach or method to best fit the situation; Able to deal with frequent change, delays, or unexpected events.
- Attendance/Punctuality - Is consistently at work and on time; Ensures work responsibilities are covered when absent; Arrives at meetings and appointments on time.
- Dependability - Follows instructions, responds to management direction; Takes responsibility for own actions; Keeps commitments; Commits to long hours of work when necessary to reach goals.; Completes tasks on time or notifies appropriate person with an alternate plan.
- Initiative - Volunteers readily; Undertakes self-development activities; Seeks increased responsibilities; Takes independent actions and calculated risks; Looks for and takes advantage of opportunities; Asks for and offers help when needed.
- Innovation - Displays original thinking and creativity; Meets challenges with resourcefulness; Generates suggestions for improving work; Develops innovative approaches and ideas; Presents ideas and information in a manner that gets others' attention.

Education / Experience

Professional certification; or two years related experience and/or training; or equivalent combination of education and experience.

Language Skills

Ability to read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals. Ability to write routine reports and correspondence. Ability to speak effectively before groups of customers or employees of organization.

Mathematical Skills

Ability to add and subtract two digit numbers and to multiply and divide with 10's and 100's. Ability to perform these operations using units of American money and weight measurement, volume, and distance.

Reasoning Ability

Ability to apply common sense understanding to carry out detailed but uninvolved written or oral instructions. Ability to deal with problems involving a few concrete variables in standardized situations.

Computer Skills

To perform this job successfully, an individual should have knowledge of Internet software and Word Processing software.

Certificates, Licenses, Registrations

Valid driver's license. POST certified.

Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this Job, the employee is regularly required to sit and talk or hear. The employee is occasionally required to stand; walk; reach with hands and arms; climb or balance and stoop, kneel, crouch, or crawl. The employee must frequently lift and/or move up to 10 pounds and occasionally lift and/or move more than 100 pounds.

Work Environment

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Occasionally forced to confront and control aggressive/belligerent or otherwise threatening individuals. While performing the duties of this Job, the employee is regularly exposed to outside weather conditions. The employee is occasionally exposed to fumes or airborne particles.

The job description does not create any property rights for job positions. All employees are "at will" employees as set for in Article 4.5 of the Home Rule Charter. The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

RECREATIONAL TRAIL EASEMENT

This RECREATIONAL TRAIL EASEMENT ("**Trail Easement**") is made and entered into by and between the Town of Rico, a Colorado home rule municipality and political subdivision of the State of Colorado ("**Grantee**"), whose legal address is PO Box 9, Rico, Colorado 81332, and Michael Popek and Alana Karen (collectively "**Grantor**"), whose legal address is 959 Waverly Street, Palo Alto, CA 94301. Grantee and Grantor may sometimes singularly be referred to as a "Party" or collectively be referred to as the "Parties."

RECITALS:

A. Grantor owns certain real property legally described in Exhibit A, attached hereto and incorporated herein by this reference ("**Grantor's Property**").

B. Grantor and Grantee desire to establish a perpetual, nonexclusive public trail easement across Grantor's Property in the location depicted and described in the attached Exhibit B.1 and Exhibit B.2 attached hereto and incorporated herein by this reference.

NOW THEREFORE, in consideration of the terms and conditions of this Trail Easement, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and subject to the terms and conditions hereof, the Parties agree as follows.

AGREEMENTS:

1. Grant of Trail Easement. Grantor hereby grants, quitclaims, conveys, assigns, establishes, and creates to and for the benefit of Grantee, for Grantee's and the public's use and the use of Grantee's agents, contractors and employees, a perpetual, non-exclusive public recreational trail easement over and across Grantor's Property for pedestrian, bicycle and other non-motorized mechanical means of conveyance and for trail and infrastructure installation and maintenance within the area depicted and described on Exhibits B.1 and B.2 ("**Trail Easement**"). In granting the Trail Easement, Grantor expressly represents, and Grantee acknowledges, that Grantor does not: (a) extend any assurances that the Trail Easement area is safe for any purpose; (b) confer upon any person using the Trail Easement the legal status of an invitee or licensee to whom a duty of care is owed by Grantor; (c) assume any responsibility or incur an liability for any injury to person or property or for the death of anyone caused by an act or omission of such person.

2. Restrictions on Use. Camping, campfires, hunting, livestock and equestrian uses shall not be permitted in the Trail Easement area. Except as set forth in sections 4 and 5 below, motorized use shall not be permitted in the Trail Easement area.

3. Grantor's Rights. Grantor reserves the right of ownership, use, and occupancy of Grantor's Property, insofar as the ownership, use, and occupancy does not materially impair the rights granted to Grantee herein. Without limiting the foregoing, Grantor may install utility and cable lines, paving, and landscaping, fencing and other improvements so long as the same do not interfere with Grantee's use of the designated Trail Easement area on Grantor's Property. Moreover, Grantor may remove or plow snow from driveway areas, grade and/or pave driveway

areas, and nothing in this Agreement shall be construed to limit Grantor's right to modify the circulation of automobile or pedestrian traffic within Grantor's Property, provided that use of the Trail Easement is not materially diminished, unreasonably interfered with, or causes a violation of applicable law.

4. Construction of Trail Improvements. A trail currently exists only on portions of the Trail Easement area. Grantee has the right to clear brush, rocks and stumps, and in that portion of the Trail Easement area where no trail currently exists, to construct a single tract dirt trail ("New Trail"). Grantee shall construct and maintain the New Trail in a manner to minimize erosion. At the north and south ends of the Trail Easement area just inside Grantor's Property's boundaries, Grantee shall install gates and/or boulders and signage to block and prohibit unauthorized motorized access. Grantor shall have the opportunity to approve all signage prior to installation, which approval shall not be unreasonably withheld. All trail improvements shall be constructed at Grantee's sole cost and expense and motorized tools, vehicles and equipment may be used for construction and installation of the trail improvements authorized herein. Upon substantial completion of the construction of the New Trail, Grantee shall send written notice of completion to Grantor ("**Notice of Completion**") notifying Grantor that the New Trail is substantially completed. The Notice of Completion shall be accompanied by a "**Notice of Relocation**" in which the Grantee's surveyor depicts and legally describes the "as-built" location of the New Trail and which shall be recorded as an amendment to Exhibits B.1 and B.2 hereto. Not less than twenty (20) days following the provision of the Notice of Completion and Notice of Relocation, Grantee is authorized and directed to sign and record the Notice of Relocation. A copy of the recorded Notice of Relocation shall be delivered to Grantor.

5. Trail Relocation. If the location of the Trail interferes with Grantor's use and development of the Grantor Property, Grantor may require Grantee to relocate the Trail to another portion of the Grantor Property as reasonably and mutually determined by Grantor and Grantee at the cost of the Grantee. In the event that the Trail is relocated, Grantor shall be authorized to record a modification/supplement to this Agreement revising the Easement Area, which Grantee shall promptly execute and deliver to evidence such relocation, which consent and delivery shall not be unreasonably withheld, delayed or otherwise conditioned. Nothing herein shall limit or preclude the ability of Grantor to develop the Grantor Property, provided Grantor has reasonably identified an alternative for the Easement.

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6. Maintenance of Trail Easement Area; Grooming. Grantee, at its sole cost and expense, shall be responsible for maintaining the trail and other trail improvements located in the Trail Easement area in reasonably good condition. Motorized tools, vehicles and equipment may be used for such maintenance. During the months of November through March each winter, Grantee shall be permitted to groom the trail for Nordic recreation, including but not limited to Nordic skiing, snow shoeing, fat biking and other non-motorized use ("**Nordic Grooming**"). Nordic Grooming may only occur between the hours of 8am and 9pm.

7. Suspension of Easement. Grantor reserves the right to suspend the Easement granted by the Agreement upon any of the following occurrences:

7.1 Grantee shall have failed to substantially and promptly perform any of the Grantee obligations;

7.2 The Easement Area shall be repeatedly used for other than the Authorized Uses; or

7.3 Grantee fails to obtain or maintain the Insurance Coverage.

8. Denial of the Use of the Easement by Grantor. If the suspension is due to one of the causes set forth in 7.1 through 7.2 above, Grantor shall deliver written notice to Grantee itemizing the specific violation under the terms of this Agreement, or the specific instances of trespassing or interference. Thereupon, Grantee shall have thirty (30) days from the date of the notice to in good faith comply with the notice and cure the violation or to provide assurances acceptable to Grantor that the trespasses or interferences will cease. If Grantor fails to either cure the violation or provide such assurances within that time frame, the Grantor may suspend the Easement and the use of the Easement, granted hereunder until such violation is cured or such assurances are provided to its reasonable satisfaction. If the Grantee fails to obtain or maintain the Insurance Coverage, then the Easement and any rights to use the Easement shall be immediately and automatically suspended until such time as the Insurance Coverage is in force and proof thereof has been furnished to the Grantor. In addition, in the event the Colorado Landowner Protection Statutes, in effect as of the date hereof, are amended or repealed in whole or part, which amendment or repeal, in the reasonable judgment of the Grantor reduces or terminates the liability protections afforded Grantor, then unless and until Grantee is able to obtain additional liability insurance coverage, which to Grantor's reasonable satisfaction fully protects Grantor against additional exposure, Grantor may, upon written notice to Grantee, immediately suspend the Easement and prevent further use of any or all of the Easement Area until and unless Grantee obtains such additional liability insurance coverage, reasonably acceptable to the Grantor.

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96. Default. In the event of a default by either Party under this Trail Easement in the observance or performance of any of the covenants or other provisions here to be observed or performed by such Party, if such default is not cured within sixty (60) days after notice to defaulting Party (or if such default is incapable of cure within such 60-day period and defaulting Party commences to cure within such 60-day period and thereafter diligently and continuously takes action to effect a cure), the non-defaulting Party shall have the following remedies: (a) to cure, if capable of cure, the breach by the defaulting Party, with the right of reimbursement from the defaulting Party for all reasonable costs and expenses incurred in connection with such cure, including reasonable legal fees; (b) an action for specific performance and/or injunction; and (c) an action for actual damages. No breach of this Trail Easement shall entitle any party to consequential, incidental, economic, treble or punitive damages or to cancel, rescind, or otherwise terminate this Agreement, but such limitation shall not affect in any manner any other rights or remedies which such Party may have by reason of any breach of this Agreement.

107. Mechanic's Liens. Grantee shall not permit any mechanic's liens to be placed upon the Grantor's Property in connection with construction and maintenance performed by or on behalf of Grantee in conjunction with the Trail Easement.

118. Notices. All notices and other communications required or permitted under this Trail Easement shall be in writing and shall be (a) personally delivered, (b) deposited with a nationally recognized overnight delivery service that routinely issues receipts, or (c) given by registered or certified mail. Any such notice or other communication shall be effective when such notice is delivered to the addresses set forth above. Any Party, by ten (10) days' prior written notice given as set forth above, may change the address to which future notices or other communications intended for such Party shall be sent.

129. Landowner Protection Statutes; Indemnification. In granting and accepting the recreational Trail Easement, the Parties intend to avail themselves of the maximum immunities, benefits and protections available to each of them pursuant to the public recreational use statute, CRS §33-41-101 *et seq.*, the Colorado landowner liability statute, CRS §13-21-115, and the Colorado Governmental Immunity Act, CRS §24-10-114 (collectively the "**Colorado Landowner Protection Statutes**"). Nothing in this Agreement is intended to waive any limits on liability afforded to the Parties under the Colorado Landowner Protection Statutes. By granting the Trail Easement, Grantor shall have no obligation to repair, clear or otherwise maintain the Trail Easement area, or to insure or indemnify Grantee or the public for any injury, claim or damage to any person or property whether alleged to have occurred as a result of use of the Trail Easement for public non-motorized trail or otherwise, or due to the condition of the road or trail, unless the need therefore is caused by grantor, in which case Grantor shall perform the maintenance or care so required. To the extent allowed by law, Grantee hereby agrees to defend and hold harmless Grantor and Grantor's heirs, successors and assigns to the full extent allowed under Colorado law, from and against any and all claims, demands, causes of action, damages, losses, liabilities, costs and expenses of any kind or nature (including those involving death, personal injury or property damage and including reasonable attorney's fees) arising from or incurred in any way in connection with the use of the Trail Easement by anyone, including members of the general public, excepting any such claims or losses which may arise from the willful, intentional, reckless, or grossly negligent acts of Grantor, its agents or employees, or other claims as described in CRS §33-41-104(1). Grantee may satisfy this obligation by maintaining comprehensive public entity liability insurance coverage to which the Grantor is named as an additional insured.

130. Insurance. Grantee shall obtain and maintain insurance and name Grantor as an additional insured on its general liability insurance policy, which shall cover those claims and liabilities arising in connection with any use of the Trail Easement by Grantee, its citizens, residents, visitors, licensees and invitees and any other person. The limits of such insurance coverage must meet or exceed liability limits allowed from time to time under the Colorado Governmental Immunities Act ("**Insurance Coverage**"). Upon written request from Grantor, Grantee shall provide a certificate of the Insurance Coverage. The Insurance Coverage shall provide that Grantor shall receive notice of cancellation of Grantee's policy at least 30 days prior to its termination. Without limiting Grantee's Insurance Coverage obligations, Grantor may also obtain and maintain its own insurance coverage.

141. Modification. No provision or term of this Agreement may be amended, modified, revoked, supplemented, waived, or otherwise changed except by a written instrument duly executed by the Parties hereto or such others as may from time to time own an interest in the respective Properties.

152. Entire Agreement. This Agreement constitutes and incorporates the entire agreement among the Parties hereto concerning the subject matter of this Agreement and supersedes any prior agreements concerning the subject matter hereof.

163. Attorneys' Fees. If any action is commenced between the Parties concerning this Agreement or for the enforcement of rights and duties of any Party pursuant to this Agreement, the court shall award the substantially prevailing Party in the action its reasonable attorneys' fees in addition to any other relief that may be granted.

174. Severability. If any provision of this Agreement shall be held invalid, illegal, or unenforceable in any jurisdiction, the validity, legality, and enforceability of the remaining provisions of this Agreement shall not be impaired thereby.

185. Successors and Assigns/Covenants Run With Land. The terms and conditions of this Agreement bind and inure to the benefit of the Parties, and their respective successors, assigns and personal representatives. The Trail Easement granted herein shall constitute a covenant running with the land and shall bind Grantor's Property described herein and inure to the benefit of and be binding upon the Parties, their grantees, and respective successors and assigns, and any persons claiming by, through or under them.

196. No Waiver. No provision of this Agreement may be waived except by written instrument signed by the Party to be charged with such waiver. Waiver by any Party of any agreement, condition, or provision contained in this Agreement will not be deemed to be a waiver of any subsequent breach of the same or any other agreement, condition, or provision contained in this Agreement.

2047. Construction of Agreement. This Agreement resulted from review and negotiations between the Parties and their attorneys. This Agreement will be construed to have been drafted by all of the Parties so that the rule of construing ambiguities against the drafter will have no force or effect.

2148. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado, without reference to conflicts of law principles.

2249. Authorization. Each Party is authorized and empowered to execute this Agreement and all necessary corporate or partnership action has been taken to authorize execution of this Agreement.

230. Execution. The Parties shall execute and deliver such further documents as may be reasonably required in order to effect the intent of this Agreement.

241. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed to constitute an original and all of which when taken together shall constitute one and the same instrument; provided, however, that this Agreement will not become binding upon any Party unless and until executed (whether or not in counterpart) by all the Parties.

252. Facsimile/E-Mail. Original signatures of the parties hereto on copies of this Agreement transmitted by facsimile or e-mail shall be deemed originals for all purposes hereunder and such copies shall be binding on all parties hereto.

IN WITNESS WHEREOF, the undersigned have executed and delivered this Agreement as of the date first above written.

GRANTEE:

Town of Rico

By: _____
Zach McManus, Mayor

STATE OF COLORADO)
COUNTY OF DOLORES)

Subscribed to and acknowledged before me this ____ day of _____, 2019 by Zach McManus as Mayor of the Town of Rico, a home rule municipality and political subdivision of the State of Colorado.

Witness my hand and official seal.
My commission expires: _____

Notary Public

GRANTOR:

Mike Popek

Alana Karen

STATE OF _____)
COUNTY OF _____)

Subscribed to and acknowledged before me this ____ day of _____, 2019 by Mike Popek and Alana Karen

Witness my hand and official seal.

My commission expires: _____

Notary Public