

***THE DECEMBER 11, 2018 COUNCIL PACKET MAY BE VIEWED
BY GOING TO THE TOWN OF FRISCO WEBSITE.***

**RECORD OF PROCEEDINGS
WORK SESSION MEETING AGENDA OF THE
TOWN COUNCIL OF THE TOWN OF FRISCO
DECEMBER 11, 2018
2:00PM**

Agenda Item #1: Executive Session Pursuant to C.R.S. 24-6-402(4) (f), Concerning Personnel Matters Regarding Town Manager Recruitment

- Interviews 2:00pm-4:00pm
- Council Discussion 4:00pm-5:00pm

Agenda Item #2: Historic Preservation Update 5:00pm

Agenda Item #3: Code Amendment Application Discussion 5:30pm

Agenda Item #4: Summit Stage Update 5:45pm

**RECORD OF PROCEEDINGS
REGULAR MEETING AGENDA OF THE
TOWN COUNCIL OF THE TOWN OF FRISCO
DECEMBER 11, 2018
7:00PM**

**STARTING TIMES INDICATED FOR AGENDA ITEMS ARE ESTIMATES ONLY AND MAY
CHANGE**

Call to Order:

Gary Wilkinson, Mayor

Roll Call:

Gary Wilkinson, Jessica Burley, Daniel Fallon, Rick Ihnken, Hunter Mortensen, Deborah Shaner, and Melissa Sherburne

Public Comments:

Citizens making comments during Public Comments or Public Hearings should state their names and addresses for the record, be topic-specific, and limit comments to no longer than three minutes.

NO COUNCIL ACTION IS TAKEN ON PUBLIC COMMENTS. COUNCIL WILL TAKE ALL COMMENTS UNDER ADVISEMENT AND IF A COUNCIL RESPONSE IS APPROPRIATE THE INDIVIDUAL MAKING THE COMMENT WILL RECEIVE A FORMAL RESPONSE FROM THE TOWN AT A LATER DATE.

Mayor and Council Comments:

Staff Updates:

Consent Agenda:

Minutes November 27, 2018 Meeting
Warrant List
Purchasing Cards

New Business:

Agenda Item #1: New Retail 3.2% Off Premise Beer License – Kum And Go STAFF: DEBORAH WOHLMUTH 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Agenda Item #2: First Reading Ordinance 18-15 an Ordinance Amending Chapter 53 of the Code of Ordinances of the Town of Frisco, Colorado, Concerning Alcoholic Beverages, by Amending All References Within Chapter 53 to the Colorado Beer Code, the Colorado Liquor Code, and the Colorado Special Event Liquor Permits Statutes to Reflect the State of Colorado's Recent Recodification of Said Codes and Statutes; and by Amending Section 53-18, Concerning Alcoholic Beverage Tastings, to Reflect Recent Substantive Amendments to the Colorado Statutory Provisions that Concern Alcoholic Beverage Tastings STAFF: DEBORAH WOHLMUTH 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Agenda Item #3: First Reading Ordinance 18-16 an Ordinance Amending Chapter 127 of the Code of Ordinances of the Town of Frisco, Colorado, Concerning Offenses, by Amending Section 127-7, Concerning Public Consumption of an Alcoholic Beverage and Possession of an Open Container, to Properly Set Forth All References therein to the Colorado Liquor Code Which Liquor Code was Recently Recodified by the State of Colorado STAFF: DEBORAH WOHLMUTH 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Agenda Item #4: First Reading Ordinance 18-10, an Ordinance Amending Chapter 110 of the Code of Ordinances of the Town of Frisco, Concerning the Licensing of Businesses, by Adding a New Article III, Concerning the Licensing and Regulation of Short-Term Rentals Within the Town STAFF: CHAD MOST 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Executive Session:

Agenda Item #5: Executive Session Pursuant to C.R.S. 24-6-402(4)(f), Concerning Personnel Matters Regarding Next Steps in the Town Manager Recruitment Process

Adjourn:



TO: MAYOR AND TOWN COUNCIL
FROM: JOYCE ALLGAIER, COMMUNITY DEVELOPMENT DIRECTOR
RE: REQUEST (BY AN OUTSIDE PARTY) FOR TOWN COUNCIL TO INITIATE A CODE TEXT AMENDMENT TO ALLOW PERSONAL SERVICES IN THE LIGHT INDUSTRIAL ZONING DISTRICT
DATE: DECEMBER 11, 2018

*** New Information and Staff Report Since November 27, 2018 Council Meeting:** Staff gained further details about the Aqua Marine business concept. Aqua Marine would like to conduct a hybrid commercial plus "coin operated" laundry operation. Based on discussions with Ms. Wieland, the breakdown of square footage being considered is about 60-70% commercial service and 30-40% "coin operated".¹ Commercial services in laundry industry tend to provide pick-up and delivery services to clients (major property management, hotels, and restaurants) with service vehicles, negating the need for the client to drive to the commercial laundry. This is the expectation of operations Ms. Wieland described as their business operations.

Staff Recommendation: Based on the input from council at the work session on November 27th, Staff would recommend further evaluation as to how to accommodate laundromats in the Light Industrial District. The evaluation would be to fine tune opportunities for this industry but focus mostly on the commercial aspect of the land use. Care needs to be given to the wise land use planning of the limited LI District as discussed below in this report and discussed at the work session. Options to an approach to this matter might include:

- Allow coin/commercial laundry in the LI by permitted or conditional use.
- Allow commercial laundry along with a limited amount of retail coin-operated walk-in (80%-20%?, 70%-30%?) by permitted or conditional use.
- Allow only commercial in the LI with no retail, coin-op.
- Amend the code to create a new use for commercial laundromats that move it outside the "personal services" use list and let it stand alone. Coin-op would still be considered a personal service use.
- Evaluate and propose other code provisions not set out here.

¹ It should be noted that today, laundromats seldom use actual coin-operated machines, instead using credit card, payment card, membership, and other means to pay. Ms. Wieman indicated that Aqua Marine's concept of the coin-op section would be tailored to smaller property management and housekeeping services who need higher volume washing machines to handle linen service. The coin-op section, however, would be open to the public. It is likely that 60 lb., 80 lb., and 120 lb. washing machines would be located in the coin-op; a typical public user uses a 60 lb. machine and the 80-120 lb. machines are significantly more expensive.

Should the council desire to initiate of the text amendment, Staff would take the amendment to the Planning Commission to consider more options and for their recommendation to you about land use options, including performance standards (parking, service loading areas, % type of laundry service, etc.). If at this time, the Council has any leanings to the approach, Staff would forward those to the Planning Commission to consider. We do not find it necessary at this time for the council to define the exact wording of any amendment.

In their evaluation of this request, Council needs to use these criteria to justify an amendment:

- Does the amendment constitute a public necessity?
- Is the amendment necessary for public safety or general welfare purposes?
- Does the amendment represent good zoning practice for Frisco?

Summary Statement: Aqua Marine Coin and Commercial Laundry, LLC (members Amy Franklin, Diane Wieland, and Michael Martin), is proposing a laundromat business at 745 Ten Mile Drive, Units 125-126. However, this property is located within the Light Industrial (LI) Zoning District. Laundromats are defined as a “personal services” land use and are not allowed in the LI District pursuant to Chapter 180, Unified Development Code (UDC), Code of Ordinances of the Town of Frisco. (Note: In discussions with the applicant, they noted that they are contemplating both coin operated and possibly commercial services.)

Aqua Marine Coin and Commercial Laundry is proposing that the Town of Frisco amend the UDC to allow personal services in the LI District. Amendments to the UDC may only be initiated by the Community Development Director, Planning Commission, or the Town Council whenever the public necessity, safety, general welfare, or good zoning practice justifies such action. The Community Development Director has declined to initiate such an application. The Applicant is therefore requesting that the Town Council initiate an amendment to the UDC to allow personal services in the LI District.

Should the Town Council choose to initiate such an amendment, a Code Text Amendment Application would then be handled in accordance with the review procedures and criteria outlined in the UDC. This review process involves Planning Commission review and recommendation followed by Town Council review of an ordinance and public hearing.

Staff Analysis: Pursuant to §180-9.2.3.E, a laundromat is defined as a “personal services” land use:

180-9.2., Definitions of General Use Categories

9.2.3.E. Personal Services

Establishments that provide individual services related to personal needs directly to customers at the site of the business, or that receive goods from or return goods to the customer, which have been treated or processed at that location or another location. Examples include but are not limited to beauty and barbershops, laundromats, shoe repair shops, and tailor shops.

180-9.3., General Definitions

Personal Services

Establishments primarily engaged in providing services involving the care of a person or his/her personal goods, including but not limited to, dry cleaning, cosmetics, beauty and barbershops, funeral services, and domestic services.

Pursuant to §180-5.1.5, personal services are not allowed as a permitted or conditional use in the LI District. Personal services are currently permitted in four (4) others - the Gateway District, Commercial District, Central Core District, and the Mixed Use District. Personal services are also allowed as a conditional use in the Residential High Density District. In the following excerpt from the UDC, the LI District is highlighted in green and the personal services land use is highlighted in red.

180-5.1.5 TABLE OF ALLOWED USES

TABLE 5-1 TABLE OF ALLOWED USES																
● = Permitted ◐ = Conditional Use Blank cell = Not allowed		Residential					Commercial/ Mixed-Use					Other			Use-specific Standards	
Use Category	Use Type	RS	RN	RL	RM	RH	GW	CO	LI	CC	MU	OS	PR	PF		
RESIDENTIAL USES																
Group Living	Group care facility					◐	◐				◐					
	Senior housing					◐	◐				◐					
Household Living	Cabin housing		●	●	●	●				◐	◐				180-5.2.1 *on Granite & Galena Streets only	
	Duplex and two-unit townhomes		●	●	●	●				●	◐				180-5.2.8	
	Fractional ownership unit					◐	●			◐	◐					
	Multi-unit dwellings				●	●	◐			●	◐				180-5.2.8	
	Single-household detached dwelling	●	●	●	●	●				●	◐				180-5.2.8	
	Townhomes, attached or standalone			●	●	●				●	◐				180-5.2.8	
PUBLIC, INSTITUTIONAL, AND CIVIC USES																
Community and Cultural Facilities	Activities for conservation of natural resources and the environment												●			
	Arts and entertainment center						●	●		●	●					
	Community center							●		●						
	Church or place of worship and assembly			◐	◐	◐				◐	◐			◐		
	Homeowner association recreation facility	◐		◐	◐	◐										
Child Care Facilities	Child day care center		◐	◐	◐	◐		◐			◐					
	Family day care	●	●	●	●	●										
Educational Facilities	School, Type 1			◐	◐	◐					◐			◐		
	School, Type 2			◐	◐	◐		◐			◐			◐		

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Use Category	Use Type	RS	RN	RL	RM	RH	GW	CO	LI	CC	MU	OS	PR	PF		
	School, Type 3							◐			◐			◐		
Institutional Uses	Institutional use	◐	◐	◐	◐	◐	●	●	●	●	◐		◐			
Parks and Open Space	Active recreation												●	●		
	Common area	●	●	●	●	●										
	Common building		●													
	Marina										●		●			
	Open space	●	●	●	●	●	●	●	●	●	●	●	●	●		
	Park	●	●	●	●	●				●			●			
	Park, public or private												●			
	Passive recreation and open space use (no site disturbance; compatible with natural state)											●	●			
	Passive recreation and open space use some site disturbance; compatible with natural state)											◐	●			
	Public or private active and/or passive recreation area												●			
Public Utilities and Facilities	Public improvement													●		
	Public utility facility													●		
	Telecommunication facility (standard)						●	●		●	●			●		180-5.2.11
	Telecommunication facility (low power)	●	●	●	●	●	●	●	●	●	●	●	●	●		180-5.2.11
	Transit oriented facility and use						●	●		◐	◐					
COMMERCIAL USES																
Agriculture Uses	Community garden	◐	◐	◐	◐	◐	●			◐	◐	◐	●	●		
	Farmers' market						◐	◐		◐	◐		◐	◐		180-5.2.2
	Plant nursery or greenhouse						◐	●	●		◐		◐			
	Produce stands						●	●		●	●					180-5.2.7
Food and Beverage	Fast food restaurant						●	●		●	◐					
	Microbrewery, distillery and/or tasting room						●	●		●	●					
	Restaurant, bar, tavern						●	●		●	●		◐			
Lodging Facilities	Boarding, rooming, and lodging facility				◐	●	●	◐			◐					
	Condominium hotel						●			◐	◐					
	Hostel						●	◐		◐	◐					
	Hotel and motel						●	◐		●	◐					
Offices	Financial service						●	●		●	●					
	Medical office						◐	●	◐	●	●					
	Office					◐	◐	●	◐	●	●					
Parking Facilities	Parking facility						◐	◐		◐	◐		◐			
Personal Services	Personal services					◐	●	●		●	●					
Recreation and	Health, recreation, and						●	●	◐		◐		●			

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Use Category	Use Type	RS	RN	RL	RM	RH	GW	CO	LI	CC	MU	OS	PR	PF		
Entertainment	exercise establishment															
	Indoor arts and entertainment center					◐										
Retail	Artisan studio or gallery						●	●		●	●					
	Light retail						●	●	◐	●	●		◐			
	Medical marijuana dispensary						●	●	●		●				180-5.2.6	
	Professional trade								●							
	Professional trade retail								●							
	Regional retail						●	●								
	Retail marijuana						●	●	●		●				180-5.2.9	
	Sexually-oriented business						●	●	●	●	●				180-5.2.10	
	Showroom								●							
Vehicles and Equipment	Auto, boat, and recreational vehicle sales or leasing						◐	◐								
	Auto fuel sales						◐	●			◐					
	Auto service or wash						●	●	●							
	Light goods repair								●	◐						
Veterinary Services	Animal boarding or training						◐	◐	◐		◐					
	Veterinary clinic						◐	●	●		◐					
INDUSTRIAL USES																
Industrial Service and Research	Commercial firewood cutting and storage								◐							
	Research and development							◐	●							
Manufacturing and Production	Light manufacturing							◐	●	◐						
	Repair and light fabrication workshop							◐	●							
Warehouse and Freight Movement	Storage facility								●							
	Warehouse								●							
	Wholesale business							◐	●							
ACCESSORY USES																
Accessory Uses	Accessory building and use	●	●	●	●	●	●	●	●					●		
	Accessory dwelling unit	◐	●	●	●	●	●	●	●	●	●		◐	◐	180-5.3.1	
	Home occupation	◐	◐	◐	◐	◐				◐						
	Home office	●	●	●	●	●	●	●		●	●					
	Solar energy facility	●	●	●	●	●	●	●	●	●	●	●	●	●	180-5.3.3	
DISTRICT LEGEND																
RS = Residential Single-Household District																
RN = Residential Traditional Neighborhood District																
RL = Residential Low Density District																
RM = Residential Medium Density District																
RH = Residential High Density District																
GW = Gateway District																
CO = Commercial Oriented District																
LI = Light Industrial District																
CC = Central Core District																

TABLE 5-1 TABLE OF ALLOWED USES															
● = Permitted ◐ = Conditional Use Blank cell = Not allowed		Residential					Commercial/ Mixed-Use					Other			Use-specific Standards
Use Category	Use Type	RS	RN	RL	RM	RH	GW	CO	LI	CC	MU	OS	PR	PF	
MU = Mixed-Use District OS = Open Space District PR = Parks and Recreation District PF = Public Facilities District															

Pursuant to §180-3.10.1, the purpose of the Light Industrial (LI) District is as follows:

180-3.10.1, PURPOSE

To promote the development of professional trade, industrial, general services, storage, and contractor services in Frisco, and to allow for other associated uses complementary to contractor trades and light manufacturing.

Pursuant to §180-2.4.3, an amendment to the UDC may only be initiated by the Community Development Director, Planning Commission, or the Town Council whenever the public necessity, safety, general welfare, or good zoning practices justifies such an amendment:

180-2.4.3, Code Text Amendments

A. Purpose

The text of this Chapter may be amended pursuant to this section to respond to changed conditions, changes to public policy, or to advance the general welfare of the Town.

B. Applicability

An amendment to the text of this Chapter may be initiated by the Director, the Planning Commission, or the Council whenever the public necessity, safety, general welfare, or good zoning practice justifies such action. The Council may approve an amendment after consideration and recommendation by the Planning Commission.

The Community Development Director reviewed the Applicant's request, however, the Director did not find that the amendment was justified by public necessity, safety, general welfare, or good zoning practice. Therefore the Director declined to initiate such an amendment. The Community Development Director based this decision upon the following:

- Personal services are not consistent with the purpose of Light Industrial (LI) District which is focused on provision of trades services, light industrial, general services, and associated services. Auto repair and services is allowed in this district.
- The LI District is very limited in area and serves as an important area for uses that are essential to the functioning of a well-rounded community. In general in industrially zoned areas, tenant rental and property values tend to be lower than in prime arterial streets with commercial zoning such as Summit Blvd., and Main Street. From a land planning perspective, these lands are very important to have in a community.

- There are opportunities for laundromats in other locations in Frisco since personal services are already allowed as a permitted use in four other zoning districts including: Gateway District, Commercial District, Central Core District, and Mixed Use District. These four zoning districts compose the majority of the commercial areas located along Main Street, West Main Street, Summit Boulevard, Lusher Court, and the Dam Road. Personal services are also allowed as a conditional use in the Residential High Density District. Please refer to the attached Exhibit A.
- Personal services are not limited to laundromats but instead include a variety of uses including dry cleaning, beauty and barber shops, tanning and spas, tailoring shops, etc. These uses have the potential to take up important lands for light industrial services and in the case of Frisco, does not represent good zoning practice.

Staff Recommendation: Staff requests that the Town Council evaluate this request of them to initiate an amendment to the UDC to allow for personal services in the LI District. Provide Staff direction to proceed with an amendment or not.

In their evaluation of this request, Council needs to use these criteria to justify an amendment:

- Does the amendment constitute a public necessity?
- Is the amendment necessary for public safety or general welfare purposes?
- Does the amendment represent good zoning practice for Frisco?

In their review, Staff did not find justification for an amendment to the UDC.

Attachments:

- Exhibit A: map of current and proposed zoning districts allowing personal services
- Aqua Marine Coin and Commercial Laundry, LLC letter dated October 30, 2018

October 30, 2018

Dear Mayor Wilkinson and Members of the Frisco Town Council,

As three long time local business owners with 50 plus combined years of experience in the property management, hotel and housekeeping service industries, we are invested in keeping the integrity and character of our community. As we embark on local Short-Term Rental Regulations and a growing tourism industry, we recognize the necessity for sustainable economic growth and being committed to renewable resources.

As business owners in the Summit County community since 2004, we have found that there is an increased need for additional commercial and coin operated laundry services to accommodate current small, medium, and large businesses as well as individual residents throughout Summit County including the Town of Frisco.

Many businesses are forced to use companies outside of the county, mainly in Denver and Eagle County, which can be unreliable especially during the high tourism season, due to the current local laundry service companies not always being able to accommodate the volume for hotels and timeshares, property management companies, small housekeeping companies and restaurants. By having the business located in Summit County and specifically Frisco, we will be adding jobs for local residents.

We believe adding these eco-friendly and water recycling technology to the Town of Frisco and Summit County will facilitate the community sustainability for individual residents, business owners and the tourism industry that enables our local economy to thrive.

According to enclosed documents, "water can be reused at the 25% to 35% (and in very special cases 45%) level without any long-term quality problems". Furthermore, "Less energy is needed to bring the recovered rinse water up to wash temperatures."

We would like to take this time to request the Frisco Town Council to initiate a text amendment of the Frisco Zoning Code Chapter 2.4.3 Code for the Light Industrial Zone District to include Personal Services which includes personal and commercial laundromats.

Based on the current zoning, we feel that adding personal services as a text amendment will not disrupt the Town of Frisco and community and only be value added to the residents and business owners equally. We have been diligent in pursuing all available avenues within the proper zoning classification of personal services, unfortunately there are currently not any viable possibilities for this value-added business service to be centrally located in the Town of Frisco.

We are available to provide further information concerning our business plan as well as more detailed information on the eco-friendly and water recycling technology and any additional questions.

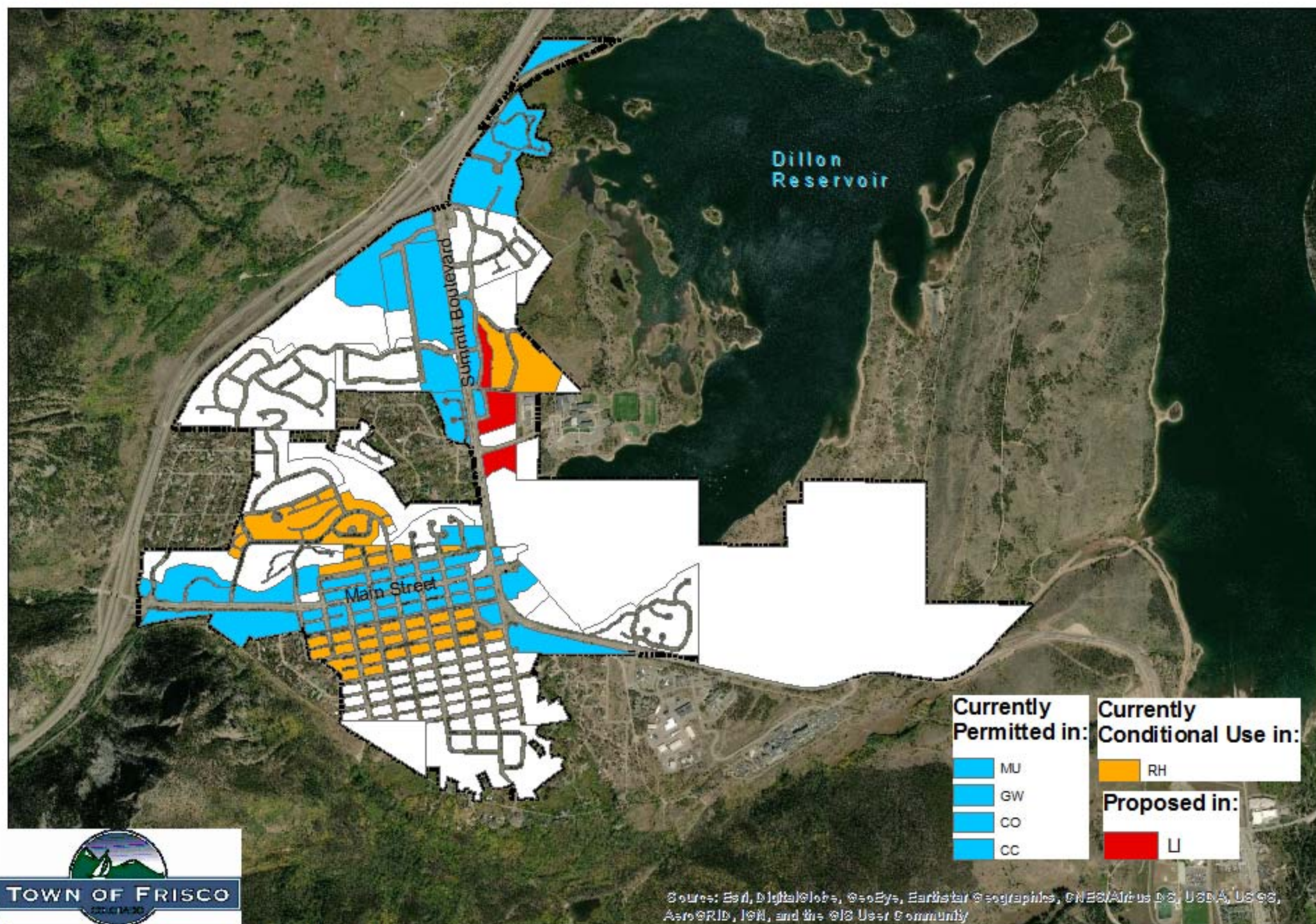
We appreciate your time and consideration.

Sincerely,

Aqua Marine Coin and Commercial Laundry, LLC

Members: Amy Franklin, Diane Wieland & Michael Martin

Exhibit A Personal Services



This map is for display purposes only. Do not use for legal conveyance. This map is not survey accurate and should not be used for such. ©2018 Town of Frisco



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: BILL GIBSON, ASSISTANT DIRECTOR AND JOYCE ALLGAIER, DIRECTOR
RE: COMMUNITY DEVELOPMENT DEPARTMENT REPORT
DATE: DECEMBER 11, 2018

Department Updates: Joyce Allgaier attended the 2018 Denver Sustainability Summit participating in break out sessions on the overarching tenets of community sustainability, equity, urban forests in the creation of livable and healthy environments, and allowing community values to drive community growth and character.

Clarion Associates, Fehr and Peers, and EPS are the town's consultant team on the Frisco Community Plan and are engaged and working with Susan Lee and Joyce on making progress on this important project. A work meeting with the whole consultant team and staff is scheduled for 12/18 and Fehr and Peers are working on parking occupancies (winter count), sidewalk and connectivity gap analysis, and transportation element of the plan this month. Later in December, Susan Lee will provide a more comprehensive update and "next steps" memo to council.

Planning Commission Activities: Planning Commission meeting on December 6, 2018:

1. **Planning File No. 110-18-MDA/CU:** A public hearing of modifications to the approved Development Application and Conditional Use Application for the Library Lofts multi-family residential project, located at 90 South Madison Avenue / Unplatted (TR 5-78, Sec 34, Qtr 1 Sq. Ft. 21,127 Pt of Flora Placer Cont. 0.32 acres and Lot E-4, Frisco West 0.165 acres) also known as the "Summit County Library Tract". Applicant: Todd Crowe

The Planning Commission approved the application with conditions by a vote of 4-0.

2. **Planning File No. 238-18-MAJ:** A review of the sketch plan step of the Major Site Plan Application for the proposed Rainbow Court East Building mixed-use project, located at 310 East Main Street / Lots 3-5, Block 9, Frisco Townsite. Applicant: MM Properties LLC, represented by TC3 Architects

The Planning Commission takes no formal action on sketch plan applications, but the Commission generally supported the proposal with recommended modifications.

Planning Division Activities: Administrative review applications approved last month: 9

Application Type	Applicant	Address
Administrative Site Plan	Jed Callen	93 Sunset Drive
Administrative Site Plan	Geoffry Lee	583 Bills Ranch Road
Administrative Site Plan	Town of Frisco	306 Galena Street
Sign Permit	Ollie's Pub & Grill	620 East Main Street, Unit 1
Sign Permit	HighSide Brewing	720 East Main Street
Sign Permit	HighSide Kitchen & Brewery	730 East Main Street
Administrative Site Plan	Jimmy Provost	Mount Royal Plaza
Administrative Site Plan	Maximum Comfort	1510A Prospect Point
Administrative Site Plan	Maximum Comfort	207A Miners Creek Road

Building Division Activities:

- Permits issued last month included the following:
 - Building Permits: 21
 - Plumbing & Mechanical Permits: 8
 - Electrical Permits (issued by Summit County): 6
- Valuation of permits issued last month: \$2,887,735
- Inspections performed last month: 249
- Rapid Review Wednesday customers assisted last month: 24
- Certificates of Completion / Certificates of Occupancy issued last month: 16
 - Including: six workforce housing units at Mary Ruth Place and two garages at Coyote Village

Front Desk Activities: Phone calls and walk-in customers served last month: 377



MEMORANDUM

P.O. BOX 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: VANESSA AGEE, MARKETING AND COMMUNICATIONS DIRECTOR
RE: MARKETING AND EVENTS DEPARTMENT STAFF REPORT
DATE: DECEMBER 11, 2018

Public Relations:

- The Wall Street Journal published an article entitled "The Coolest, Under-the-Radar Ski Towns in the American West", which came about because of story pitching and collaboration with Copper Mountain. The piece was published online and via print on Saturday, November 17. For reference, The Wall Street Journal has a circulation of 1,196,217 and their website reaches 68.02 million unique monthly visitors.
- The Colorado Tourism Office pitched mountain travel experiences and 9News journalist Liz Kotalik featured several travel offerings in a three-minute how-to video including Union Station, the Loveland Ski Resort, the Frisco Adventure Park and more.
- Channel 9 also covered the Frisco Adventure Park opening with the assistance of Adventure Park staffer, Kelsy Maxie.
- The Colorado Springs Gazette covered Wassail Days in the article "Savor the holidays at Frisco's Wassail Days". The Gazette has a circulation of 93,000 and 906,000 readers on average viewing content online monthly.
- In November, a segment featuring GatherHouse and Two Below Zero aired on the Daily Blast Live, a nationally syndicated show based in Denver. While they were filming a sleigh ride date with Brandon London (former NFL player and Super Bowl winner), Brandon London indicated an interest in learning to skate ski. The Daily Blast failed to mention the location of their first segment in Frisco, attributing it all to Vail, so they will be returning to film a skate skiing lesson, tubing and Tumble Bubbles with Brandon on December 20, 2018.
- E! Online posted an article with "9 Things You Never Knew About Dan + Shay's 'Tequila,'" and #2 is:

"If you're in awe of the music video location, we found where filming took place. According to outlets, the project was filmed in Frisco, Colorado with Moose Jaw

serving as one of the key locations. Be right back, we're packing our bags this winter."

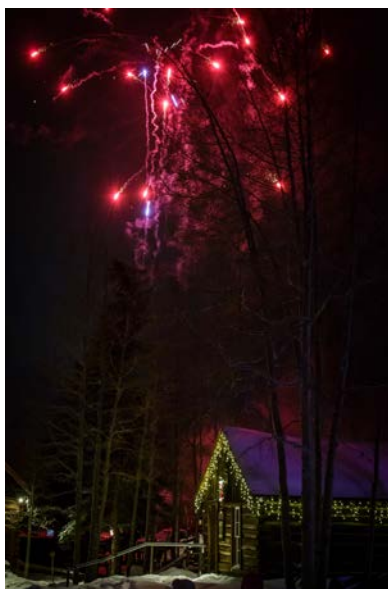
E! Online receives **23.9 million** unique monthly visitors.

- Honest Cooking featured Wassail Days with some Wassail recipes Frisco shared. Honest Cooking has a reach of 395,440 unique monthly visitors.
- The first major snowfall in Colorado brought national and international mentions of Frisco due not only to snowfall, but unfortunately also because of a concurrent 20 car accident. Here is a sampling of some of the coverage:
 - Aljazeera
 - Glenwood Springs Post Independent
 - Houston ABC affiliate

Global Sustainable Tourism Council (GSTC) Training Opportunity: The Town of Frisco, Town of Breckenridge and the Breckenridge Tourism Office are partnering to offer the Global Sustainable Tourism Council's training on January 9 and 23, 2019 (it is a 2 day intensive and interactive class) at the Breckenridge Recreation Center. The price would typically be \$350, but with all entities supporting it will be \$125 per person. The class will be limited to 25 participants and participants will be invited from both Breckenridge and Frisco to fill the class on a first come/first serve basis. If the class fills up then there will be no significant financial support required, as costs will be covered. Dr. Kim Langmaid, founder of sustainability programs at Walking Mountains Science Center and member of the Vail Town Council, will facilitate this training. Vail is the first certified sustainable destination in the United States and first Mountain IDEAL certified sustainable destination in the world, and Kim was integral in making that happen. All entities (including Vail and Walking Mountain) are excited to be collaborating on this training.

Special Events: Wassail Days are currently underway. The Lighting and the Soup Cup were both well received and a roundup of the numbers will be forthcoming in the January Town Council marketing report. In the meantime, here are some photographs from both events.

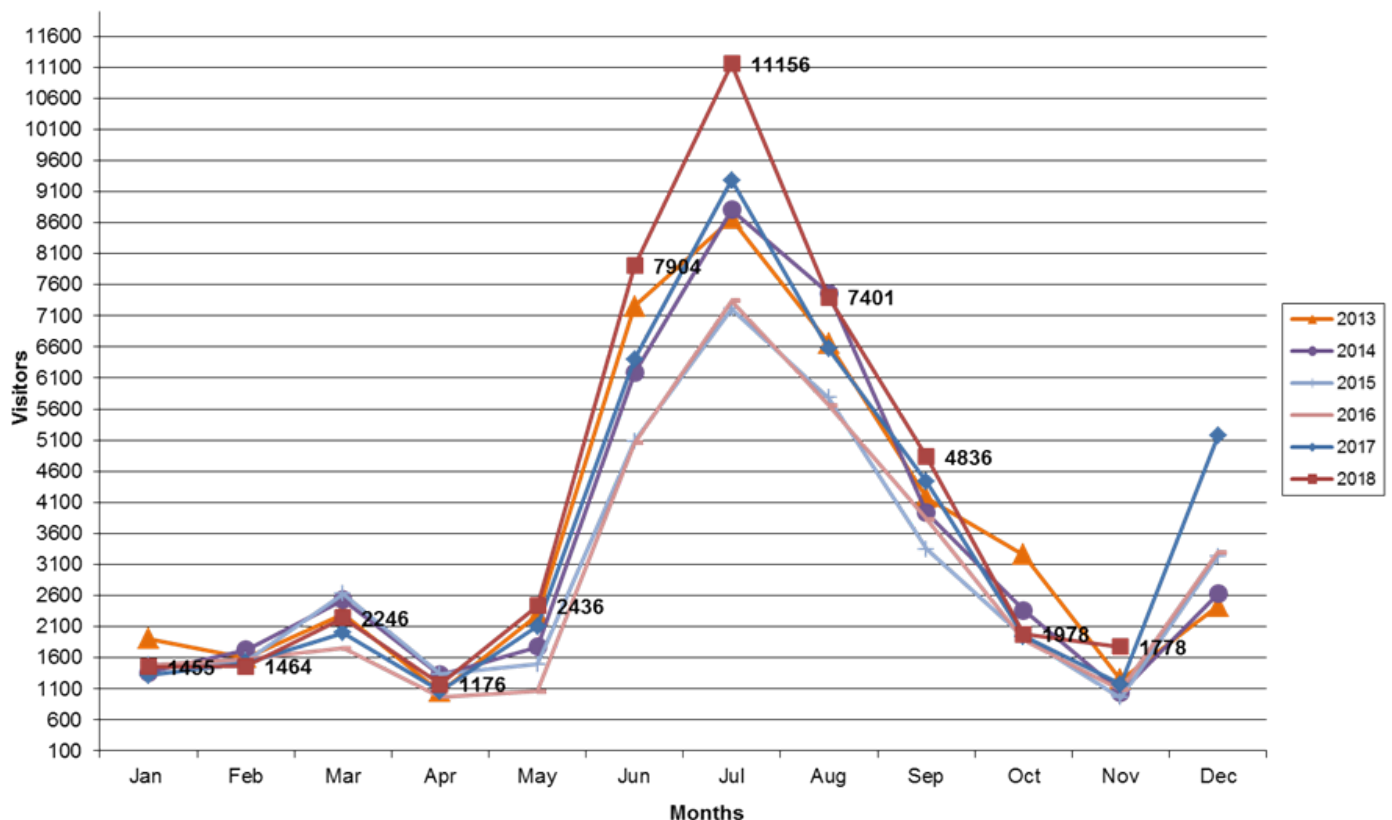
First Two Photos by Joe Kusumoto. Third Photo Courtesy Elaine Collins.



Frisco/Copper Visitor Information Center: Visitor numbers for November 2018:

- The Information Center saw 1,778 visitors in November 2018 (1,173 in November 2017).
- The Center saw an increase of 605 people in November compared to 2017, due to the start of Wassail Days falling on November 30.
- The Information Center answered 203 phone calls in November 2018 (208 in November 2017).
- Public computer use- 31 in November 2018 (24 in November 2017)
- New to the monthly reports starting in January 2018, the Information Center is tracking restroom usage.
 - Men's restroom usage: Not available due to issues with data retrieval
 - Women's restroom usage: Not available due to issues with data retrieval
- Guest comment highlights: "Awesome staff! So helpful and knowledgeable." "Looks like a postcard." "Polar express vibes." "Thanks again! Wassail Days!"
- Guest Services & Marketing Lead, Catherine Carroll, put up the first two "Instagram Stories" on the Town of Frisco's Instagram account, which now has 13.5k followers. Catherine did a "mug reveal" for the Wassail mug, and she posted the Wassail Days tree lighting.
- Tasha attended the November Colorado Tourism Office board meeting as part the Colorado Tourism Leadership Journey, in which she is enrolled.

Walk in Visitors 2013-2018



Report Criteria:

Business.License status = "Active"

Business.Year opened = "November 2018"

Business Owner.Sequence number = 1

in or out City	Business Name	Name	Location	Location City	Business Telephone 1	Business Activity
In	400 Main Street LLC	Stark, Charles and Kimberly	400 Main Street	Frisco	303-467-3540	Vacation Rentals
In	ANP Properties Frisco	Pacini, Andrew and Nicole	805 South 5th Avenue Unit 352H	Frisco	773-297-6058	Vacation Rentals
In	Drunken Yeti	Drunken Yeti	918 Meadow Creek Drive	Frisco	720-369-4871	Vacation Rentals
In	Kate and Lynn Ellis	Ellis, Kate and Lynn	313 Creekside Drive	Frisco	303-475-3479	Vacation Rentals
In	Katherine Raucci	Raucci, Katherine	75 Hawn Drive	Frisco	303-220-0183	Vacation Rentals
In	The Gongloff Group	Gongloff, Jeannette	202 Main Street	Frisco	970-668-0880	Realty
In	Tina Barry	Barry, Tina	703 Pitkin Street	Frisco	303-220-0183	Vacation Rentals
In	Tina Campbell	Campbell, Tina	1502B Berino Court	Frisco	303-638-0592	Vacation Rentals
In	Tropical Threads	Cook, Deirdre	211 Main Street Unit 2B	Frisco	970-390-2038	Retail - Arts/Crafts
Out	American Roofing Supply	American Roofing Supply	4550 East 52nd Avenue	Denver	469-424-2249	Retail - HomeImprove
Out	For Inspiration/Recognition Scienc	FIRST	200 Bedford Street	Manchester	603-666-3906	Non-Profit
Out	JM Bullion	JM Bullion	11700 Preston Road Ste 660153	Dallas	800-276-6508	Retail - Arts/Crafts
Out	Mitel Cloud Services	Mitel Cloud Services	1146 North Alma School Road	Mesa	480-961-6941	None
Out	MRC Computer Corp	Crandall, Scott	80 Business Park Drive #209	Armonk	914-253-8840	Retail - Office
Out	Woodlake Construction Managem	Martinez, Jeff	12354 East Caley 102	Centennial	303-669-0687	Retail - HomeImprove

**RECORD OF PROCEEDINGS
MINUTES OF THE REGULAR MEETING
OF THE TOWN COUNCIL OF THE TOWN OF FRISCO
NOVEMBER 27, 2018**

Mayor Wilkinson called the meeting to order at 7:00 p.m. Town Clerk Deborah Wohlmuth called the roll.

Present: Jessica Burley
Dan Fallon
Rick Ihnken
Hunter Mortensen
Melissa Sherburne
Gary Wilkinson

Absent: Deborah Shaner

Public Comment:

There was no public comment.

Council Comment:

Mayor Wilkinson wished everyone a happy Thanksgiving and reminded the audience of wassail days.

Council members Burley and Ihnken complimented the Turkey Trot.

Consent Agenda:

Minutes November 13, 2018 Meeting

MOTION: COUNCIL MEMBER MORTENSEN MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. SECOND, COUNCIL MEMBER BURLEY. VOTE:

BURLEY	YEA	SHANER	ABSENT
FALLON	YEA	SHERBURNE	YEA
IHNKEN	YEA	WILKINSON	YEA
MORTENSEN	YEA	MOTION CARRIED.	

Old Business:

Agenda Item #1: Second Reading Ordinance 18-13, an Ordinance Appropriating Additional Sums of Money to Defray Expenses in Excess of Amounts Budgeted for the Town of Frisco, Colorado for the 2018 Budget Year STAFF: BONNIE MOINET 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Finance Director Bonnie Moinet stated that State Statute 29-1-109 and the Town's Home Rule Charter require a budget amendment for supplemental appropriations. The General Fund, Capital Improvement Fund, and SCHA 5A funds require supplemental appropriations at this time. Mayor Wilkinson opened the public hearing at 7:02 p.m. There being no public comment, Mayor Wilkinson closed the public hearing at 7:03 p.m.

MOTION: COUNCIL MEMBER BURLEY MOVED TO APPROVE ON SECOND READING ORDINANCE 18-13, AN ORDINANCE APPROPRIATING ADDITIONAL SUMS OF MONEY TO DEFRAY EXPENSES IN EXCESS OF AMOUNTS BUDGETED FOR THE TOWN OF FRISCO, COLORADO FOR THE 2018 BUDGET YEAR. SECOND, COUNCIL MEMBER MORTENSEN. VOTE:

BURLEY	YEA	SHANER	ABSENT
FALLON	YEA	SHERBURNE	YEA
IHNKEN	YEA	WILKINSON	YEA
MORTENSEN	YEA	MOTION CARRIED.	

Agenda Item #2: Second Reading Ordinance 18-14, an Ordinance Repealing Certain Portions of Chapter 160 of the Code of Ordinances of the Town of Frisco, Colorado, Concerning Taxation, by Amending Section 160-1.1 Concerning Definitions, and Section 160-8.9, Concerning Transactions and Items Subject to Tax STAFF: THAD RENAUD 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Town Attorney Thad Renaud indicated that in 2005, Town Council approved an ordinance concerning the self-collection of city sales taxes, opting to adopt local sales tax codes, rather than following state statute, and removing the State Department of Revenue as the city sales tax collections agent for the Town. Neither "Pay Television" nor "Gas, electricity, steam, coal, wood, fuel oil or coke furnished for industrial consumption" were taxable on the state level at that time. As the Town did not hold an election to request that these items be deemed taxable, it is necessary for the Town to remove these items from the list of Transactions and Items Subject to Tax, but also to refund the revenues generated from the taxation of these items since 2005 to Town of Frisco taxpayers. Mayor Wilkinson opened the public hearing at 7:04 p.m. There being no public comment, Mayor Wilkinson closed the public hearing at 7:05 p.m.

MOTION: COUNCIL MEMBER MORTENSEN MOVED TO APPROVE ON SECOND READING ORDINANCE 18-14, AN ORDINANCE REPEALING CERTAIN PORTIONS OF CHAPTER 160 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, COLORADO, CONCERNING TAXATION, BY AMENDING SECTION 160-1.1 CONCERNING DEFINITIONS, AND SECTION 160-8.9, CONCERNING TRANSACTIONS AND ITEMS SUBJECT TO TAX. SECOND, COUNCIL MEMBER BURLEY. VOTE:

BURLEY	YEA	SHANER	ABSENT
FALLON	YEA	SHERBURNE	YEA
IHNKEN	YEA	WILKINSON	YEA
MORTENSEN	YEA	MOTION CARRIED.	

Executive Session:

Agenda Item #3: Executive Session Pursuant to C.R.S. 24-6-402(4)(f), Concerning Personnel Matters Regarding Town Manager Recruitment

MOTION: COUNCIL MEMBER MORTENSEN MOVED TO ENTER AN EXECUTIVE SESSION PURSUANT TO C.R.S. 24-6-402(4) (F), PERSONNEL MATTERS. SECOND, COUNCIL MEMBER SHERBURNE. VOTE:

BURLEY	YEA	SHANER	ABSENT
FALLON	YEA	SHERBURNE	YEA
IHNKEN	YEA	WILKINSON	YEA
MORTENSEN	YEA	MOTION CARRIED.	

MOTION: COUNCIL MEMBER MORTENSEN MOVED TO EXIT AN EXECUTIVE SESSION PURSUANT TO C.R.S. 24-6-402(4) (F), PERSONNEL MATTERS. SECOND, COUNCIL MEMBER SHERBURNE VOTE:

BURLEY	YEA	SHANER	ABSENT
FALLON	YEA	SHERBURNE	YEA
IHNKEN	YEA	WILKINSON	YEA
MORTENSEN	YEA	MOTION CARRIED.	

There being no further business, the meeting adjourned at 8:00 p.m.

Respectfully Submitted,

Deborah Wohlmuth, CMC
Town Clerk

Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
A TO Z RECREATION							
235	A TO Z RECREATION	2384	Skate Park- Materials	09/28/2018	36,462.50	36,462.50	10/25/2018
Total A TO Z RECREATION:					36,462.50	36,462.50	
ACORN PETROLEUM INC.							
410	ACORN PETROLEUM INC.	000921834	Bill to Number 756501 - Shop	09/26/2018	711.51	711.51	10/11/2018
410	ACORN PETROLEUM INC.	000921919	Bill to Number 756501 - Shop	09/27/2018	1,858.37	1,858.37	10/11/2018
410	ACORN PETROLEUM INC.	000922966	Bill to Number 756501 - Marina	10/01/2018	1,210.68	1,210.68	10/11/2018
410	ACORN PETROLEUM INC.	000923299	Bill to Number 756501 - Shop	10/03/2018	2,097.59	2,097.59	10/11/2018
410	ACORN PETROLEUM INC.	000924134	Bill to Number 756501 - Shop	10/10/2018	1,037.62	1,037.62	10/25/2018
Total ACORN PETROLEUM INC.:					6,915.77	6,915.77	
AFLAC							
550	AFLAC	684941	Account Number FH181	10/12/2018	177.58	177.58	10/25/2018
Total AFLAC:					177.58	177.58	
ALPENROSE PRESS							
860	ALPENROSE PRESS	1002	Books - Gift Shop	10/04/2018	149.70	149.70	10/11/2018
Total ALPENROSE PRESS:					149.70	149.70	
A-PEAK, INC.							
1650	A-PEAK, INC.	14386	Asphalt Repair	07/14/2018	2,530.00	2,530.00	10/11/2018
1650	A-PEAK, INC.	14622	Asphalt Repair	09/29/2018	4,380.00	4,380.00	10/25/2018
1650	A-PEAK, INC.	14658	Asphalt Paving	10/14/2018	4,680.00	4,680.00	10/25/2018
Total A-PEAK, INC.:					11,590.00	11,590.00	
B PUBLIC RELATIONS LLC							
2192	B PUBLIC RELATIONS LLC	2316	Monthly Retainer - October 2018	10/15/2018	2,500.00	2,500.00	10/25/2018
Total B PUBLIC RELATIONS LLC:					2,500.00	2,500.00	
BACKCOUNTRY STRUCTURAL ENGINEERING							
2218	BACKCOUNTRY STRUCTURAL	916	Mary Ruth Place Project	09/11/2018	585.00	585.00	10/11/2018
Total BACKCOUNTRY STRUCTURAL ENGINEERING:					585.00	585.00	
BALANCE SHEET SHREDDING							
2310	BALANCE SHEET SHREDDING	1053	Town of Frisco	10/22/2018	13.00	13.00	10/25/2018
Total BALANCE SHEET SHREDDING:					13.00	13.00	
BEST ENGINEERING SOLUTIONS & TECHNOLOGIE							
2605	BEST ENGINEERING SOLUTION	18-1039-1	Town of Frisco	09/26/2018	1,690.00	1,690.00	10/11/2018
Total BEST ENGINEERING SOLUTIONS & TECHNOLOGIE:					1,690.00	1,690.00	
BONNIE D. MOINET							
3210	BONNIE D. MOINET	SEPTEMBER 2	Personal Cell Phone	10/15/2018	70.00	70.00	10/25/2018

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total BONNIE D. MOINET:					70.00	70.00	
BROWNS HILL ENGINEERING & CONTROLS							
3810	BROWNS HILL ENGINEERING &	15739	Service Work Well #5	09/28/2018	579.80	579.80	10/25/2018
Total BROWNS HILL ENGINEERING & CONTROLS:					579.80	579.80	
CHAD MOST							
4760	CHAD MOST	EOM100318	Employee of the Month Award - C	10/03/2018	100.00	100.00	10/11/2018
Total CHAD MOST:					100.00	100.00	
CIRSA							
5440	CIRSA	181726	Quarterly Contribution	10/01/2018	35,229.00	35,229.00	10/11/2018
Total CIRSA:					35,229.00	35,229.00	
CODEGEEK.NET							
6707	CODEGEEK.NET	2018-876	Website Maintenance and Hosting	09/30/2018	3,780.00	3,780.00	10/11/2018
6707	CODEGEEK.NET	2018-876	Website Maintenance and Hosting	09/30/2018	150.00	150.00	10/11/2018
Total CODEGEEK.NET:					3,930.00	3,930.00	
COLORADO CROSS COUNTRY SKI ASSOCIATION							
4595	COLORADO CROSS COUNTRY	71	Membership Dues	10/03/2018	500.00	500.00	10/25/2018
Total COLORADO CROSS COUNTRY SKI ASSOCIATION:					500.00	500.00	
COLORADO DEPARTMENT OF REVENUE							
6010	COLORADO DEPARTMENT OF	00506999-006-	Account 00506999	09/28/2018	138.00	138.00	10/11/2018
6110	COLORADO DEPARTMENT OF	3RD QTR 2018	3RD QTR SALES TAX - ACCT#05	10/09/2018	835.44	835.44	10/11/2018
6110	COLORADO DEPARTMENT OF	3RD QTR 2018	3RD QTR SALES TAX - ACCT#05	10/09/2018	3,289.33	3,289.33	10/11/2018
6110	COLORADO DEPARTMENT OF	3RD QTR 2018	3RD QTR SALES TAX - ACCT#05	10/09/2018	.14	.14	10/11/2018
6110	COLORADO DEPARTMENT OF	3RD QTR 2018	3RD QTR SALES TAX - ACCT#05	10/09/2018	306.20	306.20	10/11/2018
6110	COLORADO DEPARTMENT OF	3RD QTR 2018	3RD QTR SALES TAX - ACCT#05	10/09/2018	220.11	220.11	10/11/2018
6110	COLORADO DEPARTMENT OF	3RD QTR 2018	3RD QTR SALES TAX - ACCT#05	10/09/2018	1,325.67	1,325.67	10/11/2018
Total COLORADO DEPARTMENT OF REVENUE:					6,114.89	6,114.89	
COLORADO MOUNTAIN COLLEGE							
6806	COLORADO MOUNTAIN COLLEGE	10077	Leadership Summit - Tom Hogem	10/10/2018	1,250.00	1,250.00	10/25/2018
Total COLORADO MOUNTAIN COLLEGE:					1,250.00	1,250.00	
COOKE ENTERPRISES LLC							
7247	COOKE ENTERPRISES LLC	503	Frisco Marina Restroom Maintena	09/03/2018	2,390.00	2,390.00	10/11/2018
7247	COOKE ENTERPRISES LLC	513	Frisco Marina Restroom Maintena	10/08/2018	2,200.00	2,200.00	10/25/2018
Total COOKE ENTERPRISES LLC:					4,590.00	4,590.00	
DIANE MCBRIDE							
9110	DIANE MCBRIDE	SEPTEMBER2	Reimburse Personal Cell Phone	10/11/2018	70.00	70.00	10/25/2018
Total DIANE MCBRIDE:					70.00	70.00	
DPC INDUSTRIES, INC.							
9580	DPC INDUSTRIES, INC.	DE73000933-1	Customer No. 73171400	09/30/2018	130.00	130.00	10/25/2018

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total DPC INDUSTRIES, INC.:					130.00	130.00	
EVERGREENS SKATEPARKS LLC							
10495	EVERGREENS SKATEPARKS LL	1168	Town of Frisco	10/02/2018	284,600.00	284,600.00	10/25/2018
Total EVERGREENS SKATEPARKS LLC:					284,600.00	284,600.00	
FAMILY SUPPORT REGISTRY							
10630	FAMILY SUPPORT REGISTRY	04577912 10/1	Remittance Identifier 04577912	10/24/2018	262.80	262.80	10/25/2018
10630	FAMILY SUPPORT REGISTRY	04577912 10/5/	Remittance Identifier 04577912	10/05/2018	262.80	262.80	10/11/2018
10630	FAMILY SUPPORT REGISTRY	07777691 10/1	Remittance Identifier 07777691	10/24/2018	208.15	208.15	10/25/2018
10630	FAMILY SUPPORT REGISTRY	27777691 10/5/	Remittance Identifier 07777691	10/05/2018	208.15	208.15	10/11/2018
Total FAMILY SUPPORT REGISTRY:					941.90	941.90	
FREEDOM MAILING SERVICES INC.							
11260	FREEDOM MAILING SERVICES I	34594	Town of Frisco	10/09/2018	852.39	852.39	10/25/2018
Total FREEDOM MAILING SERVICES INC.:					852.39	852.39	
FRISCO SANITATION DISTRICT							
11530	FRISCO SANITATION DISTRICT	1001100- 10/1/1	Account No. 10011000	10/01/2018	191.66	191.66	10/25/2018
11530	FRISCO SANITATION DISTRICT	10047000- 10/1	Account No. 10047000	10/01/2018	96.80	96.80	10/25/2018
11530	FRISCO SANITATION DISTRICT	10849000- 10/1	Account No. 10849000	10/01/2018	191.66	191.66	10/25/2018
11530	FRISCO SANITATION DISTRICT	10965000- 10/1	Account No. 10965000	10/01/2018	165.53	165.53	10/25/2018
11530	FRISCO SANITATION DISTRICT	11030000- 10/1/	Account No. 11030000	10/01/2018	67.76	67.76	10/25/2018
11530	FRISCO SANITATION DISTRICT	11204000- 10/1/	Account No. 11204000	10/01/2018	67.76	67.76	10/25/2018
11530	FRISCO SANITATION DISTRICT	11297000- 10/1/	Account No. 11297000	10/01/2018	68.73	68.73	10/25/2018
11530	FRISCO SANITATION DISTRICT	11689000- 10/11	Account No. 11689000	10/01/2018	96.80	96.80	10/11/2018
11530	FRISCO SANITATION DISTRICT	11998000- 10/1/	Account No. 11998000	10/01/2018	872.17	872.17	10/25/2018
Total FRISCO SANITATION DISTRICT:					1,818.87	1,818.87	
GOVERNMENT FINANCE OFFICERS ASSOCIATION							
12460	GOVERNMENT FINANCE OFFIC	66223002-9/30	Popular Annual Financial Reportin	09/30/2018	225.00	225.00	10/25/2018
Total GOVERNMENT FINANCE OFFICERS ASSOCIATION:					225.00	225.00	
HBL CONSULTING INC.							
12970	HBL CONSULTING INC.	884	IT Services	10/01/2018	8,520.00	8,520.00	10/11/2018
Total HBL CONSULTING INC.:					8,520.00	8,520.00	
HIGH COUNTRY ICE							
13235	HIGH COUNTRY ICE	870239	Frisco Bay Marina	09/12/2018	27.00	27.00	10/11/2018
13235	HIGH COUNTRY ICE	948283	Frisco Bay Marina	09/29/2018	12.00	12.00	10/11/2018
Total HIGH COUNTRY ICE:					39.00	39.00	
HIGHER GROUND EARTHWORKS							
13325	HIGHER GROUND EARTHWOR	0001442	Trail Construction	09/17/2018	4,800.00	4,800.00	10/11/2018
Total HIGHER GROUND EARTHWORKS:					4,800.00	4,800.00	
HTM FITTINGS INC.							
13745	HTM FITTINGS INC.	58151-1	Frisco Adventure Park	09/21/2018	2,169.77	2,169.77	10/11/2018

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total HTM FITTINGS INC.:					2,169.77	2,169.77	
IMA INC. - BENEFITS DIVISION							
13985	IMA INC. - BENEFITS DIVISION	1265	Account Number FRISCO0-01	10/05/2018	6,564.00	6,564.00	10/11/2018
Total IMA INC. - BENEFITS DIVISION:					6,564.00	6,564.00	
INTERMOUNTAIN INC.							
14260	INTERMOUNTAIN INC.	6018-059	Frisco Bay Marina	09/07/2018	722.25	722.25	10/11/2018
Total INTERMOUNTAIN INC.:					722.25	722.25	
JOHN WRIGHT							
16066	JOHN WRIGHT	SLIP2018	Slip Rental Refund	10/10/2018	369.14	369.14	10/11/2018
Total JOHN WRIGHT:					369.14	369.14	
JUSTIN BLACK							
16443	JUSTIN BLACK	SLIP2018	Slip Refund	10/18/2018	201.96	201.96	10/25/2018
Total JUSTIN BLACK:					201.96	201.96	
KELSEY MOORHOUSE							
16878	KELSEY MOORHOUSE	PASS2018	Ski Pass Agreement 2018-2019	10/06/2018	715.00	715.00	10/11/2018
Total KELSEY MOORHOUSE:					715.00	715.00	
KRONOS INCORPORATED							
17405	KRONOS INCORPORATED	11370902	Bill To: 6089328	10/06/2018	567.00	567.00	10/11/2018
Total KRONOS INCORPORATED:					567.00	567.00	
KUMAR & ASSOCIATES INC.							
17465	KUMAR & ASSOCIATES INC.	187954	Project No. 186-105.01	10/05/2018	432.00	432.00	10/11/2018
17465	KUMAR & ASSOCIATES INC.	187954	Project No. 186-105.01	10/05/2018	144.00	144.00	10/11/2018
Total KUMAR & ASSOCIATES INC.:					576.00	576.00	
LATITUDE 40 INC.							
17750	LATITUDE 40 INC.	9-43-628	Summit County Trail Maps	09/24/2018	222.96	222.96	10/25/2018
Total LATITUDE 40 INC.:					222.96	222.96	
LEADER'S EDGE CONSULTING INC.							
17937	LEADER'S EDGE CONSULTING	2340	LEADERSHIP TRAINING - PUBLI	09/26/2018	905.00	905.00	10/11/2018
Total LEADER'S EDGE CONSULTING INC.:					905.00	905.00	
LOGANSIMPSON							
18475	LOGANSIMPSON	23434	Project No: 185512	09/28/2018	3,123.00	3,123.00	10/25/2018
Total LOGANSIMPSON:					3,123.00	3,123.00	
MARGARET H. FAESSEN							
18860	MARGARET H. FAESSEN	AUGUST 2018	Personal Cell Phone Stipend	09/15/2018	35.00	35.00	10/25/2018
18860	MARGARET H. FAESSEN	SEPTEMBER 2	Personal Cell Phone Stipend	10/15/2018	35.00	35.00	10/25/2018

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total MARGARET H. FAESSEN:					70.00	70.00	
MARLIN BUSINESS BANK							
19087	MARLIN BUSINESS BANK	16356835	Account Number 1489058	10/10/2018	313.79	313.79	10/25/2018
19087	MARLIN BUSINESS BANK	16356835	Account Number 1489058	10/10/2018	1,882.75	1,882.75	10/25/2018
Total MARLIN BUSINESS BANK:					2,196.54	2,196.54	
MARTIN / MARTIN CONSULTING ENGINEERS							
19250	MARTIN / MARTIN CONSULTING	22677.C.01-34	Project No. 22677.C.01	09/27/2018	715.00	715.00	10/25/2018
19250	MARTIN / MARTIN CONSULTING	M18.0631-000	Project M18.0631 Frisco Storm S	09/27/2018	3,960.00	3,960.00	10/11/2018
Total MARTIN / MARTIN CONSULTING ENGINEERS:					4,675.00	4,675.00	
MATTHEW STAIS ARCHITECTS							
19440	MATTHEW STAIS ARCHITECTS	3439	Frisco Bay Marina - Project: 1737	10/10/2018	7,500.70	7,500.70	10/25/2018
19440	MATTHEW STAIS ARCHITECTS	3440	Frisco Bay Marina - Project: 1738	10/10/2018	854.60	854.60	10/25/2018
Total MATTHEW STAIS ARCHITECTS:					8,355.30	8,355.30	
MOSES, WITTEMYER,HARRISON							
20600	MOSES, WITTEMYER,HARRISON	13010	Professional Services	10/03/2018	2,123.00	2,123.00	10/25/2018
Total MOSES, WITTEMYER,HARRISON:					2,123.00	2,123.00	
MURRAY DAHL BEERY & RENAUD LLP							
20890	MURRAY DAHL BEERY & RENA	14704	Matter No. 59875.71000	08/31/2018	1,156.81	1,156.81	10/11/2018
20890	MURRAY DAHL BEERY & RENA	14711	Matter No. 59875.00000	08/31/2018	14,523.17	14,523.17	10/11/2018
20890	MURRAY DAHL BEERY & RENA	14712	Matter No. 59875.00010	08/31/2018	1,240.00	1,240.00	10/11/2018
20890	MURRAY DAHL BEERY & RENA	14713	Matter No. 59875.23280	08/31/2018	562.50	562.50	10/11/2018
20890	MURRAY DAHL BEERY & RENA	14790	Matter No. 59875.71000	09/30/2018	1,264.81	1,264.81	10/11/2018
20890	MURRAY DAHL BEERY & RENA	14796	Matter No. 59875.00000	09/30/2018	15,057.18	15,057.18	10/11/2018
20890	MURRAY DAHL BEERY & RENA	14797	Matter No. 59875.00010	09/30/2018	1,240.00	1,240.00	10/11/2018
Total MURRAY DAHL BEERY & RENAUD LLP:					35,044.47	35,044.47	
MUTUAL OF OMAHA							
20910	MUTUAL OF OMAHA	000784193009	Group ID: G000AF7V	09/17/2018	11.00	11.00	10/11/2018
20910	MUTUAL OF OMAHA	000784193009	Group ID: G000AF7V	09/17/2018	190.47	190.47	10/11/2018
20910	MUTUAL OF OMAHA	000784193009	Group ID: G000AF7V	09/17/2018	375.34	375.34	10/11/2018
20910	MUTUAL OF OMAHA	000784193009	Group ID: G000AF7V	09/17/2018	104.05	104.05	10/11/2018
20910	MUTUAL OF OMAHA	000784193009	Group ID: G000AF7V	09/17/2018	292.29	292.29	10/11/2018
20910	MUTUAL OF OMAHA	000784193009	Group ID: G000AF7V	09/17/2018	607.88	607.88	10/11/2018
20910	MUTUAL OF OMAHA	000784193009	Group ID: G000AF7V	09/17/2018	47.52	47.52	10/11/2018
20910	MUTUAL OF OMAHA	000784193009	Group ID: G000AF7V	09/17/2018	163.47	163.47	10/11/2018
20910	MUTUAL OF OMAHA	000784193009	Group ID: G000AF7V	09/17/2018	131.61	131.61	10/11/2018
20910	MUTUAL OF OMAHA	000784193009	Group ID: G000AF7V	09/17/2018	133.71	133.71	10/11/2018
20910	MUTUAL OF OMAHA	000784193009	Group ID: G000AF7V	09/17/2018	77.24	77.24	10/11/2018
20910	MUTUAL OF OMAHA	000784193009	Group ID: G000AF7V	09/17/2018	293.78	293.78	10/11/2018
20910	MUTUAL OF OMAHA	000784193009	Group ID: G000AF7V	09/17/2018	75.06	75.06	10/11/2018
20910	MUTUAL OF OMAHA	000784193009	Group ID: G000AF7V	09/17/2018	83.77	83.77	10/11/2018
20910	MUTUAL OF OMAHA	000784193009	Group ID: G000AF7V	09/17/2018	329.01	329.01	10/11/2018
20910	MUTUAL OF OMAHA	000784193009	Group ID: G000AF7V	09/17/2018	164.13	164.13	10/11/2018
20910	MUTUAL OF OMAHA	000784193009	Group ID: G000AF7V	09/17/2018	101.09	101.09	10/11/2018
20910	MUTUAL OF OMAHA	000784193009	Group ID: G000AF7V	09/17/2018	162.63	162.63	10/11/2018
20910	MUTUAL OF OMAHA	000784193009	Group ID: G000AF7V	09/17/2018	383.67	383.67	10/11/2018

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total MUTUAL OF OMAHA:					3,727.72	3,727.72	
MW GOLDEN CONSTRUCTORS							
20925	MW GOLDEN CONSTRUCTORS	4	PAY APP #4 PW EXPANSION	09/28/2018	138,218.25	138,218.25	10/11/2018
20925	MW GOLDEN CONSTRUCTORS	4	PAY APP #4 PW EXPANSION	09/28/2018	46,072.75	46,072.75	10/11/2018
Total MW GOLDEN CONSTRUCTORS:					184,291.00	184,291.00	
NORA GILBERTSON							
21470	NORA GILBERTSON	CONF 10/1-10/	Reimburse Travel Expense	10/05/2018	103.55	103.55	10/11/2018
21470	NORA GILBERTSON	CONF 2018	Reimburse Travel Expense	10/05/2018	13.78	13.78	10/11/2018
21470	NORA GILBERTSON	SEPTEMBER2	Personal Cell Phone Stipend	10/05/2018	70.00	70.00	10/11/2018
Total NORA GILBERTSON:					187.33	187.33	
NORRIS DESIGN INC.							
21520	NORRIS DESIGN INC.	01-25831	Project ID 0350-01-0003	09/30/2018	636.20	636.20	10/25/2018
Total NORRIS DESIGN INC.:					636.20	636.20	
NORTH LINE GIS							
21530	NORTH LINE GIS	1981	GIS Services	10/02/2018	1,120.00	1,120.00	10/25/2018
Total NORTH LINE GIS:					1,120.00	1,120.00	
NV5 INC.							
21710	NV5 INC.	100900	Project No: 333117-0000142.00	09/24/2018	7,711.66	7,711.66	10/11/2018
21710	NV5 INC.	102826	Project No: 333118-0000175.00	10/12/2018	1,320.00	1,320.00	10/25/2018
21710	NV5 INC.	102835	Project No: 333118-0000158.00	10/12/2018	6,285.72	6,285.72	10/25/2018
Total NV5 INC.:					15,317.38	15,317.38	
OHLSON LAVOIE COLLABORATIVE							
21865	OHLSON LAVOIE COLLABORATIVE	113334	Project No: 18030.00	09/30/2018	7,147.50	7,147.50	10/25/2018
Total OHLSON LAVOIE COLLABORATIVE:					7,147.50	7,147.50	
P4 WINDOW CLEANING, INC.							
22130	P4 WINDOW CLEANING, INC.	7218	Town of Frisco	09/14/2018	850.00	850.00	10/11/2018
Total P4 WINDOW CLEANING, INC.:					850.00	850.00	
PEAK LAND CONSULTANTS, INC							
22602	PEAK LAND CONSULTANTS, INC	13/7182	Topographic Map - Skate Park	09/29/2018	510.00	510.00	10/25/2018
Total PEAK LAND CONSULTANTS, INC:					510.00	510.00	
PEAK MATERIALS							
22605	PEAK MATERIALS	241215	Customer No.: 26994	10/11/2018	894.94	894.94	10/25/2018
22605	PEAK MATERIALS	241215	Customer No.: 26994	10/11/2018	298.31	298.31	10/25/2018
Total PEAK MATERIALS:					1,193.25	1,193.25	
PITNEY BOWES RESERVE ACCOUNT							
23100	PITNEY BOWES RESERVE ACC	51218295-10	Account 51218295	10/09/2018	1,500.00	1,500.00	10/11/2018

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total PITNEY BOWES RESERVE ACCOUNT:					1,500.00	1,500.00	
POSTCORP.TV							
23245	POSTCORP.TV	PCT10092018	Video Production	10/10/2018	1,275.00	1,275.00	10/11/2018
Total POSTCORP.TV:					1,275.00	1,275.00	
PSYCHOLOGICAL DIMENSIONS LLC							
23550	PSYCHOLOGICAL DIMENSIONS	1201	Pre-employment testing	07/14/2018	325.00	325.00	10/25/2018
Total PSYCHOLOGICAL DIMENSIONS LLC:					325.00	325.00	
RG AND ASSOCIATES, LLC							
23763	RG AND ASSOCIATES, LLC	1014196	Water Rate Study	10/08/2018	1,795.05	1,795.05	10/25/2018
Total RG AND ASSOCIATES, LLC:					1,795.05	1,795.05	
ROCKY MOUNTAIN INSTRUMENTAL							
25075	ROCKY MOUNTAIN INSTRUME	53114	RML #18-44256-A	10/03/2018	100.00	100.00	10/25/2018
25075	ROCKY MOUNTAIN INSTRUME	53174	RML #18-44256-A	10/15/2018	80.00	80.00	10/25/2018
Total ROCKY MOUNTAIN INSTRUMENTAL:					180.00	180.00	
RYAN THOMPSON							
25730	RYAN THOMPSON	102018	Reimburse Mileage	10/09/2018	54.49	54.49	10/25/2018
Total RYAN THOMPSON:					54.49	54.49	
SCHMIDT LAND SURVEYING INC.							
26045	SCHMIDT LAND SURVEYING IN	4058	Project 1855 Frisco Marina	09/29/2018	1,430.00	1,430.00	10/25/2018
26045	SCHMIDT LAND SURVEYING IN	4075	Project 1537	10/11/2018	530.00	530.00	10/25/2018
Total SCHMIDT LAND SURVEYING INC.:					1,960.00	1,960.00	
SE GROUP							
26205	SE GROUP	32800	Project No: 18024001	10/03/2018	6,522.50	6,522.50	10/25/2018
Total SE GROUP:					6,522.50	6,522.50	
SEAN KOPPELS							
26220	SEAN KOPPELS	FIREARM PA 1	Firearm Purchase Agreement	11/01/2018	2,500.00	2,500.00	10/31/2018
Total SEAN KOPPELS:					2,500.00	2,500.00	
SEW TOUGH REPAIR							
26396	SEW TOUGH REPAIR	184	Tennis Windscreen Repair	10/19/2018	428.21	428.21	10/25/2018
Total SEW TOUGH REPAIR:					428.21	428.21	
STATE OF COLORADO							
27533	STATE OF COLORADO	CTLJ040	Colorado Tourism Leadership Jour	09/24/2018	2,500.00	2,500.00	10/11/2018
Total STATE OF COLORADO:					2,500.00	2,500.00	
STEVE STURGON							
27725	STEVE STURGON	BOOT2018	Boot Allowance Reimbursement	10/09/2018	100.00	100.00	10/25/2018

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total STEVE STURGON:					100.00	100.00	
SUMMIT COMBINED HOUSING AUTHORITY							
28080	SUMMIT COMBINED HOUSING	221	SCHA Administration Fees	09/30/2018	1,122.00	1,122.00	10/25/2018
Total SUMMIT COMBINED HOUSING AUTHORITY:					1,122.00	1,122.00	
SUMMIT COUNTY ANIMAL CONTROL							
28140	SUMMIT COUNTY ANIMAL CON	100118	3rd Qtr 2018	10/19/2018	1,425.00	1,425.00	10/25/2018
Total SUMMIT COUNTY ANIMAL CONTROL:					1,425.00	1,425.00	
SUMMIT COUNTY GOVERNMENT							
28350	SUMMIT COUNTY GOVERNMEN	10.4.18	2018 Noxious Weed Program	10/04/2018	18,215.38	18,215.38	10/25/2018
Total SUMMIT COUNTY GOVERNMENT:					18,215.38	18,215.38	
SUMMIT FOUNDATION, THE							
28690	SUMMIT FOUNDATION, THE	3RDQTR2018	3rd Quarter 2018 Employee Contr	10/24/2018	480.00	480.00	10/25/2018
Total SUMMIT FOUNDATION, THE:					480.00	480.00	
SUMMIT SCHOOL DISTRICT							
29010	SUMMIT SCHOOL DISTRICT	DEP111018	Facility Deposit	10/23/2018	500.00	500.00	10/24/2018
29010	SUMMIT SCHOOL DISTRICT	REC111018	Custodial Fees	10/23/2018	420.00	420.00	10/24/2018
Total SUMMIT SCHOOL DISTRICT:					920.00	920.00	
TC3 ARCHITECTS							
29590	TC3 ARCHITECTS	21611-9/6/18	Job Number: 21611	09/06/2018	1,250.00	1,250.00	10/11/2018
Total TC3 ARCHITECTS:					1,250.00	1,250.00	
TEN MILE ENGINEERING INC.							
29685	TEN MILE ENGINEERING INC.	3-1173	Mary Ruth Project	09/03/2018	312.50	312.50	10/11/2018
Total TEN MILE ENGINEERING INC.:					312.50	312.50	
TOWN OF BRECKENRIDGE							
30840	TOWN OF BRECKENRIDGE	3372	Clean Up Day Ads - 1/5 Share	09/28/2018	98.87	98.87	10/11/2018
Total TOWN OF BRECKENRIDGE:					98.87	98.87	
TRIANGLE ELECTRIC, INC.							
31130	TRIANGLE ELECTRIC, INC.	25967	Job #: 181118	09/18/2018	140.00	140.00	10/11/2018
Total TRIANGLE ELECTRIC, INC.:					140.00	140.00	
TX CHILD SUPPORT SDU							
31373	TX CHILD SUPPORT SDU	9/29/18-10/5/1	Remittance Identifier: 0013063305	10/10/2018	270.46	270.46	10/11/2018
Total TX CHILD SUPPORT SDU:					270.46	270.46	
USDA FOREST SERVICE							
31890	USDA FOREST SERVICE	D4091F19	USFS Fees	10/15/2018	281.27	281.27	10/25/2018

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total USDA FOREST SERVICE:					281.27	281.27	
VANDERS ENTERPRISES, INC							
32093	VANDERS ENTERPRISES, INC	5253	CPR Recertification Class	10/05/2018	700.00	700.00	10/11/2018
Total VANDERS ENTERPRISES, INC:					700.00	700.00	
VANESSA AGEE							
32095	VANESSA AGEE	APRIL2018	Personal Cell Phone Stipend	10/25/2018	65.00	65.00	10/25/2018
32095	VANESSA AGEE	AUGUST2018	Personal Cell Phone Stipend	10/25/2018	50.00	50.00	10/25/2018
32095	VANESSA AGEE	JULY2018	Personal Cell Phone Stipend	10/25/2018	40.00	40.00	10/25/2018
32095	VANESSA AGEE	JUNE2018	Personal Cell Phone Stipend	10/25/2018	65.00	65.00	10/25/2018
32095	VANESSA AGEE	MAY2018	Personal Cell Phone Stipend	10/25/2018	70.00	70.00	10/25/2018
32095	VANESSA AGEE	SEPTEMBER2	Personal Cell Phone Stipend	10/25/2018	50.00	50.00	10/25/2018
Total VANESSA AGEE:					340.00	340.00	
VECTOR DISEASE CONTROL							
32097	VECTOR DISEASE CONTROL	PI-A00005095	Customer ID FRISCO01	09/15/2018	1,581.59	1,581.59	10/11/2018
Total VECTOR DISEASE CONTROL:					1,581.59	1,581.59	
WESTERN ENTERPRISES							
32870	WESTERN ENTERPRISES	5625	Fireworks Display	10/18/2018	5,000.00	5,000.00	10/25/2018
Total WESTERN ENTERPRISES:					5,000.00	5,000.00	
XCEL ENERGY							
33380	XCEL ENERGY	609776436	Account 53-0011742402-2	10/02/2018	58.01	58.01	10/11/2018
33380	XCEL ENERGY	609935064	Account No. 53-8074879-4	10/03/2018	214.50	214.50	10/11/2018
33380	XCEL ENERGY	609985007	Account 53-0011742393-0	10/03/2018	2.90	2.90	10/11/2018
33380	XCEL ENERGY	610035591	Account No. 53-1235617-3	10/04/2018	115.65	115.65	10/11/2018
33380	XCEL ENERGY	610604988	Account 53-1000709-7	10/09/2018	173.89	173.89	10/25/2018
Total XCEL ENERGY:					564.95	564.95	
Grand Totals:					749,867.44	749,867.44	

Dated: _____

Finance Director: _____

Dated: _____

Accountant: _____

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
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Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Paid and unpaid invoices included.

Visa P-Card Statement 10-28-2018

Transaction Date	Supplier Name	Amount	GL Coding	Transaction Description
09/30/2018	Istoptlighting	\$38.79	10-1125-4207	Display Case Bulbs
10/24/2018	5280 Publishing Inc	\$2,000.00	10-1118-4265	Wassail Days ad
10/18/2018	Advanced Product Techn	\$188.00	10-1119-4703	Sound meter - CDD
10/22/2018	Aed Brands Llc	\$154.00	90-9000-4704	AED Replacement Pads
10/25/2018	Agfinity Henderson Agron	\$252.90	10-1131-4404	Ice melt
10/25/2018	Agfinity Henderson Agron	\$168.60	80-8000-4589	Ice melt
10/09/2018	All Electric Co	\$817.16	10-1131-4403	Main St. electrical work
10/17/2018	Alpineaire Healthcare	\$15.00	10-1160-4234	O2 Tank Rental and Maintenance
10/15/2018	AlSCO Inc.	\$295.05	10-1160-4401	Rug and Rag Cleaning and Replacement for FAP Day Lodge
10/16/2018	AlSCO Inc.	\$142.45	10-1125-4477	Mat Service
10/19/2018	Amazon.Com*m83tq9fo0	\$72.02	10-1170-4201	Shop vac / reflective tape / tacks
10/04/2018	American Association For	\$195.00	10-1125-4210	Webinar Training
10/08/2018	American Planning A	\$95.00	10-1119-4210	APA membership annual renewal
10/10/2018	American Retail Supply	\$216.88	10-1140-4811	Wassail Supplies
10/18/2018	American Retail Supply	\$95.20	80-8000-4233	Gift Wrapping Supplies - VIC
10/19/2018	American Retail Supply	\$348.46	80-8000-4233	Gift Wrapping Supplies - VIC
10/21/2018	American Retail Supply	\$86.58	80-8000-4233	Gift Wrapping Supplies - VIC
10/04/2018	Amzn Mktp Us	\$2.76	10-1150-4702	Speaker Protection Plan
10/05/2018	Amzn Mktp Us	\$31.14	10-1125-4210	Book for Staff Webinar/Training
10/05/2018	Amzn Mktp Us	\$81.79	10-1150-4702	Bluetooth Speaker
10/11/2018	Amzn Mktp Us	\$300.00	10-1160-4270	Goggles for snowmakers - FAP
10/16/2018	Amzn Mktp Us	\$30.37	10-1160-4225	Glass Racks for FAP Kitchen
10/17/2018	Amzn Mktp Us	\$27.20	10-1170-4477	Shop vac filters
10/18/2018	Amzn Mktp Us	\$6.29	10-1170-4201	Reflective trail marking pins
10/19/2018	Amzn Mktp Us	\$22.88	90-9000-4206	Tailgate assist shock
10/20/2018	Amzn Mktp Us	\$143.98	80-8000-4589	Sticks to hang xmas lights
10/23/2018	Amzn Mktp Us	\$9.74	10-1140-4852	Balloons for decorating statues
10/22/2018	Apl*itunes.Com/Bill	\$5.09	10-1150-4606	Pandora Subscription
10/16/2018	Arapahoe Rental	\$2,052.00	10-1131-4403	Concrete blanket rental
10/08/2018	Asfpm Madison Wi	\$160.00	10-1119-4210	Association of Floodplain Managers annual membership
09/30/2018	At&t*bill Payment	\$31.63	10-1110-4203	Personal cell phone stipend
10/12/2018	At&t*bill Payment	\$31.63	10-1110-4203	Personal cell phone stipend
10/24/2018	Avngate*malwarebytes	\$59.99	10-1110-4704	Malware software license - TH public workstation
10/18/2018	Backcountry.Com	\$154.30	90-0090-2060	Marina staff pooled tip purchase
10/23/2018	Backcountry.Com	\$188.55	90-0090-2060	Marina staff pooled tip purchase
10/03/2018	Bankers Hill	\$23.34	10-1140-4227	Conference - meal
09/29/2018	Barnes&noble.Com-Bn	\$9.24	80-8000-4227	Training Materials
09/29/2018	Barnes&noble.Com-Bn	\$14.36	80-8000-4227	Training Materials
09/30/2018	Barnes&noble.Com-Bn	\$7.18	80-8000-4227	Training Materials
10/02/2018	Baymont Inn & Suites Lake	-\$43.86	10-1121-4276	Credit for sales tax/over charge for Community Assistance
10/10/2018	Bed Bath & Beyond #438	\$24.99	10-1125-4893	Poster Frame - Nordic Center Exhibit
10/02/2018	Big O Tires #6259	\$50.50	10-1133-4205	Tire disposal
10/04/2018	Bjs Restaurants 449	\$17.95	10-1121-4227	Training - meal
10/22/2018	Bocsystems	\$1,738.55	10-1170-4221	Day Pass printer
10/10/2018	Breckenridge Build	\$150.91	10-1170-4201	Material for Dickey Day nordic sign
10/03/2018	Butterhorn Bakery And Caf	\$50.00	10-1110-4650	4th quarter Gift cards- peak awards
10/16/2018	Butterhorn Bakery And Caf	\$321.75	10-1110-4650	All-Staff Breakfast
10/03/2018	Carquest 3948	\$294.79	10-1133-4205	Brake parts
10/03/2018	Carquest 3948	\$228.32	10-1133-4205	Wheel bearings
10/04/2018	Carquest 3948	\$39.39	10-1133-4205	Parts for stock
10/09/2018	Carquest 3948	\$230.27	10-1133-4205	Parts for stock
10/11/2018	Carquest 3948	-\$55.82	10-1133-4205	Credit - Parts not received
10/15/2018	Carquest 3948	\$170.16	10-1160-4205	Battery for BR350
10/16/2018	Carquest 3948	\$38.35	10-1160-4205	Lug nuts for tool cat
10/22/2018	Carquest 3948	\$70.46	10-1133-4205	Coolant expansion tank
10/23/2018	Carquest 3948	\$24.60	10-1133-4205	Parts for stock
10/23/2018	Carquest 3948	\$13.71	10-1133-4205	Parts for stock

09/30/2018	Casa Guadalajara	\$22.70	10-1140-4227	Conference - meal
10/03/2018	Cdw Govt #plm4283	\$579.97	20-2000-4102	Public wi-fi
10/04/2018	Cdw Govt #plw9076	\$250.30	90-9000-4704	Battery
10/16/2018	Cdw Govt #ppz7193	\$363.81	10-1110-4704	Cable - TH public workstation
10/17/2018	Cdw Govt #pqk7873	\$1,182.02	90-9000-4704	Backup battery for front desk computers and network card
10/22/2018	Cdw Govt #prn0491	\$50.27	10-1170-4221	VGA cable for printer
10/25/2018	Cdw Govt #psp9288	\$1,182.02	90-9000-4704	Backup battery for front counter
10/10/2018	Centurylink/Speedpay	\$1,673.29	10-1110-4203	TH lines
10/10/2018	Centurylink/Speedpay	\$478.45	40-4000-4203	WTP lines
10/10/2018	Centurylink/Speedpay	\$237.30	80-8000-4203	VIC lines
10/10/2018	Centurylink/Speedpay	\$383.72	90-9000-4203	Marina lines
10/10/2018	Centurylink/Speedpay	\$39.76	90-9000-4401	Marina utilities
10/10/2018	Centurylink/Speedpay	\$149.88	10-1110-4226	Website
10/11/2018	Centurylink/Speedpay	\$149.24	10-1110-4203	Long distance
10/25/2018	Centurylink/Speedpay	\$323.40	80-8000-4203	VIC circuits
10/25/2018	Centurylink/Speedpay	\$323.40	90-9000-4203	Marina circuits
10/25/2018	Centurylink/Speedpay	\$1,332.65	10-1110-4203	All other circuits
10/16/2018	Ces Fri - 307	\$36.85	80-8000-4589	Outlet for Post Office
10/09/2018	Chef Jimmy Italian Bri	\$22.61	10-1115-4227	Conference - meal
09/28/2018	Chipotle 0013	\$9.90	40-4000-4227	Training - meal
10/04/2018	Christiania At Vail	\$106.00	10-1118-4227	Training lodging
10/19/2018	Cintas 60a Sap	\$38.61	10-1130-4270	First-aid supplies
10/19/2018	Cintas 60a Sap	\$38.61	10-1131-4270	First-aid supplies
10/19/2018	Cintas 60a Sap	\$38.61	10-1132-4270	First-aid supplies
10/19/2018	Cintas 60a Sap	\$38.61	10-1133-4270	First-aid supplies
10/19/2018	Cintas 60a Sap	\$38.62	10-1134-4270	First-aid supplies
10/19/2018	Cintas 60a Sap	\$38.62	40-4000-4270	First-aid supplies
10/02/2018	Cloud Cover Music	\$17.95	80-8000-4233	October Music Service
10/04/2018	Co Motor Parts 0026866	\$107.81	90-9000-4892	Battery for work order
10/04/2018	Co Motor Parts 0026866	\$11.78	10-1160-4409	Supplies to service tamper
10/08/2018	Co Motor Parts 0026866	\$203.04	90-9000-4892	Jack stand and RV/Marine antifreeze for work orders.
10/09/2018	Co Motor Parts 0026866	\$74.04	90-9000-4892	RV/Marine antifreeze for work orders.
10/12/2018	Co Motor Parts 0026866	\$74.04	90-9000-4892	RV/Marine antifreeze for work orders.
10/18/2018	Co Motor Parts 0026866	\$8.98	10-1133-4205	Grease coupler for Frisco Adventure Park
10/25/2018	Co Motor Parts 0026866	\$23.08	90-9000-4892	Oil filter and RV/Marine antifreeze for work orders.
10/16/2018	Co Summit Co Svs	\$689.93	10-0010-2601	DRA #316, recording fees Basecamp Shops & Residences plat
10/03/2018	Coa*cheapoair.Com Air	\$10.99	10-1140-4227	Travel - Conference
10/02/2018	Colorado Analytical	\$2,027.00	40-4000-4250	Mandatory water tests
10/05/2018	Colorado Analytical	\$180.00	40-4000-4250	Lead/copper tests
10/05/2018	Colorado Mtn News Media A	\$514.50	10-1110-4276	Coffee Talk Ad, Short Term Rental Community Meeting ads
10/05/2018	Colorado Mtn News Media A	\$23.23	10-1119-4265	Planning Commission Notice 9/20
10/10/2018	Colorado Mtn News Media A	\$2,455.52	10-1118-4265	Ads for Fall Fest, Fall Local's party and digital
10/10/2018	Colorado Mtn News Media A	\$1,466.64	10-1118-4825	Mayor's Cup ads
10/10/2018	Colorado Mtn News Media A	\$220.00	10-1118-4265	September government backyard page
10/15/2018	Colorado Mtn News Media A	\$500.00	10-1118-4265	Digital advertising on Everything Colorado
10/25/2018	Colorado Mtn News Media A	\$149.04	10-1115-4265	Legal notices
10/10/2018	Colorado Tents Events	\$3,599.99	10-1140-4811	Balance - Tent for Wassail Days
10/13/2018	Comcast Cable Comm	\$755.28	90-9000-4203	Marina cable
10/13/2018	Comcast Cable Comm	\$286.10	80-8000-4203	VIC cable
10/13/2018	Comcast Cable Comm	\$2,064.31	10-1110-4203	All other cable
10/19/2018	Concordia Supply	\$214.98	10-1140-4811	Tree Lighting Supplies
09/28/2018	Copy Copy - North Summ	\$7.50	10-1140-4811	Scan of Wassail Mug artwork
10/23/2018	Copy Copy - North Summ	\$160.00	10-1125-4893	Photo Enlargements - Prints for Nordic Center Exhibit
10/11/2018	Cps Distributors Inc Lak	\$2,531.50	80-8000-4589	Xmas lights
10/25/2018	Cps Distributors Inc Lak	-\$750.00	80-8000-4589	Credit - Xmas lights
10/09/2018	Craigslist.Org	\$15.00	10-1110-4265	Job postings
10/09/2018	Craigslist.Org	\$15.00	10-1110-4265	Job postings
10/09/2018	Craigslist.Org	\$15.00	10-1110-4265	Job postings
10/10/2018	Craigslist.Org	\$15.00	10-1110-4265	Job postings
10/17/2018	Crutchfield.Com	\$319.99	90-9000-4206	Back up camera for marina truck
09/28/2018	Cvent* Colorado Gfoa	\$375.00	10-1114-4227	Conference registration fees
10/22/2018	Cvent* Colorado Gfoa	\$50.00	10-1114-4210	Annual Membership dues
10/18/2018	Dakine, Inc	\$50.00	90-0090-2060	Marina staff pooled tip purchase
09/28/2018	Dana Kepner Company/hdq	\$17.98	10-1131-4403	Sewer clean-out lid
10/25/2018	Dana Kepner Company/hdq	\$114.27	10-1131-4403	Sewer clean-out parts

10/09/2018	Dawna@grandcountyreale	\$37.00	10-1121-4270	Embroidered uniform name patches - Police
10/01/2018	Denver Life Magazine	\$2,500.00	10-1118-4265	Full page ad with Wassail Days/Winter focus
10/04/2018	Dia Parking Operations	\$32.00	10-1140-4227	Conference - airport parking
10/16/2018	Discountmugs.Com	\$16,994.00	10-1140-4811	Mugs for wassail Days
09/30/2018	Dnh*godaddy.Com	\$8.47	10-1118-4655	Renew domain name FriscoNordic.com
10/07/2018	Dnh*godaddy.Com	\$8.47	10-1118-4655	Renew domain name SummitCoronerHalloween.com
10/10/2018	Eb Mayor Michael B.Ha	\$81.20	10-1119-4227	Conference in Denver
10/13/2018	Eco-Products	-\$114.71	10-1140-4233	Credit - Tax Charge
10/02/2018	Elprez	\$31.73	10-1140-4227	Conference - meal
10/17/2018	Ex	\$186.81	90-0090-2060	Marina staff pooled tip purchase
10/12/2018	Exxonmobil 48235063	\$30.00	40-4000-4260	Fuel for new vehicle #18-01 - picked up in Glenwood Springs
09/30/2018	Facebk N659agna52	\$338.01	10-1118-4265	Promoted posts for Fall Fest and Fall Local's Party
10/03/2018	Fastenal Company01	\$343.63	10-1133-4205	Nuts and bolts
10/04/2018	Ferrellgas L P	\$4,002.46	40-4000-4444	Underground propane tank purchase
10/11/2018	Flour & Barley	\$20.00	10-1115-4227	Conference - meal
09/28/2018	Franklincoveyproducts	\$41.45	10-1121-4233	Yearly planner
10/03/2018	Frisco Nails	\$50.00	10-1110-4650	Peak awards
10/02/2018	Frontier Ai	\$83.40	10-1140-4227	Travel - Events Conference
10/02/2018	Frontier Ai	\$70.00	10-1140-4227	Travel - Events Conference
10/05/2018	Frontier Ai	\$242.40	10-1115-4227	Conference - air transportation
10/20/2018	Fsi*xcel Energy Pmts	\$481.48	40-4000-4444	Public Works addition gas line relocation
10/20/2018	Fsi*xcel Energy Pmts	\$1,444.44	20-2000-5069	Public Works addition gas line relocation
10/17/2018	Galls	\$209.90	10-1121-4270	Uniforms - Police
09/28/2018	George T Sanders 02	\$42.35	40-4000-4444	Water Treatment Plant line conduits
10/12/2018	George T Sanders 02	\$7.05	40-4000-4280	Well #7 pump base vent line
10/11/2018	Grainger	\$136.08	10-1131-4403	Safety supplies
10/18/2018	Grainger	\$150.18	10-1131-4403	Fuse holders for Summit Blvd. lights
10/23/2018	Grainger	\$77.76	10-1131-4403	Safety supplies
10/22/2018	Grand Junction Pipe - Gyp	\$385.50	10-1131-4403	Storm grates
09/27/2018	Greco's Pastaria	\$14.50	10-1115-4227	Finance Director's meeting/lunch
10/05/2018	Greco's Pastaria	\$32.00	10-1118-4227	Lunch meeting
10/12/2018	Hacienda Real	\$105.80	90-9000-4227	Staff Lunch
10/09/2018	Hotel Talisa Vail	\$201.54	10-1118-4227	Conference Lodging
10/10/2018	Hotel Talisa Vail	\$201.54	80-8000-4227	Conference Lodging Deposit
10/09/2018	Hyatt Regency Orlando	\$1,528.25	10-1121-4227	Conference - lodging
10/10/2018	Hyatt Regency Orlando	\$305.65	10-1121-4227	Conference - lodging
09/27/2018	Ibi - Supplyworks #2251	\$119.90	10-1132-4207	Crack fill
10/15/2018	Ifurnish	\$7,554.40	80-8000-4586	New Tables and Chairs for FAP Day Lodge
10/15/2018	Ifurnish	\$3,872.82	80-8000-4586	Patio Furniture for FAP Day Lodge
10/24/2018	Ikea.Com 314864309	\$281.74	10-1170-4703	Rental storage for nordic boot room
10/26/2018	Ikea.Com 314864309	-\$12.74	10-1170-4703	Sales tax credit
10/19/2018	In *aerial Equipment Spec	\$700.00	10-1133-4205	Annual aerial inspection
10/09/2018	In *rocky Mountain Coffee	\$43.75	10-1110-4233	Coffee for Kitchens
10/10/2018	In *rocky Mountain Coffee	\$39.75	10-1110-4233	Coffee for Kitchens
10/05/2018	In *sanitary Supply Corp.	\$82.96	10-1132-4207	Paper products
10/12/2018	In *sanitary Supply Corp.	\$711.56	80-8000-4477	Restroom Supply
10/25/2018	In *sanitary Supply Corp.	\$88.76	80-8000-4477	Restroom Supply
10/04/2018	In *squeeze Designz, Uic	\$1,771.25	10-1118-4265	Design for Fall Locals' Party and new design for Wassail Days
10/01/2018	Indeed	\$95.66	10-1121-4210	Indeed - advertising for Police Officers
10/11/2018	Indeed	\$27.87	10-1110-4265	Indeed job post for FAP
10/22/2018	Infinity Certified Weldin	\$24.40	10-1160-4205	Welding Gas - Oxygen
09/27/2018	International Festiv	\$510.00	10-1140-4227	Conference registration fees
10/08/2018	International Festiv	\$695.00	10-1140-4210	Annual Dues for International Festivals and Events

10/16/2018	Krystal Broadcasting Inc	\$1,254.00	10-1118-4265	Radio advertising for Fall Fest and Fall Local's Party
10/04/2018	Kunc & Co Sound	\$1,400.00	10-1118-4265	Fall Fest radio advertising
10/24/2018	Kuvo Llc Underwriting	\$1,800.00	10-1118-4265	Fall Fest radio advertising
10/04/2018	Lakeside Deli	\$33.60	10-1119-4227	Conference - meal (two staff)
10/02/2018	Log Cabin Cafe	\$38.88	10-1119-4227	Community Plan Meeting
10/03/2018	Log Cabin Cafe	\$122.18	10-1110-4229	Breakfast with Town Manager and Leadership
10/03/2018	Log Cabin Cafe	\$50.00	10-1110-4650	4th quarter Gift cards- peak awards
10/04/2018	Log Cabin Cafe	\$102.00	10-1110-4229	MMC Breakfast Meeting
09/28/2018	Lowe's #03206	\$84.94	10-1132-4207	Ticket machine repair
09/28/2018	Lowe's #03206	\$56.66	40-4000-4201	Marking paint
10/01/2018	Lowe's #03206	\$43.32	10-1132-4207	1st & Main shed
10/01/2018	Lowe's #03206	\$68.78	10-1132-4207	Temporary doors for 1st & Main St.
10/02/2018	Lowe's #03206	\$130.08	10-1132-4207	Old Town Hall repairs
10/02/2018	Lowe's #03206	\$127.12	10-1132-4207	5th & Pitkin fence
10/08/2018	Lowe's #03206	\$178.50	90-9000-4201	Heater for shop, diamond stone for knife sharpening, saw blades
10/08/2018	Lowe's #03206	\$47.84	10-1125-4207	Hardware and Latex Gloves
10/09/2018	Lowe's #03206	\$136.80	10-1133-4205	Oil cart for shop
10/10/2018	Lowe's #03206	\$56.80	10-1132-4207	5th & Pitkin fence
10/10/2018	Lowe's #03206	\$19.89	80-8000-4589	Roofing materials
10/10/2018	Lowe's #03206	\$10.76	10-1131-4403	Parts for Tymco sweeper
10/11/2018	Lowe's #03206	\$38.47	10-1131-4403	Electrical supplies
10/11/2018	Lowe's #03206	\$67.82	10-1160-4205	Welding supplies
10/16/2018	Lowe's #03206	\$28.40	10-1132-4207	Wifi antenna mounts
10/16/2018	Lowe's #03206	\$5.24	80-8000-4589	Hooks
10/17/2018	Lowe's #03206	\$8.33	10-1170-4201	Stain for nordic sign
10/18/2018	Lowe's #03206	\$20.98	10-1125-4207	Staple Gun
10/20/2018	Lowe's #03206	\$179.84	90-0090-2060	Marina pooled tip purchase.
10/20/2018	Lowe's #03206	\$17.98	90-9000-4201	Shop Vac filter/ Operating supplies
10/22/2018	Lowe's #03206	\$72.14	10-1131-4403	Sign posts; Shovel
10/25/2018	Lowe's #03206	\$263.28	10-1132-4207	Misc. truck and van supplies
10/25/2018	Lowe's #03206	\$293.55	10-1132-4207	Dishwasher replacement
10/25/2018	Lowe's #03206	\$44.92	10-1132-4207	Day Lodge bathrooms; Town Hall repairs
10/03/2018	Mandalay - Adv Dep	\$134.92	10-1140-4227	Deposit - Conference Lodging
10/11/2018	Mirage - Blt	\$36.29	10-1115-4227	Conference - meal
10/10/2018	Mirage - Essentials	\$7.59	10-1115-4227	Conference - meal
10/13/2018	Mirage - Hotel & Casino	\$519.68	10-1115-4227	Conference - lodging
10/13/2018	Mirage - Hotel & Casino	\$52.48	10-1115-4227	Conference - meal
10/10/2018	Mirage - Roasted Bean	\$17.00	10-1115-4227	Conference - meal
10/17/2018	Motobreck	\$81.98	10-1160-4205	Parts for snowmobiles
10/03/2018	Mountain Pest Control	\$50.00	10-1134-4400	Meadow Creek Park ground squirrels
10/22/2018	Mountain Pest Control	\$95.00	10-1134-4400	Walter Byron Park beavers
10/17/2018	Moyer Marine	\$68.28	90-9000-4892	Parts for work order
10/16/2018	Municipal Treatment Equi	\$912.59	40-4000-4275	Water Treatment Plant chlorinator repairs
10/17/2018	Municipal Treatment Equi	\$37.10	40-4000-4280	Well #7 chlorinator parts
10/03/2018	Murdochs Ranch &home #31	\$27.99	10-1131-4403	Winter gloves
10/10/2018	Murdochs Ranch &home #31	\$19.99	10-1131-4403	Work gloves
10/25/2018	Murdochs Ranch &home #31	\$63.96	10-1132-4207	Winter heaters
10/11/2018	National Exams	\$49.95	10-1160-4227	EMT fees
10/11/2018	National Registry Emt	\$80.00	10-1160-4227	EMT fees
10/12/2018	Native Eyewear Native E	\$83.50	90-0090-1651	Special order sunglasses - Marina retail
10/15/2018	Natural Grocers DI 26	\$31.91	80-8000-4588	Event supplies
10/05/2018	Neils Lunceford Inc - Sil	\$67.99	80-8000-4589	Aspen trees
10/03/2018	Next Page Books And Nosh-	\$50.00	10-1110-4650	4th quarter Gift cards- peak awards
10/18/2018	Next Page Books And Nosh-	\$9.25	80-8000-4588	Sponsor meeting
10/17/2018	Northface VF Outdoor	\$230.50	90-0090-2060	Marina staff pooled tip purchase
10/17/2018	O Hotel	\$762.30	10-1118-4227	Conference - lodging
10/17/2018	O.C.P.O. /c.E.C.T.I.	\$90.00	40-4000-4227	Class 4 Distribution License renewal
09/28/2018	Officemax/Depot 6604	\$1.59	80-8000-4233	Office Supply
10/22/2018	Officemax/Depot 6604	\$31.56	10-1170-4265	Supplies for USFS MDP plan presentation
10/23/2018	Officemax/Depot 6604	\$8.58	40-4000-4201	Office supplies for Water Treatment Plant
10/14/2018	Orchid Bar And Kitchen	\$20.00	10-1118-4227	Conference - dinner
10/12/2018	Otc Brands, Inc.	\$49.16	10-1140-4811	Wassail Supplies - Stamps
10/25/2018	Pandora	\$5.13	10-1160-4401	FAP-Radio

10/02/2018	Panera Bread #202453 E	\$14.47	10-1121-4227	Training - meal
10/04/2018	Panera Bread #202453 E	\$16.48	10-1121-4227	Training - meal
10/23/2018	Pat	\$103.93	90-0090-2060	Marina staff pooled tip purchase
09/28/2018	Paypal	\$200.00	10-1140-4811	Balance for Wassail Days Mug Artwork
10/02/2018	Paypal	\$75.00	10-1150-4605	Fun Club Field Trip
10/03/2018	Paypal	\$55.00	10-1133-4205	Windshield molding for Town Manager vehicle
10/05/2018	Paypal	\$1,000.00	10-1140-4865	Donation for 1st place winner at the Firefighter/Sheriff cook-off
10/09/2018	Paypal	\$281.99	10-1133-4271	Tool diesel pocket scanner
10/11/2018	Paypal	\$350.00	10-1118-4825	Denver Concierge event
10/15/2018	Peak Performance Imaging	\$1,068.66	10-1110-4205	Copier meter readings
10/08/2018	Peppinos Pizza And Subs I	\$130.33	10-1118-4655	Website training lunch
10/09/2018	Peppinos Pizza And Subs I	\$273.37	10-1111-4229	Council Dinner
10/09/2018	Peppinos Pizza And Subs I	\$86.90	10-1130-4227	Management building meeting
10/16/2018	Peppinos Pizza And Subs I	\$190.25	10-1131-4227	Winter meeting
10/18/2018	Peppinos Pizza And Subs I	\$17.52	10-1121-4233	Food during officer interviews
10/19/2018	Peppinos Pizza And Subs I	\$49.32	90-9000-4227	Staff Lunch
10/16/2018	Phillips 66 - Jennys Mar	\$40.01	10-1133-4205	Vehicle pick-up - Denver
10/17/2018	Phillips 66 - Jennys Mar	\$29.66	10-1119-4260	Denver - Consultant Meeting
10/17/2018	Phillips 66 - Jennys Mar	\$8.86	10-1119-4227	Denver Lunch for Consultant Meeting
09/28/2018	Pinnacol Assurance	\$17,551.88	10-1110-4650	Worker's compensation insurance premiums
10/22/2018	Pinnacol Assurance	\$19,257.49	10-1110-4502	Worker's compensation insurance premium
10/12/2018	Pioneer Sand Co Hq	\$1,378.03	80-8000-4586	Bike park dirt
10/09/2018	Prinoth Llc	\$238.69	10-1160-4205	CAT parts
10/03/2018	Qdoba 2419	\$10.15	10-1121-4227	Training - meal
10/04/2018	Qdoba 2419	\$10.15	10-1121-4227	Training - meal
10/05/2018	Qdoba 2419	\$7.95	10-1121-4227	Training - meal
10/03/2018	Quality Inn & Suites Den	\$270.00	10-1121-4227	Training - lodging
10/16/2018	Quill Corporation	\$111.98	10-1130-4233	Office paper; Winter calendar
10/16/2018	Quill Corporation	\$26.99	10-1131-4233	Office paper; Winter calendar
10/16/2018	Rainmaster	\$228.85	80-8000-4589	Irrigation service fee
10/03/2018	Regal Publications Inc	\$5,900.00	10-1118-4265	4 full page ads in Breck & Summit Guest Directory
10/01/2018	Rightsignature Llc	\$24.00	90-9000-4210	Online Waivers and contracts
10/03/2018	Rivers Clothing Company	\$50.00	10-1110-4650	4th quarter Gift cards- peak awards
09/27/2018	Rocky Mountain Coffee Roa	\$15.65	80-8000-4266	Photo shoot
10/02/2018	Rocky Mountain Coffee Roa	\$16.00	10-1119-4306	Community Plan discussion
10/03/2018	Rocky Mountain Coffee Roa	\$10.00	10-1110-4650	4th quarter Gift cards- peak awards
10/03/2018	Rocky Mountain Coffee Roa	\$10.00	10-1110-4650	4th quarter Gift cards- peak awards
10/03/2018	Rocky Mountain Coffee Roa	\$10.00	10-1110-4650	4th quarter Gift cards- peak awards
10/03/2018	Rocky Mountain Coffee Roa	\$10.00	10-1110-4650	4th quarter Gift cards- peak awards
10/03/2018	Rocky Mountain Coffee Roa	\$10.00	10-1110-4650	4th quarter Gift cards- peak awards
10/12/2018	Rocky Mountain Coffee Roa	\$5.73	10-1118-4227	Coffee meeting
10/13/2018	Rocky Mountain Coffee Roa	\$46.70	10-1140-4809	Coffee - Event Breakfast
10/15/2018	Rocky Mountain Coffee Roa	\$6.36	10-1118-4227	Coffee meeting
10/18/2018	Rocky Mountain Coffee Roa	\$48.00	10-1110-4650	All-staff
10/10/2018	Rocky Mtn Spring Water	\$39.90	10-1160-4401	FAP-Breakroom Water
10/10/2018	Rotary Club Of Summit Cou	\$260.00	10-1115-4210	Rotary Dues
10/25/2018	Safety And Construction	\$46.12	10-1131-4270	Safety vests
10/01/2018	Safeway #0836	\$200.00	10-1110-4650	4th quarter Gift cards- peak awards
10/08/2018	Safeway #0836	\$30.92	10-1118-4655	Website training
10/09/2018	Safeway #0836	\$21.43	90-9000-4227	Basic RecTrac training snacks
10/15/2018	Safeway #0836	\$149.51	10-1125-4890	Nightmare at the Museum - Food
10/15/2018	Safeway #0836	\$337.80	10-1125-4890	Refund - 10/24/2018
10/15/2018	Safeway #0836	\$19.99	10-1132-4207	Propane for heat
10/16/2018	Safeway #0836	\$10.08	10-1131-4227	Winter operations meeting
10/17/2018	Safeway #0836	\$21.97	10-1130-4233	Kitchen supplies
10/17/2018	Safeway #0836	\$6.64	10-1131-4227	Winter operations meeting
10/17/2018	Safeway #0836	\$43.34	10-1110-4650	All-staff meeting
10/18/2018	Safeway #0836	\$14.96	10-1119-4306	Planning Commission Mtg. Snacks
10/18/2018	Safeway #0836	\$0.99	10-1110-4233	Supplies
10/18/2018	Safeway #0836	\$13.98	10-1110-4650	All-staff
10/23/2018	Safeway #0836	\$112.97	10-1110-4229	Meeting supplies
10/24/2018	Safeway #0836	-\$337.80	10-1125-4890	Refund
10/03/2018	Sanders True Value Hardw	\$23.78	10-1132-4207	Live traps
10/08/2018	Sanders True Value Hardw	\$12.50	40-4000-4201	Locating supplies
10/16/2018	Sanders True Value Hardw	\$39.80	10-1132-4207	Gutter screen
10/20/2018	Sanders True Value Hardw	\$26.99	90-9000-4201	Chain saw Chain
10/23/2018	Sherlock S.R.L.	-\$159.00	10-1121-4233	Credit voucher - item returned

09/27/2018	Siegels Uniforms - Eva	\$250.95	10-1121-4270	PD uniforms
09/27/2018	Siegels Uniforms - Eva	-\$51.00	10-1121-4270	Shipping credit
10/16/2018	Smith Sport Optics-Mfg	\$72.03	90-0090-2060	Marina staff pooled tip purchase
10/17/2018	Smith Sport Optics-Mfg	\$174.94	90-0090-2060	Marina staff pooled tip purchase
10/04/2018	Smk	\$26.00	10-1110-4250	Survey monkey monthly subscription
10/19/2018	Snowbridge, Inc	\$630.00	90-9000-4207	Island Grill drain clean and camera
10/17/2018	Sp Plus - Toma West	\$18.00	10-1119-4227	Conference - parking
10/15/2018	Spectrum Mobile Services	\$75.00	10-1110-4203	Cellphone support contract
10/17/2018	Spotlight Eastern	\$18,258.00	10-1118-4265	BBQ cable tv campaign
10/17/2018	Spotlight Eastern	\$22,188.00	90-9000-4265	Marina cable tv campaign
10/04/2018	Sprint *wireless	\$952.77	10-1110-4203	TH cellphones
10/04/2018	Sprint *wireless	\$81.58	40-4000-4203	WTP cellphones
10/04/2018	Sprint *wireless	\$443.01	90-9000-4203	Marina cellphones
10/10/2018	Sq *columbine Ink Llc	\$77.77	10-1125-4891	Historic Park gift shop Book Order
10/08/2018	Sq *glass Art Co En	\$27.00	10-1119-4221	Staff name badge/desk plate
10/22/2018	Sq *glass Art Co En	\$55.00	10-1125-4221	Plaque Printing
09/30/2018	Sq *Joy Cab	\$32.40	10-1140-4227	Conference - airport transportation
10/17/2018	Stance Inc	\$48.80	90-0090-2060	Marina staff pooled tip purchase
10/17/2018	Stance Inc	\$36.00	90-0090-2060	Marina staff pooled tip purchase
09/28/2018	Stanley Access Technol	\$1,503.65	10-1132-4207	Day Lodge handicap replacement
10/04/2018	Stapls7205066578000001	\$788.79	10-1119-4703	ComDev Scanner Desk
10/02/2018	Stapls7205066578000002	\$5.25	10-1110-4233	Office supplies
10/05/2018	Stapls7205774551000001	\$54.41	10-1150-4607	Wall Calendars
10/10/2018	Stapls7205973687000001	\$4.32	10-1115-4233	HR office supplies
10/10/2018	Stapls7205973687000001	\$58.98	10-1119-4233	CDD office supplies
10/10/2018	Stapls7205973687000001	\$54.19	10-1110-4233	Office supplies
10/20/2018	Stapls7205973687000002	\$0.04	10-1110-4233	Staples Recycling Boxes
10/16/2018	Stapls7206251906000001	\$19.09	10-1110-4233	Office supplies
10/13/2018	Stapls7206251906000002	\$38.26	10-1110-4233	Office supplies
10/13/2018	Stapls7206251906000002	\$358.92	10-1119-4703	CDD office supplies/furniture
10/24/2018	Stapls7206851463000001	\$397.87	10-1118-4233	2019 Staff calendars
10/17/2018	Steeppandcheap.Com	\$186.56	90-0090-2060	Marina staff pooled tip purchase
10/18/2018	Steeppandcheap.Com	\$416.93	90-0090-2060	Marina staff pooled tip purchase
10/19/2018	Steeppandcheap.Com	\$37.33	90-0090-2060	Marina staff pooled tip purchase
10/19/2018	Steeppandcheap.Com	\$155.45	90-0090-2060	Marina staff pooled tip purchase
10/19/2018	Steeppandcheap.Com	\$113.48	90-0090-2060	Marina staff pooled tip purchase
10/23/2018	Steeppandcheap.Com	\$221.88	90-0090-2060	Marina Staff pooled tip purchase
10/23/2018	Steeppandcheap.Com	\$152.39	90-0090-2060	Marina staff pooled tip purchase
10/24/2018	Steeppandcheap.Com	\$116.36	90-0090-2060	Marina staff pooled tip purchase
10/24/2018	Steeppandcheap.Com	\$152.99	90-0090-2060	Marina staff pooled tip purchase
10/24/2018	Steeppandcheap.Com	\$166.75	90-0090-2060	Marina staff pooled tip purchase
10/23/2018	Stuart C Irby	\$346.85	10-1131-4403	Ballast kits for West Main St. lights
10/16/2018	Summit Chamber	\$1,800.00	10-1118-4825	COO Breakfast sponsorship and tickets
10/08/2018	Summit Paint And Stain	\$46.46	10-1125-4207	Interior Paint
10/11/2018	Summit Paint And Stain	\$631.12	10-1125-4207	Roof stain; Historic Park stain
10/11/2018	Supershuttle Execucarfax	\$22.42	10-1118-4227	Conference - airport shuttle
10/19/2018	Swix Sports	\$86.44	90-0090-2060	Marina staff pooled tip purchase
10/09/2018	Taxi Svc Las Vegas	\$30.97	10-1115-4227	Conference - transportation
10/13/2018	Taxi Svc Las Vegas	\$29.34	10-1115-4227	Conference - transportation
10/23/2018	Tech Air	\$554.25	10-1133-4205	Welding supplies for new hood
10/01/2018	The Key People Co	\$525.00	10-1160-4477	September Cleaning for FAP Day Lodge
10/01/2018	The Key People Co	\$290.00	10-1170-4477	September Cleaning for Nordic Restrooms
10/02/2018	The Key People Co	\$2,170.00	10-1132-4207	Cleaning services
10/09/2018	The Key People Co	\$48.00	80-8000-4477	October Recycling
10/09/2018	The Key People Co	\$725.00	80-8000-4477	September Restroom Cleaning
10/09/2018	The Key People Co	\$145.00	80-8000-4477	October Office Cleans
10/11/2018	The Knox Company	\$351.00	10-1132-4207	Master lock box for Buildings Department
10/23/2018	The Tire Rack	\$1,400.53	10-1133-4205	Tires for Marina truck and Water truck
10/10/2018	The Ups Store 1378	\$23.96	10-1131-4403	Boxes to ship banner brackets
10/15/2018	The Uptown On Main	\$63.95	10-1118-4227	Lunch meeting
10/12/2018	The Webstaurant Store	\$765.04	10-1140-4811	Taster Cups

10/15/2018	The Webstaurant Store	\$394.87	10-1160-4225	FAP - kitchen supplies
10/16/2018	The Webstaurant Store	\$387.73	10-1160-4225	Dish Rack for FAP Kitchen
10/08/2018	Tlf*boulder Blooms	\$73.95	10-1110-4650	Community Support
10/01/2018	Tlo Transunion	\$25.00	10-1121-4210	Police data base subscription
10/11/2018	Tmobile Postpaid Web	\$50.00	10-1110-4203	Personal cell phone stipend
10/01/2018	Town And Country Fb	\$8.92	10-1140-4227	Conference - meal
10/02/2018	Town And Country Fb	\$11.76	10-1140-4227	Conference - meal
10/03/2018	Town And Country Fb	\$8.92	10-1140-4227	Conference - meal
10/03/2018	Town And Country Resort	\$571.92	10-1140-4227	Conference - lodging
10/04/2018	United	\$25.00	10-1121-4227	Conference - baggage fee
10/10/2018	United	\$25.00	10-1121-4227	Conference - baggage fee
10/10/2018	Ups	\$34.90	40-4000-4202	Postage
10/14/2018	Ups	\$3.23	40-4000-4202	Return postage
10/03/2018	Usa Blue Book	\$822.61	40-4000-4201	Lab and CI-17 supplies
10/19/2018	Usa Blue Book	\$58.38	40-4000-4201	Pipe locator; MSDS file rack
10/19/2018	Usa Blue Book	\$95.32	40-4000-4270	Pipe locator; MSDS file rack
10/03/2018	Uscleanpro.Com	\$464.00	10-1125-4477	Custodial Services
10/09/2018	Uspis Po 0733840210	\$20.85	10-1121-4202	PD postage
10/17/2018	Verizon	\$89.90	10-1110-4233	Case and screen protector for phone
10/02/2018	Vermont Systems Inc	\$386.24	10-1110-4704	VSI Hosting Services - General Gov't
10/02/2018	Vermont Systems Inc	\$193.13	80-8000-4704	VSI Hosting Services - Info Center
10/02/2018	Vermont Systems Inc	\$193.13	90-9000-4704	VSI Hosting Services - Marina
10/19/2018	Vistapr*vistaprint.Com	\$18.99	10-1110-4233	Letter Return Labels
10/15/2018	Vzwrllss*apoccc Visb	\$135.84	40-4000-4203	WTP cellphones
10/15/2018	Vzwrllss*apoccc Visb	\$702.44	10-1110-4203	All other cellphones
10/10/2018	Vzwrllss*my Vz Vn P	\$70.00	10-1110-4203	Personal cell phone stipend
10/13/2018	Vzwrllss*my Vz Vn P	\$52.80	10-1110-4203	Personal cell phone stipend
10/23/2018	Vzwrllss*my Vz Vn P	\$65.00	10-1110-4203	Personal cell phone stipend
10/12/2018	Vzwrllss*my Vz Vw P	\$70.00	10-1110-4203	Personal cell phone stipend
10/13/2018	Vzwrllss*my Vz Vw P	\$70.00	10-1110-4203	Personal cell phone stipend
10/14/2018	Vzwrllss*my Vz Vw P	\$65.50	10-1110-4203	Personal cell phone stipend
10/03/2018	Wagner Equip Co Parts	\$199.17	10-1133-4205	Service kit for vehicle #12-05
10/11/2018	Wagner Equip Co Parts	\$77.68	10-1133-4205	Service kit for vehicle #13-12
10/10/2018	Wagner Rents Corp	\$2,200.00	80-8000-4586	Bike park equipment rental
10/01/2018	Wagner Rents Silverthorn	\$271.65	10-1133-4205	Parts for stock
10/02/2018	Wagner Rents Silverthorn	\$472.08	10-1133-4205	Parts for stock
10/03/2018	Wagner Rents Silverthorn	\$64.78	10-1133-4205	Fuel gas cap
10/04/2018	Wagner Rents Silverthorn	\$79.40	10-1133-4205	Parts for stock
10/23/2018	Wagner Rents Silverthorn	\$513.76	10-1160-4205	Cat filters
10/03/2018	Wal-Mart #0986	\$38.60	10-1132-4207	Mouse traps
10/03/2018	Wal-Mart #0986	\$3.47	40-4000-4201	Clear paint
10/05/2018	Wal-Mart #0986	\$3.97	10-1110-4650	Employee Relations
10/08/2018	Wal-Mart #0986	\$188.20	10-1125-4890	Program Supplies for Time Capsule and Halloween
10/09/2018	Wal-Mart #0986	\$75.08	10-1132-4207	Office cord
10/09/2018	Wal-Mart #0986	\$74.42	10-1121-4233	Candy for Trick or Treat Street
10/10/2018	Wal-Mart #0986	\$6.57	10-1121-4233	Snow brush for CSO vehicle
10/12/2018	Wal-Mart #0986	\$23.22	80-8000-4589	Anti-freeze for bathrooms
10/16/2018	Wal-Mart #0986	\$24.97	80-8000-4589	Tarp for score tables
10/18/2018	Wal-Mart #0986	\$306.47	10-1140-4852	Halloween Candy/ Pumpkins for merchants and supplies for decorating statues
10/18/2018	Wal-Mart #0986	\$50.22	80-8000-4589	Ice melt supply
10/18/2018	Wal-Mart #0986	\$19.84	10-1131-4403	Stretch-wrap
10/23/2018	Wal-Mart #0986	\$5.94	90-9000-4207	Lock Hasp for Bathroom doors
10/23/2018	Wal-Mart #0986	\$11.92	90-9000-4201	Shop Supplies
10/24/2018	Wal-Mart #0986	\$6.00	10-1132-4207	Electrical tape for xmas lights
10/01/2018	Wal-Mart #986	\$200.00	10-1110-4650	4th quarter Gift cards: peak awards
10/02/2018	Wal-Mart #986	\$31.03	80-8000-4589	Xmas supplies
10/04/2018	Wal-Mart #986	\$5.97	40-4000-4201	Cheesecloth for filtering
10/11/2018	Wal-Mart #986	\$335.04	10-1160-4205	Oil for Snow Cats
10/11/2018	Wal-Mart #986	\$246.52	10-1132-4207	Xmas lights
10/12/2018	Wal-Mart #986	\$11.31	10-1125-4890	Halloween Décor - Nightmare at the Museum
10/16/2018	Wal-Mart #986	\$56.84	10-1132-4207	Space heaters
10/17/2018	Wal-Mart #986	\$11.54	10-1121-4233	Office supplies
10/18/2018	Wal-Mart #986	\$56.70	10-1132-4207	Shop office
10/19/2018	Wal-Mart #986	\$3.96	10-1140-4852	More Supplies for decorating the Statues
10/22/2018	Wal-Mart #986	\$37.32	10-1140-4852	Supplies for decorating statues
10/22/2018	Wal-Mart #986	\$9.97	10-1125-4207	Light Bulbs
10/23/2018	Wal-Mart #986	\$168.72	10-1132-4207	Xmas lights
10/24/2018	Wal-Mart #986	\$6.76	40-4000-4201	Spray paint for drain line
10/25/2018	Wal-Mart #986	\$15.52	10-1119-4306	Sodas for Planning Commission Meetings
10/01/2018	Waste Mgmt Wm Ezpay	\$348.54	10-1160-4401	Trash Service For FAP Day Lodge
10/01/2018	Waste Mgmt Wm Ezpay	\$126.00	10-1160-4401	Recycling for FAP Day Lodge and Nordic Center
10/01/2018	Waste Mgmt Wm Ezpay	\$253.60	10-1132-4207	Old Town Hall trash service

10/05/2018	Waste Mgmt Wm Ezpay	\$253.60	10-1132-4207	1st & Main trash service
10/05/2018	Waste Mgmt Wm Ezpay	\$354.72	10-1132-4207	Town Hall trash service
10/05/2018	Waste Mgmt Wm Ezpay	\$148.24	10-1132-4207	Historic Park trash service
10/19/2018	Waste Mgmt Wm Ezpay	\$531.38	90-9000-4401	Trash and Recycling Service
10/18/2018	Wav*xcelitek Lic	\$344.00	10-1118-4655	webcam fixes
10/06/2018	Weathershack.Com	\$324.70	90-9000-4201	Weather Station
10/02/2018	Wgd	\$138.92	10-1131-4270	Uniform coat for new employee
10/01/2018	Wholefds Fco #10470	\$150.00	10-1110-4650	4th quarter Gift cards- peak awards
10/01/2018	Wholefds Fco #10470	\$150.00	10-1110-4650	4th quarter Gift cards- peak awards
10/03/2018	Wholefds Fco #10470	\$36.59	10-1110-4229	MMC Meeting
10/03/2018	Wholefds Fco #10470	\$2.29	10-1110-4229	MMC Meeting
10/09/2018	Wholefds Fco #10470	\$30.35	10-1111-4229	Council Dinner
10/11/2018	Wholefds Fco #10470	\$56.60	20-2000-5079	Lunch for working meeting - Town Council
10/22/2018	Wholefds Fco #10470	\$28.23	10-1118-4227	Lunch meeting
10/23/2018	Wholefds Fco #10470	\$170.00	10-1111-4229	Council Dinner
10/23/2018	Wholefds Fco #10470	\$26.96	10-1111-4229	Council Dinner
10/03/2018	Wholesalemarine.Com	-\$32.60	90-9000-4201	Refund of grappling hook
10/19/2018	Witt Machine	\$1,000.00	10-1121-4218	6 gun suppressors Inv. # 10598
10/03/2018	Www.Newegg.Com	\$45.22	10-1133-4205	Sleeve coupling insert for screen
10/04/2018	Zoro Tools Inc	\$35.79	10-1170-4201	Metal for nordic sign
10/17/2018	Zoro Tools Inc	\$48.45	90-9000-4201	Corner Mirror
		<u>\$221,420.26</u>		



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: DEBORAH WOHLMUTH, TOWN CLERK
RE: NEW RETAIL 3.2% BEER OFF PREMISE LICENSE – KUM & GO LC DBA KUM & GO #948
DATE: DECEMBER 11, 2018

Background: As prescribed in State Statute, all new liquor license applications must be first submitted to the local licensing authority for approval. Supporting documentation as outlined on State form DR 8404 must accompany the application to begin the hearing process requirements. The preliminary findings have been included in this report to support proof of a completed application.

Analysis: This application is for a new retail 3.2% Beer Off Premise license for Kum & Go LC dba Kum & Go #948 located at 55 Lusher Court. Applicants Krause Holdings, Kyle Krause, Charley Campbell, and Craig Bergstrom have filed the necessary paperwork and posted the premise in accordance with the Colorado Liquor Code. Further, notice of this application was published in a newspaper of general circulation on November 30, 2018 pursuant to statutory requirements. Pursuant to Colorado Revised Statutes, no fingerprints or addition background investigation forms are required as the applicant as a Masterfile on record with the State.

Staff Recommendation: On that basis, it is my

RECOMMENDATION

that the Council make a motion approving the issuance of a new retail 3.2% Beer Off Premise license for Kum & Go LC dba Kum & Go #948 located at 55 Lusher Court, on the basis of the following findings: that the Authority (1) has reviewed the neighborhood under consideration and finds it to be the Town of Frisco as a whole; (2) has considered the desires of the inhabitants of the neighborhood and finds that the inhabitants desire an additional establishment that serves liquor; (3) has reviewed the needs of the neighborhood for the outlet and finds that the needs of the neighborhood are not met by the existing outlets; (4) has reviewed the location of the proposed establishment and finds that it is not located within 250 feet of any school or college campus; (5) has reviewed the qualifications of the applicant and, pursuant to the requirements of the Frisco Code and Colorado Statutes, find the applicant to be qualified to obtain a retail 3.2% Beer Off Premise license for Kum & Go LC dba Kum & Go #948.



MEMORANDUM

P.O. BOX 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: DEBORAH WOHLMUTH, TOWN CLERK
RE: ORDINANCE 18-15, AMENDING CHAPTER 53, CONCERNING ALCOHOLIC BEVERAGES
DATE: DECEMBER 11, 2018

Summary: Ordinance 18-15 updates Chapter 53 Alcoholic Beverages to reflect recent legislation recodifying the State of Colorado's beer, liquor, and special event liquor permit codes; and amends language concerning alcoholic beverage tastings.

Background: The Colorado legislature recently adopted and the Governor signed into law HB18-1025, which recodified the Colorado statutes that contain the Colorado Beer Code, the Colorado Liquor Code, and the Colorado Special Event Liquor Permits. HB18-1025 became effective October 1, 2018. It is necessary to change the references to the Colorado Beer Code, the Colorado Liquor Code, and the Colorado Special Event Liquor Permit statutes contained in the Frisco Town Code to reflect the recodification of such statutes brought about by the adoption of HB18-1025.

Additionally, The Colorado legislature recently adopted and the Governor signed into law SB 18-243 which expands and amends certain tastings laws and limitations. SB 18-243 became effective June 4, 2018. This law states that any violation of a tastings limitation is the responsibility of the retail liquor store or liquor licensed drug store licensee even if the violation was committed by a representative, employee, or agent of another licensee named above. It also states that a representative, employee, or agent of a manufacturer, limited winery, wholesaler, or importer may pour or serve alcohol beverages as part of a tasting at an RLS or LLDS licensed premises. The maximum amount of time in a day is still 5 hours (does not have to be consecutive); the sample size has not changed (1 oz of malt and vinous liquor and ½ oz of spirituous liquor); and the number of samples remained the same – 4.

Recommendation:

On that basis, it is my

RECOMMENDATION THAT THE COUNCIL MAKE A MOTION APPROVING ON FIRST READING ORDINANCE 18-15, AN ORDINANCE AMENDING CHAPTER 53 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, COLORADO, CONCERNING ALCOHOLIC BEVERAGES, BY AMENDING ALL REFERENCES WITHIN CHAPTER 53 TO THE COLORADO BEER CODE, THE COLORADO LIQUOR CODE, AND THE COLORADO SPECIAL EVENT LIQUOR PERMITS STATUTES TO REFLECT THE STATE OF COLORADO'S RECENT RECODIFICATION OF SAID CODES AND STATUTES; AND BY AMENDING SECTION 53-18, CONCERNING ALCOHOLIC BEVERAGE TASTINGS, TO REFLECT RECENT SUBSTANTIVE AMENDMENTS TO THE COLORADO STATUTORY PROVISIONS THAT CONCERN ALCOHOLIC BEVERAGE TASTINGS

**TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
ORDINANCE 18-15**

ORDINANCE 18-15 AN ORDINANCE AMENDING CHAPTER 53 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, COLORADO, CONCERNING ALCOHOLIC BEVERAGES, BY AMENDING ALL REFERENCES WITHIN CHAPTER 53 TO THE COLORADO BEER CODE, THE COLORADO LIQUOR CODE, AND THE COLORADO SPECIAL EVENT LIQUOR PERMITS STATUTES TO REFLECT THE STATE OF COLORADO'S RECENT RECODIFICATION OF SAID CODES AND STATUTES; AND BY AMENDING SECTION 53-18, CONCERNING ALCOHOLIC BEVERAGE TASTINGS, TO REFLECT RECENT SUBSTANTIVE AMENDMENTS TO THE COLORADO STATUTORY PROVISIONS THAT CONCERN ALCOHOLIC BEVERAGE TASTINGS

WHEREAS, the Colorado legislature recently adopted and the Governor signed into law HB18-1025, which recodified the Colorado statutes that contain the Colorado Beer Code, the Colorado Liquor Code, and the Colorado Special Event Liquor Permits; and

WHEREAS, HB18-1025 became effective October 1, 2018; and

WHEREAS, it is necessary to change the references to the Colorado Beer Code, the Colorado Liquor Code, and the Colorado Special Event Liquor Permit statutes contained in the Frisco Town Code to reflect the recodification of such statutes brought about by the adoption of HB18-1025.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO, COLORADO:

Section 1: That Section 53-2 of the Code of Ordinances of the Town of Frisco, Colorado, concerning licensing authority; assistant, is hereby amended to read as follows:

§ 53-2. Licensing Authority; Assistant. [Repealed and replaced in its entirety 09-26-06, Ord. 06-30]

- A. The liquor and beer licensing authority for the Town of Frisco shall be the Town Council ("Council"). As such, the Town Council shall be known as the "liquor licensing authority" or, in this Chapter, as the "authority."
- B. The Town Clerk shall assist the authority by receiving all applications; coordinating with other town officers and departments when relevant; scheduling required public hearings; and exercising her discretion in forwarding applications for renewals, transfer of ownership, change of manager of a licensee; temporary permits; and special event licenses.

C. As set forth below, the Town Clerk is hereby vested with authority to administratively review and approve applications for liquor license renewals; transfer of ownership; change of manager of a licensee; temporary permits; and special event licenses.

1. Renewals. In accordance with the provisions of Section 53-12 below, the Town Clerk is authorized to administratively review and approve an application for the renewal of any previously approved liquor license where, after reasonable investigation by the Town Clerk and consultation by the Town Clerk with other appropriate administrative and law enforcement personnel, all of the following circumstances are found to exist:

- a. The applicant has timely and properly submitted a complete license renewal application and tendered all required fees in accordance with this Chapter and the provisions of Title ~~4244~~ C.R.S.;
- b. The applicant's license is in good standing with the Town and the State, and no violation of law has occurred during the previous year;
- c. To the knowledge of the Town Clerk, there is no pending or proposed criminal or legal investigation or charges against the applicant or the licensed premises; and
- d. There is no other information known by the Town Clerk that would cause the Town Clerk, in her reasonable belief, to believe that some violation of applicable law has occurred or that the license should not be renewed

2. Transfer of ownership. In accordance with the provisions of Section 53-14 below, the Town Clerk is authorized to administratively review and approve an application for the transfer of ownership of any previously approved liquor license where, after reasonable investigation by the Town Clerk and consultation by the Town Clerk with other appropriate administrative and law enforcement personnel, all of the following circumstances are found to exist:

- a. The applicant has timely and properly submitted a complete application for transfer of ownership and tendered all required fees in accordance with this Chapter and the provisions of Title ~~4244~~ C.R.S.; and
- b. The applicant satisfies the eligibility criteria set forth in Section ~~42-47-307~~44-3-307, C.R.S.

3. Change of manager of a licensee. The Town Clerk is authorized to administratively review and approve an application for the change of manager for a licensed establishment where, after reasonable investigation by the Town Clerk and consultation by the Town Clerk with other

appropriate administrative and law enforcement personnel, all of the following circumstances are found to exist:

- a. The applicant has timely and properly submitted a complete application for change of manager and tendered all required fees in accordance with this Chapter and the provisions of Title ~~4244~~ C.R.S. and the new manager has presented himself to the Police Department for photographing, fingerprinting and background investigation, and
 - b. There is no information known by the Town Clerk that could support denial of the application for change in manager under applicable law.
4. Temporary permits. In accordance with the provisions of Section 53-14.E below, the Town Clerk is authorized to administratively review and approve an application for a temporary permit where, after reasonable investigation by the Town Clerk and consultation by the Town Clerk with other appropriate administrative and law enforcement personnel, all of the following circumstances are found to exist:
 - a. The applicant has timely and properly submitted a complete application for a temporary permit and tendered all required fees in accordance with this Chapter and the provisions of Section ~~12-47-303~~44-3-303, C.R.S.;
 - b. There is pending an application for the transfer of the liquor license corresponding to the application for a temporary permit;
 - c. The premises subject to the proposed temporary permit is currently subject to a valid liquor license; and
 - d. There is no information known by the Town Clerk that could support denial of the application for change in manager under applicable law.
5. Special event licenses. The Town Clerk is authorized to administratively review and approve an application for a special event license where, after reasonable investigation by the Town Clerk and consultation by the Town Clerk with other appropriate administrative and law enforcement personnel, all of the following circumstances are found to exist:
 - a. The applicant has timely and properly submitted a complete application for a special event license and tendered all required fees in accordance with this Chapter and the provisions of Title ~~4244~~, Article ~~485~~, C.R.S.;
 - b. Notice of the Town's receipt of an application for a special events permit and the ability to protest the issuance of the permit has been posted on the property subject to the proposed special event permit not less than ten (10) days prior to the date of approval of the permit and no protest

to the issuance of such permit has been filed on or before such date of approval; and

- c. There is no information known by the Town Clerk that could support denial of the application for the special event permit pursuant to the provisions of Section ~~42-48-106~~44-5-106, C.R.S.
- D. Notwithstanding any authority delegated to the Town Clerk for the administrative approval of applications under this Section, the Town Clerk may, at her discretion, refer any licensing decision authorized to her under this Section to the authority if, in the Town Clerk's opinion, the matter should be presented to the authority. In the event the Town Clerk cannot or will not approve a transfer or renewal of a license, or the issuance of a special event license or temporary permit, or the approval of a change in manager of a licensee, then the Town Clerk shall refer the application to the authority for consideration in accordance with applicable law. Written notice of the time and place of such consideration shall be mailed to the applicant by regular mail at least ten (10) days in advance thereof and shall contain such facts or reasons relied upon by the Town Clerk in declining to issue the license or permit or approval. Notice of the proceedings shall also be timely published and posted on the subject premises in accordance with the requirements set forth in Section ~~42-47-311~~44-3-311, C.R.S., and timely provided to any person who may have filed a protest against the issuance of the license with the Town Clerk. Additionally, any license or permit applicant, or any party in interest (as defined in Section ~~42-47-311~~44-3-311, C.R.S.), who is dissatisfied with a decision of the Town Clerk under this Section may appeal same to the authority by filing a written protest with the Town Clerk not more than ten (10) days after the date of the decision appealed from. The Town Clerk shall promptly set the appeal for hearing before the authority in accordance with the notice and hearing procedures described above.
- E. The Town Clerk shall not approve an application for the renewal or transfer of a license where the Police Department has timely submitted written objections to the Town Clerk concerning such action. Whenever such an objection is received, the Town Clerk shall set the application for hearing before the authority in accordance with the procedures set forth in Subsection D above.
- F. The Town Clerk, for good cause, may waive the forty-five-day time requirement for filing a license renewal application.
- G. The Town Clerk shall regularly report to the authority in a timely manner all licensing actions taken by the Town Clerk under the provisions of this Section.

Section 2: That Section 53-3 of the Code of Ordinances of the Town of Frisco, Colorado, concerning filing of applications; fees, is hereby amended to read as follows:

§ 53-3. Filing of Applications; Fees. [Amended 10-05-93, Ord. 93-09; 06-07-94 Ord. 94-04; 08-19-97, Ord. 97-14; 04-03-01, Ord. 01-04; 07-27-04, Ord. 04-12; 08-28-07, Ord. 07-13; 07-14-09, Ord. 09-12]

- A. All applications for liquor and malt beverage licenses, including new, renewal or any licensing changes, shall be filed with the Clerk.
- B. The following shall be filed:
 - 1. A state license application form (DR-8404), which shall be filled out and completed in all material details. Incomplete application forms shall be rejected.
 - 2. All other applicable State Department of Revenue forms pertinent to the type of license requested shall be filled out and completed in all material detail. Incomplete application forms shall be rejected.
 - 3. An application fee paid to the town. The application fee shall be collected to cover the costs of the preliminary investigation made by the town, administrative checks, publication and posting costs and other necessary and incidental expenses. For each application made to the Authority pursuant to the provisions of, ~~Article 46~~Article 3, Article 4, or Article 485 of Title ~~4244~~ of the Colorado Revised Statutes, as amended from time to time, there shall be paid to the Town an application fee in the amount set forth in the Fees Schedule adopted by the Colorado Department of Revenue Liquor Enforcement Division, as amended from time to time. An up-to-date copy of said Fees Schedule shall be maintained by the Town Clerk and available for inspection in the office of the Town Clerk during regular business hours of the Town's administrative offices.
 - 4. Pursuant to Section ~~12-47-505~~44-3-505, C.R.S., as amended from time to time, an annual license fee shall be paid to the town. This fee is in addition to the application fee and shall be in the amount set forth in the Fees Schedule adopted by the Colorado Department of Revenue Liquor Enforcement Division, as amended from time to time. For each tastings permit issued by the Authority pursuant to Section 53-18 of this Chapter, there shall be paid to the Town a fee equal to Ten Dollars (\$10.00) for each day during which a tasting is authorized by the permit, which fees shall be paid in full prior to the Authority's delivery of the permit to the applicant.

5. A license fee payable to the State Department of Revenue shall be filed with the application. The amount shall be as established from time to time by the Colorado Department of Revenue Liquor Enforcement Division.

Section 3: That Section 53-4.F of the Code of Ordinances of the Town of Frisco, Colorado, concerning filing of application forms, is hereby amended to read as follows:

53-4.F Evidence showing that the proposed location will not violate any of the Town of Frisco's zoning laws as prohibited by C.R.S. ~~42-47-138(c)~~ 44-3-313(1)(c).

Section 4: That Section 53-6.C of the Code of Ordinances of the Town of Frisco, Colorado, concerning notice of hearing, is hereby amended to read as follows:

53-6.C The size of the sign and information contained on it shall be in compliance with state statute, C.R.S. ~~42-47-136~~44-3-311.

Section 5: That Section 53-14.E of the Code of Ordinances of the Town of Frisco, Colorado, concerning change in ownership, is hereby amended to read as follows:

53-14.E The Town of Frisco shall issue a temporary permit to a transferee pursuant to C.R.S. ~~42-47-303~~44-3-303. Said permit shall authorize a transferee to continue sales during the period in which an application to transfer the ownership of the license is pending. The applicant(s) for the permit must comply with all of the requirements set forth in the appropriate statutes cited above. The cost of this temporary permit shall be one hundred dollars (\$100).

Section 6: That Section 53-18 of the Code of Ordinances of the Town of Frisco, Colorado, concerning alcohol beverage tastings, is hereby amended to read as follows:

§ 53-18. Alcohol Beverage Tastings. [Added 07-27-04, Ord. 04-12; Amended 03-28-06, Ord. 06-15; 09-26-06, Ord. 06-30; 07-14-09, Ord. 09-12]

- A. Subject to the limitations of this section, alcohol beverage tastings are permitted within the Town. For the purposes of this section "tastings" means the sampling of malt, vinous, or spirituous liquors that may occur on the premises of a retail liquor store licensee or liquor-licensed drugstore licensee by adult patrons of the licensee pursuant to the provisions of this section and Section ~~42-47-301(10)~~44-3-301(10), C.R.S.
- B. A retail liquor store or liquor-licensed drugstore licensee who wishes to conduct tastings may submit an application for that purpose to the Liquor Licensing Authority. The applicant for a tastings permit shall state on the application the days and times that tastings will occur. The Liquor Licensing Authority may reject the application if the applicant fails to establish that he or she is able to conduct tastings without violating the provisions of this Section, Section ~~42-47-~~

~~301(10)~~44-3-301(10), C.R.S., or creating a public safety risk to the neighborhood. The Liquor Licensing Authority hereby delegates to the Town Clerk the authority to administratively review and approve an application for a tastings permit or renewal of a previously approved tasting permit where, after reasonable investigation by the Town Clerk and consultation by the Town Clerk with other appropriate administrative and law enforcement personnel, all of the following circumstances are found to exist:

1. The applicant has timely and properly submitted a complete application for a tastings permit or renewal thereof and has tendered all required fees in accordance with this Chapter;
2. The applicant's liquor license is in good standing with the Town and the State, and no violation of law has occurred during the previous year;
3. To the knowledge of the Town Clerk, there is no pending or proposed criminal or legal investigation or charges against the applicant or the licensed premises; and
4. There is no other information known by the Town Clerk that would cause the Town Clerk, in his or her reasonable belief, to believe that some violation of applicable law has occurred or that the applicant will be unable to conduct tastings without violating the provisions of this Section, Section ~~42-47-310(10)~~44-3-301(10), C.R.S., or creating a public safety risk to the neighborhood.

Notwithstanding any authority delegated to the Town Clerk for the administrative approval of applications under this Section, the Town Clerk may, at his or her discretion, refer any licensing decision authorized to her under this Section to the Authority if, in the Town Clerk's opinion, the matter should be presented to the Authority. In the event the Town Clerk cannot or will not approve an application made pursuant to this Section, then the Town Clerk shall refer the application to the Authority for consideration in accordance with applicable law. Written notice of the time and place of such consideration shall be mailed to the applicant by regular mail at least ten (10) days in advance thereof and shall contain such facts or reasons relied upon by the Town Clerk in declining to issue the permit. Notice of the proceedings shall also be timely published and posted on the subject premises in accordance with the requirements set forth in Section ~~42-47-301~~44-3-301, C.R.S., and timely provided to any person who may have filed a protest against the issuance of the permit with the Town Clerk. Additionally, any permit applicant, or any party in interest (as defined in Section ~~42-47-301~~44-3-301, C.R.S.), who is dissatisfied with a decision of the Town Clerk under this Section may appeal same to the Authority by filing a written protest with the Town Clerk not more than ten (10) days after the date of the decision appealed from. The Town Clerk shall promptly set the appeal for hearing before the authority in accordance with the notice and hearing procedures described above.

C. Tastings shall be subject to the following limitations:

1. Tastings may occur on no more than ~~four of the six days from a Monday to the following Saturday, not to exceed one hundred four days per year~~ 156 days per year, any day of the week.
2. Tastings shall not exceed a total of ~~four~~ five hours in duration per day, which hours need not be consecutive.
3. Tastings shall be conducted only by a person who has completed a server training program that meets the standards established by the Liquor Enforcement Division, Colorado Department of Revenue and who is either a retail liquor store licensee or a liquor-licensed drugstore licensee, or an employee of a licensee and only on a licensee's licensed premise, or by a representative, employee, or agent of a wholesaler, brew pub, distillery pub, manufacturer, limited winery, importer or vintner's restaurant.
4. The alcohol used in tastings shall be purchased through a licensed wholesaler, licensed brew pub, or winery at a cost that is not less than the laid-in cost of such alcohol.
5. Tastings shall be conducted only during the operating hours in which the licensee on whose premises the tastings occur is permitted to sell alcohol beverages, and in no case earlier than 11:00 a.m. or later than ~~7~~9:00 p.m.
6. No manufacturer of spirituous or vinous liquors shall induce a licensee through free goods or financial or in-kind assistance to favor the manufacturer's products being sampled at a tasting. The licensee shall bear the financial and all other responsibility for a tasting.
7. A violation of a limitation specified in this subsection by a retail liquor store or liquor-licensed drugstore licensee, whether by the licensee's his or her employees, agents, or otherwise, ~~shall be~~ or by a representative, employee, or agent of the licensed wholesaler, brew pub, distillery pub, manufacturer, limited winery, importer, or vintner's restaurant that promoted the alcohol beverages for the tasting is the responsibility of the retail liquor store or liquor-licensed drugstore licensee ~~who is conducting that conducted~~ the tasting.
8. A retail liquor store or liquor-licensed drugstore licensee conducting a tasting shall be subject to the same revocation, suspension, and enforcement provisions as otherwise apply to the licensee.

D. While a retail liquor store or liquor-licensed drugstore is conducting a tasting within its premise, the following requirements shall be met:

1. The licensee shall prohibit patrons from leaving the licensed premises with an unconsumed sample.
2. The licensee shall promptly remove all open and unconsumed alcohol beverage samples from the licensed premises, ~~or shall destroy the samples immediately following the completions of the tasting, or store~~ any open containers of unconsumed alcohol beverages in a secure area outside the sales area of the licensed premises for use at a tasting conducted at a later time or date.
3. The licensee shall not serve a person who is under twenty-one years of age or who is visibly intoxicated.
4. The licensee shall not serve more than four individual samples to a patron during a tasting and shall have food available to its patrons during a tasting.
5. The size of an individual alcohol sample shall not exceed one ounce of malt or vinous liquor or one-half of one ounce of spirituous liquor.
6. Alcohol samples shall be in open containers and shall be provided to a patron free of charge.
7. A violation of a limitation specified in this subsection by a retail liquor store or liquor-licensed drugstore licensee, whether by his or her employees, agents, or otherwise, shall be the responsibility of the retail liquor store or liquor-licensed drugstore licensee who is conducting the tasting.

Section 7: That Section 53-19.II of the Code of Ordinances of the Town of Frisco, Colorado, concerning penalty guidelines for the Town of Frisco Local Licensing Authority, concerning authority, is hereby amended to read as follows:

53-19.II Authority

The power and authority given to the local liquor licensing authority to suspend or revoke a license if found in Section 44-3-601 C.R.S.

Section 8: That Section 53-19.VI of the Code of Ordinances of the Town of Frisco, Colorado, concerning penalty guidelines for the Town of Frisco Local Licensing Authority, concerning fine-in-lieu, is hereby amended to read as follows:

53-19.VI **Fine-in-Lieu**

Any licensee found in violation of the Colorado Liquor Code or Beer Code, or the Town of Frisco Alcoholic Beverages Code and/or regulations, may request in accordance with the provisions of C.R.S. 44-3-601, when an active suspension is imposed of fourteen (14) days or less, a fine-in-lieu of such suspension. Any request for a fine-in-lieu requires that the licensee pay a \$250.00 administration fee. Approval of such a request is discretionary by the LLA. The sentencing guidelines take into consideration the possibility of a fine-in-lieu of suspended days.

Section 9: That Section 53-20.D of the Code of Ordinances of the Town of Frisco, Colorado, concerning optional premises license – standards for issuance, is hereby amended to read as follows:

53-20.D Advanced Notification: Pursuant to Colorado Revised Statutes Section 44-3-310, as amended, no alcohol beverages may be served on the optional premises without the licensee having provided written notice to the state and local licensing authorities forty-eight hours prior to serving alcohol beverages on the optional premises. Such notice shall contain the specific days and hours on which the optional premises are to be used. This subsection (D) shall not be construed to permit the violation of any other provision of this article under circumstances not specified in this subsection (D).

Section 10. Severability, Conflicting Ordinances Repealed. If any section, subsection or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 11. Effective Date. This ordinance shall take effect pursuant to the Home Rule Charter of the Town of Frisco, Colorado.

INTRODUCED, PASSED ON FIRST READING AND PUBLICATION POSTING
ORDERED THIS 11th DAY OF DECEMBER, 2018.

TOWN OF FRISCO, COLORADO

Gary Wilkinson, Mayor

ATTEST:

Deborah Wohlmuth, CMC, Town Clerk

ALCOHOLIC BEVERAGES

Chapter 53

ALCOHOLIC BEVERAGES

- § 53-1. Applicability.
- § 53-2. Licensing Authority; Assistant.
- § 53-3. Filing of Applications; Fees.
- § 53-4. Application Forms.
- § 53-5. Setting of Hearing Date.
- § 53-6. Notice of Hearing.
- § 53-7. Investigation.
- § 53-8. Petitions; Filing of Reports.
- § 53-9. Public Hearing.
- § 53-10. Decision.
- § 53-11. Issuance of Licenses.
- § 53-12. License Renewals.
- § 53-13. Change of Location of License.
- § 53-14. Change in Ownership.
- § 53-15. Suspension and Revocation of License.
- § 53-16. Review of Decision; Preparation of Transcript.
- § 53-17. Evidence of Operation; Refusal to Comply.
- § 53-18. Alcohol Beverage Tastings.
- § 53-19. Penalty Guidelines for the Town of Frisco Local Licensing Authority.
- § 53-20. Optional Premises License – Standards for Issuance.

[HISTORY: Adopted by the Mayor and Town Council of the Town of Frisco 11-07-89 as Ord. No. 89-28.¹ Amendments noted where applicable.]

GENERAL REFERENCES

Nuisances — See Ch. 124.

Offenses — See Ch. 127.

Zoning — See Ch. 180.

§ 53-1. Applicability.

In addition to any other rules or laws which may be applicable, these rules shall govern all proceedings before the liquor licensing authority of the Town of Frisco.

§ 53-2. Licensing Authority; Assistant. [Repealed and replaced in its entirety 09-26-06, Ord. 06-30]

¹Editor's Note: This ordinance also repealed former Ch. 53, Alcoholic Beverages, adopted 6-26-1978 as Res. No 78-11, as amended.

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- A. The liquor and beer licensing authority for the Town of Frisco shall be the Town Council ("Council"). As such, the Town Council shall be known as the "liquor licensing authority" or, in this Chapter, as the "authority."
- B. The Town Clerk shall assist the authority by receiving all applications; coordinating with other town officers and departments when relevant; scheduling required public hearings; and exercising her discretion in forwarding applications for renewals, transfer of ownership, change of manager of a licensee; temporary permits; and special event licenses.
- C. As set forth below, the Town Clerk is hereby vested with authority to administratively review and approve applications for liquor license renewals; transfer of ownership; change of manager of a licensee; temporary permits; and special event licenses.
 - 1. Renewals. In accordance with the provisions of Section 53-12 below, the Town Clerk is authorized to administratively review and approve an application for the renewal of any previously approved liquor license where, after reasonable investigation by the Town Clerk and consultation by the Town Clerk with other appropriate administrative and law enforcement personnel, all of the following circumstances are found to exist:
 - a. The applicant has timely and properly submitted a complete license renewal application and tendered all required fees in accordance with this Chapter and the provisions of Title ~~12-44~~ C.R.S;
 - b. The applicant's license is in good standing with the Town and the State, and no violation of law has occurred during the previous year;
 - c. To the knowledge of the Town Clerk, there is no pending or proposed criminal or legal investigation or charges against the applicant or the licensed premises; and
 - d. There is no other information known by the Town Clerk that would cause the Town Clerk, in her reasonable belief, to believe that some violation of applicable law has occurred or that the license should not be renewed
 - 2. Transfer of ownership. In accordance with the provisions of Section 53-14 below, the Town Clerk is authorized to administratively review and approve an application for the transfer of ownership of any previously approved liquor license where, after reasonable investigation by the Town Clerk and consultation by the Town Clerk with other appropriate administrative and law enforcement personnel, all of the following circumstances are found to exist:
 - a. The applicant has timely and properly submitted a complete application for transfer of ownership and tendered all required fees in accordance with this Chapter and the provisions of Title ~~12-44~~ C.R.S; and

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- b. The applicant satisfies the eligibility criteria set forth in Section ~~44-3-307~~42-47-307, C.R.S.
3. Change of manager of a licensee. The Town Clerk is authorized to administratively review and approve an application for the change of manager for a licensed establishment where, after reasonable investigation by the Town Clerk and consultation by the Town Clerk with other appropriate administrative and law enforcement personnel, all of the following circumstances are found to exist:
 - a. The applicant has timely and properly submitted a complete application for change of manager and tendered all required fees in accordance with this Chapter and the provisions of Title ~~42-44~~42-44 C.R.S. and the new manager has presented himself to the Police Department for photographing, fingerprinting and background investigation, and
 - b. There is no information known by the Town Clerk that could support denial of the application for change in manager under applicable law.
4. Temporary permits. In accordance with the provisions of Section 53-14.E below, the Town Clerk is authorized to administratively review and approve an application for a temporary permit where, after reasonable investigation by the Town Clerk and consultation by the Town Clerk with other appropriate administrative and law enforcement personnel, all of the following circumstances are found to exist:
 - a. The applicant has timely and properly submitted a complete application for a temporary permit and tendered all required fees in accordance with this Chapter and the provisions of Section ~~44-3-303~~42-47-303, C.R.S.;
 - b. There is pending an application for the transfer of the liquor license corresponding to the application for a temporary permit;
 - c. The premises subject to the proposed temporary permit is currently subject to a valid liquor license; and
 - d. There is no information known by the Town Clerk that could support denial of the application for change in manager under applicable law.
5. Special event licenses. The Town Clerk is authorized to administratively review and approve an application for a special event license where, after reasonable investigation by the Town Clerk and consultation by the Town Clerk with other appropriate administrative and law enforcement personnel, all of the following circumstances are found to exist:
 - a. The applicant has timely and properly submitted a complete application for a special event license and tendered all required fees in accordance with this Chapter and the provisions of Title ~~42-44~~42-44, Article ~~485~~485, C.R.S.;

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- b. Notice of the Town's receipt of an application for a special events permit and the ability to protest the issuance of the permit has been posted on the property subject to the proposed special event permit not less than ten (10) days prior to the date of approval of the permit and no protest to the issuance of such permit has been filed on or before such date of approval; and
 - c. There is no information known by the Town Clerk that could support denial of the application for the special event permit pursuant to the provisions of Section ~~44-5-106~~~~42-48-106~~, C.R.S.
- D. Notwithstanding any authority delegated to the Town Clerk for the administrative approval of applications under this Section, the Town Clerk may, at her discretion, refer any licensing decision authorized to her under this Section to the authority if, in the Town Clerk's opinion, the matter should be presented to the authority. In the event the Town Clerk cannot or will not approve a transfer or renewal of a license, or the issuance of a special event license or temporary permit, or the approval of a change in manager of a licensee, then the Town Clerk shall refer the application to the authority for consideration in accordance with applicable law. Written notice of the time and place of such consideration shall be mailed to the applicant by regular mail at least ten (10) days in advance thereof and shall contain such facts or reasons relied upon by the Town Clerk in declining to issue the license or permit or approval. Notice of the proceedings shall also be timely published and posted on the subject premises in accordance with the requirements set forth in Section ~~44-3-311~~~~42-47-311~~, C.R.S., and timely provided to any person who may have filed a protest against the issuance of the license with the Town Clerk. Additionally, any license or permit applicant, or any party in interest (as defined in Section ~~44-3-311~~~~42-47-311~~, C.R.S.), who is dissatisfied with a decision of the Town Clerk under this Section may appeal same to the authority by filing a written protest with the Town Clerk not more than ten (10) days after the date of the decision appealed from. The Town Clerk shall promptly set the appeal for hearing before the authority in accordance with the notice and hearing procedures described above.
- E. The Town Clerk shall not approve an application for the renewal or transfer of a license where the Police Department has timely submitted written objections to the Town Clerk concerning such action. Whenever such an objection is received, the Town Clerk shall set the application for hearing before the authority in accordance with the procedures set forth in Subsection D above.
- F. The Town Clerk, for good cause, may waive the forty-five-day time requirement for filing a license renewal application.
- G. The Town Clerk shall regularly report to the authority in a timely manner all licensing actions taken by the Town Clerk under the provisions of this Section.

§ 53-3. Filing of Applications; Fees. [Amended 10-05-93, Ord. 93-09; 06-07-94 Ord. 94-04; 08-19-97, Ord. 97-14; 04-03-01, Ord. 01-04; 07-27-04, Ord. 04-12; 08-28-07, Ord. 07-13; 07-14-09, Ord. 09-12]

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- A. All applications for liquor and malt beverage licenses, including new, renewal or any licensing changes, shall be filed with the Clerk.
- B. The following shall be filed:
 - 1. A state license application form (DR-8404), which shall be filled out and completed in all material details. Incomplete application forms shall be rejected.
 - 2. All other applicable State Department of Revenue forms pertinent to the type of license requested shall be filled out and completed in all material detail. Incomplete application forms shall be rejected.
 - 3. An application fee paid to the town. The application fee shall be collected to cover the costs of the preliminary investigation made by the town, administrative checks, publication and posting costs and other necessary and incidental expenses. For each application made to the Authority pursuant to the provisions of ~~Article 46~~, Article ~~47-3~~, Article ~~4~~, or Article ~~48-5~~ of Title ~~42-44~~ of the Colorado Revised Statutes, as amended from time to time, there shall be paid to the Town an application fee in the amount set forth in the Fees Schedule adopted by the Colorado Department of Revenue Liquor Enforcement Division, as amended from time to time. An up-to-date copy of said Fees Schedule shall be maintained by the Town Clerk and available for inspection in the office of the Town Clerk during regular business hours of the Town's administrative offices.
 - 4. Pursuant to Section ~~44-3-505~~~~42-47-505~~, C.R.S., as amended from time to time, an annual license fee shall be paid to the town. This fee is in addition to the application fee and shall be in the amount set forth in the Fees Schedule adopted by the Colorado Department of Revenue Liquor Enforcement Division, as amended from time to time. For each tastings permit issued by the Authority pursuant to Section 53-18 of this Chapter, there shall be paid to the Town a fee equal to Ten Dollars (\$10.00) for each day during which a tasting is authorized by the permit, which fees shall be paid in full prior to the Authority's delivery of the permit to the applicant.
 - 5. A license fee payable to the State Department of Revenue shall be filed with the application. The amount shall be as established from time to time by the Colorado Department of Revenue Liquor Enforcement Division.

§ 53-4. Application Forms.

All applications for new licenses shall be made on forms provided by the State of Colorado Department of Revenue. In addition, the authority may require the following information:

- A. A description of the kind of business and the nature of the proposed establishment.
- B. The boundaries of the neighborhood intended to be served.

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- C. The name and address of the person managing or in charge of the establishment after the license has been issued, a copy of the management agreement, if any, and the names of other liquor or beer establishments managed by that person.
- D. The date of issuance in Colorado of any other (previous or existing) liquor license to the applicant or, if a partnership or corporation, to its members and/or to the manager. Where hotel restaurant licenses belonging to nationally recognized hotel/restaurant chains are issued, only Summit County licenses need be listed.
- E. The date when any other previous fermented malt beverage licenses or liquor licenses in Colorado were either suspended, revoked or previously denied.
- F. Evidence showing that the proposed location will not violate any of the Town of Frisco's zoning laws as prohibited by C.R.S. ~~44-3-313(1)(c)12-47-138(e)~~.
- G. Evidence showing all financial assistance to the applicant for the proposed outlet, for example, but not limited to, copies of documents governing contract for purchase, promissory notes, shares of stock, mortgages, leases, insurance binders, recorded and unrecorded security interests and assignments of any of the above.

§ 53-5. Setting of Hearing Date.

Upon receipt of a complete application, the Clerk shall notify the liquor licensing authority at its next meeting of the filing of the application and set a hearing date not sooner than thirty (30) days after the receipt of the application. This procedure shall apply to hearings concerning applications for new licenses, applications for change of location and any other requests for which the Town Clerk determines a public hearing is necessary.

§ 53-6. Notice of Hearing.

When the Clerk has set the date for the hearing, notice shall be given of the time and place of the hearing in the following manner:

- A. Posting a sign and publishing public notice not less than ten (10) days prior to the date of the hearing on the application.
- B. The information required for the posting and publication of notice shall be supplied by the applicant at the time of filing the application.
- C. The size of the sign and information contained on it shall be in compliance with state statute, C.R.S. ~~44-3-31112-47-136~~.

§ 53-7. Investigation.

The Town Clerk shall gather the evidence for the preliminary investigation as required by state law and as more particularly itemized below. At least five (5) days prior to the date of the public hearing the Town Clerk shall make known its findings, in writing, to the authority,

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as well as to the applicant, and, upon request, to other interested parties as they are defined by state law. The investigation by the Town Clerk on behalf of the authority shall be with regard to the following matters:

- A. Whether within two (2) years next preceding the date of the receipt of the application a licensing authority has denied an application at the same location for the reason that the reasonable requirements of the neighborhood and the desire of the inhabitants were satisfied by the existing outlets.
- B. That it satisfactorily appears that the applicant is or will be entitled to possession of the premises for which the application is made under a lease, rental agreement or other arrangement for possession of the premises or by virtue of ownership thereof.
- C. That the sale of liquor or beer as contemplated by the application at the premises sought to be licensed is not in violation of the zoning, fire, building and other applicable laws of the Town of Frisco.
- D. That the building wherein the license is sought to be exercised is located more than two hundred fifty (250) feet from any public or parochial school or the principal campus of any college, university or seminary. For the purposes of measuring the distance between the building wherein the license is sought to be exercised and said public or parochial school or the principal campus of any college, university or seminary, a measurement shall be made from the nearest property line of the land used for the above school purposes to the nearest portion of the building in which liquor is to be sold, using a route of direct pedestrian access.
- E. The number and type of outlets of a nature similar to the applicant's within one (1) mile in any direction of the proposed location.
- F. A report of all pertinent matters affecting the qualifications of the applicant for the conduct of the type of business proposed. This report shall specify any financial interests, including notes, mortgages, leases, etc., in other licenses. This report shall include reports from appropriate criminal justice agencies of the applicant's criminal history record, if any, and shall include all partners, principals or stockholders holding over ten percent (10%) of the outstanding and issued stock.
- G. Such other matters as the liquor licensing authority shall direct.
- H. Not less than five (5) days prior to the date of hearing upon the application, a copy of the Town Clerk's written report containing findings into the matters investigated above, shall be mailed by certified mail with return receipt requested to the applicant. The original may be filed as a public record in the Clerk's office.

§ 53-8. Petitions; Filing of Reports.

The report and investigation as herein required and all other petitions, remonstrance, surveys or statements in writing offered by the proponents, opponents or others interested

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in any application for a licensed outlet shall be filed in the office of the Clerk prior to the day on which the hearing upon the application shall be held before the authority.

§ 53-9. Public Hearing. [Amended 10-05-93, Ord. 93-09]

- A. On the date scheduled, a public hearing shall be held on the application. Such hearing may be recessed from time to time, not to exceed thirty (30) days, upon the request of any party in interest, as defined by the State Liquor Code, or upon motion of the authority.
- B. All hearings before the authority shall be public and shall be conducted in accordance with these rules and so as to ascertain facts affecting the substantial rights of the parties to the proceedings. Requirements of proof shall be similar to, to the extent practicable, those in civil non-jury cases in the district courts. This means modified rules of evidence and the right to cross-examine is applicable.
- C. Applicants or other interested parties, such as residents of the neighborhood under consideration or the owner or manager of a business located in the neighborhood under consideration, may appear in person or be represented by counsel.
- D. Subject to the authority's right to limit the presentation of evidence tending to be repetitious, irrelevant, speculative or conjectural, any interested party, as defined by the State Liquor Code, may introduce evidence with regard to the following matters:
 - 1. Reasonable requirements of the neighborhood and the number and type of existing outlets.
 - 2. Any other pertinent matters affecting the qualifications of the applicant for the conduct and the type of business proposed.
 - 3. Any other evidence which would indicate that the building or location proposed for the operation of the license is not suited for the intended purpose.
 - 4. All testimony shall be sworn. The Clerk shall have the power to administer oaths and issue subpoenas on behalf of the authority.

§ 53-10. Decision.

- A. At the conclusion of the presentation of all the evidence, the authority shall enter its decision or may take the application under advisement for a maximum of thirty (30) days, during which time it shall consider all of the evidence.
- B. Motion. When the decision is made, the motion may be made orally or in writing. The Town Attorney may be requested to prepare a written motion for subsequent presentation. The motion should contain such findings of facts and conclusions of law as are relevant and necessary to support the decision and should address:
 - 1. The neighborhood under consideration.

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2. The desires of the inhabitants.
 3. The qualifications of the applicant.
 4. The needs of the neighborhood for the outlet.
- C. Vote. Upon making of the motion and the reasons therefore, a vote shall be taken with the above, including the ayes and nays, and entered into the minutes of the authority.
- D. The decision of the authority shall be sent to the state licensing authority, along with a copy of the application and such other supplementary materials as may be required by the state licensing authority or requested by the parties.
- E. A written copy of any denial with the reason therefore, shall be sent by certified mail, return receipt requested, to the applicant at the address shown on the application and to any other party in interest upon request.
- F. Although the license may be approved by both local and state licensing authorities, no license shall be issued by the Clerk until the building in which the business is to be conducted is ready for occupancy, with such furniture, fixtures and equipment in place as is necessary, and then only after inspection of the premises has been made by the Town Building Official to determine that the applicant has complied with the drawings and plans and specifications submitted upon the application.
- G. Where an approved license is for a facility which has not been constructed and placed in operation within two (2) years of approval of the application or construction has not commenced within one (1) year of such approval, the license may be revoked or denied upon application for renewal.

§ 53-11. Issuance of Licenses.

- A. All licenses applied for shall be issued in accordance with the laws of the State of Colorado and the Town of Frisco and shall not be issued until it has been established that:
- B. Upon issuance of a license from the state, a local license shall be granted to the applicant with the warning that should the personal qualifications of anyone listed as a holder of that license be found to be unfavorable, both state and local licenses shall be rescinded and no refund given.
- C. The applicant retains or will be entitled to possession of the premises for which the application is made under the lease or by virtue of ownership thereof and that the use of the premises at the proposed location does not violate the zoning laws or any laws of the Town of Frisco or the State of Colorado.
- D. After approval of an application by the authority and after the building in which the license is sought to be exercised has been made ready for occupancy with such

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furniture, fixtures and equipment as is necessary to comply with the provisions of these rules and the laws of the State of Colorado, an inspection of the premises has been made to determine that the applicant has complied in every material detail with the plans and specifications submitted at the time of the filing of the application.

§ 53-12. License Renewals. [Amended 09-26-06, Ord. 06-30]

- A. All applications for renewal of liquor licenses shall be on forms provided by the state licensing authority and must be submitted in duplicate to the Town Clerk no later than forty-five (45) prior to the license expiration date, together with the required license fees.
- B. Upon receiving the renewal application, the Town Clerk shall assemble the file of the applicant, which file shall contain all of the various town departments' records regarding the applicant and the premises dating back for a period of at least one (1) year. Unless there is evidence to the contrary, whether contained in the applicant's file or otherwise, it will be presumed that the occupied premises comply with the provisions of the applicable statutes and regulations, that the character of the applicant continues to be satisfactory and that such license, if granted, continues to meet the reasonable requirements of the neighborhood and the desires of the inhabitants. If these presumptions apply, the application may be administratively approved by the Town Clerk pursuant to Section 53-2 above, or. If not so approved, shall be presented to the authority for public hearing.
- C. If there is evidence that the presumptions given in Subsection B above do not apply, the Clerk shall immediately notify the licensee(s), in writing, of the objections to approving the renewal applications and that a public hearing will be held not less than ten (10) nor more than thirty (30) days after the date of such notice to determine if there is cause to deny said renewal application. The hearing shall be only after notice of the hearing has been conspicuously posted on the premises for a period of ten (10) days. Said hearing shall be conducted in the same manner as provided for hearings on revocation or suspension of the type of license involved.

§ 53-13. Change of Location of License. [Amended 10-05-93, Ord. 93-09; 04-03-01, Ord. 01-04]

- A. Before the location of a license is changed, the licensee shall submit an application on forms provided by the state licensing authority, in duplicate, to the Clerk for such change. An application fee of five hundred dollars (\$500.00) shall accompany the application.
- B. All applications for a change in the location of a licensee shall be filed with the Clerk and shall be subject to applicable sections of this chapter, except that the character of the applicant shall not be considered.
- C. The authority shall not transfer such license in less than thirty (30) days after the application has been made and then only after no less than ten (10) days' notice of the hearing has been given.

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§ 53-14. Change in Ownership. [Amended 09-03-91, Ord. 91-18; 10-05-93, Ord. 93-09; 04-03-01, Ord. 01-04; 09-26-06, Ord. 06-30]

- A. All applicants for the issuance of a license by reason of transfer of ownership of the business or of possession of the licensed premises shall file an application on forms provided by the state licensing authority (DR-8404). Such application shall be accompanied by the appropriate application fee payable to the State of Colorado and local licensing authority, as well as a fee payable to the Town of Frisco in the amount of five hundred dollars (\$500.00) for the transfer.
- B. The Police Department shall conduct an investigation of the character of the applicant, including, when applicable, the partners or major shareholders.
- C. If, in the discretion of the Town Clerk, no hearing is necessary, the Town Clerk may administratively approve the application pursuant to Section 53-2 above or, if not so approved, shall be presented to the authority for public hearing.
- D. If the Clerk should determine that a hearing is appropriate, then the authority shall hold a public hearing. Public notice shall be conspicuously posted on the licensed premises for a period of ten (10) days. Notice shall be given the applicant at least ten (10) days prior to the hearing. The authority shall consider only the character of the applicant, and the applicant shall not be required to submit information except as it concerns his character and ability to conduct the business concerned according to law.
- E. The Town of Frisco shall issue a temporary permit to a transferee pursuant to C.R.S. ~~44-3-303~~44-3-30312-47-303. Said permit shall authorize a transferee to continue sales during the period in which an application to transfer the ownership of the license is pending. The applicant(s) for the permit must comply with all of the requirements set forth in the appropriate statutes cited above. The cost of this temporary permit shall be one hundred dollars (\$100).

§ 53-15. Suspension and Revocation of License. [Amended 10-05-93, Ord. 93-09]

- A. Upon commencement of suspension and revocation proceedings, the authority shall set a time and place for the hearing of the matter. Summary suspension shall be solely heard and decided by the authority.
- B. The Clerk shall give the licensee timely notice of the time, place and nature thereof, the authority and jurisdiction under which the hearing is to be held, the violations asserted and/or the good cause generally asserted as the grounds. Such notice shall be served personally or by mailing by first-class mail to the last address furnished to the town by the licensee at least forty-eight (48) hours prior to the hearing.
- C. The authority shall conduct the hearing, or a hearing officer(s) appointed by the authority may hold a separate hearing before himself without the authority's presence. The hearing officer(s) may be a Council member or Municipal Judge or a special committee of the authority to conduct such hearing.

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- D. The Clerk of the hearing officer(s) shall have the power to administer oaths, issue subpoenas and, when necessary, grant continuances.
- E. In all such proceedings, the Police Department shall conduct the investigation, and the town authority shall act on behalf of the town during the hearing. The authority may appoint special counsel to conduct the investigation and/or act on behalf of the town.
- F. All hearings before the authority or the hearing officer(s), if any, shall be recorded stenographically or by an electronic recording device.
- G. If the evidentiary hearing is before a hearing officer(s), a summary of the evidence shall be prepared, and the hearing officer(s) shall make recommendation, in writing, to the authority within five (5) days after the close of the hearing. A copy of this summary and recommendation shall be transmitted to the licensee. At the next regular Council meeting following the receipt of such summary and recommendation, the authority shall consider the same. In its discretion, the authority may reject the hearing officer's recommendation or may refer the matter back for further proceedings or may adopt the recommendation, with or without modification, or may order a new hearing, either before the original hearing body or person or before the entire authority or a committee or member thereof.
- H. In the event of revocation, suspension or cessation of business, no portion of the license or application fee shall be refunded.

§ 53-16. Review of Decision; Preparation of Transcript.

Any person seeking review of the authority's decision regarding an application or any other matter shall apply to the District Court for review within thirty (30) days after the date of the decision and shall pay to the Town of Frisco the cost of preparing a transcript of the proceedings before the town whenever such transcript is demanded by the person seeking the review or furnished by the Town of Frisco pursuant to an order of court. For this purpose, the cost of preparing the transcript, other than that portion pertaining to testimony, shall be the sum of twenty-five dollars (\$25-). Regarding the cost of preparing a transcript of testimony before the liquor licensing authority, the same shall be charged at rates ordinarily charged by certified shorthand reports.

§ 53-17. Evidence of Operation; Refusal to Comply.

The owner, licensee or operator of any establishment licensed by the authority shall, upon request of the Clerk or her authorized agent, furnish to the town, within thirty (30) days, satisfactory evidence to demonstrate whether the establishment is operating as a hotel and restaurant license, tavern license or beer and wine outlet, as said terms are defined by state law. Such evidence shall consist of accounting records for a period of time to be specified by the Clerk, showing separately the gross receipts from the sales of food items and intoxicating liquors. It shall be unlawful for any owner, licensee or operator of any licensed establishment to refuse to comply with the request of the Clerk as herein required, and failure or refusal to do so shall be grounds for revocation of the license.

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§ 53-18. Alcohol Beverage Tastings. [Added 07-27-04, Ord. 04-12; Amended 03-28-06, Ord. 06-15; 09-26-06, Ord. 06-30; 07-14-09, Ord. 09-12]

- A. Subject to the limitations of this section, alcohol beverage tastings are permitted within the Town. For the purposes of this section "tastings" means the sampling of malt, vinous, or spirituous liquors that may occur on the premises of a retail liquor store licensee or liquor-licensed drugstore licensee by adult patrons of the licensee pursuant to the provisions of this section and Section ~~44-3-301(10)~~~~12-47-301 (10)~~, C.R.S.
- B. A retail liquor store or liquor-licensed drugstore licensee who wishes to conduct tastings may submit an application for that purpose to the Liquor Licensing Authority. The applicant for a tastings permit shall state on the application the days and times that tastings will occur. The Liquor Licensing Authority may reject the application if the applicant fails to establish that he or she is able to conduct tastings without violating the provisions of this Section, Section ~~44-3-301(10)~~~~12-47-301 (10)~~, C.R.S., or creating a public safety risk to the neighborhood. The Liquor Licensing Authority hereby delegates to the Town Clerk the authority to administratively review and approve an application for a tastings permit or renewal of a previously approved tasting permit where, after reasonable investigation by the Town Clerk and consultation by the Town Clerk with other appropriate administrative and law enforcement personnel, all of the following circumstances are found to exist:
1. The applicant has timely and properly submitted a complete application for a tastings permit or renewal thereof and has tendered all required fees in accordance with this Chapter;
 2. The applicant's liquor license is in good standing with the Town and the State, and no violation of law has occurred during the previous year;
 3. To the knowledge of the Town Clerk, there is no pending or proposed criminal or legal investigation or charges against the applicant or the licensed premises; and
 4. There is no other information known by the Town Clerk that would cause the Town Clerk, in his or her reasonable belief, to believe that some violation of applicable law has occurred or that the applicant will be unable to conduct tastings without violating the provisions of this Section, Section ~~44-3-301(10)~~~~12-47-301(10)~~, C.R.S., or creating a public safety risk to the neighborhood.

Notwithstanding any authority delegated to the Town Clerk for the administrative approval of applications under this Section, the Town Clerk may, at his or her discretion, refer any licensing decision authorized to her under this Section to the Authority if, in the Town Clerk's opinion, the matter should be presented to the Authority. In the event the Town Clerk cannot or will not approve an application made pursuant to this Section, then the Town Clerk shall refer the application to the Authority for consideration in accordance with applicable law. Written notice of the time and place of such consideration shall be mailed to the applicant by regular mail at least ten (10) days in advance thereof and shall contain such facts or reasons relied upon by the Town Clerk in declining to issue the permit. Notice

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of the proceedings shall also be timely published and posted on the subject premises in accordance with the requirements set forth in Section ~~44-3-301~~~~42-47-304~~, C.R.S., and timely provided to any person who may have filed a protest against the issuance of the permit with the Town Clerk. Additionally, any permit applicant, or any party in interest (as defined in Section ~~44-3-301~~~~42-47-304~~, C.R.S.), who is dissatisfied with a decision of the Town Clerk under this Section may appeal same to the Authority by filing a written protest with the Town Clerk not more than ten (10) days after the date of the decision appealed from. The Town Clerk shall promptly set the appeal for hearing before the authority in accordance with the notice and hearing procedures described above.

C. Tastings shall be subject to the following limitations:

1. Tastings may occur on no more than ~~four of the six days from a Monday to the following Saturday, not to exceed one hundred four days per year~~156 days per year, any day of the week.
2. Tastings shall not exceed a total of ~~four~~five hours in duration per day, which hours need not be consecutive.
3. Tastings shall be conducted only by a person who has completed a server training program that meets the standards established by the Liquor Enforcement Division, Colorado Department of Revenue and who is either a retail liquor store licensee or a liquor-licensed drugstore licensee, or an employee of a licensee and only on a licensee's licensed premise, or by a representative, employee, or agent of a wholesaler, brew pub, distillery pub, manufacturer, limited winery, importer or vintner's restaurant.
4. The alcohol used in tastings shall be purchased through a licensed wholesaler, licensed brew pub, or winery at a cost that is not less than the laid-in cost of such alcohol.
5. Tastings shall be conducted only during the operating hours in which the licensee on whose premises the tastings occur is permitted to sell alcohol beverages, and in no case earlier than 11:00 a.m. or later than ~~9~~7:00 p.m.
6. No manufacturer of spirituous or vinous liquors shall induce a licensee through free goods or financial or in-kind assistance to favor the manufacturer's products being sampled at a tasting. The licensee shall bear the financial and all other responsibility for a tasting.
7. A violation of a limitation specified in this subsection by a retail liquor store or liquor-licensed drugstore licensee, whether by the licensee's his or her employees, agents, or otherwise, ~~shall be or by a representative, employee, or agent of the licensed wholesaler, brew pub, distillery pub, manufacturer, limited winery, importer, or vintner's restaurant that promoted the alcohol beverages for the tasting is~~ the responsibility of the retail liquor store or liquor-licensed drugstore licensee ~~who is conducting~~that conducted the tasting.

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8. A retail liquor store or liquor-licensed drugstore licensee conducting a tasting shall be subject to the same revocation, suspension, and enforcement provisions as otherwise apply to the licensee.
- D. While a retail liquor store or liquor-licensed drugstore is conducting a tasting within its premise, the following requirements shall be met:
1. The licensee shall prohibit patrons from leaving the licensed premises with an unconsumed sample.
 2. The licensee shall promptly remove all open and unconsumed alcohol beverage samples from the licensed premises ~~or shall~~, destroy the samples immediately following the completions of the tasting, or store any open containers of unconsumed alcohol beverages in a secure area outside the sales area of the licensed premises for use at a tasting conducted at a later time or date.
 3. The licensee shall not serve a person who is under twenty-one years of age or who is visibly intoxicated.
 4. The licensee shall not serve more than four individual samples to a patron during a tasting and shall have food available to its patrons during a tasting.
 5. The size of an individual alcohol sample shall not exceed one ounce of malt or vinous liquor or one-half of one ounce of spirituous liquor.
 6. Alcohol samples shall be in open containers and shall be provided to a patron free of charge.
 7. A violation of a limitation specified in this subsection by a retail liquor store or liquor-licensed drugstore licensee, whether by his or her employees, agents, or otherwise, shall be the responsibility of the retail liquor store or liquor-licensed drugstore licensee who is conducting the tasting.

§ 53-19. Penalty Guidelines for the Town of Frisco Local Licensing Authority. [Added 07-12-05, Ord. 05-19]

I. Purpose

The purpose of these penalty guidelines is to provide the Town of Frisco Local Licensing Authority ("LLA") non-binding guidance in imposing penalties against licensees for liquor violations occurring within the Town of Frisco ("Town"). The guidelines are to be used in treating all licensees as equally and consistently as possible when imposing sanctions for violations of the Colorado Liquor and Beer codes and/or the Town of Frisco Alcoholic Beverages Code and/or regulations subject to the unique facts of each case. The actual penalty imposed against a licensee for a violation may vary from the guidelines depending upon the unique circumstances of each case.

II. Authority

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The power and authority given to the local liquor licensing authority to suspend or revoke a license if found in Section ~~44-3-60112-47-601~~ C.R.S.

III. Scope

The sentencing guidelines will be used by the LLA in all circumstances where there is a violation of the State Liquor and Beer Code or the Town of Frisco Alcoholic Beverages Code and/or regulations, either when there has been a finding by the LLA that a violation occurred or when a proposed stipulation concerning a violation is to be considered.

IV. Sales to Minors/Visibly Intoxicated Persons

Alcohol related offenses, especially sales to minors and to visibly intoxicated persons, directly impact the health, safety and welfare of the community. Consequently, for convictions or offenses related to alcohol sales to minors and/or alcohol sales to visibly intoxicated persons, the authority will impose active day(s) of suspension for disciplinary purposes and day(s) held in abeyance to ensure future compliance.

V. Compliance Check Penalties

The local liquor licensing authority may consider the penalty recommendations reflected in Colorado Department of Revenue Regulation 47-601 (Liquor Code) for violations detected during a compliance check using a person under twenty-one years of age to purchase alcohol beverages from the licensee. As with any sentencing, the Authority must consider mitigating and aggravating factors.

VI. Fine-in-Lieu

Any licensee found in violation of the Colorado Liquor Code or Beer Code, or the Town of Frisco Alcoholic Beverages Code and/or regulations, may request in accordance with the provisions of C.R.S. ~~44-3-60112-47-601~~, when an active suspension is imposed of fourteen (14) days or less, a fine-in-lieu of such suspension. Any request for a fine-in-lieu requires that the licensee pay a \$250.00 administration fee. Approval of such a request is discretionary by the LLA. The sentencing guidelines take into consideration the possibility of a fine-in-lieu of suspended days.

VII. Training

Because alcohol beverage server training promotes responsible alcohol beverage service, and compliance with alcohol related laws, any sentence imposed by the LLA should consider a requirement for such training. Any alcohol beverage server training course imposed, as a part of a sentence, shall meet the Server Training Curriculum Standards as recommended by the Colorado Department of Revenue, Liquor Enforcement Division. If a license has its own in-house server training, such training must meet the aforementioned curriculum standards.

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VIII. Sentencing Guidelines for All Offenses

A. Factors

Factors to be considered in all cases by the LLA when imposing a penalty or accepting a stipulation regarding a penalty, are as follows:

1. A fine-in-lieu of all or a portion of the days suspended may be considered depending on application of other factors and state law restrictions;
2. The type of license held by the licensee;
3. The length of time the owners and/or officers have been operating the licensed premises and any past violations;
4. The type of violation;
5. Any other factors brought to the LLA's attention that may be either a mitigating or an aggravating factor; an institutionalized alcohol beverage server training program will be considered a mitigating factor and a lack thereof will be considered an aggravating factor; and
6. That suspended days may be held in abeyance for one year, on conditions imposed by the LLA, beginning on the date the LLA accepts a proposed stipulation.
 - a. Suspended days, except in extraordinary circumstances, are to be served consecutively.
 - b. The actual days to be suspended cannot be recognized national or regional holidays, nor are they to be days not regularly open.

B. First offense and subsequent offenses occurring within one year of a first offense

1. First offense

Sentencing range: mandatory server training for all individuals involved with alcohol service and written warning.

2. Second offense within twelve months of a first offense

Sentencing range: a three (3) to sixteen (16) consecutive day active suspension with the availability of a fine in lieu for any or all of the suspended days, all or part of which fine in lieu may be held in abeyance for one year as determined by the LLA

3. Third offense within one year of a first offense

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Sentencing range: any day(s) or fine(s) held in abeyance from a second offense will be automatically imposed (if applicable); seven (7) to twenty-one (21) consecutive day active suspension with no availability of a fine in lieu for the suspended days and which may include additional days held in abeyance for one year during which the licensee cannot be charged with any Colorado Liquor/Beer Code violation from which a conviction, guilty finding, or stipulation results.

4. Fourth offense within one year of a first offense

Sentencing range: any days held in abeyance from a second or third offense will be automatically imposed (if applicable); thirty (30) consecutive day active suspension to a revocation, depending on the circumstances with no availability of a fine in lieu for the suspended days and may include additional days held in abeyance for one year during which the licensee cannot be charged with any Colorado Liquor/Beer Code violation from which a conviction, guilty finding or stipulation results.

5. Fifth offense or more within one year of a first offense

Sentencing range: Sentencing for any violation that is a fifth offense or more within one year of a first offense, is to be decided on a case by case basis and may include but not be limited to suspension or revocation.

C. A subsequent offense occurring within two years from a first offense

1. A second offense

Sentencing range: one (1) to fourteen (14) day suspension with the availability of a fine in lieu for any or all of the suspended days all or part of which fine in lieu may be held in abeyance for one year as determined by the LLA

2. A third offense

Sentencing range: any days held in abeyance from the prior offense will be imposed (if applicable); five (5) to twenty (20) day consecutive day active suspension with the availability of a fine in lieu for any or all of the suspended days, all or part of which fine in lieu may be held in abeyance for one year as determined by the LLA

3. A fourth offense

Sentencing range: any days held in abeyance from a prior offense will be imposed (if applicable); eight (8) to thirty (30) day active suspension to a revocation, depending on the circumstances with no availability of a fine in lieu for the suspended days and may include additional days held in abeyance for one year during which the licensee cannot be charged with any Colorado Liquor/Beer Code violation from which a conviction, guilty finding or stipulation results.

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E. A fifth offense or more occurring more than two years from a prior offense

Sentencing for any violation that is a fifth offense or more is to be decided on a case by case basis and may include, but not be limited to suspension, revocation and fines.

IX. The LLA may consider any extraordinary or extenuating circumstances which are raised, either by the licensee or the City, concerning adherence to the guidelines, or concerning a sentence outside the scope of the guidelines.

§ 53-20. Optional Premises License – Standards for Issuance. [Added 06-24-14, Ord. 14-04]

Subject to the limitations of this section, optional premises permits for holders of hotel and restaurant liquor licenses, and optional premises liquor licenses, are permitted within the Town.

A. Eligible Facilities

1. A hotel and restaurant liquor license permittee whose licensed premises are adjacent to any type of outdoor sports or recreation facility may apply for an optional premises permit to be a part of its license. Any outdoor sports or recreation facility may apply for an optional premises license.
2. There shall be no restrictions on the number of optional premises that any one licensee may have on an outdoor sports or recreational facility;
3. There shall be no restriction on the minimum size of any applicant's outdoor sports or recreational facility that would be eligible for the issuance of an optional premises license or optional premises permit for a hotel and restaurant license. However, the Town Council may consider the size of the particular outdoor sports and recreational facility in relationship to the number of optional premises licenses requested for the facility and may deny an application based on a finding that the reasonable needs for optional premises licenses have been met by existing licenses previously issued for the facility in question.

B. Number of Optional Premises: There are no restrictions on the number optional premises which any one licensee may have on his/her outdoor sports or recreational facility. However, an applicant requesting approval of more than one optional premise shall demonstrate the need for each optional premise in relation to the size of the outdoor sports or recreational facility and the number of its guests.

C. Submittal Requirements: An applicant for an optional premise license who desires to sell or serve alcohol beverages on optional premises shall file with the optional premises permit application a list of the optional premises locations. Such application and list shall be filed with the state and local licensing authorities upon initial application, and each license year thereafter. Approval of the areas must be obtained from the state licensing authority and the local licensing authority. The

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decision of each authority shall be discretionary. In addition, an applicant shall submit the following:

1. A map or other drawings illustrating the outdoor sports or recreational facility boundaries and the approximate location of each optional premises requested.
 2. A detailed description of the area within which the optional premises shall be located.
 3. A description of the method which shall be used to identify the boundaries of the optional premises when it is in use.
 4. A description of the provisions which have been made for storing malt, vinous and spirituous liquors in a secured area on or off the optional premises for the future use on the optional premises.
- D. Advanced Notification: Pursuant to Colorado Revised Statutes Section ~~44-3-31012-47-310~~, as amended, no alcohol beverages may be served on the optional premises without the licensee having provided written notice to the state and local licensing authorities forty-eight hours prior to serving alcohol beverages on the optional premises. Such notice shall contain the specific days and hours on which the optional premises are to be used. This subsection (D) shall not be construed to permit the violation of any other provision of this article under circumstances not specified in this subsection (D).



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: DEBORAH WOHLMUTH, TOWN CLERK
RE: ORDINANCE 18-16, AMENDING CHAPTER 127, CONCERNING OFFENSES
DATE: DECEMBER 11, 2018

Summary: Ordinance 18-16 updates Chapter 127 Offenses to reflect recent legislation recodifying the State of Colorado's beer, liquor, and special event liquor permit codes and amends language concerning public consumption of alcoholic beverages and possession of open containers.

Background: The Colorado legislature recently adopted and the Governor signed into law HB18-1025, which recodified the Colorado statutes that contain the Colorado Beer Code, the Colorado Liquor Code, and the Colorado Special Event Liquor Permits. HB18-1025 became effective October 1, 2018. It is necessary to change the references to the Colorado Beer Code, the Colorado Liquor Code, and the Colorado Special Event Liquor Permit statutes contained in the Frisco Town Code to reflect the recodification of such statutes brought about by the adoption of HB18-1025.

Additionally, the Colorado legislature recently adopted and the Governor signed into law SB 18-243 which prohibits the consumption of Fermented Malt Beverages (FMB), or malt, vinous or spirituous liquor in any public place, except: a person who is at least 21 years of age may consume alcohol beverages in any public place, other than a public right of way, where the consumption of FMB or malt, vinous or spirituous liquor has been specifically authorized by ordinance, resolution, or rules adopted by any municipality, city and county, or county or; for purpose of state parks, state wildlife areas or other properties open to recreation that are under the supervision of the Parks and Wildlife Commission. SB 18-243 became effective June 4, 2018.

Recommendation:

On that basis, it is my

RECOMMENDATION THAT THE COUNCIL MAKE A MOTION APPROVING ON FIRST READING ORDINANCE 18-16, AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, COLORADO, CONCERNING OFFENSES, BY AMENDING SECTION 127-7, CONCERNING PUBLIC CONSUMPTION OF AN ALCOHOLIC BEVERAGE AND POSSESSION OF AN OPEN CONTAINER, TO PROPERLY SET FORTH ALL REFERENCES THEREIN TO THE COLORADO LIQUOR CODE WHICH LIQUOR CODE WAS RECENTLY RECODIFIED BY THE STATE OF COLORADO

**TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
ORDINANCE 18-16**

AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, COLORADO, CONCERNING OFFENSES, BY AMENDING SECTION 127-7, CONCERNING PUBLIC CONSUMPTION OF AN ALCOHOLIC BEVERAGE AND POSSESSION OF AN OPEN CONTAINER, TO PROPERLY SET FORTH ALL REFERENCES THEREIN TO THE COLORADO LIQUOR CODE WHICH LIQUOR CODE WAS RECENTLY RECODIFIED BY THE STATE OF COLORADO

WHEREAS, the Colorado legislature recently adopted and the Governor signed into law HB18-1025, which recodified the Colorado statutes that contain the Colorado Beer Code, the Colorado Liquor Code, and the Colorado Special Event Liquor Permits; and

WHEREAS, HB18-1025 became effective October 1, 2018; and

WHEREAS, it is necessary to change the references to the Colorado Beer Code, the Colorado Liquor Code, and the Colorado Special Event Liquor Permit statutes contained in the Frisco Town Code to reflect the recodification of such statutes brought about by the adoption of HB18-1025.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO, COLORADO:

Section 1: That Section 127-7 of the Code of Ordinances of the Town of Frisco, Colorado, concerning public consumption of an alcohol beverage and possession of an open container of an alcohol beverage, is hereby amended to read as follows:

§ 127-7. Public Consumption of an Alcohol Beverage and Possession of an Open Container of an Alcohol Beverage. [Amended 11-23-04, Ord. 04-19]

- A. It shall be unlawful for any person to consume any alcohol beverage in any public place except on a licensed premises permitted by the Town of Frisco Liquor Licensing Authority and in accordance with the Colorado Liquor Code, Colorado Revised Statutes section ~~44-3-101~~~~42-47-101~~ et seq., as presently enacted or as may subsequently be enacted; provided, however, that it shall not be unlawful for a person who is at least twenty-one (21) years of age to consume an alcohol beverage while such person is a passenger aboard a luxury limousine, as defined in ~~40-16-101(3)~~40-10.1-301(7), Colorado Revised Statutes, or a charter or scenic bus, as defined in section ~~40-16-101(1.3)~~40-10.1-301(2), Colorado Revised Statutes.
- B. It shall be unlawful for any person to possess, or have under his or her control, in any public place except on a licensed premises permitted by the Town of Frisco Liquor Licensing Authority and in accordance with the Colorado Liquor Code, Colorado Revised Statutes section ~~44-3-101~~~~42-47-101~~ et seq., as presently enacted or as may subsequently be enacted, any alcohol beverage in a container of any kind or description which is not sealed or upon which the seal is broken. As used in this section, the word "sealed" means

the regular seal applied to alcohol beverage containers pursuant to applicable federal and/or state law. Notwithstanding the provisions of this subsection, it shall not be unlawful for a person who is at least twenty-one years of age to: (i) possess, or have under his or her control, an unsealed container of any alcohol beverage while such person is a passenger aboard a luxury limousine, as defined in section ~~40-10.1-301(7)~~~~40-16-101(3)~~, Colorado Revised Statutes, as amended, or a charter or scenic bus, as defined in section ~~40-10.1-301(2)~~~~40-16-101(1.3)~~, Colorado Revised Statutes, as amended; and (ii) ~~possess, or have under his or her control, one unsealed container of vinous liquor that has been removed from a licensed premises pursuant to and subject to the limitations set forth in section 12-47-411(3.5), Colorado Revised Statutes, as amended, and (iii)~~ possess, or have under his or her control, an unsealed container of any alcohol beverage if such unsealed container is located in a locked trunk or other locked compartment of a motor vehicle that is not readily accessible by the driver or passengers of the motor vehicle.

- C. As used in this section, the terms "alcohol beverage" shall be defined as set forth in section ~~44-3-103~~~~12-47-103~~, Colorado Revised Statutes, as amended, provided, however, that such terms shall not include any "fermented malt beverage" as defined in section ~~44-4-103~~~~12-46-103~~, Colorado Revised Statutes, as amended. As used in this section, the terms "public place" shall include, without limitation, any place that is in or upon any public street, alley, sidewalk, parking lot, building, park or open space or within any vehicle that is in or upon any public street, alley, sidewalk, parking lot, park or open space, and, in addition, shall include any place that is in or upon those portions of any private property upon which the public has an express or implied license to enter or remain, or within any vehicle that is in or upon those portions of any private property upon which the public has an express or implied license to enter or remain.

Section 2. Severability, Conflicting Ordinances Repealed. If any section, subsection or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Effective Date. This ordinance shall take effect pursuant to the Home Rule Charter of the Town of Frisco, Colorado.

INTRODUCED, PASSED ON FIRST READING AND PUBLICATION POSTING
ORDERED THIS 11th DAY OF DECEMBER, 2018.

TOWN OF FRISCO, COLORADO

Gary Wilkinson, Mayor

ATTEST:

Deborah Wohlmuth, CMC, Town Clerk

OFFENSES

Chapter 127

OFFENSES

- §127-1. Harassment.
- §127-2. Disturbance of Peace.
- §127-3. (Reserved)
- §127-4. Discharge of Weapons.
- §127-5. Urination and Defecation in Public.
- §127-6. Obstruction of Public Way.
- §127-7. Public Consumption of an Alcohol Beverage and Possession of an Open Container of an Alcohol Beverage.
- §127-8. Report of Disorderly Conduct by Liquor Licensees.
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- §127-10. Injury or Destruction of Public or Private Property.
- §127-11. Open Fires and Fireworks
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- §127-16. Littering on Public or Private Property.
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- §127-18. Vehicles Injurious to Pavement.
- §127-19. Trespassing.
- §127-20. - 127-23. (Reserved)
- §127-24. (Reserved)
- §127-25. (Reserved)
- §127-26. Interference with Person with Police Authority.
- §127-27. - 127-36. (Reserved)
- §127-37. (Reserved)
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- §127-42. Definitions.
- § 127-43. General Smoking Restrictions.
- § 127-44. Exceptions to Smoking Restrictions.
- § 127-45. Optional Prohibitions.
- § 127-46. Other Applicable Regulations of Smoking.
- § 127-47. Unlawful Acts – Penalty – Disposition of Fines and Surcharges.
- §127-48.-49. (Reserved)
- § 127-50. Open and Public Consumption of Marijuana Prohibited.
- § 127-51. Panhandling and Solicitation.
- § 127-52. Unmanned Aircraft Systems
- § 127-53. Noise

[HISTORY: Adopted by the Board of Trustees (now Mayor and Town Council) of the Town of Frisco 08-27-79, Ord. 79-20. Section 127-37 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]

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GENERAL REFERENCES

Alcoholic Beverages—See Ch. 53.

Dogs—See Ch. 79.

Excavations—See Ch. 87.

Nuisances—See Ch. 124.

Snowmobiles—See Ch. 153.

§ 127-1. Harassment. [Added 11-23-04, Ord. 04-19]

- A. It shall be unlawful to commit harassment. A person commits harassment if, with intent to harass, threaten or abuse another person, that person:
1. Strikes, shoves, kicks, or otherwise touches a person or directly or indirectly subjects him or her to harmful, painful or offensive contact;
 2. In a public place directs obscene language or makes an obscene gesture to or at another person;
 3. Follows a person in or about a public place;
 4. Initiates communication with a person, anonymously or otherwise by telephone, in a manner intended to harass or threaten bodily harm or property damage or makes any comment, request, suggestion, or proposal by telephone that is obscene;
 5. Makes a telephone call or causes a telephone to ring repeatedly, whether or not a conversation ensues, with no purpose of legitimate conversation;
 6. Repeatedly insults, taunts, challenges, or makes communications in offensively coarse language to another in a manner likely to provoke a violent or disorderly response;
 7. Delivers or causes delivery of written, printed, or graphic material or any object that threatens bodily injury or property damage to or against another person; or
 8. Makes repeated communications at inconvenient hours that invade the privacy of another and interfere in the use and enjoyment of another's home or private residence or other private property.
- B. As used in this section, unless the context otherwise requires, the term "obscene" means a patently offensive description of ultimate sexual acts or solicitation to commit ultimate sexual acts, whether the ultimate sexual acts are normal or perverted, actual or simulated, including but not limited to masturbation, cunnilingus, fellatio, anilingus, or excretory functions. Any act prohibited by subsection A. (5) of this section may be deemed to have occurred or to have been committed at the place at which the telephone call was either made or received.¹

¹Editor's Note: Former § 127-1, Assault and battery, was deleted 2-5-91, Ord. 91-1.

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§ 127-2. Disturbance of Peace. [Amended 02-05-91, Ord. 91-01]

It shall be unlawful for any person to disturb the peace of another by violence, offensive or unruly conduct, loud or unusual noises or use of any language calculated to provoke a disturbance of the peace; or for any person to permit any such disturbance of the peace upon any premises owned or possessed by that person or under his management or control, when within his power to prevent, so that others in the vicinity are or may be disturbed thereby.

§ 127-3. (Reserved)²

§ 127-4. Discharge of Weapons

It shall be unlawful for any person, other than a law enforcement officer acting in the line of duty, to discharge or cause to be discharged any firearm within or into the limits of the town. Notwithstanding the foregoing, the Town Manager is authorized to approve the use and discharge of firearms on public property for biathlon events conducted under the auspices of the Colorado Biathlon Club or military salutes during funeral services. During such events, the discharge of firearms may occur only at those locations specifically authorized by the Town Manager. It shall be unlawful for any person (s) participating in a biathlon event or gun salute to discharge any firearm anywhere within or into the limits of the town other than on the property specifically permitted by the Town Manager for such event. For biathlon events, the Town Manager shall cause such property to be posted "Area Closed Due to Firearms Discharged for Biathlon Event" and prior to each biathlon event, a permit for the use of the public land must be approved by the Town Manager.

§ 127-5. Urination and Defecation in Public. [Amended 11-23-04, Ord. 04-19]

It is unlawful for any person to urinate or defecate on any public or private property unless into a receptacle that has been provided for that purpose that stores or disposes the wastes in a sanitary manner and that is enclosed from the view of the general public.³

§ 127-6. Obstruction of Public Way. [Amended 02-16-82, Ord. 82-03; 02-05-91, Ord. 91-01]

It shall be unlawful for any person to be upon any public way or public place in such a manner as to interfere with the free and unobstructed use of such public way or public place by any other person or persons.

§ 127-7. Public Consumption of an Alcohol Beverage and Possession of an Open Container of an Alcohol Beverage. [Amended 11-23-04, Ord. 04-19]

- A. It shall be unlawful for any person to consume any alcohol beverage in any public place except on a licensed premises permitted by the Town of Frisco Liquor Licensing Authority and in accordance with the Colorado Liquor Code, Colorado Revised Statutes section ~~44-3-101~~~~42-47-104~~ et seq., as presently enacted or as may subsequently be enacted;

²Editor's Note: Former § 127-3, Drunk and disorderly conduct, 127-4, Assembling to commit unlawful act, and 127-5 Disturbance of religious worship, were repealed 2-5-91, Ord. 91-1.

³Editor's Note: Former § 127-3, Drunk and disorderly conduct, 127-4, Assembling to commit unlawful act, and 127-5 Disturbance of religious worship, were repealed 2-5-91 by Ord. No 91-1.

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provided, however, that it shall not be unlawful for a person who is at least twenty-one (21) years of age to consume an alcohol beverage while such person is a passenger aboard a luxury limousine, as defined in ~~40-16-101(3)~~40-10.1-301(7), Colorado Revised Statutes, or a charter or scenic bus, as defined in section ~~40-16-101(1.3)~~40-10.1-301(2), Colorado Revised Statutes.

- B. It shall be unlawful for any person to possess, or have under his or her control, in any public place except on a licensed premises permitted by the Town of Frisco Liquor Licensing Authority and in accordance with the Colorado Liquor Code, Colorado Revised Statutes section ~~44-3-101~~42-47-101 et seq., as presently enacted or as may subsequently be enacted, any alcohol beverage in a container of any kind or description which is not sealed or upon which the seal is broken. As used in this section, the word "sealed" means the regular seal applied to alcohol beverage containers pursuant to applicable federal and/or state law. Notwithstanding the provisions of this subsection, it shall not be unlawful for a person who is at least twenty-one years of age to: (i) possess, or have under his or her control, an unsealed container of any alcohol beverage while such person is a passenger aboard a luxury limousine, as defined in section ~~40-10.1-301(7)~~40-16-101(3), Colorado Revised Statutes, as amended, or a charter or scenic bus, as defined in section ~~40-10.1-301(2)~~40-16-101(1.3), Colorado Revised Statutes, as amended; and (ii) ~~possess, or have under his or her control, one unsealed container of vinous liquor that has been removed from a licensed premises pursuant to and subject to the limitations set forth in section 12-47-411(3.5), Colorado Revised Statutes, as amended, and~~ (iii) possess, or have under his or her control, an unsealed container of any alcohol beverage if such unsealed container is located in a locked trunk or other locked compartment of a motor vehicle that is not readily accessible by the driver or passengers of the motor vehicle.
- C. As used in this section, the terms "alcohol beverage" shall be defined as set forth in section ~~44-3-103~~12-47-103, Colorado Revised Statutes, as amended, provided, however, that such terms shall not include any "fermented malt beverage" as defined in section ~~44-4-103~~12-46-103, Colorado Revised Statutes, as amended. As used in this section, the terms "public place" shall include, without limitation, any place that is in or upon any public street, alley, sidewalk, parking lot, building, park or open space or within any vehicle that is in or upon any public street, alley, sidewalk, parking lot, park or open space, and, in addition, shall include any place that is in or upon those portions of any private property upon which the public has an express or implied license to enter or remain, or within any vehicle that is in or upon those portions of any private property upon which the public has an express or implied license to enter or remain.

§ 127-8. Report of Disorderly Conduct by Liquor Licensees. [Amended 11-23-04, Ord. 04-19]

It shall be unlawful for any person who is the holder of a fermented malt beverage, malt, vinous, or spirituous liquor license, or for any manager or employee of such license holder, to knowingly fail to immediately report to the Frisco Police Department any disturbance of the peace or any other criminal activity occurring on or within the licensed premises.

§127-9. (Reserved)⁴

⁴Editor's Note: Former § 127-7, Unlawful acts around schools, 127-8, Unlawful congregation, and 127-9, Injury or destruction of public property, were repealed 2-5-91 by Ord. No. 91-1.

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§ 127-10. Injury or Destruction of Public or Private Property. [Amended 02-05-91, Ord. 91-01]

It shall be unlawful for any person to willfully, maliciously, wantonly, negligently or in any manner injure or destroy real property or improvements thereto or moveable or personal property belonging to any person or business entity.

§127-11. Open Fires and Fireworks. [Added 06-26-07, Ord. 07-12; Amended 06-26-12, Ord. 12-05]

- A. If the Town Manager finds, based on competent evidence and after consultation with the Sheriff of Summit County, that there exists a significant threat of wildfires due to recent or anticipated weather conditions and/or forest conditions in Summit County, then he shall cause to be posted, at each location designated by resolution of the Town Council in January of each year for the posting of notices of Town Council meetings, a notice that states as follows:

PUBLIC NOTICE

TOWN OF FRISCO STAGE 1 OPEN FIRE AND FIREWORKS BAN IN EFFECT PURSUANT TO SECTION 127-11 OF THE CODE OF THE TOWN OF FRISCO

- B. If the Town Manager finds, based on competent evidence and after consultation with the Sheriff of Summit County, that there exists a significant and imminent threat of wildfires due to recent or anticipated weather conditions and/or forest conditions in Summit County, then he shall cause to be posted, at each location designated by resolution of the Town Council in January of each year for the posting of notices of Town Council meetings, a notice that states as follows:

PUBLIC NOTICE

TOWN OF FRISCO STAGE 2 OPEN FIRE AND FIREWORKS BAN IN EFFECT PURSUANT TO SECTION 127-11 OF THE CODE OF THE TOWN OF FRISCO

- C. At any time during which a Stage 1 notice is posted in accordance with subsection A above, it shall be unlawful to set, maintain, or allow the setting or maintenance of an Open Fire within the Town of Frisco, and, further, it shall be unlawful to sell or use Fireworks within the Town of Frisco. Notwithstanding the foregoing, the following types of Open Fire and Fireworks are permitted:
1. Fires contained within liquid-fueled or gas fueled stoves;
 2. Fires in fireplaces or stoves within all buildings;
 3. Charcoal fueled fires contained within grills and chimineas;
 4. Fires on private property within permanent fire pits, or within self-contained outdoor fire bowls or outdoor chimney units with screened covers placed on a concrete or asphalt surface, if:

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- a. Such contained fire is under constant supervision;
 - b. Adequate fires suppression apparatus is available at the location of the contained fire;
5. Pre-approved public fireworks displays;
 6. Fires used to inflate and propel hot air balloons; and
 7. Fires authorized by the Town, a Fire Protection District, the United States Forest Service, or the Summit County Environmental Health Department pursuant to a properly issued permit.
- D. At any time during which a Stage 2 notice is posted in accordance with subsection B above, it shall be unlawful to:
1. Build, maintain, attend or use any outdoor fire, including but not limited to a campfire, or a fire in a charcoal grill, coal or wood burning stove including, without limitation, the use of any such fire, grill or stove within developed camping or picnic grounds;
 2. Dispose of any burning object outdoors, including without limitation, any cigarette, marijuana, cigar or match;
 3. Use or sell any fireworks, or to use any explosive requiring a fuse or blasting cap, including without limitation any rocket or exploding target;
 4. Operate a chainsaw without an approved spark arrestor, five (5) gallons of water, a "2A10BC" classified dry chemical fire extinguisher, and a round point shovel with an overall length of at least 36 inches at hand and ready for use; for purposes of this subsection, "at hand and ready for use" shall mean, with respect to the fire extinguisher, that the fire extinguisher is immediately available to the chainsaw operator at all times and, with respect to the water and shovel, that such items are readily accessible by the operator and may be obtained by the operator and brought to the site of operation within one minute;
 5. Weld or operate an acetylene or other torch with an open flame outdoors; or
 6. Inflate or propel a hot air balloon.
- E. The prohibition on fires that is set forth in subsection "D" above shall not include fires contained within (i) a liquid-fueled or gas-fueled stove, or (ii) a fireplace contained within a fully enclosed building. The prohibition on fireworks that is set forth in subsection "D" above shall not include commercial, professional and municipal fireworks displays that have received specific written approval from the Summit County Sheriff.
- F. For purposes of this Section, an "Open Fire" shall be defined as any outdoor fire, including but not limited to campfires, warming fires, bonfires, or the prescribed burning of fence rows, fields, wildlands, trash or debris.
- G. For purposes of this Section, "Fireworks" shall mean any article, device or substance prepared for the primary purpose of producing a visual or auditory sensation by combustion,

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explosion, deflagration or detonations, including, without limitation, the following articles and devices commonly known and used as fireworks: toy cannons or toy canes in which explosives are used, blank cartridges, the type of balloon which requires fire underneath to propel the same, firecrackers, torpedoes, skyrockets, rockets, Roman candles, sparklers, fountains, Day-Glo bombs, cigarette loads and torches, or other fireworks of like construction, and any fireworks containing any explosive or flammable compound, or any tablets or other device containing any explosive substance. "Fireworks" shall not include any toy caps that do not contain more than twenty-five hundredths of a grain of explosive compound per cap; trick matches, trick noisemakers, toy smoke devices and novelty auto alarms; or highway flares, railway fuses, ship distress signals, smoke candles and other emergency signal devices.

§ 127-12. - 127-15. (Reserved)⁵

§ 127-16. Littering on Public or Private Property. [Amended 02-05-91, Ord. 91-01]

- A. It shall be unlawful for any person to allow or to deposit, throw or leave any rubbish, waste material, refuse, garbage, trash, debris or other foreign substance on any public or private property or in any waters.
- B. It shall be unlawful for any person to deposit any rubbish, waste material, refuse, garbage, trash, debris or other foreign substance in any private dumpster, receptacle or container without permission of the owner or lessee.

§ 127-17. Receptacles Required – Placement and Removal of Garbage Cans and Receptacles [Added 02-12-08, Ord. 08-04]

- A. It shall be the duty of every person in charge of private real property to provide and keep one or more garbage cans in which all garbage shall be kept and to maintain and store such can(s) in accordance with the requirements of subsection B of this section.
- B. All garbage cans provided and kept in accordance with the requirements of subsection A of this section shall have a lid that prevents access to the contents of the can by birds and small animals. Except during those times when a garbage can is in immediate, active use for filling or emptying, the lid of the can shall be maintained in a completely closed position.
- C. Any person in charge of real property within the town that is served by curbside garbage pickup shall place a garbage can or similar refuse receptacle at the curb only on the day of pickup. After pickup, the garbage can or similar refuse receptacle must be removed from the curb and secured in accordance with subsection B of this section by not later than 10:00 p.m. on the day of pickup.
- D. Any other provision of this section notwithstanding, in the event that a person violates or fails to conform to any requirement of subsection C of this section during a week in which curbside garbage pickup is occurring on a day other than the normal, regularly scheduled pick up day for the subject location, this section shall be enforced only by the provision of a verbal or written warning by a law enforcement officer.

⁵Editor's Note: Former § 127-11, Damage to ditches, 127-12, Destruction of advertisements, 127-13, Throwing of posters and circulars on public places, 127 14, Circulars invoking violence and hostility, and 127-15, delivery of handbills and circulars restricted were repealed 2-5-91, Ord. 91-1.

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- E. For purposes of this section, the terms “person in charge of private real property” shall mean and include any person owning or having or being entitled to possession or control of any private real property, leasehold, residence, building or premises, or any part thereof, within the town, including the agent or agents of such person. For purposes of this section, the term “garbage” shall mean all putrescible animal or vegetable matter resulting from the processing, preparation, cooking, serving, sale or storage of meats, fowl, fish, fruits or vegetables. For purposes of this section, a “can” shall mean a water-tight receptacle made of galvanized metal or other non-absorbant material.

§ 127-18. Vehicles Injurious to Pavement.

It shall be unlawful for any vehicle injurious to pavement to be permitted upon any public thoroughfare unless the operator of such vehicle shall first plank and protect such paved streets from damage.

§ 127-19. Trespassing. [Amended 02-05-91, Ord. 91-01]

It shall be unlawful for any person to enter upon the property of another without the consent of the owner, occupant or person in charge thereof.

§ 127-20. - 127-23. (Reserved)⁶

§ 127-24. (Reserved). [Amended 04-16-91, Ord. 91-08; 08-07-01, Ord. 01-16; Repealed 04-19, 11-23-04]

§ 127-25. (Reserved)⁷

§ 127-26. Interference with Person with Police Authority. [Amended 02-05-91, Ord. 91-01⁸]

It shall be unlawful for any person to resist any person duly empowered with the authority to enforce any ordinance or Charter provision of the town.

§ 127-27. - 127-36. (Reserved)⁹

§ 127-37. (Reserved)¹⁰

⁶Editor's Note: Former § 127-20. Weapons, 127-21, disposition of confiscated weapons, 127-22, Throwing of stones and missiles, and §127-23, Sale of weapons to intoxicated person or minors, were repealed 2-5-91, Ord. 91-1.

⁷Editor's Note: Former § 127-25, Indecent acts; filthy language, was repealed 2-5-91, Ord. 91-1.

⁸Editor's Note: This ordinance also repealed former Subsections B and C, which prohibited assisting or rescuing persons in the custody of the police and which subsections immediately followed this subsection.

⁹Editor's Note: Former §§ 127-27, Duty to aid law enforcement officer, 127-28, Impersonating an officer, 127-29, False fire alarm, 127-30, Wrongs to persons under age of eighteen, 127-31, Sale of beer to minors, 127-32, Possession of beer by minors, 127-33, False statements or documents by persons under twenty-one, 127-34, Unlawful use of services by minors, 127-35, Unlawful purchases by minors, and 127-36, Aiding and abetting, were repealed 2-5-91, Ord. 91-1.

¹⁰Editor's Note: Former § 127-37, Use of town logo, added 9-7-1982 by Ord. No. 82-12. which ordinance also redesignated former § 127-37, Violations and penalties, as § 127-50, was repealed 2-5-91, Ord. 91-1.

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§ 127-38. Operation of Snow Removal Equipment by Private Operators. [Amended 04-03-90, Ord. 90-06]

- A. It is the duty of the occupant, owner or tenant of any lot, tract or parcel of real estate, whether vacant or occupied, within the Town of Frisco to keep sidewalks continuous thereto reasonably free from accumulation of snow and ice and to remove the same with dispatch.
- B. It shall be unlawful for any person, business or corporation to push or deposit snow or ice upon any street, sidewalk, alley, right-of-way or other public property or any portion thereof.
- C. The Chief of Police or the Director of Public Works, or such other officer or employee as either may designate, may notify and require any person who violates or causes another to violate these provisions to remove such snow or ice within twenty-four (24) hours after being notified to do so.
- D. The person or persons responsible for any offense within the town shall be liable for and pay and bear all costs and expenses of the abatement of said offense.
- E. Snowplow operate shall not deposit snow in any area where such deposit would impede the vision of anyone driving a motor vehicle on a public street or right-of-way.
- F. Snowplow operators shall not deposit snow or ice on any other private property without the written permission of the property owner to which the snow will be deposited and approval from the town.
- G. Snowplow operators shall have proper lighting on the vehicle when they are engaged in plowing operations, i.e., headlights, taillights and any other safety lighting that is required by law.

§ 127-39. Construction of Obstructions on Town Right-of-Way Prohibited. [Added 04-03-90, Ord. 90-06]

- A. It is the duty of the occupant, as well as the owner, of any lot, tract or parcel of real estate, whether vacant or occupied, within the Town of Frisco to keep landscaping or any other obstruction of any kind out of the town right-of-way and on private property.
- B. It shall be unlawful for any person, business or corporation to construct or cause to be constructed any obstruction of any kind in town rights-of-way. This includes but is not limited to the following: fences, walls, trees or shrubs, irrigation systems, boulders or rock-type structures or any structure which prohibits the town from servicing its rights-of-way.
- C. The Chief of Police or the Director of Public Works, or such other officer or employee as either may designate, may notify and require any person who violates or causes another to violate these provisions to remove such obstruction from the right-of-way within twenty-four (24) hours after being notified to do so.
- D. The person or persons responsible for any offense within the town shall be liable for and pay and bear all costs and expenses of the abatement of said offense.

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- E. Each and every offense declared or defined by any ordinance of the town or otherwise is hereby prohibited, and the Chief of Police, Public Works Director and any other authorized representatives of the town are hereby authorized to cause the same to be summarily abated in such a manner as they may direct.
- F. These provisions shall also apply to all easement or use agreements between the Town of Frisco and any utility company, governmental entity or other parties having been granted the same, in writing, by the town.

§ 127-40. Idling of Motor Vehicles. [Added 03-02-93, Ord. 93-03]

- A. The unreasonable and prolonged idling of motors of any motor vehicle of any kind whatsoever is hereby declared to be a public safety and health hazard.
- B. It shall be unlawful for any person to idle or permit the idling of any motor vehicle of any kind whatsoever for more than fifteen (15) minutes within the limits of the Town of Frisco.
- C. The idling restriction of this section shall not apply to emergency vehicles; to vehicles engaged in traffic operations; to vehicles which are being serviced; to vehicles that must idle to operate auxiliary equipment, including but not limited to pumps, compressors, hydraulic equipment, and refrigeration units; or to idling vehicles stopped due to traffic congestion.
- D. Verification that a motor vehicle has idled for a period of fifteen (15) minutes or longer shall be prima facie evidence that said vehicle was idling for a prolonged and unreasonable period of time.

§ 127-41. Legislative Intent. [§127-41 - §127-29 repealed and replaced in their entirety 08-08-06, Ord. 06-25; Amended 01-14-14, Ord. 13-11]

The Town Council finds, determines and declares that it is in the best interest of the people of this Town to protect nonsmokers from involuntary exposure to environmental smoke in most indoor areas open to the public, public meetings, food service establishments, and places of employment. Therefore, the Town council hereby declares that the purpose of Sections 127-42 through 127-47 is to preserve and improve the health, comfort, and environment of the people of this Town by limiting exposure to environmental smoke.

§ 127-42. Definitions. [Amended 01-14-14, Ord. 13-11; 02-10-15, Ord. 15-01]

The following words, terms and phrases, when used in Sections 127-41 through 127-47 of this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Auditorium means the part of a public building where an audience gathers to attend a performance, and includes any corridors, hallways, or lobbies adjacent thereto.

Bar means any indoor area that is operated and licensed under Article 47 of Title 12, C.R.S., primarily for the sale and service of alcohol beverages for on-premises consumption and where the service of food is secondary to the consumption of such beverages.

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Cigar-tobacco bar means a bar that, in the calendar year ending December 31, 2005, generated at least five percent (5%) or more of its total annual gross income or fifty thousand dollars (\$50,000) in annual sales from the on-site sale of tobacco products and the rental of on-site humidors, not including any sales from vending machines. In any calendar year after December 31, 2005, a bar that fails to generate at least five percent (5%) of its total annual gross income or fifty thousand dollars (\$50,000) in annual sales from the on-site sale of tobacco products and the rental of on-site humidors shall not be defined as a “cigar-tobacco bar” and shall not thereafter be included in the definition regardless of sales figures.

Employee means any person who:

1. Performs any type of work for benefit of another in consideration of direct or indirect wages or profit; or
2. Provides uncompensated work or services to a business or nonprofit entity.

Employee includes every person described in paragraph (a) of this subsection (5), regardless of whether such person is referred to as an employee, contractor, independent contractor, or volunteer or by any other designation or title.

Employer means any person, partnership, association, corporation, or nonprofit entity that employs one (1) or more persons. *Employer* includes, without limitation, the legislative, executive, and judicial branches of state government; any county, city and county, city, or town, or instrumentality thereof, or any other political subdivision of the state, special district, authority, commission or agency; or any other separate corporate instrumentality or unit of state or local government.

Environmental smoke or secondhand smoke means gases, particles and vapors released into the air as a result of the combustion, electrical ignition, vaporization or heating of any substance, including but not limited to tobacco, nicotine or a marijuana product, also known as “sidestream smoke,” and such gases, particles and vapors that are exhaled by the smoker.

Food service establishment means any indoor area or portion thereof in which the principal business is the sale of food for on-premises consumption. The term includes, without limitation, restaurants, cafeterias, coffee shops, diners, sandwich shops, and short-order cafes.

Indoor area means any enclosed area or portion thereof. The opening of windows or doors, or the temporary removal of wall panels, does not convert an indoor area into an outdoor area.

Marijuana means all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate.

Place of employment means any indoor area or portion thereof under the control of an employer in which employees of the employer perform services for, or on behalf of, the employer.

Public building means any building owned or operated by:

1. The state, including the legislative, executive, and judicial branches of state government;

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2. Any county, city and county, city, or town, or instrumentality thereof, or any other political subdivision of the state, a special district, an authority, a commission, or an agency of any of the same; or
3. Any other separate corporate instrumentality or unit of state or local government.

Public meeting means any meeting open to the public pursuant to Part 4 of Article 6 of Title 24, C.R.S., or any other law of this state.

Smoke-free work area means an indoor area in a place of employment where smoking is prohibited under this Chapter.

Smoking means the burning, heating, electrical ignition or vaporization of a ~~lighted~~ cigarette, cigar, pipe, or any other similar product, device, matter or substance that contains tobacco, nicotine, ~~or~~ marijuana, or any other substance or combination thereof, and the inhaling and exhaling of environmental smoke created thereby.

Tobacco means cigarettes, cigars, cheroots, stogies, and periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff and snuff flour; cavendish; plug and twist tobacco; fine-cut and other chewing tobacco; shorts, refuse scraps, clippings, cuttings, and sweepings of tobacco; and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or for smoking in a cigarette, pipe, or otherwise, or both for chewing and smoking. *Tobacco* also includes cloves and any other plant matter or product that is packaged for smoking.

Tobacco Business means a sole proprietorship, corporation, partnership, or other enterprise engaged primarily in the sale, manufacture, or promotion of tobacco, tobacco products, or smoking devices or accessories, either at wholesale or retail, and in which the sale, manufacture, or promotion of other products is merely incidental.

Work area means an area in a place of employment where one or more employees are routinely assigned and perform services for or on behalf of their employer.

§ 127-43. General Smoking Restrictions. [Amended 01-14-14, Ord. 13-11]

- A. Except as provided in Section 127-44, and in order to reduce the levels of exposure to environmental smoke, smoking shall not be permitted and no person shall smoke in any indoor area, including, but not limited to:
 1. Public meeting places;
 2. Elevators;
 3. Government-owned or operated means of mass transportation, including, but not limited to, buses, vans, and trains;
 4. Taxicabs and limousines;
 5. Grocery stores;

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6. Gymnasiums;
7. Jury waiting and deliberation rooms;
8. Courtrooms;
9. Child day care facilities;
10. Health care facilities including hospitals, health care clinics, doctor's offices, and other health care related facilities;
11. (I) Any place of employment that is not exempted.

 (II) In the case of employers who own facilities otherwise exempted from this Chapter, each such employer shall provide a smoke-free work area for each employee requesting not to have to breathe environmental tobacco smoke. Every employee shall have a right to work in an area free of environmental tobacco smoke.
12. Food service establishments;
13. Bars;
14. Limited gaming facilities and any other facilities in which any gaming or gambling activity is conducted;
15. Indoor sports arenas;
16. Restrooms, lobbies, hallways, and other common areas in public and private buildings, condominiums, and other multiple-unit residential facilities;
17. Restrooms, lobbies, hallways, and other common areas in hotels and motels, and in at least seventy-five percent (75%) of the sleeping quarters within a hotel or motel that are rented to guests;
18. Bowling alleys;
19. Billiard or pool halls;
20. Facilities in which games of chance are conducted;
21. The common areas of retirements facilities, publicly owned housing facilities, and nursing homes, not including any resident's private residential quarters;
22. Public buildings;
23. Auditoria;
24. Theatres;
25. Museums;

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26. Libraries;

27. To the extent not otherwise provided in Section 25-14-103.5, C.R.S., public and nonpublic schools; and

28. Other educational and vocational institutions

- B. A cigar-tobacco bar shall not expand its size or change its location from the size and location in which it existed as of December 31, 2005. A cigar-tobacco bar shall display signage in at least one (1) conspicuous place and at least four inches (4") by six inches (6") in size stating: "Smoking Allowed. Children under eighteen (18) years of age must be accompanied by a parent or guardian."

§ 127-44. Exceptions to Smoking Restrictions.

Section 127-43 of this Chapter shall not apply to:

- A. Private homes, private residences, and private automobiles; except that Section 127-43 of this Chapter shall apply if any such home, residence, or vehicle is being used for child care or day care or if a private vehicle is being used for the public transportation of children or as part of health care or day care transportation.
- B. Limousines under private hire;
- C. A hotel or motel room rented to one (1) or more guests if the total percentage of such hotel or motel rooms in such hotel or motel does not exceed twenty-five percent (25%);
- D. Any retail tobacco business;
- E. A cigar-tobacco bar;
- F. The outdoor area of any business;
- G. A place of employment that is not open to the public and that is under the control of an employer that employs three (3) or fewer employees;
- H. A private nonresidential building on a farm or ranch, as defined in Section 39-1-102, C.R.S., that has annual gross income of less than five hundred thousand dollars (\$500,000); or
- I. The retail floor plan, as defined in Section 12-47.1-509, C.R.S., of a licensed casino.

§ 127-45. Optional Prohibitions.

- A. The owner or manager of any place not specifically listed in Section 127-43, including a place otherwise exempted under Section 127-44, may post signs prohibiting smoking or providing smoking and nonsmoking areas. Such posting shall have the effect of including such place or the designated nonsmoking portion thereof, in the places where smoking is prohibited or restricted pursuant to this Chapter.

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- B. If the owner or manager of a place not specifically listed in Section 127-43, including a place otherwise exempted under Section 127-44, is an employer and receives a request from an employee to create a smoke-free work area as contemplated by Section 127-43(A) (11) (II), the owner or manager shall post a sign or signs in the smoke-free work area as provided in subsection A of this Section.

§ 127-46. Other Applicable Regulations of Smoking.

This Chapter shall not be construed to permit smoking where it is otherwise restricted by any other applicable law.

§ 127-47. Unlawful Acts – Penalty – Disposition of Fines and Surcharges.

- A. It is unlawful for a person who owns, manages, operates, or otherwise controls the use of a premise subject to Sections 127-41 through 127-47 of this Chapter to violate any provision of said sections of this Chapter.
- B. It is unlawful for a person to smoke in an area where smoking is prohibited pursuant to this Chapter.
- C. A person who violates any provision of Section 127-41 through 127-47 of this Chapter is guilty of a class 2 petty offense and, upon conviction thereof, shall be punished by a fine not to exceed two hundred dollars (\$200) for a first violation within a calendar year, a fine not to exceed three hundred dollars (\$300) for a second violation within a calendar year, and a fine not to exceed five hundred dollars (\$500) for each additional violation within a calendar year. Each day of a continuing violation shall be deemed a separate violation.
- D. All judges, clerks of a court of record, or other officers imposing or receiving fines collected pursuant to or as a result of a conviction of any persons for a violation of any provision of Section 127-41 through 127-47 of this Chapter shall transmit all such moneys so collected in the following manner: Seventy-five percent (75%) of any such fine for a violation occurring within the corporate limits of the Town shall be transmitted to the treasurer of the Town and the remaining twenty-five percent (25%) shall be transmitted to the state treasurer, who shall credit the same to the general fund.

§ 127-48. (Reserved)

§ 127-49. (Reserved)

§ 127-50. Open and Public Consumption of Marijuana Prohibited.

It is unlawful for any person to openly and publicly use, consume or smoke marijuana or to permit the same to occur on property owned or controlled by such person. For purposes of this Section:

- A. *Openly* means occurring or existing in a manner that is capable of visual observation;
- B. *Publicly* means occurring or existing in a place owned or controlled by a public entity or to which the public or a substantial number of the public has access, including but not limited to public buildings and facilities; the common areas of private buildings and facilities to which the public has access, such as lobbies, entryways, hallways, shared yards and courtyards; parks; playgrounds; streets; highways; sidewalks; transportation facilities; places of amusement; stores;

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restaurants; bars; service establishments; and clubs to which any adult member of the public can gain access, whether through membership or otherwise; and

C. *Marijuana* has the meaning set forth in Section 127-42 of this Chapter.

§ 127-51. Panhandling and Solicitation [Added 07-28-15, Ord. 15-05, Amended 12-08-15, Ord. 15-10]

- A. Legislative Findings. The Town Council finds that the solicitation of occupants of vehicles traveling upon any street or highway presents significant risk of harm to persons and property, and causes delays and dangerous interference with pedestrian and motor vehicle traffic flows.
- B. Definitions: For the purpose of this section, the following terms shall have the following meanings unless a contrary meaning is required by the context or is specifically prescribed:

Aggressive Panhandling means:

1. Intentionally touching or causing physical contact with another person without that person's consent in the course of soliciting; or
2. Intentionally blocking or interfering with the safe or free passage of a pedestrian or vehicle by any means, including but not limited to unreasonably causing a pedestrian or vehicle operator to take evasive action to avoid physical contact in the course of soliciting; or
3. Using violent or threatening gestures toward a person solicited; or
4. Using profane or abusive language which is likely to provoke an immediate violent reaction from the person being solicited; or
5. Approaching or following a person for solicitation as part of a group of two (2) or more persons, in a manner and with conduct, words, or gestures intended or likely to cause a reasonable person to fear imminent bodily harm or damage to or loss of property or otherwise to be intimidated into giving money or other thing of value.

Public Place: A place to which the public or a substantial group of persons has access, including, but not limited to, any street, sidewalk, highway, parking lot, plaza, transportation facility, school, place of amusement, park, or playground.

Soliciting or Panhandling: For purposes of this section are interchangeable and mean any solicitation made in person requesting an immediate donation of money. Purchase of an item for an amount far exceeding its value, under circumstances where a reasonable person would understand that the purchase is in substance a donation, is a donation for the purpose of this section. Panhandling does not include passively standing or sitting with a sign or other indication that one is seeking donations, without addressing any solicitation to any specific person other than in response to an inquiry by that person.

Traveled Portion of a Street or Highway: That portion of a road normally used by moving motor vehicle traffic.

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A. Prohibited Acts

1. No person shall engage in aggressive panhandling in any public place.
2. No person shall panhandle on private or residential property after having been asked to leave or refrain from panhandling by the owner or other person lawfully in possession of such property.
3. No person shall panhandle from the occupant of any vehicle located on the traveled portion of a street or highway when such panhandling:
 - a. causes the person performing the activity to enter onto the traveled portion of a street or highway; or
 - b. involves the person performing the activity to be located upon any median area which separates traffic lanes for vehicular travel; or
 - c. involves the person performing the activity to be located such that, or the person conducts the activity such that, vehicles cannot move into a legal parking area to conduct the transaction.

Provided, however, that it shall not be a violation of this subsection 3 for such activity to be conducted exclusively upon a public sidewalk, provided that none of the conditions described in subsections 3a. b. or c. are present or caused to occur.

B. Penalties: Every person convicted of a violation of this section shall be punished as provided in section 1-14 of this code.

C. Construction of Ordinance:

1. This section is not intended to proscribe any demand for payment for services rendered or goods delivered.
2. This section should be held inapplicable in any case where its application would be unconstitutional under the constitution of the state of Colorado or the constitution of the United States of America.

§ 127-52. Unmanned Aircraft Systems [Added 4-12-16, Ord. 16-02]

A. Purpose and intent. The purpose of this Section is to establish regulations pertaining to any unmanned aircraft system operating within the jurisdictional borders of the Town of Frisco. It is the intent of this Section to be interpreted in conformance with any existing or future federal or state laws or regulations that address the operation of unmanned aircraft systems.

B. Definitions. As used in this Article, the following terms shall have the meanings indicated:

Aircraft means any contrivance invented, used, or designed to navigate or fly in the air.

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Model Aircraft means an unmanned aircraft that is: (1) capable of sustained flight in the atmosphere; (2) flown within visual line of sight of the person operating the aircraft; and (3) flown for hobby or recreational purposes.

Operate means to fly, use, launch, land, employ or navigate an unmanned aircraft system through the air.

Hobby Operator means an individual or entity operating an unmanned aircraft system for strictly recreational or hobby use; without limiting the foregoing, a Hobby Operator does not include any local, state or federal government agency lawfully operating unmanned aircraft systems for a government purpose or function, or any commercial operator authorized by the Federal Aviation Administration ("FAA") to operate a UAS, as evidenced by a valid certificate of authorization or exemption issued by the FAA.

Town Airspace means and includes all airspace above the jurisdictional boundaries of the Town of Frisco, to the full extent such airspace can legally be regulated by the Town.

Unmanned aircraft system or UAS means an aircraft, powered aerial vehicle, or other device without a human pilot on board, the flight of which is controlled either autonomously by on board computers or by remote control of a pilot operator on the ground or in another vehicle or aircraft, and all associated equipment and apparatus. It includes model aircrafts and drones.

- C. Operating requirements and limitations. Each person operating an UAS in Town Airspace shall comply with the following operating regulations:
1. An UAS operated by a Hobby Operator must weigh no more than sixteen (16) pounds at the time of operation, inclusive of equipment, payload and fuel.
 2. A Hobby Operator must have a visual line of sight of the UAS at all times. Visual line of sight means the UAS must be visible at all times to the operator, using his or her own natural vision to observe the UAS, including the use of standard eyeglasses or contact lenses.
 3. Without express prior written authorization from the Town Manager or his or her designee, no person may operate a UAS on or over any Town property including but not limited to public streets, alleys, paths, trails, playgrounds, parks, open space, parking lots, and public buildings. The Town Manager may provide such written authorization only for: (1) public purposes, including but not limited to public land management, wildlife management, search and rescue, and public safety; (2) purposes of commercial photography or videography; and (3) special events sponsored and managed onsite by a club, school, educational or other association. The Town Manager may impose reasonable conditions on any such authorization that are intended to promote public safety, including but not limited to requirements for public liability insurance.
 4. No person shall enter, hover, launch, or land an unmanned aircraft system on or over another person's property without the prior consent of the property owner. Such unauthorized entry onto another's property shall be deemed a trespass.

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5. No person shall operate a UAS in a reckless or careless manner so as to endanger or cause reasonable risk of harm or actual harm to persons, property, or any domestic animal.

§ 127-53. Noise [Added 10-09-18, Ord. 18-09]

- A. Purpose. The purpose of this section 127-53 is to protect, preserve and promote the health, safety, welfare, peace and quiet of the citizens of the Town of Frisco through the reduction, control and prevention of loud and potentially harmful noise. Unless specified within this section 53, the restrictions contained in the following sections are not to be construed as repealing any other noise related ordinances in this code.
- B. Definitions. As used in this section, the following words shall have the following meanings, unless the context clearly requires otherwise:

Ambient Noise Level: the sound level of all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources.

Commercial Establishment: a retail trade or service place of business, an office, a restaurant or a liquor licensed establishment, or any combination thereof.

Commercial Noise Zone: that portion of the town of Frisco indicated as the "commercial noise zone" in the map set forth in subsection N of this section.

Construction Noise: any noise created by or in connection with any activity for which a building, excavation or grading permit is required, or by or in connection with any other activity which requires the use of hand or power tools or other machinery used for building.

DBA: the sound level in decibels measured on the "A" scale of a standard sound level meter having characteristics defined by the American National Standards Institute, publication S1.4-1971, including successor publications.

Decibel: a unit used to express the magnitude of a change in sound level. The difference in decibels between two (2) sound pressure levels is twenty (20) times the common logarithm of their ratio. In sound pressure measurements sound levels are defined as twenty (20) times the common logarithm of the ratio of that sound pressure level to a referenced level of $2 \times 10^{-5} \text{ N/m}^2$ (Newton's/meter squared). As an example of the effect of the formula, a three (3) decibel change is a one hundred percent (100%) increase or decrease in the sound level, and a ten (10) decibel change is a one thousand percent (1,000%) increase or decrease in the sound level.

Device: any mechanism which is intended to, or which actually produces, audible sound when operated or handled.

Emergency Vehicle: a vehicle used in response to a public calamity or to protect persons or property from an imminent exposure to danger.

Emergency Work: work made necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from an imminent exposure to danger.

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Exterior Loudspeaker or Amplifier: A device for the amplification of sound which: a) is located on an exterior deck, patio or balcony of any structure, b) is affixed to the exterior wall of any structure, c) is located in or on any lawn or landscaped area outside of any structure, or d) is otherwise placed, affixed or located outside the exterior walls of any structure.

Liquor Licensed Establishment: an establishment for which a license has been issued under the Colorado beer code, the Colorado liquor code or for which a special events alcoholic beverage license has been issued.

Noise: any sound which is unwanted or which causes or tends to cause an adverse psychological or physiological effect on human beings.

Noise Source: any equipment, facility or device capable of emitting sound beyond the property boundary of the property on which it is located.

Person: any individual, firm, association, organization, partnership, business, trust, corporation, company, limited liability entity, contractor, supplier, installer, user, owner or operator, including any municipal corporation or its officers or employees.

Public Space: any real property or structure on real property owned by a governmental entity and normally accessible to the public, including, but not limited to, parks and other recreational areas.

Real Property Boundary: an imaginary line along the ground surface, and its vertical extension, which separates the real property owned by one person from that owned by another person or a public right of way boundary.

Residential Noise Zone: that portion of the town of Frisco indicated as the "residential noise zone" in the map set forth in subsection N of this section. Unless otherwise determined by the Town Council, any real property annexed to the town after the effective date of this section shall be located in the town's residential noise zone even though not indicated on the noise zone map.

Noise Zones: the portions of the town which are defined as the "commercial noise zone" and the "residential noise zone" in this subsection.

C. Noise Measurement. For purposes of determining and classifying any noise under this chapter, the following requirements shall be applied:

1. All noise within the town shall be measured at the approximate property boundary of the affected property. No minor variation from the requirements of this subsection shall affect the validity of a noise measurement.
2. The noise shall be measured on the A-weighted scale set on "slow" mode using a sound level meter having characteristics defined by the American National Standards Institute. A sound measurement taken with a sound level meter shall be taken in accordance with the manufacturer's recommendations.
3. In all sound level measurements, consideration shall be given to the effect of the ambient

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noise level at the time and place of such sound level measurement.

- D. **Maximum Permissible Noise Levels.** No person or group of persons shall create or cause to be created any sound that at the point of measurement exceeds the maximum permissible sound level for the noise zone of the affected property. The sound shall be measured in accordance with the requirements of subsection C, Noise Measurement, of this section. When a noise source can be identified and its noise measured in more than one of the noise zones, the limits of the most restrictive noise zone shall apply at the boundaries between the different noise zones.

MAXIMUM PERMISSIBLE NOISE LEVELS

Commercial Noise Zone	7:00 A.M. To Next 11:00 P.M.	11:00 P.M. To Next 7:00 A.M.
	70 Decibels	65 Decibels
Residential Noise Zone	7:00 A.M. To Next 10:00 P.M.	10:00 P.M. To Next 7:00 A.M.
	55 Decibels	50 Decibels

- E. **Exterior Loudspeakers or Amplifiers.** It shall be unlawful for any person to use or operate or permit to be used or operated, an exterior loudspeaker or amplifier to emit amplified music at or from a commercial establishment anywhere within the town under any of the following circumstances:
1. At or from a location other than an exterior deck, patio or balcony of a restaurant or liquor licensed establishment;
 2. Between the hours of ten o'clock (10:00) P.M. of one day and seven o'clock (7:00) A.M. of the following day;
 3. When the deck or patio of the restaurant or liquor licensed establishment at which such speaker is located is not open for public use; or
 4. When the use or operation of such exterior loudspeaker or amplifier creates a sound level in decibels which exceeds the limits set forth in subsection D, Maximum Permissible Noise Levels, of this section.
 5. At all times when an exterior loudspeaker or amplifier is used to emit amplified music from the deck or patio or balcony of a restaurant or liquor licensed establishment, the owner of the premises (if the premises is a restaurant) or the licensee thereof (if the premises is a liquor licensed establishment) shall designate one employee then on the premises to be responsible for complying with the requirements of this section. An employer is legally accountable for the conduct of such person's employees which occurs in the course and scope of such employment and which violates the provisions of this section.

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- F. Radios, Musical Instruments and Similar Devices. It shall be unlawful for any person in a public space to use or operate a radio, stereo, tape player, compact disk player, musical instrument or similar device that produces or reproduces musical sound in a manner that is plainly audible to any person other than the player(s) or operator(s) of the device, and those who are voluntarily listening to the sound, and which unreasonably disturbs the peace, quiet, and comfort of neighbors and passersby.
- G. Construction Noise. Because construction noise is often loud and of prolonged duration, the provisions of subsection D of this section shall not apply to construction noise, and instead construction noise shall be regulated by the provisions of this subsection.
1. There shall be no limit on construction noise between the hours of 7:00 A.M. and 7:00 P.M. on Monday through Saturday, except as provided in subsection G.ii, below, with respect to Sundays.
 2. It shall be unlawful for any person to cause or make construction noise between the hours of seven 7:00 P.M. one day and 7:00 A.M. of the next day, or at any time on a Sunday; provided, however, that it shall not be a violation of this section if construction noise is made or caused under any one of the following circumstances: (a) in connection with emergency work; or (b) in connection with a residential home improvement project conducted by the owner-occupant thereof between the hours of 9:00 A.M. and 7:00 P.M. on a Sunday.
- H. Use of Sound for Advertising. It shall be unlawful for any person to use or operate any loudspeaker or sound amplifying equipment, or any radio, stereo, tape player, compact disk player, musical instrument or similar device that produces or reproduces musical sound, for the purpose of commercial advertising or attracting the attention of the public to any person, place or structure for a commercial purpose.
- I. Exemptions. The following sounds, and sounds created by the described activities or at the described locations, shall be exempt from the provisions of this section:
1. The use of property by the state of Colorado, any political subdivision of the state, including, but not limited to, the town. This exemption shall include all events staged on public property or private property used in conjunction with a public event, regardless of the sponsor of such event.
 2. Sound made in the plowing, shoveling, manufacturing, maintaining or grooming of snow, or made in the use of domestic power equipment on residential property.
 3. Sound made pursuant to a permit issued by the town manager in accordance with the provisions of subsection J of this chapter.
 4. Sound made by safety signals and warning devices; sound resulting from any emergency vehicle when responding to an emergency call or acting in time of emergency; and sound produced in connection with "emergency work" as defined in subsection B of this chapter.
 5. Sound emitted from houses of religious worship, ice cream trucks, or comparable use.

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6. Sound emitted from an emergency signaling device, including, but not limited to, a fire alarm, burglar alarm, or similar emergency signaling device, during a bona fide emergency.
7. Sound resulting from reasonable activities conducted on public playgrounds and public or private school grounds, conducted in accordance with the manner in which such spaces are generally used, including, but not limited to, playground use, athletic events and school entertainment events.
8. Any noise which the town is prohibited from regulating under the federal noise control act, 42 USC sections 4916-17.

J. Permit to Exceed Limits; Appeal.

1. Permit Application. Any person desiring to obtain a permit to exceed the noise levels designated in this section may make an application to the town manager. The town manager shall have the authority to grant a permit to exceed the maximum permissible noise levels designated in this chapter in accordance with the provisions of this section. In determining whether to grant a permit under this section, the town manager shall give consideration to: 1) the time of day that the noise is proposed to be created, 2) the duration of the proposed noise, 3) the loudness of the proposed noise relative to the required limits, 4) the potential impact of the noise on others in the vicinity of the noise source, 5) whether the proposed noise is temporary or continuous in nature, 6) the extensiveness of the proposed noise, and 7) the source of the noise and the reason the noise is needed or desired, and the technical and economic feasibility of bringing such proposed noise source into conformance with the provisions of this section. Fourteen (14) days prior to a decision, the town manager shall provide notice of such request to exceed noise limitations to property owners within 300 feet of the subject property where such noise will be generated. The town manager shall consider the comments provided and may prescribe any reasonable conditions or requirements on the permit which she deems necessary to minimize the adverse effects upon the community or the surrounding neighborhood, including, but not limited to, specific decibel limitations, limitations on time(s) and location(s) of the noise source, and equipment limitations or requirements. Any permit granted by the town manager under this section shall be effective only for the location and times designated within the permit, and shall be further subject to such conditions as may be set forth in such permit. There shall be no charge for an application submitted to the town manager under this section.
2. An applicant for a permit under this section whose application has been denied or who disagrees with the conditions imposed upon such permit by the town manager may appeal such denial or imposition of conditions to the town council. A request for an appeal shall be submitted in writing to the town manager not later than seventy two (72) hours after the denial of the application or the granting of the permit containing the condition(s) to which the applicant objects. The request for appeal shall specify the grounds for the appeal. Such appeal shall be heard and decided by the town council at the next possible regular town council meeting following the submission of the request for appeal, considering the timing of the request in order to provide information about the request to the council in time. . In deciding an appeal, the town council shall consider only the factors set forth in subsection J.i. of this section.

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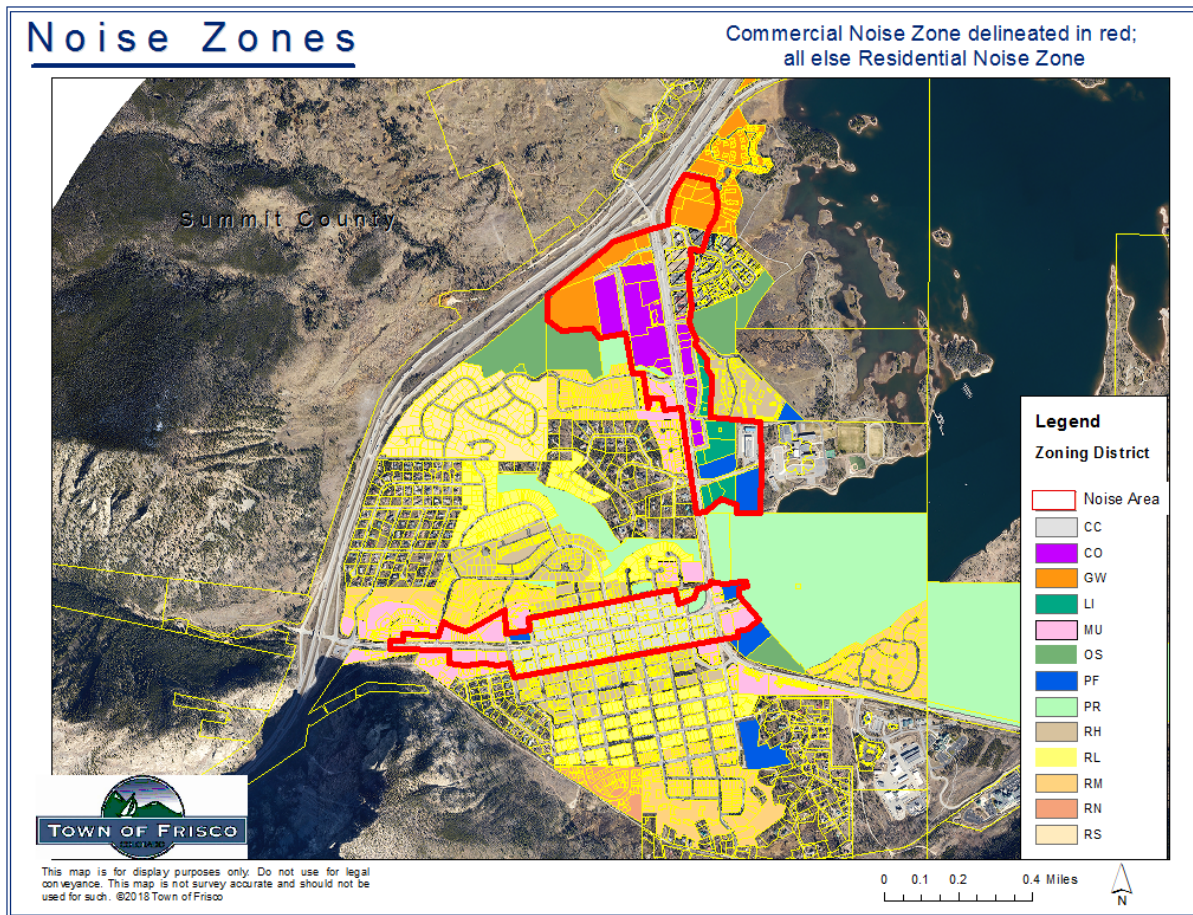
K. Strict Liability. The violation of any provision of this chapter is a strict liability offense.

L. Enforcement.

1. The police chief shall have the primary responsibility for the enforcement of the noise regulations contained in this section. Nothing herein shall prevent the police chief from obtaining voluntary compliance by way of warning, notice or education.
2. If a person's conduct violates this section and consists of: (a) speech or communication; (b) a gathering with others to hear or observe speech or communication; or (c) a gathering with others to picket or otherwise express in a nonviolent manner a position on social, economic, political or religious questions, the person must be ordered to, and have the opportunity to, move, disperse, or otherwise remedy the violation prior to arrest or a citation being issued.

M. Court Ordered Abatement. The violation of any provision of this section is declared to be a nuisance. In addition to other remedies available to the town, the town may commence an action pursuant to Chapter 124 of this Code to enjoin the violation of this section, or to authorize and compel the removal, termination or abatement of such violation.

N. Noise Zone Map:





MEMORANDUM

TO: MAYOR AND TOWN COUNCIL

FROM: CHAD MOST, REVENUE SPECIALIST

RE: FIRST READING OF ORDINANCE NO. 18-10 - AN ORDINANCE AMENDING CHAPTER 110 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING THE LICENSING OF BUSINESSES, BY ADDING A NEW ARTICLE III, CONCERNING THE LICENSING AND REGULATION OF SHORT-TERM RENTALS WITHIN THE TOWN.

DATE: DECEMBER 11, 2018

Background: Throughout 2017 at the direction of Town Council, the Town of Frisco Housing Task Force Policy Group studied the impact of Short-term Rentals (STRs) on the Frisco community and issued a set of recommended actions in order to, among other goals, preserve and build Frisco's sense of community as a place where people live year round and to minimize the negative impacts that can arise from short-term rentals, all while acknowledging the importance of short-term rentals in maintaining a sustainable tourism-based economy. Recommended actions included updating the licensing requirements for short-term rentals, requiring STR units to meet basic life safety standards, requiring a local contact for each STR property, requiring that neighbors and HOAs receive notice upon the issuance of an STR license, requiring STR owners to provide life safety and good neighbor policy information to guests, establishing occupancy limits for STR units, implementing a monitoring and tracking program to ensure compliance and to evaluate future regulatory needs, and requiring the mitigation of various nuisances such as amplified outdoor music, improperly disposed trash, etc. On October 12, 2017, Town staff also hosted a panel discussion entitled, "New Approaches to Short-term Rental Regulations," bringing in representatives from a varied group of communities, including Crested Butte, Durango, Estes Park, Georgetown, Minturn and Salida, to discuss their approaches to short-term rental regulation.

In a February of 2018 work session, staff presented the recommendations of the Housing Task Force Policy Group, along with months of research gleaned from other communities and third-party compliance firms, to Town Council and requested direction in regards to updating the Town's short-term rental regulatory framework. As other Summit County municipalities and the County itself were also beginning the process of updating their STR regulatory frameworks, staff was directed to work with the other jurisdictions in an effort to be as consistent as possible throughout the County and to develop a public process to ensure the needs and desires of the Frisco community would be met. Throughout the spring and summer, staff participated in working group sessions with other jurisdictions, attended public meetings hosted by other jurisdictions, researched third-party STR compliance firms, and began crafting a proposed STR

ordinance. In September, staff hosted three stakeholder meetings and one general public outreach meeting, in addition to collecting public feedback through written comment cards and surveys, an online survey, and one-on-one communications with concerned constituents.

Based on the months of research conducted, along with Council direction and the results of the public process, staff then finalized the scope and specific language of a proposed STR ordinance, a version of which was presented to Council for final direction in a work session on October 23, 2018. Staff returned for a first reading of the proposed ordinance during the regular meeting on November 13, 2018, but the ordinance was tabled. The updated ordinance presented here for first reading reflects the feedback staff received from Council at the November 13 meeting.

Analysis: The proposed ordinance language follows most of the recommendations of the Housing Task Force Policy Group, but does differ in a few key aspects. Based on lessons learned from other communities, public feedback and/or Council direction, staff has left out requirements regarding a “local agent” (opting instead for a “responsible agent” with no local requirement) and requirements regarding public noticing of STR license issuance.

In accordance with the recommendations of the Policy Group, the ordinance does eliminate the ability of a property management firm or owner of multiple units to hold a single license on behalf of multiple units, and requires each STR property to hold a unique license. This requirement will enable staff, with the assistance of a third-party STR tracking and compliance firm, to more readily identify non-compliant properties and ensure a much higher level of compliance than is currently possible. Additional updates to the license application requirements include the designation of a “responsible agent,” a copy of a “renters’ information notice” as required later in the ordinance, a copy of a parking plan as required later in the ordinance, and an affidavit signed by the owner certifying that basic life safety standards, as required later in the ordinance, have been met. The term of the proposed annual STR license would be May 1 through April 30, and licenses would not be transferrable to new property owners.

In addition, STR license holders would be responsible for preparing and sharing a parking plan and ensuring that guests follow the Town’s other code provisions in regards to trash and recyclable materials disposal. In an effort to provide flexibility for STR owners, while also acknowledging public concern about overcrowding, overnight occupancy has been limited to two (2) people per bedroom, plus an additional four (4) occupants, or one (1) person per two hundred (200) square feet of area, whichever is greater. This provision also serves Council’s goal of consistency, wherever possible, with currently proposed Summit County STR regulations. The “renters’ information notice” referenced above would need to include EMS contact information, the physical address of the unit, the contact information for either the STR owner or their duly appointed agent, the Frisco STR license number covering the unit, the maximum overnight occupancy of the unit, the location of fire extinguishers and fire escape routes, the maximum overnight occupancy of the unit, the location of allowed parking spaces, the maximum number of vehicles allowed to park on the property, alternate off-site parking (if any), the location of trash and recycling receptacles and the rules for disposal, snow removal instructions or information, noise policies, pet policies and any applicable HOA policies specific to the unit. Council directed staff to remove the requirement that some of this information be located on a “sign” within the unit.

STR license applicants would also be required to certify that the unit conforms to applicable Building Code requirements (Chapter 65), that smoke and carbon monoxide detectors, and fire extinguishers have been installed and maintained, and that wood burning fireplaces and stoves have been cleaned on an annual basis.

Any guest occupying an STR would not be allowed to amplify music outdoors or to violate any provision of the Town's noise ordinance. Guests would also not be allowed to camp, pitch tents or use a recreational vehicle or trailer for overnight purposes. All advertisements for STRs would be required to reference the Frisco STR license number covering the unit and the maximum approved overnight occupancy.

Based on specific complaints, the Town would need to reserve the right to physically inspect an STR unit for the purposes of determining violations of the "renters' information notice" or "basic life safety" standards of the Code.

Should an STR owner be found guilty of non-safety-related violations of the Code more than once in Municipal Court within one (1) year, Town staff would have the right to suspend an STR license for one hundred fifty (150) days. If the violation relates to building or fire Codes, a proper investigation would need to occur and, once complete, the owner would need to be promptly notified. After official notification, a twenty (20) day period would be allowed to correct the violation. Should cause for suspension arise more than once within a twelve (12) month period, revocation would result, for a period of one (1) full year from the official revocation date. Any additional violations would be subject to the penalties and remedies set forth in Section 1-14 of the current Town Code, which include the reimbursement of administrative or court costs, in addition to a fine not exceeding one-thousand (\$1,000.00), or imprisonment not exceeding one (1) year, or both.

Since the work session on October 23, staff has received additional public comment, which has been shared with management and Council, outlining the concerns of some owners and property managers relating to the vagueness of "responsible agent" requirements, in particular the lack of a measured response time. Additional concerns include the ability of owners to name alternate "responsible agents" (an option not currently provided for in the ordinance) and a lack of specificity in relation to the overall complaint submittal and resolution process. Staff met internally with the Police Department to discuss the complaint process shortly before the Council meeting on November 13. Police Department staff indicated a separate call center to field initial complaints would be helpful in allaying the burden on dispatch personnel. Staff believes that the concerns raised above can be more properly handled with well-communicated administrative policies, rather than through updates to the officially codified ordinance.

Summary: Based on over a year of intensive research (and many more years of extensive experience), public outreach and Council direction, staff believes the STR ordinance attached here properly balances the need to regulate the STR industry, ensuring compliance and reducing negative impacts, with the need to sustain a vibrant, tourism-based local economy. The Town has taken a modest, measured approach to new regulations and fully anticipates ongoing evaluation to ensure the new framework achieves the goals set forth throughout the process:

1 – Ensure compliance and a level playing field for all STR owners

- 2 – Reduce negative neighborhood impacts and better track complaints
- 3 – Ensure STR owners are providing for the safety of their guests and providing information necessary for guests to be good neighbors
- 4 – Analyze data and communicate directly with STR owners to better understand STR impacts, the need (or lack thereof) for further regulation, and opportunities to incentivize long-term employee housing

Staff Recommendation: Staff recommends that the Town Council approve the updated ordinance No. 18-10 upon first reading.

Attachments: Ordinance No. 18-10

**TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
ORDINANCE 18- 10**

AN ORDINANCE AMENDING CHAPTER 110 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING THE LICENSING OF BUSINESSES, BY ADDING A NEW ARTICLE III, CONCERNING THE LICENSING AND REGULATION OF SHORT-TERM RENTALS WITHIN THE TOWN.

WHEREAS, the Town of Frisco, Colorado ("Town") is a home rule municipality operating under a charter adopted pursuant to Article XX of the Colorado Constitution and vested with the authority by that article and the Colorado Revised Statutes to enact laws to govern and regulate land use, businesses and occupations within its territory; and

WHEREAS, pursuant to this authority, the Town Council ("Council") previously adopted local land use regulations, codified in Chapter 180 of the Code of Ordinances of the Town of Frisco ("Code"), and business and occupation licensing regulations, codified in Chapter 110 of the Code; and

WHEREAS, there are a variety of lodging types within the Town, including hotels, motels, bed and breakfast operations, and residential dwelling units rented on a short-term basis, but there are no regulations that specifically address the provision of lodging within residential dwelling units; and

WHEREAS, the Town Council finds that the provision of short-term rentals within residential dwelling units without appropriate regulation has adverse impacts on neighboring residential dwelling units, and neighborhoods in general; and

WHEREAS, the Town Council finds that the regulation of short term rentals in the Town would further the public health, safety and welfare by ensuring that such lodging places are operated in a manner compatible with the character of the community and consistent with surrounding residential uses.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO, COLORADO THAT:

Section 1. Chapter 110 of the Code of Ordinances of the Town of Frisco is hereby amended by the addition of a new Article III, to read in its entirety as follows:

**ARTICLE III
Licensing of Short Term Rental Property**

§ 110-36. Purpose.

The purpose of this Article III is to safeguard the public health, safety and welfare by establishing comprehensive licensing regulations to control the use, occupancy and maintenance of short-term rental properties in the Town.

§ 110-37. Definitions.

As used in this section, the following words shall have the following meanings, unless the context clearly requires otherwise:

Accommodation Unit: a separate and distinct living unit or area, including a condominium, townhouse, house, duplex, trailer, studio unit, lock-off unit or any other such similar building, room, group of rooms or any portion or room thereof or therein, designed for or used as a dwelling; provided, however, that an accommodation unit shall not include any unit or area within a hotel, motel, condominium hotel, hostel or boarding, rooming or lodging facility as such uses are defined in Chapter 180 of this Code, so long as such defined use is conducted within an area within which it is permitted by applicable zoning regulations.

Lease: an agreement or act by which an owner gives to a tenant, for valuable consideration, possession and use of property or a portion thereof for a definite term, at the end of which term the owner has an absolute right to retake control and use of the property.

Leasee: the party to a lease that has obtained the temporary right to use and occupy property or a portion thereof.

Responsible Agent: a management company or individual who is identified by a licensee as the licensee's responsible agent pursuant to section 110-39.A.2, and who is available 24 hours per day, 7 days per week to respond as the initial point of contact for the short-term rental property.

Owner: the owner of an accommodation unit in the Town who intends to lease or leases the unit or portion of the unit as a short-term rental property.

Short-Term Rental Property: an accommodation unit available for lease for a term of less than thirty (30) consecutive days.

§ 110-38. License required.

Effective May 1, 2019, it shall be unlawful for an owner to lease or advertise for lease, or to permit the leasing or advertising for lease, of any short-term rental property within the Town of Frisco without a valid license for the same issued pursuant to this Article. No person who has obtained a license pursuant to this Article shall be required to hold a general business license pursuant to Article I of this Chapter for the same business activity. No person who has obtained a license pursuant to this Article shall be required to hold a sales tax license pursuant to Chapter 160 of this Code for the same business activity.

§ 110-39. License application; term; renewal; non-transferable.

A. *License application.* Applications for a short-term rental license shall be submitted to the Finance Director on a form provided by the Town, and the Finance Director shall accept no incomplete applications. It is the duty of each short-term rental property licensee to ensure that all of the information provided in a license application is kept up to date at all times, and it shall be unlawful for a licensee to fail to provide updated information to the Town within ten (10) days after the date upon which the information provided is no longer accurate. Applications shall provide the following:

1. The full name, residential address and telephone number for the applicant;
2. The full name, business address and telephone number of the responsible agent for the short-term rental property, along with a copy of the writing designating the agent to act, in the applicant's absence, as the representative of the applicant on issues related to the short-term rental and agreeing that the responsible agent shall comply with the requirements and limitations of this Article;

3. The address of the proposed licensed premises and a description or illustration of the area(s) that will be used for short-term rental purposes, along with a statement of the maximum occupancy of the area(s) pursuant to the limitations of Section 110-40.A.3;
 4. Proof of the lawful possession of the licensed premises by the applicant, either by deed or lease. If the applicant is not the owner, the application shall include written authorization, signed and notarized, from the owner of the licensed premises for the use of the same for short-term rentals;
 5. An application fee in an amount set by the Finance Director from time to time. The application fee shall not be prorated for a portion of a license year, and shall be set at an amount that reasonably reimburses the Town for the costs of implementing and enforcing the provisions of this Article. Such costs shall include the Town's direct and indirect costs in (i) accepting, reviewing and issuing decisions on short term rental property license applications; and (ii) inspecting or otherwise engaging in enforcement activities related to the requirements of this Article;
 6. A copy of (i) the information notices that comply with the requirements of section 110-40.A.3 and has been posted or placed on or in the subject property; and (ii) the parking plan that complies with the requirements of section 110-40.A.1;
 7. A copy of a valid Colorado sales tax license for the rental activity or the pending application therefor unless, due to the specific nature of the short-term rental property's booking platform, a separate sales tax license is not required by the State of Colorado;
 8. Such other information determined necessary or desirable by the Finance Director to evaluate the compliance of the application, licensed premises or proposed short-term rental activity with the requirements of this Article; and
 9. An affidavit signed by the owner or authorized leasee, under penalty of perjury, certifying that the short-term rental property complies with the life safety standards set forth in Section 110-40.A.4, and that the information notices required by section 110-40.A.3 have been and will remain posted or placed at a conspicuous location on or in the short-term rental property.
- B. *Updating of application.* It is the duty of each short-term rental licensee to ensure that all of the information provided in a license application is kept up to date at all times, and it shall be unlawful for a licensee to fail to provide updated information to the Town within ten (10) days after the date upon which any information provided is no longer accurate.
- C. *Term and renewal of license.* Each license issued under this Article shall be valid from the date of issuance until the next subsequent April 30. An application for renewal of a license shall have the same submittal requirements and shall be considered in the same manner as the original application. An application for renewal of a license issued under this Article shall be made not less than thirty (30) days prior to the expiration of the existing license.
- D. *Transferability of license.* No license issued under this Article shall be transferable and no license is valid as to any person or entity other than the person or entity named thereon, excepting spouses and partners in a civil union.

§ 110-40. Limitations and requirements

A. *Special requirements.* In addition to the other requirements of this Article, the owner of an accommodations unit licensed pursuant to this Article shall, as a condition of such license, be subject to the following requirements and limitations:

1. *Parking.* The motor vehicles of all occupants of a short-term rental property shall be parked only on the site of the short-term rental property. No motor vehicles shall be parked on the lawn or landscaped area of a short-term rental property, or in the public street or right-of-way adjacent to the property. No person shall be permitted to stay overnight in any motor vehicle which is parked at a short-term rental property. The owner of a short-term rental property shall provide a parking plan for the property;
2. *Trash collection.* The storage and disposal of all trash and garbage from a short-term rental property shall comply with the requirements of section 127-17 of this Code, including but not limited to the requirement that any person in charge of real property within the Town that is served by curbside garbage pickup shall place a garbage can or similar refuse receptacle at the curb only on the day of pickup;
3. *Occupancy.* The maximum occupancy for overnight use of a short-term rental property shall be the greater of:
 - a. One (1) person per two hundred (200) square feet of area; or
 - b. Two people per bedroom, plus four people (4).

For purposes of this subsection, a child of age 12 or under shall not count as a person. The maximum occupancy may be adjusted by a written determination of the Town Manager or his or her designee, following physical inspection of the property. The basis for any increase in maximum occupancy shall be a determination of the actual number of sleeping places, within one or more beds, that are located within a room or rooms that conform to the requirements of the applicable building code for a bedroom.

It shall be unlawful to allow the overnight occupancy of a short-term rental property by more than the maximum number of people permitted under this subsection;

4. *Renter information notices.* An owner shall post and maintain a sign in a conspicuous location within each short-term rental property that shall contain the following information:
 - a. contact information for police, fire, and ambulance service in the case of an emergency;
 - b. the physical address of the short-term rental property;
 - c. contact information for the responsible agent or property owner;
 - d. the Town of Frisco's short-term rental property license number; and

- e. the location of fire extinguishers, if any, and fire escape routes.

An owner shall place and maintain at a conspicuous location within in each short-term rental property written information that provides:

- a. the maximum number of people permitted for overnight occupancy;
- b. the location, by description or depiction, for vehicle parking and maximum number of parked vehicles permitted for the property;
- c. alternative parking locations (if any) for extra vehicles, trailers and campers;
- d. the location of trash and recycling receptacles and the rules and regulations regarding the handling of the same;
- e. snow removal instructions or information;
- f. policies regarding noise;
- g. policies regarding pets; and
- g. applicable homeowners association policies (if any) specific to the property;

5. *Life safety.* Each premises licensed under this Article shall:

- a. conform to the applicable requirements of the Town's building, technical and safety codes adopted by reference in Chapter 65 of this Code;
- b. have smoke detectors, carbon monoxide detectors and fire extinguishers installed and maintained in operable condition; and
- c. have wood burning fireplaces and stoves cleaned on an annual basis;

6. *Noise and nuisance.* While occupying a short-term rental property as a short-term leasee, no person shall amplify music outdoors, make any noise that violates any provision of Section 127-53 of this Code, nor engage in any act or allow any condition on the premises that constitutes a nuisance under Chapter 124 of this Code;

7. *Camping and temporary structures.* While occupying a short-term rental property as a short-term leasee, no person shall camp outdoors, pitch or use any tents, or construct or use any temporary structure or recreational vehicle or trailer, for overnight purposes; and

8. *Advertising.* All advertising for a short-term rental property shall include a reference to the Town of Frisco short-term rental property license number, which license number shall appear immediately following the first description of the property, as well as a statement of the maximum occupancy permitted for the property.

- B. *Owner liable.* Compliance with, and ensuring compliance with, the special requirements set forth in Subsections A.4, A.5 and A.8 of this Section shall be a nondelegable responsibility of the owner of a short-term rental property, and each owner of a short-term rental property shall be strictly liable for complying with, and ensuring compliance with, the conditions and limitations set forth in said subsections.
- C. *Inspections.* Because short-term rental properties are, by their nature, intended to be occupied by numerous guests for short periods of occupancy, it is determined that the Town's ability to inspect short-term rental properties is in the interest of public safety. Therefore, whenever it is reasonably necessary to make an inspection to enforce the requirements and limitations of Subsection A of this Section, an authorized public inspector may enter such property at all reasonable times to inspect the same for the purpose of enforcing such requirements and limitations. Provided, that if such short-term rental property is occupied, the authorized public inspector shall first present proper credentials and request entry, and if such property is unoccupied, shall first make reasonable effort to locate the owner, the responsible agent or other person having charge or control of the property and request entry. If such entry is refused, or if the short-term rental property is locked, the authorized public inspector shall have recourse to every remedy provided by law to secure entry. When an authorized public inspector has obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner, occupant or other person having charge, care or control of the short-term rental property shall fail or refuse to promptly permit entry therein by the authorized public inspector for the purpose of inspection of the property. No inspection warrant or permission shall be required for an authorized public inspector to enter and inspect a short-term rental unit in the case of an emergency involving the potential loss of property or human life.
- D. *Municipal court warrant.* The municipal court judge may issue an inspection warrant authorizing the inspection of a short-term rental unit pursuant to this Section in accordance with rule 241(b) of the Colorado Municipal Court Rules of Procedure. The municipal court judge may impose such conditions on the inspection warrant as may be necessary in the judge's opinion to protect the private property rights of the owner of the premises to be inspected, or to otherwise make the warrant conform to applicable law.

§110-41. Denial of license.

- A. A short-term rental property license application shall be denied by the Finance Director based on any of the following grounds:
1. All applicable provisions of the town code have not been met;
 2. The required application fees have not been paid;
 3. The application is incomplete or contains false, misleading or fraudulent statements; or
 4. Any reason that would justify suspension or revocation of a license.
- B. In the event of a denial, the Finance Director shall mail or deliver to the applicant a written order of denial stating the reason or reasons for the denial within ten (10) days of the denial.

§110-42. Suspension or revocation of license.

A. *Suspension.* The Finance Director may suspend a short-term rental property license upon determining that a licensee has:

1. Been found guilty on more than one occasion within the last year by the Frisco Municipal Court of having violated a provision of this Article;
2. Operated the business in violation of a building, fire, health or safety code adopted by the Town, said determination being based on investigation by the department, division, or agency charged with enforcing said code. In the event of such a code violation, the Finance Director shall promptly notify the licensee of the violation and shall allow the licensee a twenty (20) day period in which to correct the violation. If the licensee fails to correct the violation before the expiration of the twenty (20) day period, the Finance Director shall forthwith suspend the license and shall notify the licensee of the suspension; for purposes of this subsection, code provisions regulating noise shall not constitute a health or safety code violation for which a period to correct the violation is required;
3. Failed to file tax returns or to pay taxes due to the Town pursuant to applicable provisions of the Town Code; or
4. Failed to pay the annual license fee.

The Town Licensing Officer may suspend a short-term rental property license for a period not to exceed one hundred fifty (150) days. The suspension shall remain in effect until and including the last day in the Finance Director's order or until such time as the violation in question has been corrected, whichever is later.

B. *Revocation.* The Finance Director shall revoke a short-term rental property license upon determining that:

1. A cause for suspension in subsection A of this section occurred and the short term rental property license has been suspended more than once within the preceding twelve (12) months;
2. A licensee gave false or misleading information in the material submitted during the application process that tended to enhance the applicant's opportunity for obtaining a short term rental property license;
3. A licensee knowingly operated the business during a period of time when the licensee's short term rental property license was suspended; or
4. Any fact or condition exists that, if it had existed or had been known to exist at the time of the application for the license, would have warranted the denial of the license.

C. *Effect of revocation.* When the Finance Director revokes a short-term rental property license, the revocation shall continue for one (1) year and the licensee shall not be issued a short-term rental property license for one (1) year from the date revocation became effective.

§ 110-43. Appeal hearing on denial, suspension or revocation.

- A. *Appeal.* An applicant or licensee may appeal a denial, suspension, or revocation of his or her short-term rental property license to the Town Manager and shall be entitled to a hearing before the Town Manager. Said appeal shall be made in writing, stating the grounds for appeal, within five (5) working days of the decision of the Finance Director. In the event of a suspension or revocation hearing, the business may continue to operate during the hearing process.
- B. *Hearing.* At the hearing, the Town Manager shall hear such statements and consider such evidence as is offered that is relevant to the grounds alleged for denial or the violation alleged for suspension or revocation. The Town Manager shall make findings of fact from the statements and evidence offered as to whether such grounds exist or such violation occurred. If the Town Manager determines that grounds for denial or a cause for suspension or revocation exists, he or she shall issue an order denying, suspending, or revoking the license within thirty (30) days after the hearing is concluded, based on the findings of fact. A copy of the order shall be mailed to or served on the licensee at the address on the license.
- C. *Final order.* The order of the Town Manager made pursuant to subsection B above shall be a final decision and may be appealed to the municipal court pursuant to Colorado Rule of Civil Procedure 106(a)(4). Failure of a licensee to appeal said order in a timely manner constitutes a waiver by him or her of any right he or she may otherwise have to contest the denial, suspension, or revocation of the short-term rental property license.
- D. *Hearing powers.* The Town Manager shall have the power to administer oaths, issue subpoenas, and when necessary grant continuances. Subpoenas may be issued to require the presence of persons and production of papers, books and records necessary to the determination of any hearing that the Town Manager conducts. It is unlawful for any person to fail to comply with any subpoena issued by the Town Manager. A subpoena shall be served in the same manner as a subpoena issued by the District Court of the State of Colorado.
- E. *Recording.* All hearings held before the Town Manager regarding denial, suspension, or revocation of a short-term rental property license issued under this code shall be recorded stenographically or by electronic recording device. Any person requesting a transcript of such record shall post a deposit in the amount required by the Town Manager and shall pay all costs of preparing such record.
- F. *No refund of license fee.* In the event of suspension, revocation, or cessation of business, no portion of the short-term rental property license application fee shall be refunded.

§ 110-44. Violation, penalty and enforcement.

- A. It is unlawful for any owner, responsible agent or occupant of a short-term rental property to violate any provision of this Article.
- B. In addition to the suspension and revocation actions pursuant to Section 110-60 of this Article, violations of this Article are subject to the penalties set forth in Section 1-14 of this Code, and each day or portion thereof during which any violation is committed, continued or permitted shall constitute a separate offense and shall be punishable as a separate offense.

Section 2. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid or preempted, such invalidity or preemption shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid or preempted portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The Town Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid.

Section 3. Effective Date. This Ordinance shall become effective five (5) days after publication on second reading in accordance with the Charter for the Town of Frisco

INTRODUCED, PASSED ON FIRST READING AND PUBLICATION AND POSTING ORDERED
THIS 11TH DAY OF DECEMBER, 2018.

TOWN OF FRISCO, COLORADO:

Gary Wilkinson, Mayor

ATTEST:

Deborah Wohlmuth, CMC,
Town Clerk