

Town of Rico Memorandum

Date: December 13, 2023

TO: Town of Rico Board of Trustees
FROM: Chauncey McCarthy, Rico Town Manager
SUBJECT: December Board of Trustees Special Session

Colorado Housing and Finance Authority (CHFA) State Proposition 123 next steps

Chris Lopez of Colorado Housing and Finance Authority will be presenting on State Proposition 123 and the next steps the town should consider. These steps include a housing needs assessment, technical assistance, grant funding, and would position the community in a manner that may allow us to reach our housing commitment.

San Miguel Power Association (SMPA) micro grid

Terry Schuyler of San Miguel Power Association will provide an update on the Rico micro grid feasibility study and project.

Consideration of second reading of Ordinance No. 2023-06 an ordinance of the Board of Trustees of the Town of Rico, Colorado adopting the year 2024 Town budget; appropriating sums of money; and setting and certifying Town mill levies

Included in the packet is the proposed 2024 budget, staff memo, and Ordinance No. 20223-06 an Ordinance of the Town of Rico, Colorado adopting the year 2024 town budget; appropriating sums of money; and setting and certifying town mill levies. The first reading of the 2024 budget was approved at the October 12 meeting.

Motion

To approve first reading of Ordinance No. 2023-05 an ordinance of the Board of Trustees of the Town of Rico, Colorado adopting the year 2024 town budget; appropriating sums of money; and setting and certifying town mill levies

Moved by Mayor Pro Tem Pat Fallon, seconded by Trustee Jordan Carr.

Vote. A roll call vote was taken, and the motion was approved, 5-0.

The only material change to the budget was an increase in the town manager's salary per the direction of the Board of Trustees.

Recommended Motion:

- I move to approve the second reading of Ordinance No. 2023-06 an ordinance of the Board of Trustees of the Town of Rico, Colorado adopting the year 2024 Town budget; appropriating sums of money; and setting and certifying Town mill levies

Consideration of second reading of Ordinance 2023-07 an ordinance of the Town of Rico, Colorado amending and extending the temporary moratorium on the acceptance of new land use applications for major or minor subdivisions, and residential or commercial planned unit developments

Included in the packet is ordinance 2023-07 which would extend the current moratorium until June 30, 2024. This ordinance amends the current moratorium; This amendment allows for consideration of applications that will not increase current water demands, wither it be a minor subdivision to vacate interior lot lines or reduce density, or a major subdivision or PUD application that has already been allocated water. The first reading of this ordinance was approved at the November 15, 2023 meeting.

Motion

To extend with the amendment and approve ordinance 2023-07.

Moved by Trustee Benn Vernadakis, seconded by Trustee Joe Croke.

Vote. A roll call vote was taken and the motion was approved, 5-0

Recommended Motion:

- I move to approve the second reading of Ordinance 2023-07 an ordinance of the Town of Rico, Colorado amending and extending the temporary moratorium on the acceptance of new land use applications for major or minor subdivisions, and residential or commercial planned unit developments.

Voluntary lead soils clean up (“VCUP”) update

Mayor Pieterse to provide an update on the Voluntary lead soils clean up status.

Short term rental reconfiguration of quadrant boundaries

At the November 15, 2023, meeting the Board of Trustees motioned to continue the first reading of ordinance 2023-06, an ordinance of the Town of Rico, Colorado amending the short-term rental restrictions and licensing requirements in the Rico Land Use Code. The first reading was continued to allow for additional time to review and consider material that was brought forth during public comment.

The material presented to the board was a reconfiguration of the quadrant boundaries, which would more equally distribute current housing stock across all four areas. The information provided during public comment has been reviewed by staff and a memo has been included in the packet. The proposed ordinance 2023-06 and ordinance 2022-05, which adopted the STR policy, have also been included in the packet.

The Board needs to determine if this reconfiguration of quadrant boundaries should be included in ordinance 2023-06. If the board elects to reconfigure quadrant boundaries to address current housing stock, there must be considerations made on what can be done once the town is fully built out.

Town operated river corridor campground

During the start of the park and recreation improvements project, I proposed to the consultants a town owned and operated campground in the river corridor on the west side of the railroad grade. A modest campground could generate enough additional revenue to create a full-time summer seasonal park and rec position. This would allow current revenue sources from the park, trail, and open space to be used for capital improvement and other projects besides paying wages. GOCO provided feedback on the project

recommending that the Town does not include a campground in the grant propose because it could result in the request being denied if there was negative public comment on the application because of the proposed improvement.

Recently there have been other grant opportunities that align with funding a campground at this location. Since there is potential that a campground could come to fruition the Town and the Board of Trustees need to engage the public and start the due process.

Staff originally thought that this location could accommodate 6 – 8 walk in primitive sites positioned along the river on the west side of the railroad grade. Each site would consist of a railroad tie and gravel tent platform, picnic table, fire ring, and site signage. Sites would share bearproof food boxes, porta-potty, water spigot, and a dumpster. Guests of the campground could utilize the new parking lot that will be constructed as part of the town shop project. They would also have access to the bathroom and water station at the new building as well.

The target demographic for this campground would be a family of 3 – 5 who would like to visit the area but due to children and/or limited camping experience would be more comfortable camping with amenities instead of utilizing the national forest. They would be able to park within 1/10 mile of the tent site, walk gear on an improved path to their site, while still having access to restrooms, potable water, and electricity. They would be able to walk to local businesses, drive to destinations within the area, and access the National Forest within our valley.

Below is a review based upon conservative estimates of the impacts the campground could have on our local economy.

If the town opened the campground Memorial Day weekend and operated through the middle of October (to capture visitors in town during foliage) there would be approximately 145 bookable days. If we assume that the campground will average 50% capacity through the season there would be 572 nightly stays. At \$30 this would generate \$17,400 of revenue through the course of the season. In turn generating an additional \$870 in local sales tax and \$1,218 in lodger tax. Creating a direct impact of \$19,488.

If each stay spent an additional \$15 on average per day within town (coffee, breakfast, dinner, gas, beer/wine/liquor) there would be an additional \$8,580 spent within the community. Generating another \$600 in sales tax for the town. The cumulative direct and indirect financial impact a campground could have totals \$28,500.

To ensure guests are compliant with the campground rules and requirements a camp host site could be constructed to accommodate a van or small camper. Traditionally the camp host position is unpaid, and their site is provided at no cost in exchange for their services. If this is the direction the town takes the revenue from reservations could be used to pay a full-time summer seasonal employee.

The summer seasonal duties would include cleaning and maintaining all park facilities, cleaning and maintaining the campground, helping with check-ins/outs, overseeing and monitoring campground reservation website, watering flowers, emptying trash receptacles, and helping out where needed.

During the early summer and fall this may not be a full-time position and the workload could be absorbed by current staff; Through the busy season this position may be full-time. This schedule could accommodate someone who elects to work seasonally or a college student home on break. If it were assumed that there are 16 full time weeks at \$20 an hour, the wages for this position would be \$12,800. The total labor burden for the town would be \$13,836.80.

IGA and funding request letter Telluride R-1 School District

With Rico joining the Telluride R-1 School District and the town receiving the deed to the current town park the board should discuss entering into an intergovernmental agreement with the R-1 school district to use the space if the school were to reopen. In addition to the IGA the board should determine if it is appropriate to request funding from the district to offset the cash match for the park and rec improvements if award the GOCO grant.

Construction impact mitigation rules and regulations definitions review

Included in the packet is the most recent version of the construction impact mitigation rules and regulations including definitions. The creation of this document has been an ongoing process over the last few months. A draft copy of the regulations was presented to the board in October. A redline was provided at the November meeting based on the feedback received during the initial review. The redline was approved by the board and the next step is to review the definitions. Once the definitions have been reviewed and agreed upon this document will then be used to create an ordinance officially adopting the regulations and imposes fees for violations.

RICO TOWN BOARD MEETING MINUTES

Date: October 12, 2023

Call to Order 6:00PM

Trustees Present:

Mayor Nicole Pieterse
Mayor Pro Tem Patrick Fallon
Trustee Joe Croke
Trustee Jordan Carr
Trustee Joe Dillsworth (zoom 6:02PM)

Trustees Absent:

Trustee Benn Vernadakis
Trustee Chris Condon

Staff Present. Chauncey McCarthy,

Approval of the Agenda

Motion

To approve the agenda.

Moved by Trustee Jordan Carr, seconded by Trustee Joe Croke.

Vote. A roll call vote was taken and the motion was approved, 4-0. Joe Dillsworth not present at vote.

Action Items

Consideration of first reading of Ordinance No. 2023-05 an ordinance of the Board of Trustees of the Town of Rico, Colorado adopting the year 2024 town budget; appropriating sums of money; and setting and certifying town mill levies

Town Manager gives summary on all budget items

Public Comment:

Allyn Svoboda: the Town should look into grants to make the building more efficient to lower the propane cost.

Sales tax should not include groceries, or propane to heat houses and electricity.

Motion

To approve first reading of Ordinance No. 2023-05 an ordinance of the Board of Trustees of the Town of Rico, Colorado adopting the year 2024 town budget; appropriating sums of money; and setting and certifying town mill levies

Moved by Mayor Pro Tem Pat Fallon, seconded by Trustee Jordan Carr.

Vote. A roll call vote was taken and the motion was approved, 5-0.

Discussion Items

Proposition 123 implementation

Shak Powers gives presentation.

Adjourn 7:58PM

Anna Wolf
Rico Town Clerk

Nicole Pieterse
Mayor

RICO TOWN BOARD MEETING MINUTES

Date: November 15, 2023

Call to Order 7:00

Trustees Present:

Mayor Pro Tem Patrick Fallon
Trustee Joe Dillsworth
Trustee Benn Vernadakis
Trustee Joe Croke
Trustee Chris Condon

Trustees Absent:

Mayor Nicole Pieterse
Trustee Jordan Carr

Staff Present. Chauncey McCarthy, Anna Wolf (zoom),

Approval of the Agenda

Motion

To approve the agenda.

Moved by Trustee Benn Vernadakis, seconded by Trustee Chris Condon.

Vote. A roll call vote was taken and the motion was approved, 5-0.

Approval of Minutes

Motion

To approve the minutes October 18.

Moved by Trustee Benn Vernadakis, seconded by Trustee Joe Croke.

Vote. A roll call vote was taken and the motion was approved, 5-0.

Motion

To approve the minutes October 23.

Moved by Trustee Joe Croke, seconded by Trustee Benn Vernadakis.

Vote. A roll call vote was taken and the motion was approved, 5-0.

Action Items

Consideration of first reading of Ordinance 2023-06, an ordinance of the Town of Rico, Colorado amending the short-term rental restrictions and licensing requirements in the Rico Land Use Code.

Town Manager gives summary.

The board discussed the data that Scott Smith compiled.

Public comment:

Scott Smith: is it just to put these fees on short term rental and not on long term renters.
 Chauncey McCarthy addresses the fees. The fees are increased to discourage short term rentals without a permit.

Motion

To continue of first reading of Ordinance 2023-06 until next month to allow the Board to review the data.

Moved by Trustee Benn Vernadakis, seconded by Trustee Joe Croke.

Vote. A roll call vote was taken and the motion was approved, 5-0.

To review the data at the December special meeting.

Consent Agenda

Payment of the Bills

Joe Croke brings up the Karp Neu Hanlon invoice. This was a check that was misprinted. To be canceled.

Motion

To approve the payment of the bills except check 17917.

Moved by Trustee Chris Condon, seconded by Trustee Benn Vernadakis.

Vote. A roll call vote was taken and the motion was approved, 5-0.

Action Items

Consideration of first reading of Ordinance 2023-07 an ordinance of the Town of Rico, Colorado amending and extending the temporary moratorium on the acceptance of new land use applications for major or minor subdivisions, and residential or commercial planned unit developments

Chauncey McCarthy gave summary.

Joe Croke asks clarifying question regarding the timeframe for the Moratorium.

Motion

To extend with the amendment and approve ordinance 2023-07.

Moved by Trustee Benn Vernadakis, seconded by Trustee Joe Croke.

Vote. A roll call vote was taken and the motion was approved, 5-0

Consideration of liquor license renewal for Rock Laubster LLC, DBA Mountain Top Liquor
 Town clerk confirms that the application is complete and compliant.

Motion

To approve the liquor license renewal for Rock Laubster LLC, DBA Mountain Top Liquor

Moved by Trustee Joe Dillsworth, seconded by Trustee Jordan Carr.

Vote. A roll call vote was taken and the motion was approved, 7-0

Consideration of road building and disturbance permit application Hancock Alley Block 18, Leah Chmielewski applicant

Town Manager explains that historically if the Planning Commission continues an application the board usually gives the curtesy to also extend to give the applicant time to make the changes the Planning Commission asked for.

Motion

To continue Consideration of road building and disturbance permit application Hancock Alley Block 18, Leah Chmielewski applicant to March 20, 2024

Moved by Trustee Joe Croke, seconded by Mayor Pro Tem Pat Fallon.

Vote. A roll call vote was taken and the motion was approved, 4-0 Joe Croke sustains from voting

Staff Report

Clerk's Report

Noticed the 1 vacant Board seat, and the planning commission seats. Deadline to get the letters in will be the January 4th. Seats to be appointed at the January 17th meeting.

Manager's Report

Water rate study is under final review.

The Piedmont rd. has been approved by the county commissioners. The Forrest Service to work through this.

The EPA mandate for lead lines to be replaced. State grant is available to the Town to complete the survey needed.

Department of Natural Resources conducting a new floodplain map for the area. No cost for the Town.

Discussion Items

Rico school detachment ballot initiative

Detachment committee gave summary

Voluntary lead soils clean up ("VCUP") update

Tom Bloomfield gave summary.

2024 Budget second reading and February regular meeting dates

2024 budget second reading set to December 4, 2024. February meeting to be discussed at next month's meeting.

Construction impact mitigation rules and regulations

Chauncey McCarthy gives summary. Board discussed temporary water for construction. Staff was given direction by the Board. Redline to be presented at next month.

Adjourn 8:48PM

Anna Wolf
Rico Town Clerk

Nicole Pieterse
Mayor

RICO TOWN BOARD MEETING MINUTES

Date: December 4, 2023

Call to Order 6:33PM

Trustees Present:

Mayor Nicole Pieterse
 Trustee Joe Dillsworth
 Trustee Benn Vernadakis
 Trustee Chris Condon (arrives 6:54PM)
 Trustee Joe Croke
 Trustee Jordan Carr (zoom left at 6:46PM)

Trustees Absent:

Mayor Pro Tem Patrick Fallon

Staff Present. Chauncey McCarthy, Anna Wolf (zoom),

Approval of the Agenda

Motion

To approve the agenda.

Moved by Trustee Benn Vernadakis, seconded by Trustee Joe Croke.

Vote. A roll call vote was taken and the motion was approved, 4-0. Chris Condon not present. Jordan Carr did not vote.

Action Items

Consideration of Resolution 2023-06 a resolution of the Board of Trustees of the Town of Rico supporting the grant application for a community impact grant from the State Board of the Great Outdoors Colorado Trust Fund and the completion of Rico Town Park and Outdoor Recreation Hub.

Town Manager gives summary. Town of Rico was invited to apply for the grant cycle. The board discussed the data that Scott Smith compiled.

Motion

To approve Resolution 2023-06 a resolution of the Board of Trustees of the Town of Rico supporting the grant application for a community impact grant from the State Board of the Great Outdoors Colorado Trust Fund and the completion of Rico Town Park and Outdoor Recreation Hub.

Moved by Trustee Joe Croke, seconded by Trustee Joe Dillsworth.

Vote. A roll call vote was taken and the motion was approved, 4-0. Chris Condon not present. Jordan Carr did not vote

Discussion Items

Marshal Michael Moran

Town Manager gave an update on the death of Marshal Michael Moran. Update on service date as well as other fundraisers for his family.

Michael Moran was a great Marshal to the community.

Motion

To donate \$500 to the Family of Marshal Michael Moran

Moved by Mayor Nicole Pieterse, seconded by Trustee Joe Dillsworth.

Vote. A roll call vote was taken and the motion was approved, 5-0. Chris Condon not present.

Short term rental reconfiguration of quadrant boundaries

To be discussed at the regular December meeting.

2024 Budget ordinance second reading

2024 budget second reading to occur after the County gives updated numbers to the Town. This is delayed due to the State. Deadlines have been pushed back.

Motion

To go into Executive Session

Moved by Trustee Benn Vernadakis, seconded by

Anna Wolf
Rico Town Clerk

Nicole Pieterse
Mayor

2018 NEW Town of Rico - Street Fund
Check Register
For the Period From Dec 1, 2023 to Dec 31, 2023

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
2892	12/12/23	San Miguel Power Associ	10000	277.00
2893	12/12/23	WM Corporate Services, I	10000	166.67
2894	12/12/23	Partners in Parts, Inc	10000	647.72
2895	12/12/23	Rico Telephone Company	10000	44.27
Total				<u>1,135.66</u>

NEW Town of Rico - Sanitation Fund
Check Register
For the Period From Dec 1, 2023 to Dec 31, 2023

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1431	12/12/23	Bohannan Huston	13500	<u>1,795.25</u>
Total				<u><u>1,795.25</u></u>

NEW Town of Rico - Open Park Fund
Check Register
For the Period From Dec 1, 2023 to Dec 31, 2023

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1758	12/12/23	San Miguel Power Associ	11000	25.00
Total				25.00

NEW Town of Rico - Water Fund
Check Register
For the Period From Dec 1, 2023 to Dec 31, 2023

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
4569	12/12/23	USDA Forest Services	10000	559.03
4570	12/12/23	AT&T Mobility	10000	111.49
4571	12/12/23	San Miguel Power Associ	10000	580.00
4572	12/12/23	Plumbing Store	10000	381.19
4573	12/12/23	GovRates Inc	10000	4,400.00
4574	12/12/23	UPS	10000	44.77
4575	12/12/23	San Juan Basin Health De	10000	35.00
4576	12/12/23	Rico Telephone Company	10000	115.00
4577	12/12/23	Fralely Propane LLC	10000	402.00
Total				<u>6,628.48</u>

NEW Town of Rico - General Fund
Check Register
 For the Period From Dec 1, 2023 to Dec 31, 2023

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
17944	12/12/23	Karp Neu Hanlon, PC	10000	3,893.00
17945	12/12/23	Jennifer Stark	10000	403.50
17946	12/12/23	Buckhorn Engineering	10000	340.00
17947	12/12/23	Century Link	10000	52.30
17948	12/12/23	San Miguel Power Associ	10000	111.00
17949	12/12/23	WM Corporate Services, I	10000	25.43
17950	12/12/23	Orkin	10000	93.00
17951	12/12/23	Xerox Corporation	10000	86.63
17952	12/12/23	Goff Engineering and sur	10000	2,299.20
17953	12/12/23	Bulson Surveying	10000	1,470.00
17954	12/12/23	San Miguel Power Associ	10000	6,100.00
17955	12/12/23	Utility Notification Center	10000	140.45
17956	12/12/23	Gregg Philips	10000	200.00
17957	12/12/23	Fraley Propane, LLC	10000	603.00
17958	12/12/23	Rico Telephone Company	10000	255.00
17959	12/12/23	Jon Kelly	10000	375.00
17960	12/12/23	CEBT	10000	4,022.40
17961	12/13/23	Kuboske Construction LL	10000	<u>68,849.89</u>
Total				<u><u>89,319.80</u></u>



Town of Rico
2024 Fiscal Year Budget

**TOWN OF RICO
ORDINANCE NO. 2023-06**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF RICO,
COLORADO ADOPTING THE YEAR 2024 TOWN BUDGET; APPROPRIATING
SUMS OF MONEY; AND SETTING AND CERTIFYING TOWN MILL LEVIES**

WHEREAS, the Board of Trustees designated Chauncey, Rico Town Manager to prepare and submit a proposed budget to the Governing Body; and

WHEREAS, a public hearing was conducted on the 12th day of October, and the 20th day of December 2023 in accordance with the law;

WHEREAS, the Rico Town Board finds that the adoption of the budget is essential to the provision of basic and necessary services and finds that this ordinance is necessary for the preservation of the health, safety and general welfare of the Rico community; and,

WHEREAS, the Town of Rico has reviewed and considered the Final 2024 Budget in accordance with the Local Government Budget Law on the 20th day of December, 2023; and,

WHEREAS, the proposed budget has made provisions therein for revenues in an amount equal to or greater than the total proposed described below; and,

WHEREAS, the December 13, 2023 valuation for the Town of Rico as certified by the County Assessor is \$7,572,176 and,

**NOW THEREFORE, THE BOARD OF TRUSTEES OF THE TOWN OF RICO
ORDAINS:**

SECTION 1. BUDGETED REVENUES AND EXPENDITURES

The following sums are hereby appropriated for the revenue of each fund, for the purposes stated. The budgeted revenues and expenditures for each fund are as follows:

General Fund Revenues:	
Reserve Balance	1,631,488.00
Non Property Tax Revenues	558,320.00
Property Tax revenues	98,580.00
Grant/Other Revenues	958,000.00
Total General Fund:	<u>3,246,388.00</u>
General Fund Expenditures:	<u>2,575,920.00</u>
Street Fund Revenues:	
Reserve Balance	152,079.00
Non Property Tax Revenue	67,400
Property Tax Revenue	13,515

Grant/Other	0.00
Total Street Fund:	<u>231,404.00</u>
Street Fund Expenditures:	<u>120,650.00</u>

Parks Trails and Open Space Revenue:	
Reserve Balance	95,567.00
Non Property Tax Revenues	25,650.00
Grants/Other Revenues	660,640.00
Total Parks, Trails and Open Space Fund:	<u>781,857.00</u>
Parks, Trails and Open Space Expenditures:	<u>700,500.00</u>

Water Enterprise Fund Revenues:	
Reserve Balance	311,325.00
Non Property Tax Revenues	174,750.00
Grants/Other Revenues	
Total Water Enterprise Fund:	<u>486,075.00</u>
Water Fund Expenditures:	<u>192,990.00</u>

Sewer Fund Revenues	
Reserve Balance	198,126.00
Non Property Tax Revenue	1,450.00
Property Tax Revenues	29,825.00
Grants/Other Revenues	0.00
Total Sewer Fund:	<u>229,401.00</u>
Sewer Fund Expenditures:	<u>42,950.00</u>

SECTION 2. ADOPTION OF BUDGET

The Budget as submitted, amended, and hereinabove summarized by fund hereby is approved and adopted as the Final Budget of the Town of Rico for the year 2024. The Budget shall be signed by the Mayor and made part of the public records of the Town.

SECTION 3. CERTIFICATION OF MILL LEVIES

That for the purpose of meeting all general operating expenses of the Town of Rico during the 2024 budget year there is hereby levied a tax of 13.020 mills upon each dollar of the total valuation for the assessment of all taxable property within the Town for the year 2023.

That for the purpose of meeting all Street Fund expenses of the Town of Rico during the 2024 budget year there is hereby levied a tax of 1.785 mills upon each dollar of the total valuation for assessment of all taxable property within the Town for year 2023.

That for the purpose of meeting all Sewer Fund expenses of the Town of Rico during the 2024 budget year, there is hereby levied a tax of 3.939 mills upon each dollar of the total valuation for assessment of all taxable property within the Town for year 2023.

SECTION 3. This Ordinance shall take effect immediately upon final adoption.

This budget document was presented on the 29th day of September 2023. This Ordinance was introduced, read, approved, and adopted on the 12th day of October 2023 and considered for a second reading on the 20th day of December 2023.

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ, AND APPROVED ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY THIS 12TH DAY OF OCTOBER 2023.

TOWN OF RICO, COLORADO

Nicole Pieterse, Mayor

ATTEST:

Anna Wolf, Town Clerk

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED PUBLISHED BY TITLE ONLY TO BE EFFECTIVE IMMEDIATELY THIS 20TH DAY OF DECEMBER 2023.

TOWN OF RICO, COLORADO

Nicole Pieterse, Mayor

ATTEST:

Anna Wolf, Town Clerk

Effective Date: January 1, 2024

Town of Rico Budget Summary

Date: December 13, 2023

TO: Town of Rico Board of Trustees
 FROM: Chauncey McCarthy, Town Manager
 SUBJECT: Town of Rico Budget Summary

Consideration of the 2024 Budget

The state requires that the 2024 budget and certification of mills must be adopted no later than January 10th. Revenue from property taxes is based upon the December certification. This certification includes the most recent SB-001, 2023 property tax relief, reductions. There are two provisions to this bill which have affect the Town of Rico's budget:

- A reduction in the Residential Assessment Rate from 6.765 percent to 6.7 percent.
- A value exemption of \$55,000 for each residential property.

This bill has collectively decrease the forecasted property tax revenue across three funds. The General Fund will see a reduction of \$8,420.00, Street Fund \$1,235.00, and the Sewer Fund \$3,725.00. This reduction in property tax will not have a large impact on the 2024 budget and may be backfilled by Department of Local Affairs.

Included in the budget details are notes describing the method in which assumptions were made regarding revenues and expenses. The following is a summary of each fund.

General Fund Revenues:

2023 sales tax revenue has been doing very well and is on track to exceed \$250,000. Due to the potential changes of our nation's economy over the next fiscal year, revenues were budgeted lower for 2024 than what 2023 has been projected to finish out as.

Property tax is based on the Town's assessed valuation. 2023 assessed valuation was \$7,572,176: Projected to generate \$98,580.00 of property tax revenue for the town. Development this year proceeded at an increased pace compared to last year. Revenues within these categories were budgeted with the assumption that two new homes will be constructed during 2024. If people develop the lots sold within the last couple years, building revenues will surpass the budget.

Other revenues include licenses, lodging and specific ownership tax, and fines. These revenues are harder to forecast. Fines and forfeits have grown over the last year and our marshal department has focused on increasing tickets to offset labor and fuel cost.

General Fund Expenses - Employees:

All full-time salary positions have been budgeted to receive a 5% cost of living adjustment. The following is a summary of the staffing expenses that are reflected in this budget:

Town Manager. Full time, \$86,000 per year with benefits that include insurance for one person and PERA retirement benefits at a 14.75% match with a total cost including payroll taxes of \$114,582.18. This expense is distributed as follows: General Fund 50%, Water Fund 20%, Sanitation fund 20%, and Street Fund at 10%.

Maintenance 1. Full time, \$52,500 per year with benefits that include insurance for one person and PERA retirement benefits at a 14.75% match with a total cost including payroll taxes of \$75,270.56. This expense is distributed between the Water Fund 60% and the Street Fund 40%.

Town Clerk/Administrative Assistant. In addition to a COLA this position is budgeted to receive a 3% merit increase as well. Full time (32 HR/WK), \$50,380 per year with benefits that include insurance for one person, 80% coverage for dependents, and PERA retirement benefits at a 14.75% match with a total cost including payroll taxes of \$83,512.55. This position is funded by the General Fund 50% and the Water Fund 50%.

POST Groomer. Part Time, no benefits, \$32.50 per hour. The amount spent on this activity is dependent entirely on the weather. There is \$8,000 budgeted for this activity based on last year's expenses.

POST Maintenance – Ice Rink and Park. Part Time, no benefits, \$20.00 per hour. This position is also variable. There is \$8,000 budgeted for this position. Due to forecasted weather patterns for the 2023 winter season and the location of the park, the Ice Rink will not be setup this year.

Maintenance 2. Part Time, no benefits, \$32.50 per hour. There is \$35,000 budgeted for this position based on last year's expense. This position is funded by the Water Fund, 35%, and the Street Fund, 65%. (Funds are transferred based upon actual hours worked within each department). Ideally, the town will not need to expend the entirety of what has been appropriated. This position includes plowing snow, summer maintenance of roads, and assisting with the water system.

Water Technician. Part Time, no benefits, \$50.00 per hour. This position is that of Rico's water system's Responsible Operator. Having a Responsible Operator is a requirement of the Colorado Department of Public Health and Environment. This activity is highly specialized and requires years of training and testing to become certified. This position is funded entirely by the Water Fund.

Town Marshal. Part Time, no benefits, \$35.00 per hour. This position is funded through the General Fund. In 2023 the Marshal wage was offset by fines on traffic violations.

General Fund Expenses - Subcontractors:

Currently the Town employs several contractors

Municipal Court Judge. The Town has a long-standing arrangement with John Kelly for this duty. This arrangement will remain unchanged in the upcoming year.

Town Attorney. The Rico Home Charter requires that Rico have a Town Attorney. Karp, Neu, Hanlon is the appointed Town Attorney. Tom Bloomfield is used by the Town for matters involving the VCUP. His costs are passed along to and paid for by ARCO. There is 100,000 budgeted for the ongoing VCUP negotiations. This account is a pass-thru account and should create no actual expense for the town.

Town Planner. This position is offset by development application. Currently the Town Manager handles smaller land use permit applications (variances, special use permits). Larger development applications that are reviewed by the planner are treated as a pass thru.

Auditor. The Town of Rico signed a letter of engagement with Atlas CPA for the 2021 – 2023 Audits. The cost of the 2023 audit will be \$13,200

Building Inspector. Building fees offset plan review and building inspections. This expense, \$4,000, has budgeted based upon the project 2023-year end cost.

General Fund Expenses - Other:

The other general fund expenses are dedicated to administrative related expenses including insurance, utilities and supplies as well as other things that are included in the budget details attached to this summary. These expense estimates are based on last year's cost. Town insurance saw a large increase due to the number of claims that law enforcement agencies have had throughout the state of Colorado.

General Fund – Capital Improvement:

Capital improvement revenue for the construction of the town shop is being funded through a DOLA grant. The town shop project started in Q4 of 2023 and forecasted grant revenue and expenditures for 2023 related to this project have been used to determine the 2024 budget. The general fund shows a loss during the 2024 fiscal year due to this project. If the town shop project was removed from the 2024 budget the general fund would close above the forecasted 2023-year end.

Water Fund Revenues:

Revenues from this year were based on minimum yearly rates for active commercial and residential accounts. The budgeted revenue is very conservative, and town should expect to exceed this number.

Water Fund Expenses:

The expense budget is based on last year's expenses. Revenue generated from the sale of water taps is required to be used for capital improvement projects. During 2023 the town generated 98,500 of revenue from the sale of taps. This revenue will fund 4 capital projects: automatic meter reading (AMR), GIS software buildout, town shop lease purchase payment and additional engineering services.

Street Fund Revenues:

Street Fund revenues come from sales and use taxes, property taxes, franchise tax (SMPA), highway user's tax (State), lodging tax, excise tax, and the County Road and Bridge Reapportionment. Property tax is the only revenue line item that can be reliability budgeted based upon the pervious year assessment. All other revenues are harder to forecast and are greatly affected by economic forces. The Street Fund only collects 1.875 mills generating \$13,515 dollars of property tax annually. Without the town pursuing a mill levy increase the combined revenues in this fund are often less than projected expenditures. Large capital projects and purchases are not currently feasible until property taxes are raised.

Mineral Leasing and Severance Tax have been inconsistent and historically shrinking. This year was a strong with \$25,600 deposited between the two revenue categories. Due to the uncertainty of these sources of revenue they have been budgeted lower than 2023.

Street Fund Expenses:

Cost estimates for the Street Fund were based on last year's expenses. The Street Fund as budgeted shows the expenses continuing to outpace revenue. The 2023 budgeted forecasted this issue as well. Due to upticks in certain revenue items and oversight on expenditures the street fund is projected to close above the prior year.

Sanitation Fund Revenues:

Sanitation fund revenues come from a 3.939 mill levy.

Sanitation Fund Expenses:

Payroll transfers have been budgeted to cover 20% of Town Manager salary. Also included in this budget is \$25,000 for miscellaneous engineering and legal which may be utilized once the PER is completed.

Parks, Open Space and Trails Fund Revenues:

This fund is supported by sales and use tax, lodging tax, and excise tax from building permits.

Parks, Open Space and Trails Fund Expenses:

The budgeted expenses for day-to-day operations are based on last year's expenses since there are no significant changes. \$35,000 from the park fund reserves have been appropriated to be used as a potential grant match for the park improvement grant.

Conservation Trust Fund

\$45,000 from this fund has been appropriated to be used as a potential grant match for the FMP park improvement project. This accounted is funded state lottery sales

Additional Considerations:

This budget does not take into consideration the VCUP that is currently being negotiated. If and when the VCUP funding and settlement agreement are approved, the Board of Trustees should expect that the budget will go through a large amendment to address these changes. This most likely will have to happen outside of a normal mid-year amendment.

CERTIFICATION OF VALUATION BY DOLORES COUNTY ASSESSOR

New Tax Entity? YES NO

DATE: 12/13/2023

NAME OF TAX ENTITY: TOWN OF RICO

USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATION ("5.5%" LIMIT) ONLY

IN ACCORDANCE WITH 39-5-121(2)(a) and 39-5-128(1), C.R.S., AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES THE TOTAL VALUATION FOR ASSESSMENT FOR THE TAXABLE YEAR

Table with 11 rows listing valuation items: 1. PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION: \$ 6,726,757; 2. CURRENT YEAR'S GROSS TOTAL TAXABLE ASSESSED VALUATION: \$ 7,572,176; 3. LESS TOTAL TIF AREA INCREMENTS, IF ANY: \$; 4. CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION: \$ 7,572,176; 5. NEW CONSTRUCTION: \$ 75,951; 6. INCREASED PRODUCTION OF PRODUCING MINE: \$; 7. ANNEXATIONS/INCLUSIONS: \$; 8. PREVIOUSLY EXEMPT FEDERAL PROPERTY: \$; 9. NEW PRIMARY OIL OR GAS PRODUCTION FROM ANY PRODUCING OIL AND GAS LEASEHOLD OR LAND (29-1-301(1)(b), C.R.S.): \$; 10. TAXES RECEIVED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1 (29-1-301(1)(a), C.R.S.): \$; 11. TAXES ABATED AND REFUNDED AS OF AUG. 1 (29-1-301(1)(a), C.R.S.) and (39-10-114(1)(a)(I)(B), C.R.S.): \$.21

- ‡ This value reflects personal property exemptions IF enacted by the jurisdiction as authorized by Art. X, Sec. 20(8)(b), Colo. Constitution
* New Construction is defined as: Taxable real property structures and the personal property connected with the structure.
~ Jurisdiction must submit to the Division of Local Government respective Certifications of Impact in order for the values to be treated as growth in the limit calculation; use Forms DLG 52 & 52A.
Φ Jurisdiction must apply to the Division of Local Government before the value can be treated as growth in the limit calculation; use Form DLG 52B.

USE FOR TABOR "LOCAL GROWTH" CALCULATION ONLY

IN ACCORDANCE WITH ART.X, SEC.20, COLO. CONSTUTION AND 39-5-121(2)(b), C.R.S., THE ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR

Table with 7 rows listing additions to taxable real property: 1. CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: \$ 68,470,964; 2. CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: \$ 1,114,328; 3. ANNEXATIONS/INCLUSIONS: \$; 4. INCREASED MINING PRODUCTION: \$; 5. PREVIOUSLY EXEMPT PROPERTY: \$; 6. OIL OR GAS PRODUCTION FROM A NEW WELL: \$; 7. TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX WARRANT: (If land and/or a structure is picked up as omitted property for multiple years, only the most current year's actual value can be reported as omitted property.): \$

DELETIONS FROM TAXABLE REAL PROPERTY

Table with 3 rows listing deletions from taxable real property: 8. DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: \$; 9. DISCONNECTIONS/EXCLUSIONS: \$; 10. PREVIOUSLY TAXABLE PROPERTY: \$

- ¶ This includes the actual value of all taxable real property plus the actual value of religious, private school, and charitable real property.
* Construction is defined as newly constructed taxable real property structures.
§ Includes production from new mines and increases in production of existing producing mines.

IN ACCORDANCE WITH 39-5-128(1), C.R.S., AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES TO SCHOOL DISTRICTS: TOTAL ACTUAL VALUE OF ALL TAXABLE PROPERTY \$

IN ACCORDANCE WITH 39-5-128(1.5), C.R.S., THE ASSESSOR PROVIDES: HB21-1312 VALUE OF EXEMPT BUSINESS PERSONAL PROPERTY (ESTIMATED): ** \$ 269.22
** The tax revenue lost due to this exempted value will be reimbursed to the tax entity by the County Treasurer in accordance with 39-3-119.5(3), C.R.S.

NOTE: ALL LEVIES MUST BE CERTIFIED to the COUNTY COMMISSIONERS NO LATER THAN DECEMBER 15.

General Fund Revenues	2022 Audit	2023 Budget	2023 Original vs Projected	2023 Projected Year End Budget	2024 Proposed Budget	Notes
Operating Revenues						
Property Tax*	85,724.00	85,880.00	370.00	86,250.00	98,580.00	1
Delinquent Taxes & Interest	5,831.00	1,000.00	1,000.00	2,000.00	1,000.00	
Lodging Tax	6,448.00	4,000.00	9,000.00	13,000.00	8,000.00	
Sales & Use Tax	253,611.00	220,000.00	40,000.00	260,000.00	220,000.00	2023 - 8 month average 20,000 2024 - based upon 18,333 average
Specific Ownership Tax	4,812.00	4,500.00	250.00	4,750.00	4,500.00	
Cigarette Tax	-	180.00	170.00	350.00	180.00	
Total Operating Revenues	356,426.00	315,560.00	50,790.00	366,350.00	332,260.00	
Intergovernmental Revenue						
Building Permits - All licenses and permits are grouped together in audit	11,687.00	18,000.00	4,550.00	22,550.00	11,000.00	Based on 2 new homes
Septic Permit	-	1,200.00	-400.00	800.00	800.00	Based on 2 new homes
Development Applications	-	1,000.00	0.00	1,000.00	2,500.00	Based on 2023 licenses (no new businesses)
Business Licenses	-	725.00	300.00	1,025.00	1,100.00	
Dog Licenses (licenses & permits together on audit)	-	150.00	0.00	150.00	150.00	Based on 2023
Total Intergovernmental Revenues & Fees	11,687.00	21,075.00	4,450.00	25,525.00	15,550.00	
Miscellaneous Revenues						
Interest	2,499.00	14,000.00	13,000.00	27,000.00	20,000.00	
Fines & Forfeits	16,171.00	13,000.00	0.00	13,000.00	13,000.00	Based on 2023 projected year end.
Rent - in miscellaneous in audit	-	4,800.00	-4,800.00	0.00	0.00	
SMPA dividend - in miscellaneous in audit	-	400.00	150.00	550.00	400.00	
Miscellaneous Revenues (lumped together in audit)	365,069.00	0.00	0.00	0.00	0.00	
Total Miscellaneous	383,739.00	32,200.00	8,350.00	40,550.00	33,400.00	
Total Revenues before Payroll Transfers						
	751,852.00	368,835.00	63,590.00	432,425.00	381,210.00	
Transfers						
Payroll Transfer	141,712.00	161,700.00	0.00	161,700.00	175,690.00	
Attorney pass through	-	175,000.00	50,000.00	225,000.00	100,000.00	Net 0 on budget
Total Payroll Transfers to / From Other Funds	141,712.00	336,700.00	50,000.00	386,700.00	275,690.00	
Total Operating Revenues and Transfers						
	893,564.00	705,535.00	113,590.00	819,125.00	665,320.00	
Special Projects Revenues	100,135.00	960,500.00	-212,549.00	747,951.00	960,500.00	
Total Revenues	907,748.00	1,666,035.00	-98,959.00	1,567,076.00	1,617,400.00	
Expenses - Total	856,572.00	2,575,920.00	-1,651,768.00	924,152.00	2,575,920.00	
Fund Balance Ending	988,564.00	78,679.00		1,631,488.00	672,968.00	

Notes:

1. A levy of 13.020 mills upon each dollar of the total valuation for assessment of taxable property in the Town of Rico.

	2023 Dec AV	Property Taxes, 2023	Mill Levy
Assessed Valuation (AV)	7,572,176.00	98,589.73	13.020

General Fund Employee & Contract Labor Expenses	2022 Audit	2023 Budget	2023 Original vs Projected	2023 Projected Year End Budget	2024 Proposed Budget	Notes
Operating Expenses						
Salaries & Wages						
Town Administrator / Manager	71,500.00	79,000.00	0.00	79,000.00	86,000.00	5% COLA + BOT Merit
Maintenance 1	41,839.00	50,000.00	0.00	50,000.00	52,250.00	5% COLA
Town Clerk / Admin Assistant	41,208.00	46,650.00	0.00	46,650.00	50,380.00	COLA + 3% Merit
Park & Recreation groomer - combined with all POST programs in audit	-	7,000.00	-1,000.00	6,000.00	8,000.00	
Park & Recreation ice rink & park - combined with all POST programs in audit	-	7,000.00	3,000.00	10,000.00	8,000.00	No rink for 2024
Maintenance 2	34,175.00	40,000.00	-3,000.00	37,000.00	35,000.00	
Water Technician	1,644.00	4,000.00	-2,500.00	1,500.00	4,000.00	
Town Marshall	15,118.00	20,000.00	-2,500.00	17,500.00	20,000.00	Based on 2023
Subtotal - Salaries & Wages	205,484.00	253,650.00	-6,000.00	247,650.00	263,630.00	
Employee Taxes and Benefits						
Payroll Taxes	4,700.00	20,000.00	1,000.00	21,000.00	21,200.00	7.6% Employer match
FAMLI	-	1,200.00	-1,200.00	0.00	1,150.00	.45% Employer match
Employer PERA (employee benefits combined on audit)	67,466.00	26,000.00	0.00	26,000.00	27,900.00	14.75% of full time wages
Employee Health Insurance	-	42,000.00	2,000.00	44,000.00	42,500.00	
Employee Life Insurance (employee benefits combined on audit)	-	140.00	-140.00	0.00	140.00	
Employee Consideration	-	3,000.00	0.00	3,000.00	4,000.00	
Subtotal - Employee Taxes & Benefits	72,166.00	92,340.00	1,660.00	94,000.00	96,890.00	
Subtotal - Employee Costs	277,650.00	345,990.00	-4,340.00	341,650.00	360,520.00	
Other Labor						
Municipal Court Judge (Part Time)	4,500.00	4,500.00	0.00	4,500.00	4,500.00	
Town Attorney (plus prosecutor)	33,426.00	30,000.00	0.00	30,000.00	30,000.00	
VCUP Attorney (pass through)	-	175,000.00	50,000.00	225,000.00	100,000.00	Net 0 on budget
Town Planner	-	5,000.00	-3,000.00	2,000.00	4,000.00	
Auditor	12,165.00	6,300.00	0.00	6,300.00	6,600.00	Split between general and water
Building Inspector - not on audit	-	5,000.00	-1,500.00	3,500.00	4,000.00	
Subtotal - Other Labor	50,091.00	225,800.00	45,500.00	271,300.00	149,100.00	
Total Employee & Other Labor	327,741.00	571,790.00	41,160.00	612,950.00	509,620.00	
Other Administrative Expenses	314,809.00	110,300.00	2,012.00	112,312.00	110,300.00	
Special Projects Expenses	219,226.00	1,956,000.00	-1,757,110.00	198,890.00	1,956,000.00	
Total General Fund Expenses	856,572.00	2,638,090.00	-1,713,938.00	924,152.00	2,575,920.00	

General Fund Other Administrative Expenses	2022 Audit	2023 Budget	2023 Original vs Projected	2023 Projected Year End Budget	2024 Proposed Budget	Notes
Administrative Costs						
Insurance (CIRSA)	8,022.00	7,300.00	-245.00	7,055.00	9,400.00	Based on renewal price Large Increase for LEO
IT/Website - Domain	-	3,000.00	1,200.00	4,200.00	1,500.00	
Maintenance - under miscellaneous in audit	-	1,000.00	-1,000.00	0.00	1,000.00	
Advertisements/Agenda - in supplies in audit	11,033.00	10,000.00	0.00	10,000.00	10,000.00	
Supplies	-	3,000.00	-1,000.00	2,000.00	3,000.00	
Dues & Fees - in miscellaneous in audit	-	7,500.00	-1,200.00	6,300.00	7,500.00	CML conference for board members.
Travel/Conference/ Training Expenses - in miscellaneous in audit	282,886.00	0.00	3,450.00	3,450.00	1,000.00	
Miscellaneous						
Subtotal - Administrative Costs	301,941.00	31,800.00	1,205.00	33,005.00	33,400.00	
Utilities						
Electric	-	2,000.00	-400.00	1,600.00	1,800.00	
Propane	-	5,500.00	1,750.00	7,250.00	7,500.00	Based upon prepayment
Telephone & Internet	-	4,500.00	-900.00	3,600.00	3,600.00	
Utilities-Other (all included in audit)	12,868.00	1,200.00	-510.00	690.00	1,000.00	
Subtotal - Utilities	12,868.00	13,200.00	-60.00	13,140.00	13,900.00	
Town Vehicle Costs						
Fuel (not separated on audit)	-	3,000.00	0.00	3,000.00	3,000.00	
Repair & Maintenance	-	10,000	-2,258.00	7,742.00	2,500	
Subtotal - Vehicle Costs	0.00	13,000.00	-2,258.00	10,742.00	5,500.00	
Other						
Facilities Maintenance - all lumped into special projects on Audit	-	5,000.00	-4,000.00	1,000.00	5,000.00	
Elections	-	2,000.00	-1,500.00	500.00	2,000.00	
July 4th Expenses	-	2,000.00	-425.00	1,575.00	2,000.00	
Town Cleanup Day	-	2,000.00	-2,000.00	0.00	0.00	
Treasurer Fees	-	2,500.00	-750.00	1,750.00	2,500.00	
Lodging Tax Transfer	-	800.00	-	2,000.00	2,000.00	Transfers from General Fund to POST and Street Funds 20%
Sales & Use Tax Transfer	-	44,000.00	4,600.00	48,600.00	44,000.00	Transfers from General Fund to POST and Street Funds 20%
Subtotal - Other	0.00	58,300.00	-2,875.00	55,425.00	57,500.00	
Total Other Administrative Expenses	314,809.00	116,300.00	-3,988.00	112,312.00	110,300.00	

General Fund Capital Improvement Revenues	2022	2023	2023	2023	2024	Notes
	Audit	Budget	Original vs Amended	Projected Year End Budget	Proposed Budget	
Excise Tax	5,204.00	4,500.00	3,336.00	7,836.00	2,500.00	1
Total Capital Improvement Revenues	5,204.00	4,500.00	3,336.00	7,836.00	2,500.00	
Special Projects / Grants Revenues						
DOLA - Planning Grant	-	25,000.00	0.00	25,000.00	0.00	Based on 2023 (pass-thru)
Rico Center Cemetery Pass through	-	13,000.00	0.00	13,000.00	13,000.00	
DOLA - Town Shop Grant	-	950,000.00	-925,000.00	25,000.00	925,000.00	
COP - Vectra Bank	-	500,000.00	-17,500.00	482,500.00	0.00	
Commercial Space Sale	-	194,000.00	-85.00	193,915.00	0.00	
Lease Purchase Transfer	-	20,000.00	0.00	20,000.00	20,000.00	
CFHA Mirco Grant	-	5,700.00	0.00	5,700.00	0.00	
All lumped together on Audit	94,931.00					
Total Special Projects / Grants Revenues	94,931.00	1,682,700.00	-942,585.00	740,115.00	958,000.00	
Total Capital & Special Projects Revenues	100,135.00	1,687,200.00	-939,249.00	747,951.00	960,500.00	
Capital Improvements Expenses						
Facility Improvements (all special projects together in audit)	119,091.00	0.00	0.00	0.00	0.00	
Courtroom Sound Proofing	-	5,700.00	41.00	5,659.00	0.00	
Town Shop Construction	-	1,977,000.00	1,837,000.00	140,000.00	1,900,000.00	
Lease Purchase Payment	-	40,000.00	269.00	39,731.00	42,000.00	
Total Capital Improvements Expenses	119,091.00	2,022,700.00	1,837,310.00	185,390.00	1,942,000.00	
Special Projects Expenses						
Rico Center Cemetery Pass through	-	13,000.00	0.00	13,000.00	13,000.00	Based on 2023 (pass-thru)
Community Meetings	-	2,000.00	-1,500.00	500.00	1,000.00	
Total Special Projects/ Capital Improvement Expenses	219,226.00	2,037,700.00	-1,838,810.00	198,890.00	1,956,000.00	

Notes:

- The Town has a \$2.00 per square foot excise tax on all new construction. The General Fund receives 25% of the excise tax. All revenues received from the excise tax can only be used for capital improvements and purchases.

Water Fund Revenues	2022 Audit	2023 Budget	2023 Original vs Projected	2023 Projected Year End Budget	2024 Proposed Budget	Notes
Operating Revenues						
Water Revenue	175,310.00	135,000.00	0.00	135,000.00	135,000.00	1
Interest	763.00	70.00	4,405.00	4,475.00	800.00	
Electric Reimbursement	-	1,450.00	50.00	1,500.00	1,450.00	
Total Water Fund Operating Revenues	176,073.00	136,520.00	4,455.00	140,975.00	137,250.00	
Capital Improvement Revenues						
Water Tap	-	98,500.00	0.00	98,500.00	37,500.00	
Total Water Fund Capital Improvement Revenues	0.00	98,500.00	-	98,500.00	37,500.00	
Total Water Fund Revenues	176,073.00	235,020.00	4,455.00	239,475.00	174,750.00	
Expenses - Total	82,945.00	195,500.00		193,600.00	192,990.00	
Fund Balance Ending	265,450.00	304,970.00		311,325.00	293,085.00	

Notes:

1. Base on number of accounts multiplied by monthly minimum rate

Water Fund Expenses	2022	2023	2023	2023	2024	Notes
	Audit	Budget	Original vs Amended	Projected Year End Budget	Proposed Budget	
Operating Expenses						
Payroll Transfer	82,945.00	93,000.00	0.00	93,000.00	84,890.00	Split between general and water
Auditor	-	6,300.00	0.00	6,300.00	6,600.00	
Accountant	-	0.00	0.00	0.00	0.00	
Attorney	-	2,500.00	-2,350.00	150.00	1,000.00	
Subtotal - Employee and Other Labor Costs	82,945.00	101,800.00	-	2,350.00	99,450.00	92,490.00
Other Costs						
Insurance	-	6,500.00	0.00	6,500.00	6,500.00	Based on renewal price
Repairs & Maintenance	-	7,500.00	500.00	8,000.00	5,000.00	Software licenses moved into new account
Supplies	-	5,000.00	2,700.00	7,700.00	5,000.00	
Water Samples	-	2,500.00	-500.00	2,000.00	2,000.00	
Electric	-	5,500.00	0.00	5,500.00	6,000.00	
Propane	-	5,000.00	0.00	5,000.00	5,000.00	
Telecommunication	-	2,000.00	0.00	2,000.00	2,800.00	ATT and WiFi
Dolores Water Conservation District	-	2,700.00	0.00	2,700.00	2,700.00	
Software	-	-	-	-	7,900.00	
Water Rate Study	-	9,000.00	0.00	9,000.00	0.00	
Miscellaneous	-	500.00	1,250.00	1,750.00	500.00	
Water Fund Operating Expenses	0.00	46,200.00	3,950.00	50,150.00	43,400.00	
Total Water Fund Operating Expenses	82,945.00	148,000.00	1,600.00	149,600.00	135,890.00	
Capital Improvement Expenses						
Water Tap & Installation	-	7,500.00	-3,500.00	4,000.00	4,000.00	
Water Tank replacement	-	0.00	0.00	0.00	0.00	
Lease Purchase Transfer	-	10,000.00	0.00	10,000.00	10,000.00	
Neptune AMR Gateway	-	-	-	-	15,000.00	
GIS Development	-	-	-	-	8,100.00	
Water Engineering Service	-	30,000.00	0.00	30,000.00	20,000.00	
Total Water Capital Improvement Expenses	0.00	47,500.00	-	3,500.00	44,000.00	57,100.00
Total Water Fund Expenses	82,945.00	195,500.00	-	1,900.00	193,600.00	192,990.00

Street Fund Revenues	2022	2023	2023	2023	2024	Notes
	Audit	Budget	Original vs Projected	Projected Year End Budget	Proposed Budget	
Operating Revenues						
Property Tax	12,308.00	11,775.00	0.00	11,775.00	13,515.00	1
Sales & Use Tax	30,786.00	22,000.00	4,000.00	26,000.00	22,000.00	2
Specific Ownership Tax	660.00	500.00	100.00	600.00	500.00	
Delinquent Tax & Interest	-	250.00	-210.00	40.00	100.00	
Franchise Tax	6,410.00	7,000.00	250.00	7,250.00	7,000.00	
Highway Users Tax	18,093.00	13,000.00	4,000.00	17,000.00	15,000.00	
County R&B Reapportionment	13,050.00	12,000.00	1,275.00	13,275.00	13,000.00	
Lodging Tax	-	450.00	800.00	1,250.00	1,000.00	3
Interest	67.00	40.00	335.00	375.00	300.00	
Miscellaneous	8,500.00	0.00	0.00	0.00	0.00	
Mineral Leasing	-	5,000.00	13,700.00	18,700.00	5,000.00	4
Severance Tax	-	0.00	6,900.00	6,900.00	1,000.00	4
Rico Center Grant - Plowing	33,000.00	-	-	-	0.00	
Total Street Fund Operating Revenues	122,874.00	72,015.00	31,150.00	103,165.00	78,415.00	
Capital Improvement Revenues						
Excise Tax	3,072.00	4,500.00	3,336.00	7,836.00	2,500.00	5
Total Street Fund Capital Improvement Revenues	3,072.00	4,500.00	3,336.00	7,836.00	2,500.00	
Total Street Fund Revenues	152,762.00	76,515.00	34,486.00	111,001.00	80,915.00	
Expenses - Total	76,148.00	109,400.00		104,750.00	120,650.00	
Fund Balance Ending	145,828.00	112,943.00		152,079.00	112,344.00	

Notes:

1. A levy of 1.785 mills upon each dollar of the total valuation for assessment of taxable property in the Town of Rico.

	Property Taxes,		
	2023 Dec AV	2023	Mill Levy
Assessed Valuation (AV)	7,572,176.00	13,516.33	1.785

2. Street Fund receives 10% of the total revenue collected from the Sales Tax. The Sales Tax rate for the Town of Rico is 5%.

3. The Street Fund receives 10% of proceeds from the lodging tax, which is a 7% tax on all lodging. Ordinance No. 2022-05.

4. Mineral leasing and severance tax has been shrinking historically.

5. The Town has a \$2.00 per square foot excise tax on all new construction. The Street Fund receives 25% of the excise tax. All revenues received from the excise tax can only be used for capital improvements and purchases.

33 Street Fund Expenses	2022 Audit	2023 Budget	2023 Original vs Amended	2023 Projected Year End Budget	2024 Proposed Budget	Notes
Operating Expenses						
Payroll Transfer	41,026.00	57,600.00	0.00	57,600.00	57,600.00	
Subtotal - Employee and Other Labor Costs	41,026.00	57,600.00	-	57,600.00	57,600.00	
Contract Snow Removal	0.00	0.00	0.00	0.00	5,000.00	1
Equipment Rental	-	5,000.00	-5,000.00	0.00	5,000.00	1
Fuel	8,387.00	16,000.00	750.00	16,750.00	17,000.00	
Equipment Repairs & Maintenance	8,772.00	5,000.00	0.00	5,000.00	7,500.00	
Insurance	6,428.00	4,700.00	-150.00	4,550.00	4,700.00	
Supplies	6,179.00	2,500.00	500.00	3,000.00	2,500.00	
Electric	1,185.00	2,000.00	-100.00	1,900.00	2,000.00	
Street Lights	1,128.00	1,250.00	-250.00	1,000.00	1,000.00	
Utilities - other	2,799.00	2,500.00	-100.00	2,400.00	2,500.00	
Treasurer Fees	244.00	350.00	0.00	350.00	350.00	
Total Street Fund Operating Expenses	35,122.00	39,300.00	- 4,350.00	34,950.00	47,550.00	
Capital Improvement Expenses						
Gravel Project - Various Streets	-	2,500.00	-300.00	2,200.00	2,500.00	
Lease Purchase Transfer		10,000.00	0.00	10,000.00	10,000.00	
Preliminary maintenance facility planning	-	0.00	0.00	0.00	0.00	
Street Safety	-	0.00	0.00	0.00	3,000.00	
Total Street Fund Capital Improvement Expenses	0.00	12,500.00	-300.00	12,200.00	15,500.00	
Total Street Fund Expenses	76,148.00	109,400.00	-4,650.00	104,750.00	120,650.00	

Notes:

1. These funds are appropriated as a contingency but are not forecasted to be expended during 2024 fiscal year

Sewer Fund	2022 Audit	2023 Proposed Budget	2023 Original vs Projected	2023 Projected Year End Budget	2024 Proposed Budget	Notes
Operating Revenues						
Property Tax	27,161.00	25,983.70	116.30	26,100.00	29,825.00	1
Specific Ownership Tax	1,456.00	950.00	450.00	1,400.00	950.00	
Miscellaneous		0.00	0.00	0.00	0.00	
Interest		0.00	550.00	550.00	500.00	
Delinquent Tax and Interest	133.00	150.00	-70.00	80.00	50.00	
Total Sewer Fund Operating Revenues	28,750.00	27,083.70	1,046.30	28,130.00	31,325.00	
Sewer Fund Expenses						
Payroll Transfer	7,079.00	17,200.00	0.00	17,200.00	17,200.00	
Septic Inspection Certification & Training	-	1,000.00	-1,000.00	0.00	0.00	
Treasurer Fees	-	750.00	-150.00	600.00	750.00	
Misc. Engineering/ legal	-	50,000.00	0.00	50,000.00	25,000.00	2
Total Sewer Fund Operating Expenses	7,079.00	68,950.00	-1,150.00	67,800.00	42,950.00	
Fund Balance Ending	237,796.00	195,929.70		198,126.00	186,501.00	

Notes:

1. A levy of 3.939 mills upon each dollar of the total valuation for assessment of taxable property in the Town of Rico.

	2023 Dec AV	Property Taxes, 2023	Mill Levy
Assessed Valuation (AV)	7,572,176.00	29,826.80	3.939

2. Misc. expenditures have been appropriated for the legal and engineering for town wide sewer project

Conservation Trust Fund (CTF) Fund	2022 Audit	2023 Budget	2023 Original vs Projected	2023 Projected Year End Budget	2024 Proposed Budget	Notes
Operating Revenues						
Lottery Proceeds	3,722.00	2,500.00	500.00	3,000.00	2,500.00	
Total CTF Revenues	3,722.00	2,500.00	500.00	3,000.00	2,500.00	
Conservation Trust Expenses						
FMP Capital Park Improvement Grant Match	-	40,000.00	-40,000.00	0.00	45,000.00	1
Projects - Rio Grande Southern Trail	-	0.00	0.00	0.00	0.00	
Total CTF Expenses	0.00	40,000.00	-40,000.00	0.00	45,000.00	
Total POST Expenses	0.00	40,000.00		0.00	45,000.00	
Fund Balance Ending	44,596.00	7,096.00		47,596.00	5,096.00	

Notes:

1. Funds to be appropriated for the potential grant match required for the town's parks and rec facility improvements.

Parks, Open Space and Recreation (POST Fund)	2022 Audit	2023 Budget	2023 Original vs Projected	2023 Projected Year End Budget	2024 Proposed Budget	Notes
Operating Revenues						
Sales & Use Tax	30,786.00	22,000.00	4,000.00	26,000.00	22,000.00	1
Lodging Tax	1,173.00	450.00	800.00	1,250.00	1,000.00	2
Interest	59.00	45.00	175.00	220.00	150.00	
Excise Tax	3,722.00	6,500.00	1,336.00	7,836.00	2,500.00	3
Miscellaneous Income	-	500.00	-500.00	0.00	0.00	
Total POST Fund Operating Revenues	35,740.00	29,495.00	5,811.00	35,306.00	25,650.00	
Special Project Revenues						
Rico Center Grant		36,000.00	0.00	36,000.00	40,000.00	
GOCO Grant		-	-	-	594,990.00	
Total POST Fund Revenues	35,740.00	65,495.00	5,811.00	71,306.00	660,640.00	
Operating Expenses						
Grooming Payroll Transfer (all payroll combined on Audit)	21,744.00	7,000.00	-1,000.00	6,000.00	8,000.00	
Ice Rink & Park Maintenance Payroll Transfer	-	7,000.00	2,100.00	9,100.00	8,000.00	
Repairs & Maintenance of Equipment (combined on audit)	-	1,000.00	-500.00	500.00	2,000.00	
Supplies (combined on audit)	13,731.00	5,000.00	-1,000.00	4,000.00	5,000.00	
Insurance	9,340.00	2,500.00	0.00	2,500.00	2,500.00	
Miscellaneous	-	500.00	-500.00	0.00	500.00	
Total POST Fund Operating Expenses	44,815.00	23,000.00	-900.00	22,100.00	26,000.00	
Special Project Expenses						
Flowers	-	1,500.00	-250.00	1,250.00	1,500.00	
Carnival/Festival/Event	-	1,500.00	-1,500.00	0.00	1,500.00	
Grooming supplies	-	40,000.00	680.00	40,680.00	1,500.00	
Park Improvements (Grant)	-	20,000.00	-20,000.00	0.00	670,000.00	4
Rio Grande Southern Extension Trail	-	0.00	3,750.00	3,750.00	0.00	
POST Fund Special Project Expenses	0.00	63,000.00	-17,320.00	45,680.00	674,500.00	
Total POST Expenses	44,815.00	86,000.00		67,780.00	700,500.00	
Fund Balance Ending	92,041.00	71,536.00		95,567.00	55,707.00	

Notes:

1. The POST Fund receives 10% of the total revenue collected from the Sales Tax. The Sales Tax rate for the Town of Rico is 5%.
2. The POST Fund receives 10% of proceeds from the lodging tax, which is a 7% tax on all lodging. Ordinance No. 2022-05.
3. The Town has a \$2.00 per square foot excise tax on all new construction. The POST Fund receives 25% of the excise tax. All revenues received from the excise tax can only be used for capital improvements and purchases.
4. Funds to be appropriated for the potential grant match required for the town's parks and rec facility improvements.

Employee Allocation Details																
Summary of Total Wages and Allocation Percentages 2024																
Employees	General Fund	Water Fund	Sewer Fund	Street Fund	Parks Fund	Total Allocation	2024							Life Insurance per year	Total Cost	
							Compensation	Payroll Taxes 7.65%	FAMLI 0.45%	PERA 14.8%	Medical	Dental	Vision			Total Health Care
Town Manager	50%	20%	20%	10%	0%	100%	86,000.00	6,579.00	387.00	12,685.00	\$8,279.64	540.00	76.00	35.60	114,582.24	
Maintenance 1	0%	50%	0%	50%	0%	100%	52,500.00	4,016.25	236.25	7,743.75	\$8,279.64	540.00	76.00	35.60	73,427.49	
Town Clerk/Admin Assistant	50%	50%	0%	0%	0%	100%	50,380.00	3,854.07	226.71	7,431.05	\$23,548.80	1,080.00	76.00	35.60	83,512.23	
Part Time POST Groomer	0%	0%	0%	0%	100%	100%	8,000.00	612.00	36.00						8,648.00	
Part Time POST ice rink & park	0%	0%	0%	0%	100%	100%	8,000.00	612.00	36.00						8,648.00	
Maintenance 2	0%	35%	0%	65%	0%	100%	35,000.00	2,677.50	157.50						37,835.00	
Water Technician	0%	100%	0%	0%	0%	100%	4,000.00	306.00	18.00						4,324.00	
Town Marshall	100%	0%	0%	0%	0%	100%	20,000.00	1,530.00	90.00						21,620.00	
							263,880.00	20,186.82	1,187.46	27,859.80	40,108.08	2,160.00	228.00	42,496.08	106.80	355,716.96

Transfers																
Employees	General Fund	Water Fund	Sewer Fund	Street Fund	Parks Fund	Total Allocation	2024							Life Insurance per year	Total Cost	
							Compensation	Payroll Taxes 7.65%	FAMLI 0.45%	PERA 14.8%	Medical	Dental	Vision			Total Health Care
Town Manager	43,000	17,200	17,200	8,600	-	86,000.00										
Maintenance 1		26,250	-	26,250	-	52,500.00										
Town Clerk/Admin Assistant	25,190	25,190	-	-	-	50,380.00										
Part Time POST Groomer	-	-	-	-	8,000	8,000.00										
Part Time POST ice rink & park	-	-	-	-	8,000	8,000.00										
Part Time Maintenance	-	12,250	-	22,750	-	35,000.00										
Water Technician	-	4,000	-	-	-	4,000.00										
Town Marshall	20,000	-	-	-	-	20,000.00										
Total Allocations	88,190.00	84,890.00	17,200.00	57,600.00	16,000.00	263,880.00										

Contract Labor																
Employees	General Fund	Water Fund	Sewer Fund	Street Fund	Parks Fund	Total Allocation	2024							Life Insurance per year	Total Cost	
							Compensation	Payroll Taxes 7.65%	FAMLI 0.45%	PERA 14.8%	Medical	Dental	Vision			Total Health Care
Municipal Court Judge	4,500	-	-	-	-	4,500.00										
Town Attorney	30,000	1,000	-	-	-	31,000.00										
VCUP Attorney	100,000	-	-	-	-	100,000.00										
Town Planner	4,000	-	-	-	-	4,000.00										
Auditor	6,600	6,600	-	-	-	13,200.00										
Building Inspector	4,000	-	-	-	-	4,000.00										
Total Allocations	149,100.00	7,600.00	-	-	-	156,700.00										

**TOWN OF RICO
ORDINANCE NO. 2023-07**

**AN ORDINANCE OF THE TOWN OF RICO, COLORADO AMENDING
AND EXTENDING THE TEMPORARY MORATORIUM ON THE
ACCEPTANCE OF NEW LAND USE APPLICATIONS FOR MAJOR OR
MINOR SUBDIVISIONS, AND RESIDENTIAL OR COMMERCIAL
PLANNED UNIT DEVELOPMENTS**

WHEREAS, the Town of Rico, Colorado (the “Town”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Rico Home Rule Charter (the “Charter”); and

WHEREAS, pursuant to C.R.S. §§ 29-20-101 *et seq.*, 31-15-101 *et seq.*, and 31-23-101 *et seq.*, the Town has broad authority to ensure the health, safety and welfare of the community and its residents; and

WHEREAS, the Town currently has access to both surface water and groundwater drinking water sources. At this time, only the groundwater source is operated for Town drinking water supply. The Silver Creek surface water treatment plant was shut down in 2015 due to water quality issues.

WHEREAS, the Town’s currently operational drinking water source is capable of meeting current demands but the Town will need to improve or replace the Silver Creek surface water treatment plant together with the related facilities and equipment in order to accommodate future Town growth, reduce operational costs and improve current water system inefficiencies.

WHEREAS, by Ordinance No. 2022-13, the Town imposed a temporary moratorium on the acceptance of new applications for Major or Minor Subdivisions and for Residential or Commercial Planned Unit Developments through June 30, 2023 to limit increasing the water system demand while it reviewed alternatives for water system improvements to increase water availability as well as options for funding said improvements; and

WHEREAS, on June 21, 2023 the Town extended the moratorium through December 30, 2023 pursuant to Ordinance No. 2023-03 to preserve the status quo as it continued evaluating water system improvement and funding alternatives to increase water availability to meet the demands of future growth and development within the Town; and

WHEREAS, the Town has completed an impact fee study to determine the impact fees amounts that will provide partial funding for water system improvements, the preliminary engineering report has been submitted to the state revolving fund as necessary to qualify for funding in 2024, and the pre-qualification application necessary to access additional funding for improvement of the Silver Creek system is in process; and

WHEREAS, the Town is currently mapping the water system and preparing an asset management plan to preserve, protect and enhance the portions of the water system that are

currently in use including, without limitation, installation of an automatic meter reading system to track daily water use and flag leaks to help decrease system wide water usage; and

WHEREAS, an extension of the moratorium is required to preserve the status quo as the Town continues efforts to secure funding for necessary water system improvements, and to obtain bids for design and construction of the water system improvements; and

WHEREAS, precluding acceptance of applications for Major or Minor Subdivisions and for Residential or Commercial Planned Unit Developments that the Town has previously approved, or which have been allocated water prior to submission of said application, and will not otherwise increase current demand on the water system is not necessary to preserve the status quo or to promote the public health, safety, and welfare of the Town's residents; and

WHEREAS, amendment of moratorium is appropriate to allow applications for Major or Minor Subdivisions and for Residential or Commercial Planned Unit Developments that the Town has previously approved, or which have been allocated water prior to submission of said application, and will not otherwise increase current demand on the water system; and

WHEREAS, in order to promote the public health, safety, and welfare of the Town's residents, the Board of Trustees finds it is necessary to extend the temporary moratorium on new applications for Major or Minor Subdivisions and for Residential or Commercial Planned Unit Developments, and to amend same to permit applications for such projects that the Town has previously approved, or which have been allocated water prior to submission of said application, and will not otherwise increase current demand on the water system.

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

Section 1. The recitals above are hereby adopted as findings and incorporated herein.

Section 2. Upon the effective date of this Ordinance, the Town of Rico hereby amends and extends the temporary moratorium on the acceptance of applications for approval of minor or major subdivisions submitted under Article V of the Rico Land Use Code ("RLUC"), and applications for approval of Residential or Commercial Planned Unit Developments submitted under Article III of the RLUC, as enacted by Ordinance No. 2022-13, which is incorporated by this reference, until June 30, 2024.

Section 3. Notwithstanding the forgoing, this temporary moratorium shall not apply to preclude acceptance of applications for Major or Minor Subdivisions and for Residential or Commercial Planned Unit Developments that the Town has previously approved, or which have been allocated water prior to submission of said application, and will not otherwise increase current demand on the water system

Section 4. This temporary moratorium shall automatically terminate on June 30, 2024, unless terminated earlier by the Board of Trustees or extended in its duration by enactment of another Ordinance.

Section 5. If any section, subsection, clause, phrase, or provision of this ordinance, or the application thereof to any person or circumstance shall to any extent be held by a court of

competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ, AND APPROVED ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY ON NOVEMBER 15, 2023.

TOWN OF RICO, COLORADO

Nicole Pieterse, Mayor

ATTEST:

Anna Wolf, Town Clerk

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED PUBLISHED BY TITLE ONLY TO BE EFFECTIVE IMMEDIATELY ON DECEMBER 20, 2023.

TOWN OF RICO, COLORADO

Nicole Pieterse, Mayor

ATTEST:

Anna Wolf, Town Clerk

Effective Date: December 20, 2023

**TOWN OF RICO
ORDINANCE NO. 2022-05**

**AN ORDINANCE OF THE TOWN OF RICO, COLORADO
ESTABLISHING A LICENSING PROCESS FOR SHORT-TERM
RENTALS AND AMENDING THE RICO LAND USE CODE TO REMOVE
SHORT-TERM RENTALS FROM SPECIAL USE PERMIT REVIEW.**

WHEREAS, the Town of Rico, Colorado (“Town”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Rico Home Rule Charter; and

WHEREAS, The Board of Trustees of the Town (“Board”) recognizes the potential for increasing impacts to the community as a result of a rise in short-term and vacation rentals; and

WHEREAS, the Board adopted Ordinance 2011-3 on June 15, 2011 amending the Rico Land Use Code (“RLUC”) to allow short-term rentals in residential areas pursuant to a special use permit; and

WHEREAS, the Board convened a work session on March 7, 2022 to receive public input and discuss the regulation of short-term rentals in the Town; and

WHEREAS, the Rico Planning & Zoning Commission has considered the amendments to the RLUC contained in this Ordinance, conducted a duly noticed public hearing regarding the amendments at its May 11 meeting, and recommended the Board adopt the amendments; and

WHEREAS, in accordance with the Rico Regional Master Plan’s goals of preserving small town character while maintaining livability, the Town desires to minimize the adverse effects of short-term rentals on residential neighborhoods and the supply of housing in the Town; and

WHEREAS, the Board desires to amend Section 221 of the RLUC to remove short-term rental dwelling units from the list of Residential Uses by Special Use Permit Review and amend Sections 220, 240, 250, 270, and 280 of the RLUC to add short-term rental dwelling units to the list of Uses Permitted by Right for Residential (R), Historic Commercial (HC), Commercial (CM), Residential Planned Unit Development (RPUD), and Commercial Planned Unit Development (CPUD) zone districts, subject to the Sections of the RLUC requiring a license and compliance with standards for operation; and

WHEREAS, the Board desires to add new sections to the RLUC to create a licensing procedure and regulations for the operation of short-term rental dwelling units in the Town; and

WHEREAS, the Board finds and declares that the amendments to the RLUC regarding short-term rentals set forth herein are proper in light of the needs and desires of the Town and in the promotion of the public health, safety, and welfare of the Town’s residents.

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

Section 1. The recitals above are hereby adopted as findings and incorporated herein.

Section 2. The Rico Land Use Code shall be and is hereby amended as set forth in **Exhibit A** to this Ordinance, incorporated by reference hereto.

Section 3. This Ordinance shall take effect immediately on final adoption.

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ, AND APPROVED ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY THIS 18TH DAY OF MAY 2022.

TOWN OF RICO, COLORADO

Nicole Pieterse, Mayor

ATTEST:

Anna Wolf, Town Clerk

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED PUBLISHED BY TITLE ONLY TO BE EFFECTIVE IMMEDIATELY THIS 15TH DAY OF JUNE 2022.

TOWN OF RICO, COLORADO

Nicole Pieterse, Mayor

ATTEST:

Anna Wolf, Town Clerk

Effective Date: June 15, 2022

EXHIBIT A

AMENDMENTS TO THE RICO LAND USE CODE

Additions shown in double underline; deletions shown in ~~strike through~~.

220. RESIDENTIAL (R) ZONE DISTRICTS - USES PERMITTED BY RIGHT

Single family dwellings, accessory dwelling units, accessory buildings and uses, including home occupation, and short-term rental dwelling units subject to the licensing procedures and regulations in Sections 450-457.

221. RESIDENTIAL USES BY SPECIAL USE PERMIT REVIEW

~~A. Short-term rental dwelling units/accommodations, excluding hotels, condominium hotels, bed and breakfasts, motels, lodges, boarding houses and rooming houses.~~

AB. Daycare facilities, schools and churches.

240. HISTORIC COMMERCIAL (HC) ZONE DISTRICT - USES PERMITTED BY RIGHT

Commercial, religious institution, fire house, school, and residential, including multi-family, apartments, town homes, ~~and condominiums,~~ and short-term rental dwelling units subject to the licensing procedures and regulations in Sections 450-457. All uses permitted by right must be conducted primarily out of a structure that meets the requirements of this RLUC.

250. COMMERCIAL (CM) ZONE DISTRICT - USES PERMITTED BY RIGHT

Commercial and residential, including multi-family, apartments, town homes, ~~and condominiums,~~ and short-term rental dwelling units subject to the licensing procedures and regulations in Sections 450-457. All uses permitted by right must be conducted primarily out of a structure that meets the requirements of this RLUC.

270. RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) ZONE DISTRICT – USES PERMITTED BY RIGHT

Single-Family, duplex, triplex, accessory dwelling use, ~~and~~ home occupation, and short-term rental dwelling units subject to the licensing procedures and regulations in Sections 450-457.

280. COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) ZONE DISTRICT – USES PERMITTED BY RIGHT

Single family dwellings, duplexes and triplexes, accessory structures and uses, including home occupation, commercial, light industrial, and short-term rental dwelling units subject to the licensing procedures and regulations in Sections 450-457. All uses permitted by right must be conducted primarily out of a structure that meets the requirements of this RLUC.

450. SHORT-TERM RENTAL LICENSE REQUIRED

It shall be unlawful to operate a short-term rental dwelling unit, as defined in Section 910, within the Town until the Town has issued a short-term rental license under the provisions of the RLUC contained in Sections 450-457, as amended (the “Short-Term Rental Regulations”).

451. PURPOSE

The Town of Rico recognizes that there are benefits to allowing owners of residential units within the Town to rent their dwelling units for periods of time less than thirty (30) days. Short-term rental of dwelling units brings additional visitors to the Town, can allow owners to recoup housing costs, and provides revenues for the Town through the additional tax collections. The provision of short-term rentals offers additional diversification to the accommodations market. However, due to the potential for adverse impacts, the Town wishes to regulate short-term rentals to protect the health, safety, and welfare of owners, residents, neighbors, and visitors.

452. APPLICABILITY

452.1 The Short-Term Rental Regulations shall apply to any residential dwelling unit within the Town. The Short-Term Rental Regulations are applicable within a Planned Unit Development unless the short-term rental of property is specifically identified as a prohibited use by the Planned Unit Development.

452.2 The Town is not a party to and does not enforce any private covenants. Private covenants may restrict the ability for owners to engage in short-term rentals.

452.3 Unless otherwise stated or modified, the Short-Term Rental Regulations, including owner responsibilities, operation standards, penalties, and enforcement, shall apply to

existing short-term rental dwelling units authorized by a special use permit prior to the date of adoption of the ordinance enacting these regulations. Any short-term rental dwelling unit authorized by special use permit prior to the date of these regulations must comply with any conditions imposed on the special use permit at the time of issuance. A short-term rental dwelling unit authorized by special use permit shall be considered an existing non-conforming use under Section 208. Under Section 208.4, discontinuance and abandonment of the non-conforming short-term rental use exists when the owner of the short-term rental dwelling unit fails to remit lodging tax to the Town for a period of six (6) months, upon the transfer of fee simple title to the short term dwelling unit, whether by the owner or by operation of law, or when the owner applies for and receives a short-term rental license under the procedures in Section 456.

453. OWNER RESPONSIBILITIES

453.1 The owner of the short-term rental dwelling unit shall designate a natural person located within a one-hour driving distance of the short-term rental who is available twenty-four (24) hours per day, seven (7) days per week, to serve as the local responsible party for the short-term rental and to immediately respond to any issues arising from the short-term rental. The designated responsible party may be the owner of the property. The owner shall notify the Town in writing of the designation of the responsible party within five (5) days of such designation or modification of any such designation.

453.2 The owner or responsible party shall collect and pay all applicable local, state, and federal taxes including sales, lodging, and excise taxes as applicable.

453.3 The owner or responsible party is responsible for ensuring the short-term rental meets all applicable local, state, and federal regulations. This includes compliance with the RLUC and, for example C.R.S. § 38-45-101 et seq., as amended, which requires carbon monoxide alarms in residential properties.

453.4 The owner or responsible party is responsible for obtaining all required licenses in accordance with the Town of Rico's business licensing ordinances.

454. LOCATION, USE, AND OCCUPANCY RESTRICTIONS

454.1 Occupancy limitations of a short-term rental dwelling unit shall be established by the Town's building code, as determined by the Town's building inspector, and shall be indicated on the short-term rental license.

454.2 In residential zone districts, in a multi-family building under single ownership, or for properties with an accessory dwelling unit, no more than one (1) unit may be licensed as a short-term rental, provided the use restrictions in Section 454.3 are met.

454.3 The total number of short-term rental dwelling units shall be limited to seven percent (7%) of the Town's total housing units as determined by the Colorado State Demography Office and updated from time to time. This percentage limit may be amended by the Board of Trustees by ordinance.

- (a) In addition, the available number short-term rental dwelling units shall be distributed into four quadrants, assuming an approximately equal number of housing units per quadrant. The quadrants shall be as follows:
 - (i) Northwest: North of W. Campbell Street and West of S. Glasgow Ave.
 - (ii) Northeast: North of E. Mantz Ave and East of S. Glasgow Ave.
 - (iii) Southeast: South of E. Mantz Ave and East of S. Glasgow Ave.
 - (iv) Southwest: South of W. Campbell Street and West of S. Glasgow Ave.
- (b) In addition, in residential zone districts, no short-term rental dwelling unit shall be issued a license in a property immediately adjacent to a property that contains a short-term rental dwelling unit. "Immediately adjacent," for the purposes of this section, means that the properties share at least 25 feet of contiguous boundary line.
- (c) The limitations on location and total number of short-term rental units in this Subsection 454.3 shall include existing short-term rental dwelling special use permits existing as of the date of the ordinance adopting these Short-Term Rental Regulations.

454.4 Short-term rental dwelling units in the Commercial (CM) or Historic Commercial (HC) zone districts shall not count towards the total number of short-term rental dwelling units in Section 454.3 above.

455. OPERATION

455.1 All vehicles associated with the short-term rental use shall be parked in designated parking areas, such as driveways and garages, or on-street parking, where permitted. No parking shall occur on lawns or sidewalks. Unless otherwise requested by the license applicant and specified in the license, two parked vehicles shall be allowed per short-term rental dwelling unit, and the vehicles shall display a parking permit with the license number of the short-term rental at all times when parked.

455.2 The owner shall be responsible for ensuring that the short-term rental complies with Town of Rico garbage, refuse, and trash collection standards. The owner and local responsible party shall arrange for proper garbage, refuse, and trash collection. The owner and local responsible party shall arrange for snow removal on the sidewalks and driveways associated with the short-term rental.

455.3 The following information must be posted in a prominent and visible location in the short-term rental:

- (a) Town of Rico business license and short-term rental license;
- (b) Contact information for owner and/or local responsible party, including phone number for twenty-four-hour response to emergencies;
- (c) Notice of any fire ban in effect in the Town;
- (d) Description of location of fire extinguishers and emergency egress; and
- (e) Any other information deemed necessary by the Town Manager or Building Official to ensure the public's health and safety.

455.4 All advertising of a short-term rental, including advertising on website vacation booking sites, shall display the Town of Rico short-term rental license number and business license number.

456. LICENSE PROCEDURES

456.1 Application Requirements. The owner shall submit the application on the form provided by the Town and shall pay the application fee. The application fee shall be \$2500 for an initial application and \$1500 for a renewal application (including renewals pursuant to the lottery system). Applications for a short-term rental license starting on January 1 shall be submitted to the Town no later than August 1 of the preceding calendar year.

456.2 Application Review, Referral, and Appeal. The Town Manager, in consultation with the Town Planner, shall review applications for short-term rental licenses for compliance with these regulations. The Town shall review applications during the month of August and shall issue license decisions no later than September 15. If the application is in conformity with the Short-Term Rental Regulations, the Town Manager shall issue a short-term rental license. The Town Manager may, in his or her sole discretion, refer an application to the Board of Trustees if the application raises issues on which the Board's input is necessary or desirable. If the application is not approved and the license is not issued, the Town Manager shall state in writing the reason(s) for the denial of the license. The applicant may appeal the Town's denial to the Board of Trustees within thirty (30) calendar days of issuance of the written denial decision.

456.3 Issuance and Term of License. All short-term rental units, except short-term rental dwelling units for which the Town has issued a special use permit as of the date of the ordinance adopting these regulations, shall require a license from the Town. Such license shall only be issued after the short-term rental application has been approved in accordance with the Municipal Code. The short-term rental license shall specify any terms and

conditions of the license. All licenses shall be issued to the owner of the property. No natural person or business entity shall be issued more than one short-term rental license, nor shall the owner of an existing short-term rental dwelling unit as of the date of adoption of these regulations be issued a license for an additional short-term rental. Licenses shall not transfer with the transfer of property to a new owner: a change in ownership of the property shall necessitate a new application and issuance of a new license. Licenses shall be issued for a period of two (2) years starting on January 1 and shall automatically expire on December 31 of the second year.

456.4 Lottery System. If the number of new or renewal license applications submitted for an application cycle would lead to a total number of short-term rental units in excess of the number allowed in Section 454.4 (including the total number allowed for any quadrant of the Town), the Town Manager shall issue licenses by random lottery. Such lottery shall not provide a preference to renewal applications over new applications. The Town shall refund the application fees, except for an administrative fee of \$50 which shall be retained by the Town, for applications not issued pursuant to a lottery.

456.5 Neighborhood Notification. Upon issuance of a short-term rental license, the property owner shall be responsible for mailing public notification of the license to owners of all real property within two hundred fifty (250) feet of any boundary or edge of the subject property or parcel. The property owner shall provide certification to the Town Manager that proper notice has been provided, including a signed affidavit.

456.6 Revocation of License. A short-term rental license may be revoked at any time by the Board following a hearing if the Town determines that the property is not being operated in compliance with this Short-Term Rental Regulations or any other Town ordinance. A short-term rental license shall be revoked automatically upon the property owner's third conviction in Rico Municipal Court of a violation of any provision in these Short-Term Rental Regulations with respect to the short-term rental. An applicant whose short-term rental license has been revoked within the last two years shall not be allowed to apply for a new or renewal short-term rental license.

456.7 Tax Collection. A license holder who fails to collect any applicable taxes on a short-term rental, including but not limited to lodging tax, during the license period shall not be allowed to renew the license for the next two-year license cycle. Owners shall present documentation demonstrating the collection and remittance of taxes to the Town as part of the license renewal application.

457. PENALTIES AND ENFORCEMENT

457.1 Penalties for Violations. Any violation of the Short-Term Rental Regulations shall be subject to a fine of two hundred fifty dollars (\$250.00) for the first offense, five hundred dollars (\$500.00) for the second offense, seven hundred fifty dollars (\$750.00) for the third

offense, and one thousand dollars (\$1,000.00) for the fourth offense and all subsequent offenses. Each day's continuing violation shall be a separate and distinct offense.

457.2 Taxes Owed. In addition to the fine amounts stated in Section 457.1, any owner or operator of a short-term rental dwelling unit, including unauthorized owners operating a short-term rental without a license in violation of the Short-Term Rental Regulations, shall pay all unpaid taxes, including lodging tax, owed to the Town and interest thereon calculated at a rate of ten percent (10%) per year. The amount of outstanding tax owed shall be separate from the amount of the fine.

457.3 Inspection and Audit. The Town has the right to inspect any short-term rental dwelling unit after giving forty-eight (48) hours' notice to the property owner and designated responsible party to verify compliance with the Short-Term Rental Regulations. The Town has the right to require an audit of any short-term rental owner's records concerning the operation of the short-term rental, to include occupancy rates, prices, revenues generated, and taxes remitted. The short-term rental owner shall be responsible for the cost of any audit.

**TOWN OF RICO
ORDINANCE NO. 2023-06**

**AN ORDINANCE OF THE TOWN OF RICO, COLORADO AMENDING
THE SHORT-TERM RENTAL RESTRICTIONS AND LICENSING
REQUIREMENTS IN THE RICO LAND USE CODE .**

WHEREAS, the Town of Rico, Colorado (the “Town”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Rico Home Rule Charter (the “Charter”); and

WHEREAS, by Ordinance No. 2022-05, the Town amended the Rico Land Use Code to impose a license requirement for short-term rentals and remove short-term rentals from special use permit review; and

WHEREAS, on November 8, 2023, the Rico Planning & Zoning Commission considered the amendments to the RLUC contained in this Ordinance at a duly noticed public hearing, and recommended the Board adopt the amendments; and

WHEREAS, the Town desires to preserve small town character while maintaining livability in accordance with the Rico Regional Master Plan by minimizing the adverse effects of short-term rentals on residential neighborhoods and the Town’s housing supply; and

WHEREAS, the Board desires to amend the RLUC §§ 456 and 457 to allow for submission of applications at any time, creation and maintenance of a waitlist, shortening the permit duration to one year, amending the fee schedule and increasing fine amounts; and

WHEREAS, the Board finds and declares that the amendments to the RLUC regarding short-term rentals set forth herein are proper in light of the needs and desires of the Town and in the promotion of the public health, safety, and welfare of the Town’s residents.

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

Section 1. The recitals above are hereby adopted as findings and incorporated herein.

Section 2. The Rico Land Use Code shall be and is hereby amended as set forth in **Exhibit A** to this Ordinance, incorporated by reference hereto.

Section 3. This Ordinance shall take effect immediately on final adoption.

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ, AND APPROVED ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY ON NOVEMBER 15, 2023.

TOWN OF RICO, COLORADO

Nicole Pieterse, Mayor

ATTEST:

Anna Wolf, Town Clerk

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED PUBLISHED BY TITLE ONLY TO BE EFFECTIVE IMMEDIATELY ON DECEMBER 20, 2023.

TOWN OF RICO, COLORADO

ATTEST:

Nicole Pieterse, Mayor

Anna Wolf, Town Clerk

Effective Date: December 20, 2023

EXHIBIT A

AMENDMENTS TO THE RICO LAND USE CODE

Additions shown in double underline; deletions shown in ~~strikethrough~~.

456. LICENSE PROCEDURES

456.1 Application Requirements. The owner shall submit the application on the form provided by the Town and shall pay the application fee. The nonrefundable application fee shall be ~~\$2500~~100 for an initial application and ~~\$1500~~75 for an annual renewal application (~~including renewals pursuant to the lottery system~~). Prior to issuance or renewal of a short-term rental license, the applicant shall pay the licensing fee. The licensing fee for a new short-term rental license shall be \$2500 and \$750 for renewal of an existing short-term rental license. Applications for renewal of a short-term rental license ~~starting on January 1~~ shall be submitted to the Town no later than August 1 of the year preceding calendar year the renewal term.

456.2 Available Licenses, Waitlist. In the event that there are no short-term rental licenses available within the quadrant, as established by Section 454.3(a) above, in which the applicant's proposed short-term rental property is located, the applicant shall be added to a short-term rental license wait list. The Town shall create and maintain a wait list for this purpose for each quadrant.

(a) Priority for issuing a short-term rental license, when available in the applicable quadrant, shall be based on application date such that the applicant that has been on the wait list the longest shall be entitled to receive the next available license upon payment of the licensing fee.

(b) An applicant shall remain on the wait list until a license is issued to the applicant, or the applicant is otherwise removed from the wait list, whichever occurs first. An applicant shall be removed from the wait list for violation of the Short-Term Rental Regulations, or upon transfer of the applicant's proposed short-term rental property to a new owner.

456.3 Application Review, Referral, and Appeal. The Town Manager, in consultation with the Town Planner, shall review applications for short-term rental licenses for compliance with these regulations. The Town shall review applications ~~during the month of August and shall issue license decisions no later than September 15.~~ If the application is in conformity with the Short-Term Rental Regulations, the Town Manager shall issue a short-term rental license, if available, or add the applicant to the waitlist pursuant to Section 456.2 above, within thirty (30) days of submission. The Town Manager may, in his or her sole discretion, refer an application to the Board of Trustees if the application raises issues

on which the Board's input is necessary or desirable. If the application is not approved and the license is not issued, the Town Manager shall state in writing the reason(s) for the denial of the license. The applicant may appeal the Town's denial to the Board of Trustees within thirty (30) calendar days of issuance of the written denial decision.

~~456.4~~ Issuance and Term of License, Initial Term and Renewal. All short-term rental units, except short-term rental dwelling units for which the Town has issued a special use permit as of the date of the ordinance adopting these regulations, shall require a license from the Town. Such license shall only be issued after the short-term rental application has been approved in accordance with the Municipal Code. The short-term rental license shall specify any terms and conditions of the license. All licenses shall be issued to the owner of the property. No natural person or business entity shall be issued more than one short-term rental license, nor shall the owner of an existing short-term rental dwelling unit as of the date of adoption of these regulations be issued a license for an additional short-term rental. Licenses shall not transfer with the transfer of property to a new owner: a change in ownership of the property shall necessitate a new application and issuance of a new license.

(a) Licenses shall be issued for an initial period of ~~two (2) years starting on January 1~~ commencing on the approval date and shall automatically expire on December 31 of the ~~second~~ same year.

(b) The renewal period for each license shall be one (1) year starting on January 1 and shall automatically expire on December 31 of the same year.

~~456.4 Lottery System. If the number of new or renewal license applications submitted for an application cycle would lead to a total number of short term rental units in excess of the number allowed in Section 454.4 (including the total number allowed for any quadrant of the Town), the Town Manager shall issue licenses by random lottery. Such lottery shall not provide a preference to renewal applications over new applications. The Town shall refund the application fees, except for an administrative fee of \$50 which shall be retained by the Town, for applications not issued pursuant to a lottery.~~

456.5 Neighborhood Notification. Upon issuance of a short-term rental license, the property owner shall be responsible for mailing public notification of the license to owners of all real property within two hundred fifty (250) feet of any boundary or edge of the subject property or parcel. The property owner shall provide certification to the Town Manager that proper notice has been provided, including a signed affidavit.

456.6 Revocation of License. A short-term rental license may be revoked at any time by the Board following a hearing if the Town determines that the property is not being operated in compliance with this Short-Term Rental Regulations or any other Town ordinance. A short-term rental license shall be revoked automatically upon the property owner's third conviction in Rico Municipal Court of a violation of any provision in these

Short-Term Rental Regulations with respect to the short-term rental. An applicant whose short-term rental license has been revoked within the last two years shall not be allowed to apply for a new or renewal short-term rental license.

456.7 Tax Collection. A license holder who fails to collect any applicable taxes on a short-term rental, including but not limited to lodging tax, during the license period shall not be allowed to renew the license for the next two-year license cycle. Owners shall present documentation demonstrating the collection and remittance of taxes to the Town as part of the license renewal application.

457. PENALTIES AND ENFORCEMENT

457.1 Penalties for Violations. Any violation of the Short-Term Rental Regulations shall be subject to a fine of ~~two thousand two~~ two ~~five hundred fifty~~ five hundred dollars (\$~~2,500~~2,500.00) for the first offense, ~~three thousand five hundred~~ three thousand ~~five hundred~~ five hundred dollars (\$~~3,050~~3,050.00) for the second offense, ~~seven~~ seven ~~four thousand hundred fifty~~ four thousand ~~hundred fifty~~ hundred dollars (\$~~7504,000~~7,504,000.00) for the third offense, and ~~one~~ one ~~Five~~ Five thousand dollars (\$~~51,000~~51,000.00) for the fourth offense and all subsequent offenses. Each day's continuing violation shall be a separate and distinct offense.

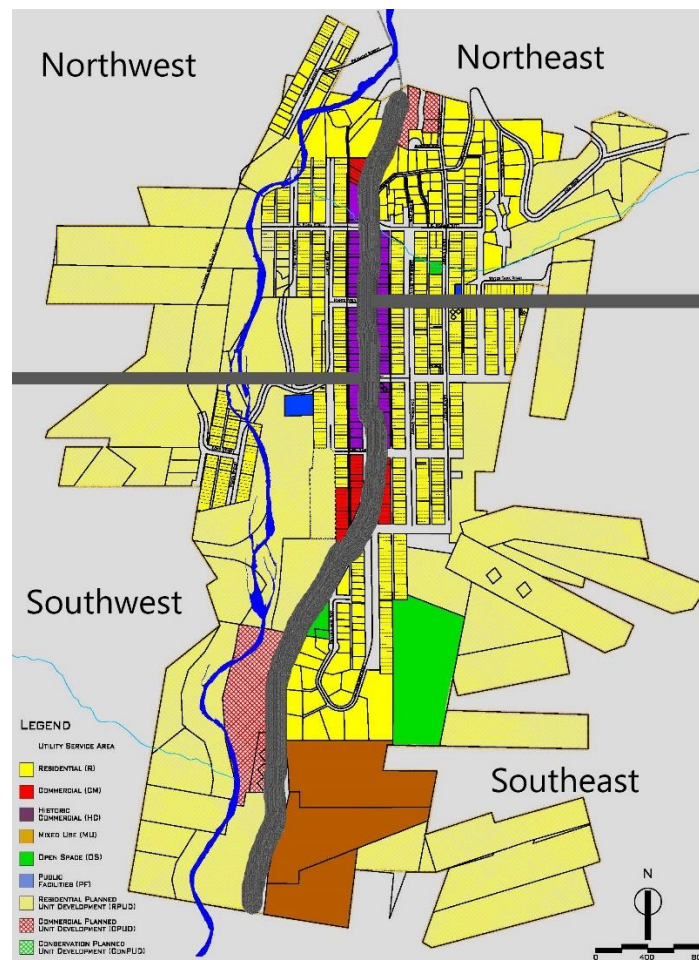
Date: November 30, 2023

TO: Town of Rico Board of Trustees
 FROM: Chauncey McCarthy, Rico Town Manager
 SUBJECT: Reconfiguration of quadrant boundaries

Ordinance No. 2022-05 amended the land use code and established a licensing process for short-term rentals and removed them from the special use permit process. In this code amendment the total number of STR dwelling units is 7% of the Town's total housing units as determined by the state demography office. Which is currently set at 231 homes allowing for 16 residential zoned STR. A quadrant system was adopted dividing the town into four zones with considerations on acreage, zoning, current and future development/density. Currently each quadrant can have a maximum of 4 residential zoned STR

These quadrants are as follows:

- Northwest: North of W. Campbell Street and West of S. Glasgow Ave.
- Northeast: North of E. Mantz Ave and East of S. Glasgow Ave.
- Southeast: South of E. Mantz Ave and East of S. Glasgow Ave.
- Southwest: South of W. Campbell Street and West of S. Glasgow Ave.



Current Quadrant Configuration

The current configuration places:

- 71 houses and 173 bedrooms in the northeast quadrant (4 active STR licenses)
- 49 houses and 114 bedrooms in the northwest quadrant (1 active STR license)
- 18 houses and 45 bedrooms in the southwest quadrant (1 active STR license)
- 59 houses and 160 bedrooms in the southeast quadrant. (1 active STR license)

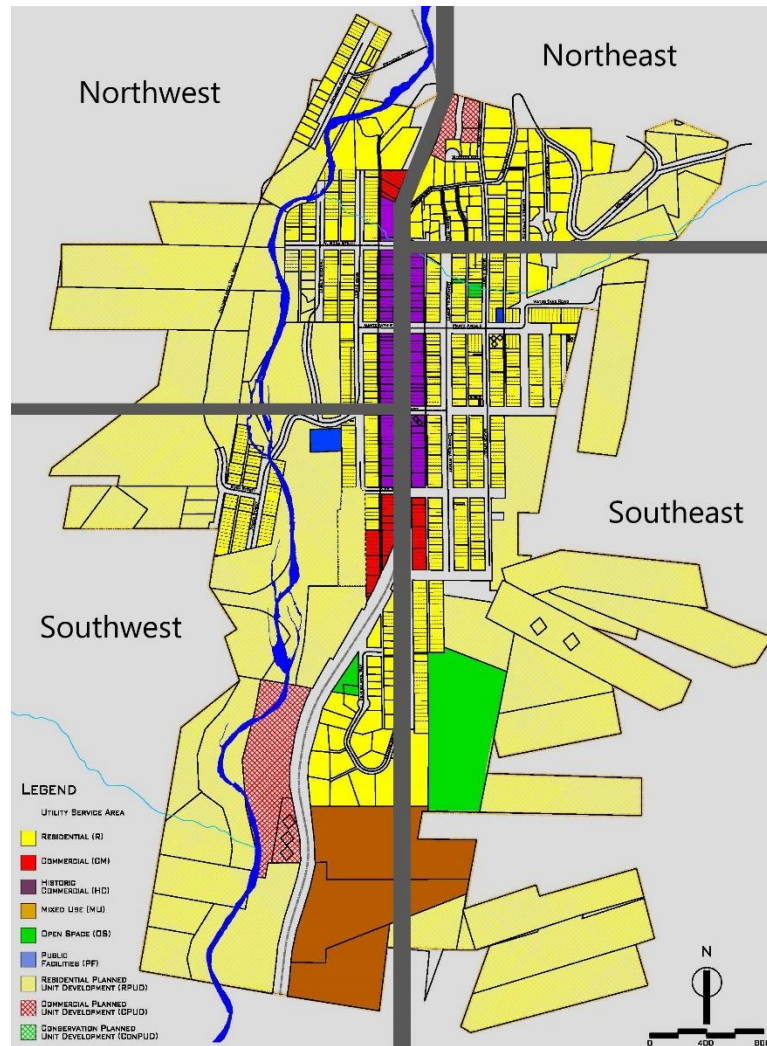
Totaling 197 houses and 492 bedrooms that are not listed in the commercial zone district.

*This data was collected from county GIS database and records.

Currently the northeast quadrant is close to fully developed and has the largest number of homes and bedrooms. If each quadrant were to have an equal number of homes at town's current build out there would be 49.25 homes per quadrant. By shifting quadrant boundary lines, it is possible to divide the town into four areas ranging from 43 to 55 homes per quadrant.

These quadrants are as follows:

- Northwest: North of W. Campbell Street and West of S. Glasgow Ave.
- Northeast: North of E. Soda Street and East of S. Glasgow Ave.
- Southeast: South of E. Soda Street and East of S. Glasgow Ave until Silverglance Street. East of Silverglance Street until lot 1 Silverglance subdivision.
- Southwest: South of W. Campbell Street and West of S. Glasgow Ave until Silverglance Street West of block 10,38, and lot 1 Silverglance subdivision



Proposed Quadrant Reconfiguration

The proposed reconfiguration places:

- 55 houses and 134 bedrooms in the northeast quadrant (2 active STR licenses)
- 49 houses and 114 bedrooms in the northwest quadrant (1 active STR license)
- 43 houses and 118 bedrooms in the southwest quadrant (2 active STR licenses)
- 50 houses and 126 bedrooms in the southeast quadrant. (2 active STR licenses)

The proposed reconfiguration would be a more equal distribution of current housing stock but does not take into consideration future developments. As the town becomes more developed this proposed reconfiguration will also become greatly skewed. As drafted, the southeast quadrant would now be 4 times the size of the northeast quadrant, but it still has over 70 home sites that have not been developed.

Town of Rico Construction Rules and Regulations

Definitions

Construction Activity shall include the disturbance of soils associated with clearing, grading, excavating, filling, hardscaping, landscaping, or other similar activities. In addition to construction, alteration, and/or repair of a structure and its associated components.

Construction Impact(s) shall include excessive noise, excessive dust, any windblown trash, and excessive fugitive dirt, mud, aggregate, or concrete from clean out.

Construction Management Site Plan is a combination of diagrams, documents, drawings, and specifications that clearly define the steps that will be taken to demonstrate how the impacts to the community will be minimized, managed, or mitigated.

Material Storage shall mean any area from which a project material is staged or from which a project is partially staged and shall include on-site staging areas and off-site staging areas.

Blasting shall mean the process of cracking rock material by using a small amount of explosive substance so that the rock is destroyed into several pieces.

Construction Vehicle shall mean any private or commercial vehicles or heavy equipment actively involved in the construction process or in the delivery or storage of tools, supplies or materials.

Trash or debris shall mean any and all trash, refuse, junk, solid waste, recyclable materials, construction materials not used in the project, or other debris, which is produced during the construction of the project, including preparation for construction and cleanup after completion of construction.

Hazard shall mean anything that has the potential for harm.

Purpose

In order to ensure that any construction activity within the Town is done in the most sensitive manner possible and to minimize construction impacts to owners and guests, the following Construction Regulations shall be enforced during the construction period. This document shall be known as the "**Construction Rules and Regulations**" and may be referred to herein as the "Regulations." Each Owner shall ensure that all construction activity that is performed on their Construction Site shall be performed in accordance with the following requirements.

A. Access and Parking

Construction Vehicles shall gain access to Construction Sites only from existing roads adjacent to the Construction Sites. Parking in the town right-of-way shall not impede traffic, emergency access, or town road maintenance operations. Special safety precautions may be necessary for the road including, but not limited to, safety cones, barriers, and flaggers.

B. Blasting

No blasting shall be performed on any site without the Building Officials prior consent. Notification shall be provided a minimum of 48 hours in advance of any blasting operations. Blasting must occur only Monday - Friday between the hours of 10:00 AM and 4:00 PM. Blasting may be subject to certain restrictions, which shall be determined by the Building Official in its sole and absolute discretion, and which may vary from Site to Site.

C. Construction Equipment and Material Storage

Each Owner or Owner's Representatives and their contractors shall ensure that all construction material is stored in a designated materials storage area either onsite or stored in the right-of-way. Such storage areas shall be indicated on the Construction Management Site Plan and be approved by the building official.

D. Debris and Trash Removal

Owners, Owner's Representatives, and their contractors shall be responsible debris and trash removal. The requirements are as follows:

- At the end of each day, all trash and debris on the Construction Site is cleaned up and stored in proper containers or organized piles in a manner that will not be affected by wind.
- All food trash must either be removed from the site at the end of each workday or bear-proof poly-cart must on-site.
- All trash and debris shall be kept off of adjacent property at all times. Dumpsters may be stored in the right-of-way at the discretion of the building official. Dumpsters in the right-of-way shall not impede traffic, emergency access, or town road maintenance operations. Dumpster location shall be indicated on the Construction Management Site Plan and only placed in the right-of-way during the timeframe provided.

E. Construction Hours

Construction activity may only take place between 7:00 A.M.- 7:00 P.M. Monday – Saturday.

F. Deliveries

Construction Vehicles must obey all posted speed limits and traffic regulations within the Town. During winter months, construction and delivery trucks must be capable of traveling on snow packed roads.

G. Hazards Marked

All hazards should be marked on site and fenced at the discretion of the building official.

H. Fire Protection

At least one 10-pound ABC-rated dry chemical fire extinguisher shall be present and available on site.

I. Prohibited General Practices

All Owners will be responsible for the conduct and behavior of their contractors, and sub-contractors in the Town. The following practices are prohibited within the Town:

- Changing oil on any vehicle or equipment on the Construction Site;
- Allowing concrete suppliers and contractors to clean their equipment on any Town owned lot, roadway, right-of-way, ditch, easement, or other property;
- Removing any rocks, plant material, topsoil, or similar items from any property of others within Town;
- Using disposal methods or units other than those approved by the Town;
- Working before or after the scheduled construction hours;
- Driving trucks with uncovered loads the in the Town.
- Amplifying music that can be heard beyond the jobsite

J. Roadway Maintenance

Owners and their contractors and sub-contractors shall keep all Town roads and road rights-of-way free and clear of all materials, rubbish, and debris, unless otherwise approved, resulting from Owner's Construction Activity and shall repair and revegetate any damage to roads, road rights-of way, landscaping, and other streetscape improvements within the Town caused by Construction Vehicles used in connection with Owner's Construction Activity. Contractors must keep the Site driveway and all adjacent roads clean from mud, and debris.

K. Dust and Mud

Daily mitigation required. Water shall be on site to suppress dust.

L. Sanitary Facilities

On-Site, enclosed, chemical toilets must be available at all times when Construction Activity is taking place on a Construction Site. Chemical toilets shall be screened from view and shall be located so as to minimize any adverse impacts on adjacent lots. In no instance shall chemical toilets be placed within any road right-of-way or on the road. Location of sanitary facilities shall be indicated on the Construction Management Site Plan

M. Signage

One temporary construction sign not to exceed 20 square feet overall shall be located on the Site and shall be easily visible from the adjacent roadway. The sign must conform generally to the layout shown below with only the name, address and telephone number of the developer, contractor, and location. All information listed must be shown in uniform type style and color.

PROJECT LOCATION

Building Permit #

Developer/Owner: [Name and Phone #]

Contractor: [Name]