



CITY COUNCIL WORK SESSION
Monday, May 15, 2023 - 10:00 AM
City Council Chambers, Elks Civic Building - 107 S. Cascade Ave.

Public participation for this meeting will be in person in the City Council Chambers. The meeting can be viewed via livestream at <https://www.cityofmontrose.org/759/Live-Meetings-Viewer> and recordings of the meetings can be viewed at <https://www.youtube.com/user/MontroseCityGov>.

Hearing assistance devices are available for public use. Please let us know if you need accommodation. The City also offers interpretation for Spanish speakers. In order to allow time to book this resource, please email planningmail@ci.montrose.co.us at least three days before the meeting.

1) INTRODUCTION OF NEW CITY EMPLOYEES (5 minutes)

- Tanner Holzmeister, Streets Division Worker
- Trey Smedley, Utility Division Worker Water
- Tyler Cunningham, Police Officer

2) DISCUSSION ITEMS

- A) 2023 Landfill Agreement Recommendation (15 minutes)
Staff: Public Works Director Jim Scheid
- B) MCH Phase 3 Design Contract Award Recommendation (10 minutes)
Staff: Public Works Director Jim Scheid
- C) 2023 MoveMo Sidewalk Improvements Project Authorization (15 minutes)
Staff: Public Works Director Jim Scheid
- D) Dry Cedar Creek II Addition Annexation (15 minutes)
Staff: Planner II William Reis
- E) International Code Suite Adoption (20 minutes)
Staff: Chief Building Official Archie Byers, Deputy City Manager Ann Morgenthaler, City Attorney Ben Morris
- F) Scheduling of the 2024 Budget Strategic Session with City Council (10 minutes)
Staff: Finance Director Shani Wittenberg
- G) Alcohol Permit and Street Closure for Habitat for Humanity Event (10 minutes)
Staff: City Clerk Lisa DelPiccolo

3) GENERAL CITY COUNCIL DISCUSSION

4) STAFF COMMENTS

CONTRACT AWARD RECOMMENDATION

TO: Honorable Mayor and Members of the City Council
FROM: Jim Scheid, Public Works Director
DATE: May 15, 2023
RE: 2023 Landfill Agreement
CC: William Bell, Ann Morgenthaler, Shani Wittenberg



Action

Consider the award of a contract with Waste Management of Colorado, Inc for Landfill services.

Background

The City's Trash and Recycle Division has collected and hauled the solid waste of City residents to the landfill located northeast of the City for many years. The landfill is operated by Waste Management and in the past Waste Management has been the only option available to the City for landfill services. The City's existing agreement with Waste Management is due to expire in June of 2023 and to renew this agreement the City has issued an RFP and publicly opened bids on May 4th, 2023. There were 2 qualified bids received as detailed below.

Bidder	Location	Total Tipping Fee (\$/Ton)
Waste Management	Montrose, CO	\$60.68
Bruin Waste	Montrose, CO	\$66.50

Although it is great to see competition in this market, City Staff recommend awarding a contract to Waste Management for Landfill Services. Waste Management has performed well in the past and has the lowest cost per ton for tipping fees.

Contract Administration and Project Financials

The Trash and Recycle Division budgeted \$730,000.00 in disposal fees in 2023. Disposal fees include tipping fees for solid waste and for recyclable materials. The bid price of \$60.68/ton is the same price as the City currently pays Waste Management so there is no increase to the disposal fee as a result of this RFP. The disposal fees did however increase 11% starting in January of 2023 which is an unprecedented increase based on the CPI index. The increase noticed in solid waste and recycle tipping fees will likely cause the City's overall disposal fees to exceed the budgeted amount of \$730,000.00.

CONTRACT AWARD RECOMMENDATION

TO: Honorable Mayor and Members of the City Council
FROM: Jim Scheid, Public Works Director
DATE: May 15, 2023
RE: Montrose City Hall Façade Design Contract Award
CC: William Bell, Ann Morgenthaler, Shani Wittenberg



Action

Consider the award of a contract with Blythe Group in the amount of \$145,030.00 for the design of the façade replacement on City Hall.

Background

The City has worked with Blythe Group on 2 phases of interior remodeling of the new City Hall. These 2 phases are complete, and the facility is currently being utilized by City Staff. To continue the renovation project, the City has requested a proposal from Blythe to complete the design of the façade replacement of the facility, also known as Phase 3. This design work is to be completed mostly in 2023, allowing for a potential construction start in the spring of 2024.

Blythe Group has already completed some concept design work on the façade portion of the project as part of their scope in phase 2. This preliminary concept work allowed for cost estimating to be performed which has allowed for discussion with City Staff and City Council to be able to determine the scope and budget that phase 3 design should be targeting. After the design team begins work, City Staff will procure a CMGC to assist with pre-con services during the design process to ensure that the design stays in alignment with the target project budget.

As part of Blythe's design scope they would participate in Stakeholder Meetings and Community Meetings. Blythe would be the lead of a design team including various engineers and consultants to ultimately provide Construction Documents (CDs) for the façade replacement.

Contract Administration and Project Financials

This design project was not budgeted in 2023 and would be funded from General Fund Reserves. This contract is billed on a Time and Material basis as work is performed with a Not-to-Exceed amount of \$145,030.00.

PROJECT EXPENSE AUTHORIZATION

TO: Honorable Mayor and Members of the City Council
FROM: Jim Scheid, Public Works Director
DATE: May 15, 2023
RE: **Concrete Project Expense Authorization**
CC: William Bell, Ann Morgenthaler, Shani Wittenberg



Action

Consider the authorization of expenses for sidewalk improvements as part of the 2023 MoveMo Project in the amount of \$150,000.00.

Background

The City of Montrose has requested formal bids through the Invitation for Bid process for on-call concrete construction services. The successful bidders, Avila Concrete, Bull Basin, OEC Construction, and Agave Construction are responsible for providing on-call concrete services on an as-needed basis at various locations throughout the City. Each portion of sidewalk repairs are broken down into small projects that we can insert into the bid tab to determine which contractor will be the lowest cost. Across many of the line items on the bid tab, Avila Concrete Construction was our lowest bidder. If Avila is unable to accommodate work, we will present the project to the next lowest bidder until a contractor agrees to take the Job. All the qualified bidders were awarded an on-call contract to perform concrete work for the City.

The concrete projects associated with the sidewalk improvements are comprised of multiple undertakings across Maintenance Zone B (shown in Exhibit A - Street Maintenance Plan Overview). The Streets Division performed a detailed survey of sidewalk condition in this zone in 2022 to determine which areas could be milled down (ground) and which areas needed to be replaced. The grinding of the sidewalk is a separate scope of work and is scheduled to be completed in June of 2023. The areas identified as needing replacement (as shown in the Exhibit B - Survey) will be separated into smaller projects and Public Works will utilize the most economical bidder from our On-call Concrete contract to perform the work.

Contract Administration and Project Financials

In the 2023 Capital Improvements Budget, there is \$150,000.00 allocated for Sidewalk Improvements within the MoveMo Contracted Street Maintenance. The concrete work to be performed will be managed by the Public Works Department and work will be performed on a priority basis until the \$150,000.00 has been consumed.

Exhibit A - Street Maintenance Plan Overview



Street Maintenance Plan
Overview 2022-2030

Zone A (41.4 Lane Miles)
2027 Patching
2028 Crack-Seal
2029 Major Street Improvements
2030 Sidewalk Improvements

Zone B (38.1 Lane Miles)
2028 Patching
2029 Crack-Seal
2022 Major Street Improvements
2023 Sidewalk Improvements

Zone C (35.8 Lane Miles)
2021 Patching
2022 Crack-Seal
2023 Major Street Improvements
2024 Sidewalk Improvements

Zone D (36.1 Lane Miles)
2022 Patching
2023 Crack-Seal
2024 Major Street Improvements
2025 Sidewalk Improvements

Zone E (33.7 Lane Miles)
2023 Patching
2024 Crack-Seal
2025 Major Street Improvements
2026 Sidewalk Improvements

Zone F (40.4 Lane Miles)
2024 Patching
2025 Crack-Seal
2026 Major Street Improvements
2027 Sidewalk Improvements

Zone G (31.3 Lane Miles)
2025 Patching
2026 Crack-Seal
2027 Major Street Improvements
2028 Sidewalk Improvements

Zone H (36.4 Lane Miles)
2026 Patching
2027 Crack-Seal
2028 Major Street Improvements
2029 Sidewalk Improvements

City Road
County Road
Stream/River
Pond/Lake
Park

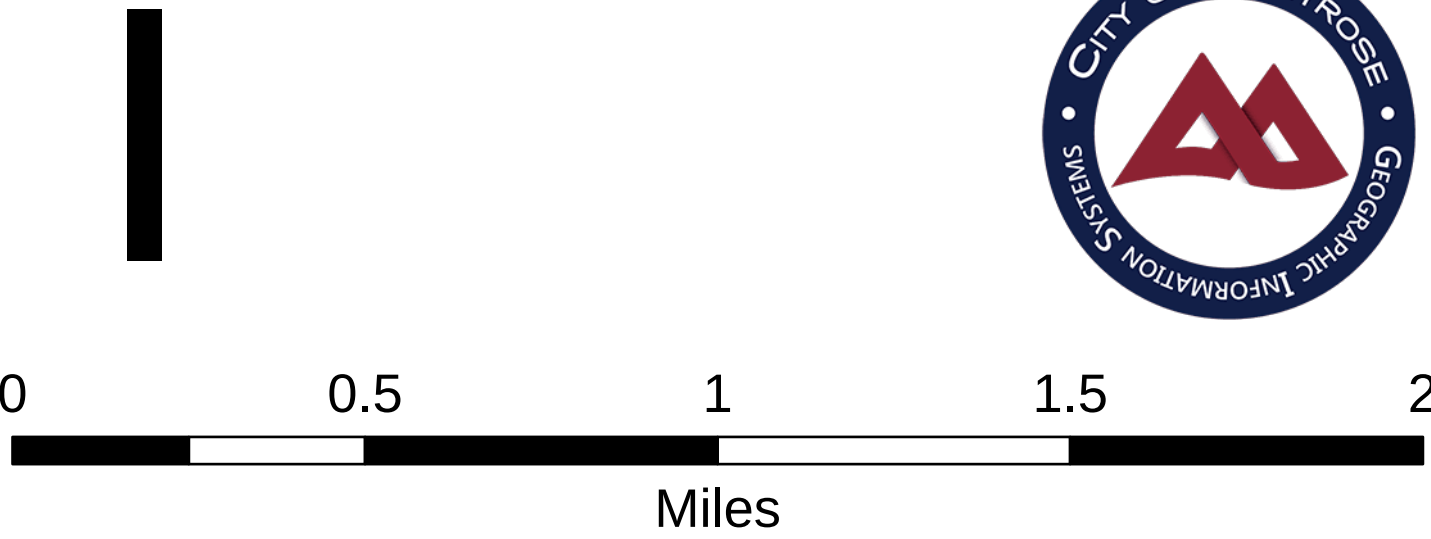
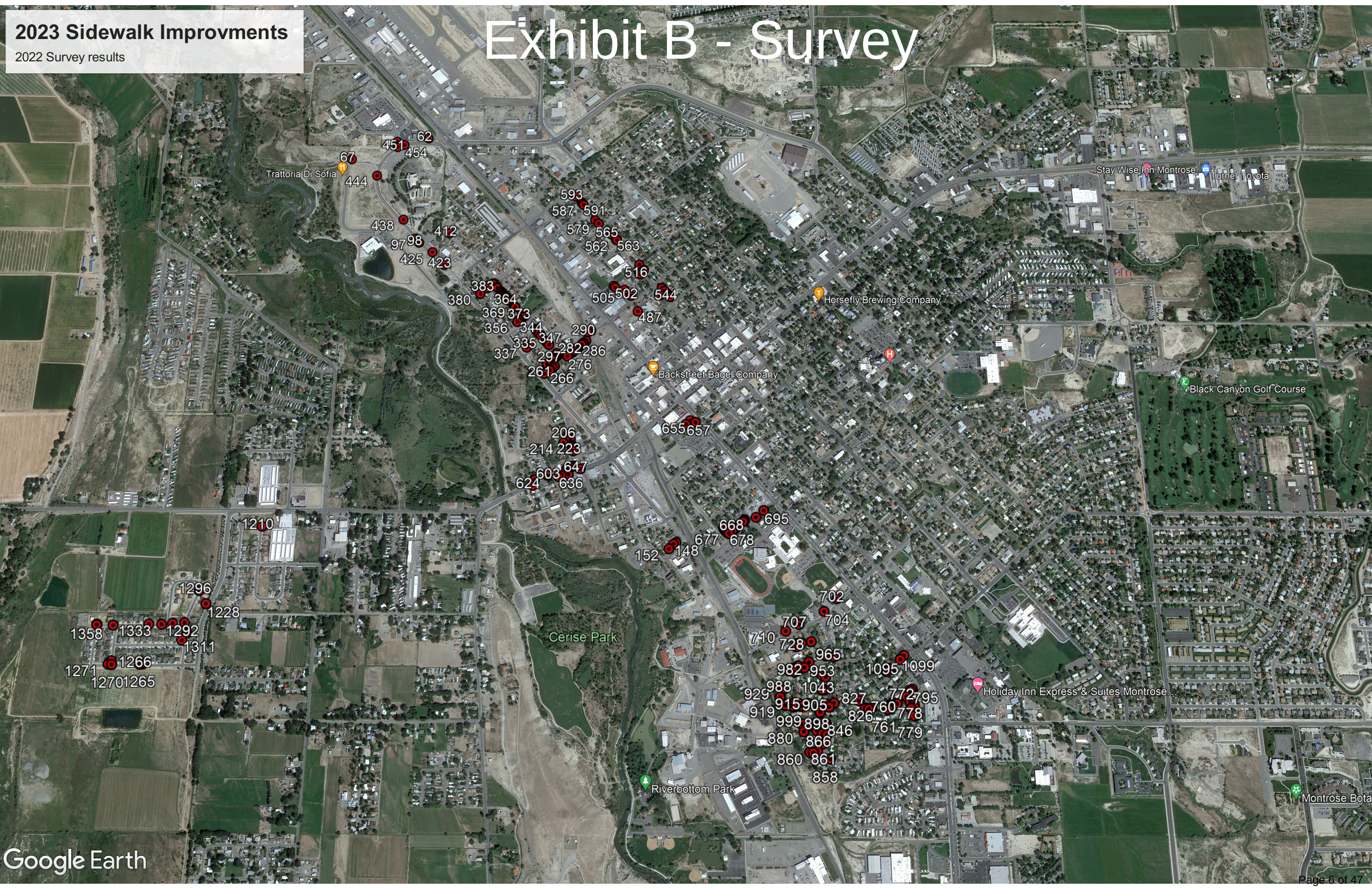


Exhibit B - Survey





CITY OF MONTROSE

Planning Services

MEMO

TO: City Council
FROM: William Reis, Planner II
DATE: May 15, 2023
RE: Dry Cedar Creek II Addition Annexation
ATTACHMENTS:

- Exhibit A: Maps
- Exhibit B: Zoning Code Excerpt

City Council Consideration:

City Council is considering the Dry Cedar Creek II Addition annexation application and the associated zoning. Council will consider all of the information in this memo in making a decision.

Proposed schedule:

May 15:	Council Work Session Overview
June 6:	Council Resolution to set a hearing date
June 14:	Planning Commission zoning hearing
July 18:	City Council Annexation hearing, 1st reading of annexation ordinance, and 1st reading of zoning ordinance
August 1:	2nd reading of annexation and zoning ordinances

Application Background:

The Dry Cedar Creek II Addition is a proposed annexation approximately 5.06 acres in size. The parcel is located along Ogden Road, southeast of its intersection with Kellie Drive. It is within the City's Urban Growth Boundary, City of Montrose Sewer Service Area, and City of Montrose Water Service Area. Annexation of this property will allow for connection to City utilities. An Annexation Agreement is required.



Proposed Zoning: "R-3A" Medium High Density District

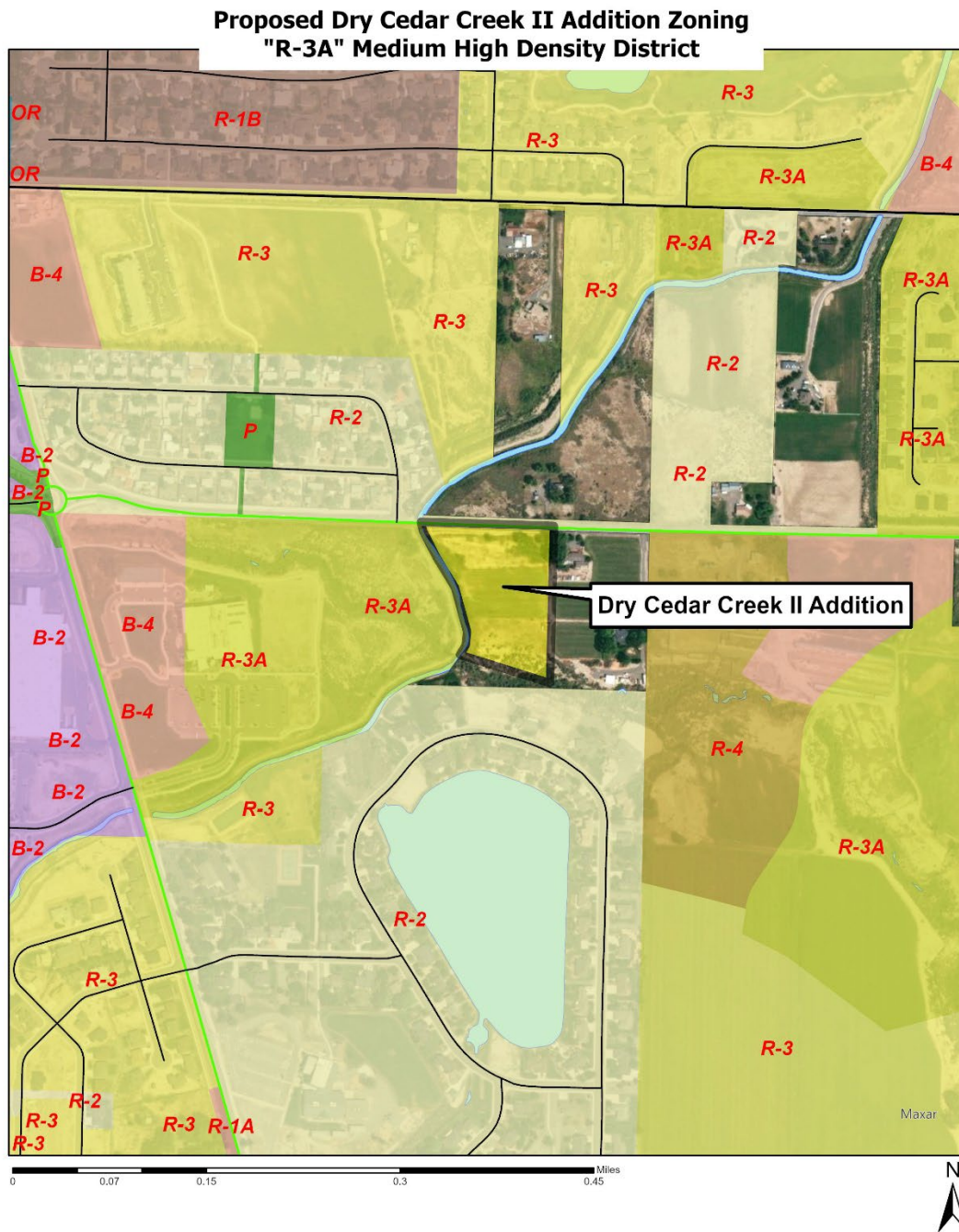
Applicant: RealAmerica, LLC

Staff Analysis:

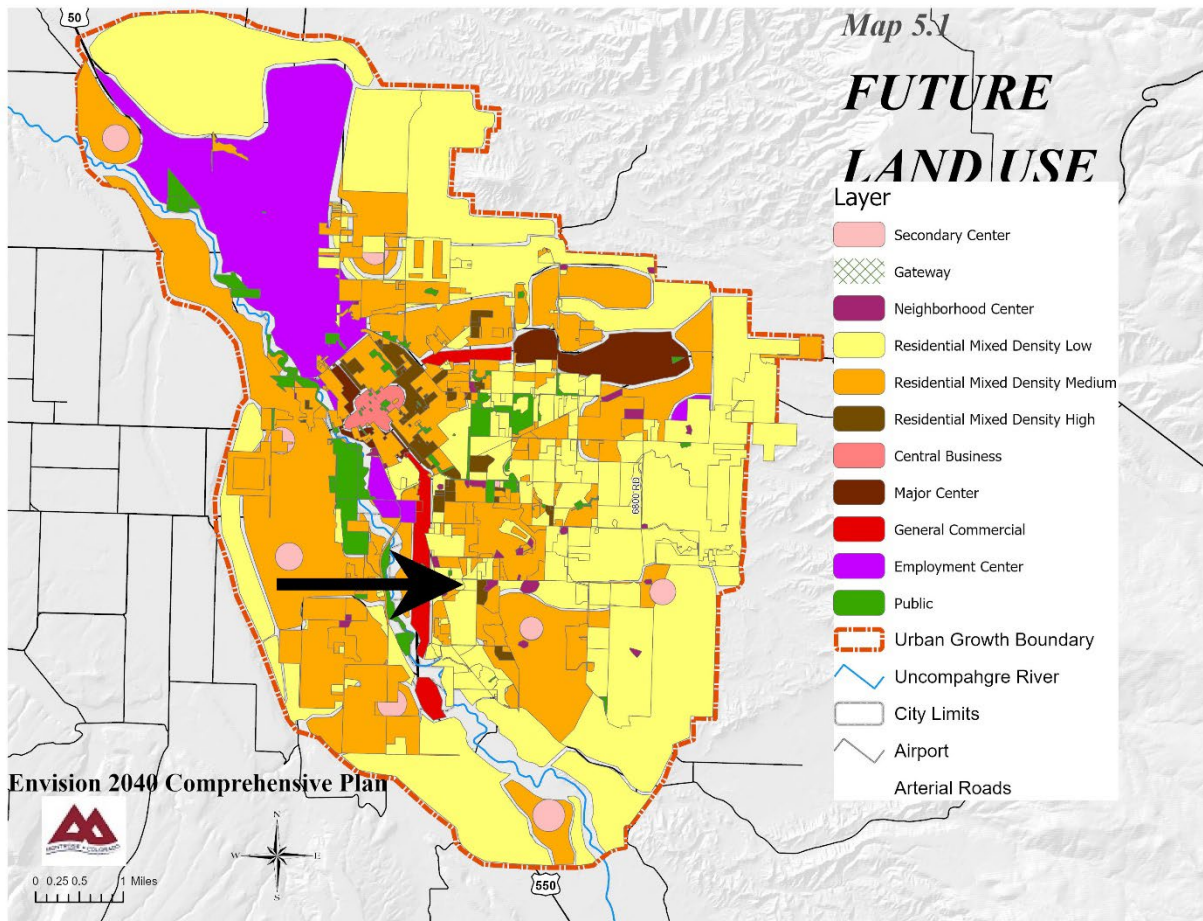
1. The City-County IGA gives the City the option to annex properties within the IGA. The area is urbanizing and more than 1/6 of the perimeter is contiguous to the city limits. These factors support annexation.
2. An annexation agreement is required as a condition of this annexation.
3. Zoning Regulations
 - a. Municipal Code, Section, 4-4-29(B), Zoning of Additions. "The Planning Commission shall recommend to the Council a zoning district designation for all property annexed to the City not previously subject to City zoning, and shall follow the review procedure set out in Section 4-4-31 in arriving at its recommendation. Proceedings concerning the zoning of property to be annexed may be commenced at any time prior to the effective date of the annexation ordinance or thereafter. *The zoning designation for newly annexed property shall not adversely affect the public health, safety and welfare* (emphasis added)."
 - b. Municipal Code, Section 4-4-6(A) Intent: The "R-3A" Medium High Density District is intended to provide an area which is suitable for single-family homes, duplexes and multifamily residences with intermediate overall density. This district provides for other uses which are compatible with such residential uses.
 - c. The proposed zoning is compatible with existing zoning and general conditions in the area. The property is adjacent to properties that are zoned "R-2" Low Density District, "R-3A" Medium High Density District, and properties outside of City limits.
4. The Comprehensive Plan Future Land Use Map designates the area of the Dry Cedar Creek II Addition as Residential Mixed Density Low. The Residential Mixed Density Low District provides primarily for single-family homes, as well as small amounts of attached residential dwelling units (such as duplexes and even small groups of townhomes). This low-density residential land use is intended to preserve the traditional building pattern of the existing residential development in Montrose. It will continue to be the predominant density in the City.
5. The property is located within Growth Area 1. According to the Comprehensive Plan, Growth Area 1 represents the most cost-efficient areas for the city to grow and comprises platted but unbuilt lots, annexed but unplatted land, and un-annexed small enclaves.
6. The "R-3A" zoning does not appear to be adverse to the public health, safety and welfare.



EXHIBIT A: Maps

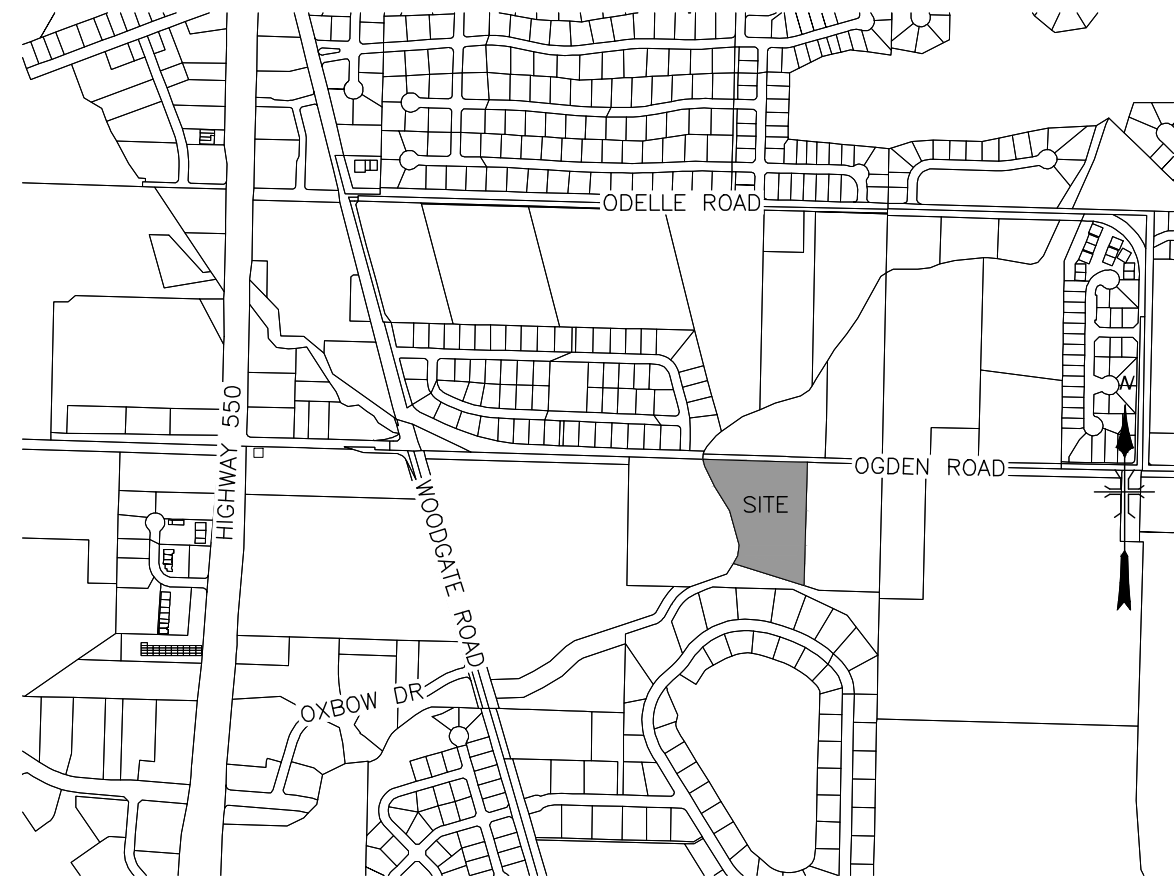


Comprehensive Plan Future Land Use Map

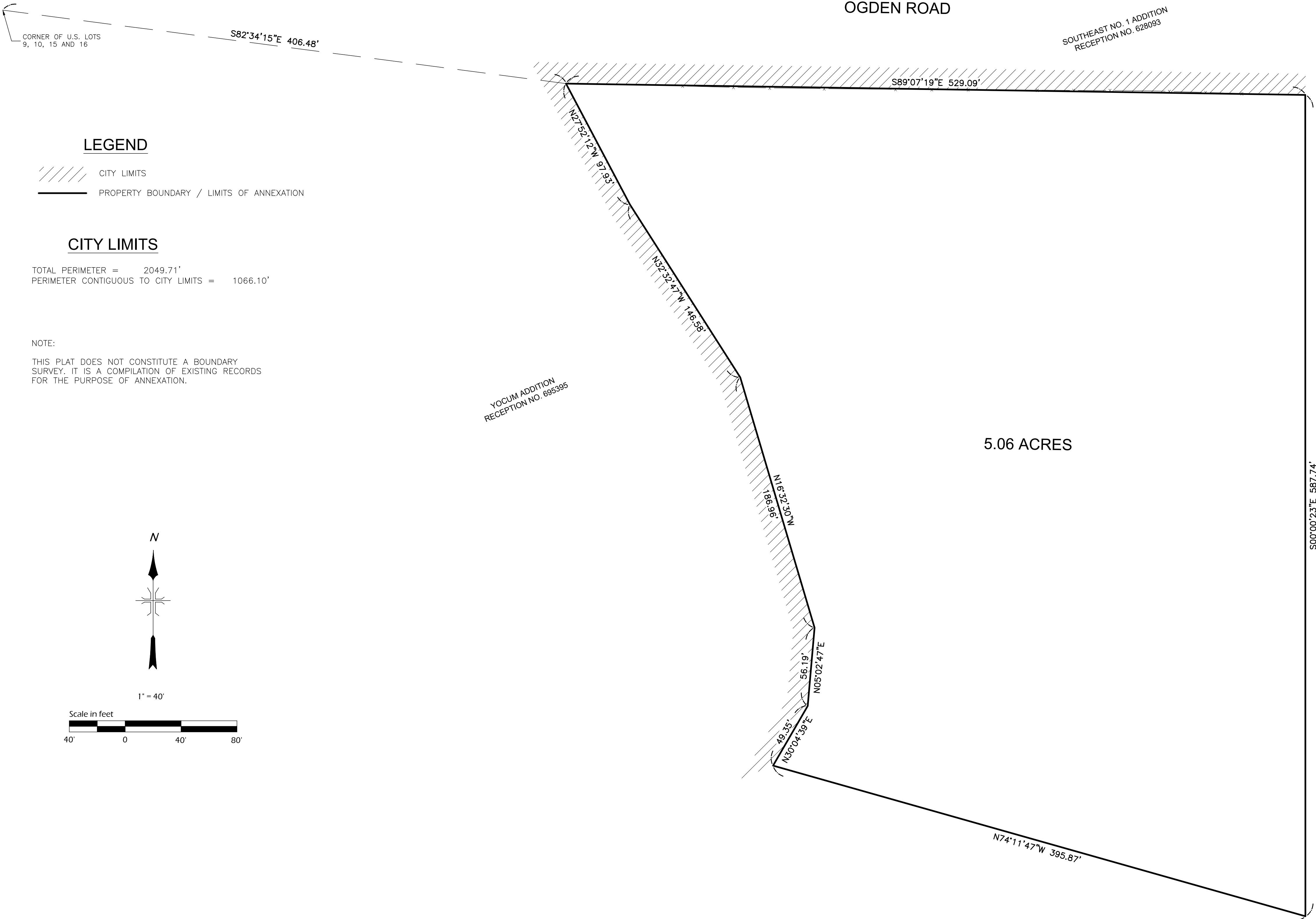


DRY CEDAR CREEK II ADDITION

SITUATED IN SECTION 4, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



VICINITY MAP
N.T.S.



LEGEND

- CITY LIMITS
- PROPERTY BOUNDARY / LIMITS OF ANNEXATION

CITY LIMITS

TOTAL PERIMETER = 2049.71'
PERIMETER CONTIGUOUS TO CITY LIMITS = 1066.10'

NOTE:
THIS PLAT DOES NOT CONSTITUTE A BOUNDARY SURVEY. IT IS A COMPILATION OF EXISTING RECORDS FOR THE PURPOSE OF ANNEXATION.

ANNEXATION DESCRIPTION

A TRACT OF LAND SITUATED IN THE N1/2 OF LOT 16, SECTION 4, TOWNSHIP 48 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE SOUTH LINE OF THE SOUTHEAST ADDITION 1 RECEPTION NO. 628093, SAID POINT BEING S82°34'15"E 406.48 FEET FROM THE CORNER OF U.S. LOTS 9, 10, 15 AND 16, AS MONUMENTED BY A WITNESS CORNER (BK. 1, PG. 606), THENCE ALONG SAID SOUTH LINE S89°07'19"E 529.09 FEET; THENCE SOUTH 00°00'23" EAST FOR 587.74 FEET; THENCE NORTH 74°11'47" WEST FOR 395.87 FEET TO THE CENTERLINE OF THE 100' EASEMENT FOR SAID CANAL, AND THENCE ALONG THE CENTERLINE OF SAID EASEMENT FOR THE FOLLOWING CALLS: NORTH 30°04'38" EAST FOR 49.35 FEET; NORTH 05°02'47" EAST FOR 56.19 FEET; NORTH 16°32'30" WEST FOR 186.96 FEET; NORTH 32°32'47" WEST FOR 146.58 FEET; NORTH 27°52'12" WEST FOR 97.93 FEET TO THE POINT OF BEGINNING, COUNTY OF MONTROSE, STATE OF COLORADO.

SURVEYOR'S CERTIFICATE

I, Frederick A. Ballard, a Registered Land Surveyor in the State of Colorado, do hereby certify DRY CEDAR CREEK II ADDITION Annexation Map was prepared under my direct supervision.

Frederick A. Ballard, P.L.S.
Registration No. 37690

MAYOR'S CERTIFICATE

This is to certify that the City of Montrose, a municipal corporation in the County of Montrose, State of Colorado has by its Ordinance No. _____ adopted on the _____ day of _____, 20____, annexed the property hereon to the City of Montrose.

Mayor

Attest:
City Clerk

CLERK AND RECORDER'S CERTIFICATE

This map was filed for record in the office of the Clerk and Recorder of Montrose County, Colorado, at the time of _____, on the _____ day of _____, 20____ under Reception No. _____.

Clerk and Recorder
Montrose County, Colorado

Deputy

NOTICE: According to Colorado Law (13-80-105, CRS) you must commence any legal action based upon any defect in this survey within three (3) years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown hereon.

DMC		DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. • Montrose, CO 81401 • (970) 245-2251 • (970) 245-2242 FAX www.del-mont.com • service@del-mont.com	
FIELD BOOK:	DATE:	2023-01-26	
SHIRT:	FILE:	JOB NO.:	TYPE:
1 of 1	23010V_ANNEX	23010	ANNEXATION
TITLE: DRY CEDAR CREEK II ADDITION		CLIENT:	MICHAEL SURAK
		ADDRESS & PHONE:	

EXHIBIT B: Zoning Code Excerpt

Sec. 4-4-7.1. "R-3A" Medium High Density District.

- (A) *Intent.* The "R-3A" Medium High Density District is intended to provide an area which is suitable for single-family homes, duplexes and multifamily residences with intermediate overall density. This district provides for other uses which are compatible with such residential uses.
- (B) *Uses by Right.*
- (1) Single-family homes, duplexes, multifamily residences.
 - (2) Public utility service facilities.
 - (3) Government buildings and facilities.
 - (4) Parks and recreation facilities owned or operated by a homeowner association.
 - (5) Places of worship.
 - (6) Accessory uses.
 - (7) Short-term rentals.
 - (8) Family child care home.
- (C) *Conditional Uses.*
- (1) Childcare facilities.
 - (2) Skilled nursing and assisted living facilities.
 - (3) Schools.

(Ord. No. 2472 , § 4-4-7.1, 5-7-2019; Ord. No. 2561 , 10-19-2021)





CITY OF MONTROSE

MEMO

TO: Honorable Mayor Bynum and Montrose City Council
FROM: Ann Morgenthaler, Deputy City Manager
DATE: May 15, 2023
RE: Proposed 2018 Building and Energy Codes Adoption

City Council Consideration

In December, 2022 City Council directed staff to begin drafting an ordinance to adopt the 2018 International Building and Energy Codes. Staff is now presenting the proposed ordinance for Council's consideration. If Council supports the adoption of the ordinance, City staff will host a public open house on May 22, 2023 and then bring the ordinance to Council for first reading on June 6, 2023 and second reading on June 20, 2023.

Background

In July 2005, the City of Montrose adopted the 2003 International Building Codes, published by the International Code Council (ICC). These include the 2003 versions of the International Building Code (IBC), the International Mechanical Code (IMC), the International Residential Code (IRC), the International Fuel Gas Code (IFGC), the International Plumbing Code (IPC), the International Existing Building Code (IEBC), the International Property Maintenance Code (IPMC), and the International Fire Code (IFC). In 2008, the City adopted the 2003 version of the International Energy Conservation Code (IECC).

Regional local governments have had the shared goal of adopting the same version of Building Codes, in order to provide consistent standards for the professional building community, who work in multiple jurisdictions. Please see the attached table for a list of regional governments, their current Building Codes, and the codes they plan to adopt soon (if applicable). The majority of regional local governments have adopted the 2018 Building Codes and do not have plans to adopt more recently published codes.

In addition to the goal of regional consistency, State of Colorado legislation (HB22-1362) requires that if a local government adopts new Building Codes prior to July 1, 2023, that either the 2015, 2018, or 2021 International Energy Conservation Code (IECC) is also adopted. If a municipality adopts a new Building Code after July 1, 2023, the local government must adopt an Energy Code that is equivalent to the 2021 version of the IECC. Please see attached information

from the Colorado Municipal League for additional information about the requirements associated with this legislation.

Notable Updates

Adopting the 2018 suite of Building and Energy Codes will include some noticeable changes including:

- IRC automatic sprinkler requirement
- Increased Fire separation distance (from 3 to 5 feet) for fire resistant construction requirement
- Basement/crawlspaces lids required to be drywalled when fueled fired appliances are located in basement or crawlspace
- Increased insulation values or energy heels (trusses)
- Mechanical ventilation requirements
- Lighting efficacy increases
- Duct and blower door testing for air leakage testing

Currently, pursuant to the 2003 Building Codes, the City of Montrose does not require interior residential sprinklers in single-family, duplex, or townhouse structures. The 2018 Building Codes require that single-family, duplex, and townhouse structures are built to include interior residential sprinklers. However, a local government may make amendments when adopting the codes in order to modify such requirements. The staff recommend, and the proposed adoption ordinance include language specifying, that these requirements for interior residential sprinklers are eliminated. This would be consistent with other regional local governments and would accomplish staff's goal of providing an incremental, and not drastic, update to the Building Codes.

Recommendation

City of Montrose staff recommend City Council adopt the 2018 suite of ICC Building Codes and the 2018 version of the Energy Code. This will increase consistency with other regional local governments and will allow for reasonable – but not overly burdensome or overly expensive – updates to requirements for builders. Adopting the 2018 Building and Energy Codes prior to July 1, 2023 will allow the City to make this incremental update to the 2018 suite of Codes, as opposed to being required to adopt the 2021 Energy Code if we adopt new codes after July 1, 2023.

A local government may adopt different versions of Building and Energy Codes, for example by adopting the 2018 suite of Building Codes and the 2021 Energy Code, but doing so can create confusion and require additional local modifications to ensure consistency between codes.



Area Comparison of Adopted Codes and Plans for Future Updates

Jurisdiction	Current Code	Next adoption
City of Montrose	2003	code update prior to 7/1/23
Montrose County	2009	no update pending
Town of Ridgway	2018	no update pending
City of Ouray	2009	code update to 2018 Prior to 7/1/23
Ouray County	2018	no update pending
City of Delta	2018	no update pending
Delta County		No adopted building code
City of Gunnison	2015	under review for 2021
Gunnison County	2015	status unknown
Town of Mountain Village	2018	no update pending
Town of Telluride	2018	no update pending
San Miguel County	2018	no update pending
Mesa County & Grand Junction	2018	no update pending

Area Comparison of IRC Interior Sprinkler Requirements

	Code Year	One-Family Dwelling (sfr)	Two-Family Dwelling	Townhouses	Detached Garages
Montrose County	2009	No	No	No	No
Town of Ridgway	2018	No	No	Yes	No
City of Ouray	2009	No	No	per building inspector	silent
Ouray County	2018	No	No	Yes	No
City of Delta	2018	No	No	No	No
Delta County	NO ADOPTED BUILDING CODE				
City of Gunnison	2015	No	Yes	Yes	silent
Gunnison County	2015	Yes when > 3,600 sf	Yes when > 3,600 sf	No	silent
Town of Mountain Village	2018	Yes when > 3,600 sf	Yes when > 3,600 sf	Yes	silent
Town of Telluride	2018	Yes	Yes	Yes	silent
San Miguel County	2018	Yes when > 3,600 sf	Yes when > 3,600 sf	Yes	silent
Mesa County	2018	No	No	No	No



Colorado Municipal League Summary of HB22-1362

HB22-1362

Building Greenhouse Gas Emissions

<https://leg.colorado.gov/bills/hb22-1362>

The act establishes minimum energy codes that local governments must adopt when they are adopting or updating their building codes. HB22-1362 also creates an Energy Code Board which includes local government officials. The Board will meet to create a model solar energy code, a model electric ready code, and a model low energy and carbon code. The Board is dissolved on September 1, 2027.

The timelines are below:

- When adopting or updating a building code prior to July 1, 2023, the municipality must adopt and enforce an energy code that achieves equivalent or better energy performance than one of the three most recent editions of the International Energy Conservation Code.
- A municipality that has adopted and enforced one or more building codes, and that updates one or more building codes after July 1, 2023, and before July 1, 2026, must adopt and enforce an energy code that achieves equivalent or better energy performance than the 2021 International Energy Code and the model electric ready code and the solar ready code developed by the Energy Code Advisory Board.
- A municipality that has adopted and enforced one or more building codes, and that updates one or more building codes after July 1, 2026, must adopt and enforce an energy code that achieves equivalent or better energy and carbon emissions performance than the model low energy and carbon code created by the Energy Code Board.

Two grant programs are also created:

- The building electrification for public buildings grant program to provide grants to local governments, school districts, state agencies, and special districts for the installation of high-efficiency electric heating equipment; and
- The high-efficiency electric heating and appliances grant program to provide grants to local governments, utilities, nonprofit organizations, and housing developers for the installation of high-efficiency electric heating equipment in multiple structures within a neighborhood. **Effective: June 2, 2022.** Lobbyist: Meghan Dollar.



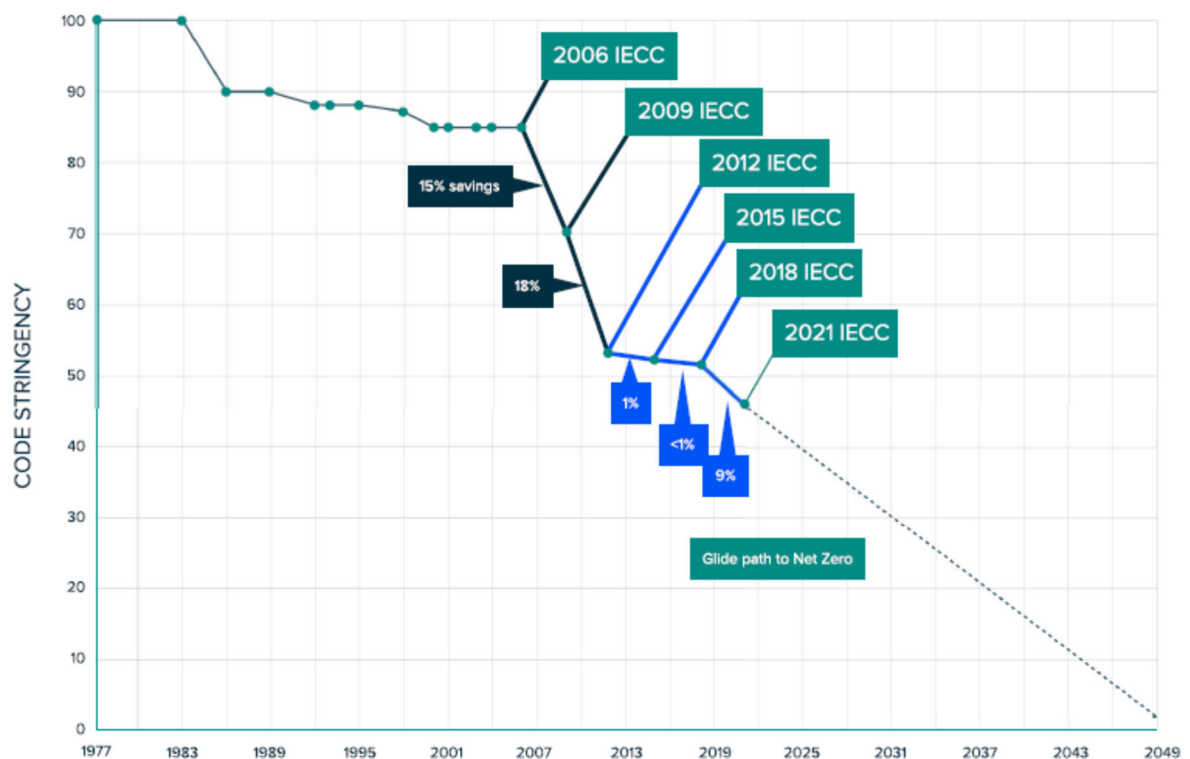
History of the International Conservation Code (IECC)

From: <https://energyefficientcodes.org/iecc/>

For nearly two decades, successive versions of the IECC and its predecessor, the Model Energy Code (MEC), made only 1 to 2 percent gains in energy efficiency. That changed in 2009 and 2012, when the Energy-Efficient Codes Coalition (EECC) brought together government and business leaders, regional energy efficiency alliances, academics, think tanks, utilities, conservation groups, low-income housing groups and energy consumers to support a 30+ percent energy efficiency boost, as can be seen in the adjacent graph.

After the progressive gains made to the 2009 and 2012 IECCs, progress stalled as anti-efficiency lobbyists successfully halted further progress during the 2015 and 2018 code cycles. These lost opportunities for efficiency gains in the 2015 and 2018 IECCs set us behind and have cost homeowners and business owners thousands in lost revenue due to buildings being constructed to weaker standards than is feasible today.

The 2021 code cycle once again resulted in significant progress, with an efficiency boost of more than 10% over the 2018 IECC.



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, AMENDING CITY BUILDING AND FIRE REGULATIONS AND ADOPTING BY REFERENCE 2018 EDITIONS OF THE INTERNATIONAL BUILDING CODE; THE INTERNATIONAL MECHANICAL CODE; THE INTERNATIONAL RESIDENTIAL CODE; THE INTERNATIONAL FUEL GAS CODE; THE INTERNATIONAL PLUMBING CODE; THE INTERNATIONAL EXISTING BUILDING CODE; THE INTERNATIONAL PROPERTY MAINTENANCE CODE; THE INTERNATIONAL FIRE CODE; AND THE INTERNATIONAL ENERGY CONSERVATION CODE; AND PROVIDING PENALTIES FOR VIOLATIONS

WHEREAS, the City of Montrose adopted the 2003 editions of the International Building Code, the International Mechanical Code, the International Residential Code, the International Fuel Gas Code, the International Plumbing Code, the International Existing Building Code, the International Property Maintenance Code, and the International Fire Code in 2005, as described in Ordinance number 2069; and

WHEREAS, the City of Montrose adopted the 2003 edition of the International Energy Conservation Code in 2008 as described in Ordinance number 2199; and

WHEREAS, the City of Montrose desires to adopt more current editions of the above-referenced Codes, in order to ensure that construction meets contemporary standards, as well as to provide consistent code adoptions between regional jurisdictions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO that:

SECTION 1:

Section 4-1-1 (Adoption and application of codes.) of the Official Code of the City of Montrose, Colorado is amended to read in its entirety as follows:

- (A) There is hereby adopted for the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare The International Building Code, 2018 Edition, including Appendix I, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; the condemnation of buildings and structures unfit for human occupancy, and use and the demolition of such structures; and providing for the issuance of permits and

collection of fees therefor.

- (B) There is hereby adopted for the purpose of providing minimum standards to protect persons and property The International Mechanical Code, 2018 Edition, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems, and the issuance of permits and collection of fees therefor.
- (C) There is hereby adopted for the purpose of providing minimum standards to protect persons and property The International Residential Code, 2018 Edition, including Appendices E, F, H, J, and Q, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached and two family dwellings and multiple single family dwellings (townhouses) not more than three (3) stories in height, with separate means of egress, and the issuance of permits and collection of fees therefor.
- (D) There is hereby adopted for the purpose of providing minimum standards to protect persons and property The International Fuel Gas Code, 2018 Edition, including Appendices A, B, and C, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing fuel gas systems and gas-fired appliances, and the issuance of permits and collection of fees therefor.
- (E) There is hereby adopted for the purpose of providing minimum standards to protect persons and property The International Plumbing Code, 2018 Edition, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for the issuance of permits and collection of fees therefor.
- (F) There is hereby adopted for the purpose of providing minimum standards to protect persons and property The International Existing Building Code, 2018 Edition, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478-5795; including Appendix B and Resource A; the subject matter of which is regulations governing the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings, and providing for the issuance of permits and collection of fees therefor.
- (G) There is hereby adopted for the purpose of providing minimum standards to protect persons and property The International Energy Conservation Code, 2018 Edition, as published by the International Code Council, 4051 Flossmoor Road, County Club Hills, Illinois 60478-5795; the subject matter of which is regulations governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems, and providing for the issuance of permits and collection of fees therefor.

- (H) There is hereby adopted for the purpose of providing minimum standards to protect persons and property The International Property Maintenance Code, 2018 Edition, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing, the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; the condemnation of buildings and structures unfit for human occupancy, and use and the demolition of such structures; and providing for the issuance of permits and collection of fees therefor.
- (I) Pursuant to C.R.S. § 12-115-107, an electrical code, enforced by the State of Colorado, shall apply to all electrical work within the City. As the State of Colorado has preempted local governments in setting minimum standards in this area, the City shall not be required to separately adopt any electrical code.
- (J) One (1) copy of the aforementioned Code is on file in the office of the City Clerk, and may be inspected during regular business hours. The City will provide information upon request for purchase of an electronic copy of the aforementioned Code.

SECTION 2:

Section 4-1-2 (Administration.) of the Official Code of the City of Montrose, Colorado is amended to read in its entirety as follows:

- (A) The City Manager shall be responsible for the enforcement of this Chapter, and the Codes adopted herein by reference. The City Manager may appoint a Building Official or one or more inspectors who shall enforce, interpret, and administer the provisions of this Chapter, and the Codes adopted herein by reference. Provided, however, the state electrical code shall be administered and enforced in accordance with State law by the State Electrical Inspector.
- (B) The City Manager and State Electrical Inspector and their designated representatives shall have the right of entry to inspect and enforce the provisions of this Chapter, a state electrical code and any of the Codes adopted herein by reference in accordance with the procedures and provisions of Subsection 104.6 of The International Building Code, 2018 Edition, in addition to any other provisions provided by law.
- (C) Whenever, in any of the Codes adopted or applied in this Chapter, it is provided that anything must be done, subject to the approval or discretion of an inspector or official, this shall be construed to give such official or inspector only the discretion to determine whether rules or standards established by such Codes have been complied with, and no such provisions shall be construed as giving any official or inspector any arbitrary or discretionary power to require conditions not prescribed

by said Codes or to enforce the Codes in an arbitrary or discriminatory manner.

- (D) Permit and related fees for the Codes adopted by reference herein shall be as adopted by City Council Resolution.
- (E) The owner, lessee, manager, sublessee, and occupant(s) of property shall be jointly and severally responsible and liable for compliance with the provisions of this Chapter and the Codes adopted by reference herein, notwithstanding any lease or agreement among them.
- (F) The City Manager is hereby authorized to promulgate additional regulations for the interpretation, administration and enforcement of this Chapter and any other Codes adopted by reference herein.

SECTION 3:

Section 4-1-3 (Deletions, modifications, and exceptions to the Codes adopted by reference.) of the Official Code of the City of Montrose, Colorado is amended to read in its entirety as follows:

- (A) The International Building Code, 2018 Edition, is amended as follows:
 - (1) References to “jurisdiction” in § 101.1 and elsewhere shall mean the City.
 - (2) The flood insurance study and maps referred to in § 1612 are as adopted by Chapter 11-6 of the Official Code of the City of Montrose, Colorado.
 - (3) Sections 103, 104.7, 104.8, 113, 114.1, 114.3, and 114.4, are deleted.
 - (4) Section 105.2 is amended to exempt the following from permit requirements:
 - (a) Replacement of sinks, faucets, showers, tubs, dishwashers, garbage disposals, and lawn sprinkler systems.
 - (b) Window and door replacement.
 - (c) Re-siding of buildings regulated by this Code.
 - (d) Re-roofing less than 200 square feet.
 - (5) All foundations submitted for habitable structures or additions to habitable structures, shall be site specific, stamped and signed by an engineer registered in the state of Colorado. One (1) story detached accessory use structures less than 500 square feet in floor area, patio covers and carports need only comply with The International Building Code, 2018 Edition.
 - (6) The exemption from permit requirements for accessory buildings in § 105.2, is

amended to read as follows: “Building. No more than a single, one-story detached accessory structure for each premises such as tool and storage sheds, playhouses and similar uses, provided the floor area cannot exceed 200 square feet.”

- (7) For purposes of complying with HB 21-1222, §§ 305.2, 305.2.2, and 305.2.3, are amended by deleting five (5) and replacing it with 12.
- (8) For purposes of complying with HB 21-1222, §§ 308.5, 308.5.1, and 308.5.3, are amended by deleting five (5) and replacing it with 12.
- (9) For purposes of complying with HB 21-1222, § 310.4.1, is amended by deleting five (5) and replacing it with 12. Also, the following language is deleted from this section: “provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3 or Section P2904 of the International Residential Code.”
- (10) Subsection 3103 of The International Building Code, 2018 Edition, is amended to include the following additional provisions:
 - (a) Buildings or structures moved into or within the City shall comply with the provisions of this Code for new buildings or structures, except as otherwise provided herein.
 - (b) Temporary structures such as reviewing stands and fences used for the protection of the public around and in conjunction with construction work may be erected by special permit from the Building Official for a limited period of time. Such buildings or structures need not comply with the type of construction or fire- resistive time periods required by this Code. Such temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.
 - (c) Temporary permits may be issued for certain structures and mobile homes which meet the criteria of this paragraph, subject to the conditions and criteria set out herein.
 - (d) The maximum period of any temporary permit unless otherwise authorized by a City Council approved permit, shall be the lesser of the following: Six (6) months within any calendar year; six (6) continuous months including time within a prior calendar year; or a number of months so that the total number of months for all temporary structures on the premises in any calendar year does not exceed six (6) months. At the end of the permitted period, the entire structure must be removed from the premises or taken down and properly stored out of view.
 - (e) Unless otherwise authorized by a City Council-approved permit, the use of any structure permitted herein is limited to use for retail sales, storage, pool or tennis court covers or accessory uses to residences. These structures shall not be permitted for manufacturing, repair, welding, painting or workshop uses.

- (f) All structures shall comply with all applicable provisions of City ordinances and regulations and state and federal law, including but not limited to building setback, off-street parking and other provisions of City Sign, Zoning and Land Use Regulations, State electrical code and City Sales and Use Tax Regulations. Provided however, temporary off-street parking spaces need not be paved.
- (g) Any manufactured structure shall be erected and maintained in accordance with the manufacturer's recommendations and instructions. All temporary structures shall be constructed, erected, and maintained in a good and skillful manner, in a good and safe condition and shall create no fire or safety hazard, or nuisance.
- (h) When required by applicable laws, permanent restrooms shall be available complying with applicable laws. If water and/or sewer are provided, nonrefundable purchase of taps with payment of system investment and connection charges is required.
- (i) Applications for temporary permits shall be submitted on forms provided by the City, which may require all information necessary and convenient for the administration of these provisions, including a Site Plan and Construction Plans, and shall be accompanied by an application fee as set forth in § 3-1 of the City of Montrose Regulations Manual and payment of City Sales and Use Tax due on the structure, and any equipment or taxable personal property to be used on the premises. The permit shall be issued subject to conditions necessary to ensure compliance with all applicable laws and this Paragraph (i). No use or occupancy shall be made of the structure until it has been inspected and an Occupancy Permit issued as being in apparent compliance with terms and conditions of the permit. Permits may be revoked following reasonable notice and hearing by the City Manager on account of a failure to comply with the conditions of the permit, this Paragraph (i) or any applicable laws. Following revocation of any permit, no similar permit shall be issued to the Permittee, or for the affected premises for a period of three (3) years.
- (j) The Building Official may issue permits pursuant to this section except when Council approval is also required as set out herein above. Council approved permits are limited to temporary uses incidental to construction projects and the uses set out above.
- (k) Tents and fabric canopies, erected for less than five (5) days, or with less than 120 square feet of roof area, may be erected and used without a permit.

(B) The International Residential Code, 2018 Edition, is amended as follows:

- (1) Chapters 34 through 43 and §§ R103, R104.7, R104.8, R112, R113.1, R113.3, and R113.4 are deleted.
- (2) References to "jurisdiction" in § R101.1 and elsewhere shall mean the City.

(3) Section R105.2 is amended to exempt the following from permit:

- (a) Replacement of sinks, faucets, showers, tubs, dishwashers, garbage disposals, and lawn sprinkler systems.
- (b) Window and door replacement.
- (c) Re-siding of buildings regulated by this Code.
- (d) Re-roofing less than 200 square feet.

(4) Table R301.2 (1) Climatic and Geographic Design Criteria, is adopted as follows:

2018 IRC
Climatic and Geographic Design Criteria
Table R301.2(1)

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY ^d	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^e	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ⁱ	AIR FREEZING INDEX ^j	MEAN ANNUAL TEMP ^k
	Speed ^a (mph)	Topographic effects ^c	Special Wind Region ^l	Wind- borne debris zone ^m		Weathering ^a	Frost line depth ^b	Termite ^c					
30	115	NO	NO	NO	C	Severe	20"	Slight	7°	YES	July 17, 1986	1031	49°
MANUAL J DESIGN CRITERIA ⁿ													
Elevation	Latitude		Winter heating		Summer cooling		Altitude correction factor		Indoor design temperature	Design temperature cooling	Heating temperature difference		
5807	39°		4°		92°		0.84		70°	75°	63°		
Cooling temperature difference	Wind velocity heating		Wind velocity cooling		Coincident wet bulb		Daily range		Winter humidity	Summer humidity	--		
19	15 mph		7.5 mph		60		H		30%	50%	--		

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- a. Where weathering requires a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code, the frost line depth strength required for weathering shall govern. The weathering column shall be filled in with the weathering index, "negligible," "moderate," or "severe" for concrete as determined from Figure R301.2(4). The grade of masonry units shall be determined from ASTM C34, C35, C62, C73, C90, C129, C145, C216 or C652.
- b. Where the frost line depth requires deeper footings than indicated in Figure R403.1(1), the frost line depth strength required for weathering shall govern. The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(5)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. The outdoor design dry-bulb temperature shall be selected from the columns of 97 1/2 -percent values for winter from Appendix D of the *International Plumbing Code*. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official. [Also see Figure R301.2(1).]
- f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas); (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of the currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
- h. In accordance with Sections R905.1.2, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
- i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99-percent) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32° F)."
- j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32° F)."
- k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- l. In accordance with Figure R301.2(5)A, where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- m. In accordance with Section R301.2.1.2 the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- n. The jurisdiction shall fill in these sections of the table to establish the design criteria using Table 1a or 1b from ACCA Manual J or established criteria determined by the jurisdiction.
- o. The jurisdiction shall fill in this section of the table using the Ground Snow Loads in Figure R301.2(6).

(5) Section R309.5 Fire Sprinklers, is deleted.

(6) Sections R313.1 and R313.2 Automatic Fire Sprinkler Systems, are amended by

replacing the word “shall” with the word “may.”

- (7) Section 326.1 Swimming Pools, Spas and Hot Tubs, is deleted.
 - (8) Section G2406.2 Prohibited Locations, exception numbers 3 and 4, are deleted.
 - (9) Section G2445 Unvented Room Heaters, is deleted.
 - (10) All foundations submitted for habitable structures or additions to habitable structures, shall be site specific, stamped and signed by an engineer registered in the state of Colorado. One (1) story detached accessory use structures less than 500 square feet in floor area, patio covers and carports need only comply with The International Residential Code, 2018 Edition.
 - (11) Subsection P2603.5.1 is amended to specify: “**Sewer depth.** *Building sewers* that connect to private sewage disposal systems shall be not less than 12 inches below finished grade at the point of septic tank connection. *Building sewers* shall be not less than 4 inches below grade.”
 - (12) The exception from permit requirements for accessory buildings in subsection R105.2 is amended to read as follows: Building. No more than a single, one-story detached accessory structure for each premises such as tool and storage sheds, playhouses and similar uses, provided the floor area cannot exceed 200 square feet.
- (C) The International Plumbing Code, 2018 Edition, is amended as follows:
- (1) Sections 103, 104.4, 104.7, 106.6.2, 106.6.3, 108.1, 108.3, 108.4, 108.6, and 109 are deleted.
 - (2) References to “jurisdiction” in § 101.1 and elsewhere shall mean the City.
 - (3) Section 106.2 is amended to exempt the following from permit requirements: Replacement of sinks, faucets, showers, tubs, dishwashers, garbage disposals and lawn sprinkler systems.
 - (4) Subsection 305.4.1 is amended to specify: “**Sewer depth.** *Building sewers* that connect to private sewage disposal systems shall be not less than 12 inches below finished grade at the point of septic tank connection. *Building sewers* shall be not less than 4 inches below grade.”
 - (5) Section 604.8 is amended to read as follows: “Excessive water pressure: for all new construction with water services, a water pressure regulator, conforming to ASSE 1003, preceded by an adequate strainer shall be installed to reduce the static pressure to 80 pounds per square inch (552 kPa) or less. This regulator must be installed in an accessible place and in no case greater than 15 feet from a crawl space access.”
 - (6) Section 903.1 is amended to specify: “Open vent pipes that extend through a roof

shall be terminated not less than 12 inches above the roof. Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate not less than 7 feet (2134 mm) above the roof.”

(D) The International Mechanical Code, 2018 Edition, is amended as follows:

- (1) Sections 103, 104.4, 104.7, 106.5.2, 106.5.3, 108.1, 108.2, 108.3, 108.4, 108.5, 108.6, and 109 are deleted.
- (2) References to “jurisdiction” in § 101.1 and elsewhere shall mean the City.

(E) The International Fuel Gas Code, 2018 Edition, is amended as follows:

- (1) Sections 103, 104.4, 104.7, 106.6.2, 106.6.3, 108.1, 108.2, 108.3, 108.4, 108.5, 108.6, and 109 are deleted.
- (2) Reference to “jurisdiction” in § 101.1 and elsewhere shall mean the City.

(F) The International Property Maintenance Code, 2018 Edition, is amended as follows:

- (1) Sections 103, 104.2, 104.4, 104.6, 106, 107.1, 107.2, 107.3, 107.4, 107.5, 109.6, 110.2, and 111 are deleted.
- (2) Reference to “jurisdiction” in § 101.1 and elsewhere shall mean the City.

(G) The International Existing Building Code, 2018 Edition, is amended as follows:

- (1) Sections 103, 104.4, 104.5, 104.7, 104.8, 108, 112, and 113 are deleted.
- (2) Reference to “jurisdiction” in § 101.1 and elsewhere shall mean the City.

(H) The International Energy Conservation Code, 2018 Edition, is amended as follows:

- (1) References to “jurisdiction” in §§ C101.1 and R101.1 and elsewhere shall mean the City.

SECTION 4:

Section 4-1-6 (Appeals.) of the Official Code of the City of Montrose, Colorado is hereby amended to read in its entirety as follows:

- (A) To hear and decide appeals of orders, decisions or determinations made by the City Manager, or designee, or the Fire Chief of the Montrose Fire Protection District, or designee, relative to the application or interpretation of the Codes adopted by the City in Chapters 4-1 and 7-4 herein, there shall be and is hereby created a Board of Appeals.

- (B) The Board of Appeals shall be appointed by motion of the City Council on an *ad hoc* basis as the need arises, and the Board members so appointed shall hold office at the Council's pleasure. The City Manager or designee shall be an *ex officio* member of said Board, but shall have no vote on any matter before the Board.
- (C) The Board of Appeals shall consist of five (5) members who are residents of the City, and who are appointed as set forth above. Said members shall be qualified by experience or training to pass upon matters pertaining to the building trades, or who are qualified on matters pertaining to hazards of fire, explosions, hazardous conditions, or fire protection systems, if relevant to the matter to be decided. Such members shall not be employees of the City or the Montrose Fire Protection District.
- (D) The decision of the City Manager, or designee, or the Fire Chief of the Montrose Fire Protection District, or designee, may be appealed to the Board of Appeals by filing a written appeal with the City Manager's Office on forms provided by the City within 15 days of the date of such decision.
 - (1) An application for appeal shall set forth in full the reasons for the appeal, and shall specify the relief requested.
 - (2) An application for appeal shall be based on a claim that the intent of the Codes adopted by the City in Chapters 4-1 and 7-4 herein have been incorrectly interpreted, the provisions of said Codes do not fully apply, or an equivalent method of protection or safety is proposed.
 - (3) The Board of Appeals shall have no authority to waive requirements of said Codes or to grant variances.
- (E) Procedures of the Board of Appeals shall be as follows:
 - (1) Three (3) members of the Board shall constitute a quorum to do business. In rendering any decision on an appeal hereunder, not less than three (3) affirmative votes shall be required. No member shall act in a case where such member has a personal interest.
 - (2) Once appointed, the Board shall select a chairperson who shall preside over its meetings, and the Board may establish such rules as it deems appropriate for its own procedure by motion duly made at a meeting thereof.
 - (3) The Board shall meet at such date and time as is determined by the City Manager, who shall coordinate the setting of such meeting within a reasonable period after the filing of an appeal, provided that such hearing date shall be not more than 45 days from the date the appeal was filed, unless otherwise agreed by the appellant.
 - (4) The City Manager or a designated representative shall act as clerk to the Board of Appeals without vote, and shall set forth in writing the reasons for the Board's decision, the vote of each member participating therein, the absence of any member, and the failure of any member to vote. All meetings of the Board shall

also be electronically recorded, unless an exception applies as per C.R.S. § 24-6-401, *et seq.*, as amended.

- (5) The Board shall render its decisions and findings in writing to the appellant with a duplicate copy to the City Manager, and also to the Fire Chief of the Montrose Fire Protection District, if applicable. Such decisions shall be rendered not more than 15 days from the date of the hearing, unless written notice is provided to the appellant of the need for an extension of such time. The Board's decisions and findings shall be open to public inspection.
- (6) Decisions of the Board shall be final.

SECTION 5:

Section 4-1-7 (Enforcement.) of the Official Code of the City of Montrose, Colorado is amended as follows:

- (A) It shall be unlawful to violate any provision of this Chapter, the state electrical code, any of the Codes adopted by reference herein, or any stop order or other order issued by the City pursuant to said Codes or this Chapter. Any person convicted of a violation of any provision of this Chapter shall be punished in accordance with § 1-2-3, of the Official Code of the City of Montrose, Colorado. Each day during which any violation is committed or permitted to continue shall be considered as a separate offense.
- (B) Continuing violation of the provisions of this Chapter or the Codes adopted herein by reference, the state electrical code, or of any order issued pursuant to this Chapter or the Codes adopted by this Chapter is hereby declared to be a nuisance and may be abated in accordance with law.
- (C) In addition to any other remedy the City may have, it may maintain an action in a Court of competent jurisdiction to enjoin any violation of any provision of this Chapter, the state electrical code, or of the Codes adopted herein by reference.
- (D) The City may refuse to issue any permits required by this Chapter, or by the Codes adopted herein by reference if the applicant is in violation of any provisions of this Chapter, the state electrical code, any of the Codes adopted herein by reference, or any stop order or other order issued pursuant thereto.

SECTION 6:

Chapter 4-3 (Electrical Code.) is hereby repealed in its entirety, and shall be reserved for future use.

SECTION 7:

Section 7-4-1 (Adoption of Code.) of the Official Code of Montrose, Colorado is hereby amended to read in its entirety as follows:

- (A) There is hereby adopted for the purpose of providing minimum standards to prevent fires, protect persons and property and to promote the public health, safety and welfare, The International Fire Code, 2018 Edition, including Appendices B, and C, published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478-5795, the subject matter of which is regulations for safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises; and the issuance of permits and fees therefore. Appendix D shall be used as a non-binding reference only.
- (B) One (1) copy of the aforementioned Code is on file in the office of the City Clerk, and may be inspected during regular business hours. The City will provide information upon request for purchase of an electronic copy of the aforementioned Code.

SECTION 8:

Sections 7-4-2 (B) and (C) (General provisions.) of the Official Code of Montrose, Colorado are hereby amended to read in their entirety as follows:

- (B) Whenever the term "jurisdiction" is used in The International Fire Code, 2018 Edition, it shall mean the City.
- (C) The following amendments or clarifications to The International Fire Code, 2018 Edition, shall apply:
 - (1) Section 105.1 is amended by the addition of the following paragraph:

“The requirements for permits from other agencies or departments shall not waive the requirements for permits required by this Code.”
 - (2) Section 106.2 Schedule of permit fees, is amended to read as follows:

“106.2 Schedule of permit fees. A schedule of permit fees shall be established by the Montrose Fire Protection District and approved by the City, which fee schedule may be amended from time to time upon prior City approval. The schedule shall be available at the Montrose Fire Protection District and codified in the City’s Fee Schedule.”
 - (3) Chapter 2, Definitions, is amended by the addition of the following terms and definitions:

- “TUNNEL is any thoroughfare, public way, walkway, or mechanical/electrical service conduit of sufficient dimensions to permit human occupancy for the purpose of service or repair, or conveyance of goods and persons, and which is constructed below grade and cannot be classified as the basement or first story of a building.”
- (4) Section 903.4.1 Monitoring, is amended to include an exception as follows:
- “EXCEPTION: Occupancies that are not electrically monitored shall provide an approved identification sign below each outside horn and strobe or water valve bell, which reads “WHEN ALARM SOUNDS - CALL 9-1-1.” This sign shall be of durable material with permanent lettering having a two (2) inch minimum height on a contrasting background.”
- (5) Section 3501.1 Scope, is amended to include an exception as follows:
- “EXCEPTION: Group R-3 and U occupancies.”
- (6) A new § 5601.2.2.1 Fireworks - Permits for Sale and Storage of Fireworks, is added to read as follows:
- “The sale and storage and public display of fireworks within the City limits shall require a permit from the Montrose Fire Protection District.”
- (7) A new § 5604.1.1 is added to read as follows:
- “Explosive materials shall be stored only in areas zoned and approved for such use, and shall be subject to approval by the Fire Chief.”

SECTION 9:

Section 7-4-3 (Amendments to International Fire Code.) of the Official Code of the City of Montrose, Colorado is hereby amended to read in its entirety as follows:

- (A) Reference to “jurisdiction” in § 101.1 and elsewhere shall mean the City.
- (B) Sections 103, 104.1, 104.2, 104.4, 104.6, 109, and 110 are deleted.

SECTION 10:

Section 7-4-5 (International Fire Code Violations and penalties.) of the Official Code of the City of Montrose, Colorado is hereby amended to read in its entirety as follows:

- (A) It shall be unlawful to violate any provision of this Chapter, the state electrical code, The International Fire Code, 2018 Edition, adopted by reference herein, or any stop order or other order issued by the City or the Montrose Fire Protection District pursuant to said Code or this Chapter. Any person convicted of a violation of any provision of this Chapter shall be punished in accordance with § 1-2-3, of the Official Code of the City of Montrose, Colorado. Each day during which any violation is committed or permitted to continue shall be considered as a separate offense.
- (B) Continuing violation of the provisions of this Chapter or the Code adopted herein by reference, the state electrical code, or of any order issued pursuant to this Chapter or the Code adopted by this Chapter is hereby declared to be a nuisance and may be abated in accordance with law.
- (C) In addition to any other remedy the City or the Montrose Fire Protection District may have, it may maintain an action in a Court of competent jurisdiction to enjoin any violation of any provision of this Chapter, the state electrical code, or of the Code adopted herein by reference.
- (D) The City or the Montrose Fire Protection District may refuse to issue any permits required by this Chapter, or by the Code adopted herein by reference if the applicant is in violation of any provisions of this Chapter, the state electrical code, the Code adopted herein by reference, or any stop order or other order issued pursuant thereto.

SECTION 11:

Section 7-4-6 (H)(4) of the Official Code of the City of Montrose, Colorado is hereby amended to read in its entirety as follows:

- (4) No permit shall be issued unless the City determines that the following criteria are met:
 - (a) The applicant has a City sales and use tax license, and neither the applicant nor its agents, employees or principals have failed to pay or remit City sales or use tax in previous years.
 - (b) Any applicable provisions of the City's transient merchant regulations have been met.
 - (c) The City's Building Inspector has approved the plans for the stand pursuant to Section 3103 of The International Building Code, 2018 Edition.
 - (d) A clear zone of at least 50 feet shall be maintained around the stand.
 - (e) The stand shall have at least one (1) exit door a minimum of 20 inches in width and six (6) feet in height, which swings out in the direction of egress. Stands

over 25 feet in length shall have at least two (2) such doors.

- (f) Each stand shall be provided with one 4A 10BC Multi-Purpose Dry Chemical Fire Extinguisher with a current annual inspection. Stands over 25 feet in length shall have a fire extinguisher at each end.
- (g) Vegetation around the stand shall be no more than two (2) inches above grade except for trees and shrubs.
- (h) No smoking or burning shall be allowed within 50 feet of any stand. No fireworks shall be discharged within 50 feet of any stand.
- (i) On-site storage containers shall be provided with a 2A Water Fire Extinguisher with a current annual inspection.

SECTION 12:

Except as specifically amended hereby, the Official Municipal Code of the City of Montrose, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

SECTION 13:

The City Council hereby finds, determines and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the City of Montrose and the inhabitants thereof.

SECTION 14:

The City Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the City of Montrose Charter.

SECTION 15:

The City Attorney, in consultation with City staff, is authorized and directed to make such non-substantive corrections to sections amended or promulgated by this Ordinance for spelling, correction of cross references, section numbering, formatting, and clarity in order to render the same for proper codification.

SECTION 16:

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 17:

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 18:

This Ordinance shall become effective as set forth in the City of Montrose Charter.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its adoption on first reading on Tuesday, the ____ day of _____, 2023, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this ____ day of _____, 2023.

ATTEST:

Lisa DelPiccolo, City Clerk

Barbara Bynum, Mayor

INTRODUCED, READ and ADOPTED on second reading this ____ day of _____, 2023.

ATTEST:

Lisa DelPiccolo, City Clerk

Barbara Bynum, Mayor



CITY OF MONTROSE
CITY CLERK

MEMO

DATE: May 11, 2022
TO: City Council
FROM: Lisa DelPiccolo, City Clerk
RE: Special Events Permit and Street Closures for Rock the Block Event

An application was received from Habitat for Humanity to close the 500 block of Main Street and Uncompahgre Avenue from North First Street to Centennial Plaza for the Rock the Block event on Saturday, June 24. Including event set up and clean up afterward, the streets will be closed from 6 a.m. until 6 p.m.

Event organizers are required to notify all businesses affected by the closures, and at least 75 percent of those businesses must approve of the closures before the Events Use Permit will be approved by city staff.

Black Canyon Boys and Girls Club has applied for a Special Events Permit to sell and serve alcohol during the event. The premises were posted in compliance with state statute.

City of Montrose Regulations require City Council approval for street closures exceeding 10 hours in duration and require City Council approval of Special Events Permits to serve alcohol in conjunction with street closures.





EVENTS USE PERMIT APPLICATION - SECTION A

Part I - Event Information

Type of event:

- ☒ Main Street Closure - see page 8
☐ Parade - see page 9
☒ Street Closure - see page 9
☐ Park Shelter/Park Area
- ☒ Centennial Plaza Event - see page 10
☐ Uncompahgre Event Plaza Event - see page 11
☐ Athletic Field Event - see page 12
☐ Other

Date(s) of Event

6/24/2023

Date of Application 3/23/2023

Name of event:

Rock the Block

Desired location:

500 block of Main & Uncompahgre (see map)

Legal entity to hold permit:

Habitat for Humanity of the San Juans

Contact Person:

Amanda Gerhardt

Mailing Address:

Phone Number:

Daytime

Evening

Email Address:

Website Link: buildinglives.org

Brief description of your event:

Block party free for the public with food trucks, vendors, non-profits, kid zone, live music, beer garden. Partners: Habitat, Boys & Girls, & Just Serve

Is this a private event?

☐ Yes ☒ No

Advertised to the public? ☒ Yes ☐ No

Anticipated attendance:

Per Day: 500 +

Total: 500 +

Dates and times:

Setup:

Date: 6/24/2023

Time: 7:00 - 10:00 a.m.

Start of Event:

Date: 6/24/2023

Time: 10:00 a.m.

End of Event:

Date: 6/24/2023

Time: 4:00 p.m.

Cleanup Completed by:

Date: 6/24/2023

Time: 5:00 p.m.

Is this an annual event?

☒ Yes ☐ No

How Many Years? 1

Will admission be charged?

☐ Yes ☒ No

Amount (\$): 0

Are vendor or other fees required?

☒ Yes ☐ No

Amount (\$): \$100/per booth

Will your event include food preparation, concession and/or merchandise vendors? ☒ Yes ☐ No If yes, please see page 6. free run-profit

Please describe any mobile vending devices or other structures to be used including kiosks, carts, stands, stages, fences and barriers. (Attach diagrams or pictures if necessary.)

Will use stage, tables, fence & barriers, food trucks, Beer Garden by Boys & Girls Club so fencing & barriers.

Free advertising for your event is available at VisitMontrose.com/Events

Will alcohol beverages be sold or served at this event? ☒ Yes ☐ No

Which nonprofit organization will sponsor the liquor license? Black Canyon Boys & Girls Club

Exact time alcohol will be on location*: 10:00 (a.m./p.m.) to 4:00 (a.m./p.m.)

*These times must match the beginning and ending times specified on the State of Colorado Special Events Permit Application (form DR 8436).

Exact time alcohol will be served **: 10:00 (a.m./p.m.) to 4:00 (a.m./p.m.)

**Officers may be required to be present during the time alcohol is served. Please see page 6.

Please note: It is the responsibility of the event organizer(s) to be familiar with the laws and liabilities associated with the sale of alcohol beverages. Please review state statutes regarding the sale and service of alcohol and/or attend a City sponsored alcohol server training class.

Is electricity needed? ☒ Yes ☐ No

Time Needed: 7:00 am - 4:00 pm

If yes, please describe the equipment and appliances to be used, such as hot plates, coolers, or sound systems:

Sound system, possibly food trucks

Is domestic water needed?

☐ Yes ☒ No

If yes, please describe:

Will sound amplification be used?

☒ Yes ☐ No

If yes, please describe:

Sound system for stage

Are additional garbage cans needed? ☒ Yes ☐ No

If yes, please estimate the number of 90-gallon trash receptacles needed: 4

Please estimate the number of recycle containers needed: 0

Please note: Individual vendors are required to provide their own trash receptacles.

Will temporary structures be used? ☐ Yes ☒ No

If yes, please describe the type, size, and method of securing the structure:

Will your event include any high-risk activities such as motorcycle events, airplane/helicopter activities, or water events? ☐ Yes ☒ No If yes, please describe:

If the estimated attendance of the event is more than 200 people, please provide a brief description of the following:

Parking and Traffic Management Plan:

We have secured overflow parking @ Montrose County event Center w/ shuttle + side streets & public parking available

Emergency Plan:

This event is located on Main Street. It is an open street with exits on either end. We will also work with local law enforcement to ensure all safety needs met.

Sales Tax Collection Plan (if food and/or merchandise are sold):

Each vendor/food truck will be responsible & agree they are adhering to these requirements as required by law.

Additional comments/requests:

Part II - Additional Licenses & Permits

If any items are sold at an event, a City of Montrose sales tax license is required in accordance with the Official Municipal Code of the City of Montrose and the laws of the State of Colorado. Please contact the City Sales Tax Accountant at (970)-240-1465 to obtain a City Sales Tax number.

*City sales tax license holders must maintain proper books and records of sales that may be subject to inspection and audits as applicable. (Municipal Code Section 5-15)

Additional permits may be required depending on the components of your event. Applicants and/or vendors or responsible for complying with the terms of these licenses and permits.

- ☐ Food Service License (Health Inspector 970-252-5000)
- ☐ City Sales Tax Sponsor Agreement (Sales Tax Accountant 970-240-1465)
- ☐ Transient Vendor's License (Sales Tax Accountant 970-240-1465)
- ☒ Special Events Liquor Permit (City Clerk's Office 970-240-1430)

Free advertising for your event is available at VisitMontrose.com/Events

Part III – Rules & Regulations

1. Applications must be submitted **at least 60 days** (90 days for Main Street closures) in advance of the date of the event.
2. Proof of Insurance in the amounts listed below, naming the City, its officers, agents and employees as additional insureds for claims arising from the event.

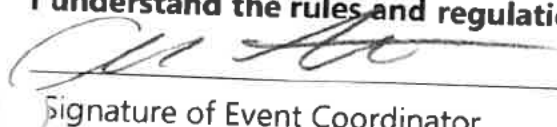
\$2,000,000	General Aggregate (Per Event/Certificate)
\$2,000,000	Products/Completed Operations Aggregate
\$1,000,000	Personal and Advertising Injury
\$1,000,000	Each Occurrence
\$1,000,000	Damage to Premises Rented to You
\$ 5,000	Medical Payments
3. **For groups planning to sell and serve alcohol beverages:**
 - a. A Special Events Permit to sell and serve alcohol beverages must be obtained through the City of Montrose and State of Colorado. (Applications are processed through City Clerk's Office).
 - b. A detailed plan on how the area will be secured for sale and consumption of alcohol will be required.
 - c. Events with a Special Events Permit to sell and serve alcohol, may be required to hire a minimum of two police officers during the time alcohol is being served. The number of officers required will be determined by the City in its sole discretion based on the nature of the event. The fee is based on the actual burdened rate of officers and sergeants, will be reviewed annually, and is subject to change.
4. Park hours are 5:00 a.m. to 11:00 p.m.
5. Noise which unreasonably annoys, injures or endangers the comfort, health, peace or safety of others is prohibited by City ordinance.
6. The rules and regulations of the Montrose City Code shall be followed at all times.
7. Permittee agrees to indemnify and hold harmless the City of Montrose, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with this permit, if such injury, loss, or damage is caused in whole or in part by, or is claimed to be caused in whole or in part by, the act, omission, error, professional error, mistake, negligence, or other fault of the Permittee, or any employee of the Permittee, or which arise out of any worker's compensation claim of any employee of the Permittee. The Permittee agrees to investigate, handle, respond to, and to provide defense for and defend against, any such liability, claims or demands at the

Free advertising for your event is available at VisitMontrose.com/Events

sole expense of the Permittee, or at the option of the City agrees to pay the City or reimburse the City for the defense costs incurred by the City in connection with, any such liability, claims or demands. The Permittee also agrees to bear all other costs and expenses related thereto, including court costs and attorney fees, whether or not any such liability, claims, or demands alleged are groundless, false, or fraudulent.

8. Permittee hereby agrees to waive any claim against the City, its officers or employees for damage to their persons or property arising out of this permit, the exercise of rights granted under this Permit, or the use of the public property granted herein by the City.
9. Permittee shall maintain and use the public property at all times in conformity with City ordinances, regulations and other applicable law, keep it in a safe and clean condition, and allow no nuisance to be created by virtue of the Permit. Permittee shall not construct any buildings or improvements upon the public property. **Temporary structures shall not be anchored to sidewalks or pavement. Permittee shall not apply any unauthorized inscription, word, figure, painting or other defacement that is written, marked, etched, scratched, sprayed, drawn, painted, or engraved on or otherwise affixed to any natural or man-made surface on public property by any means including but not limited to an aerosol paint container, a broad tipped marker, gum label, paint stick or graffiti stick, etching equipment, brush or any other device capable of scarring or leaving a visible mark on any natural or man-made surface, even if considered temporary in nature. Directional markers and distance markers for parades and walks/runs are not allowed on any public property; vinyl wire flag markers (wire no greater than 14 gauge nor longer than 24") are allowed if removed immediately following the event.** Permittee shall be held responsible for any damage incurred to the public property or adjacent surrounding area as a direct result of the event's activities, **including but not limited to loss of damage deposit, cost of repair for damages, fines and imprisonment, restitution, community service, or other sentence imposed by a court of competent jurisdiction.**
10. The City reserves the right to refuse the issuance of an Events Use Permit to any club, organization, person or persons. The City may revoke this permit at any time as deemed appropriate in the City's sole discretion; in such case, all property of the Permittee shall be removed at Permittee's expense and pre-existing conditions restored.
11. The City reserves the right to impose additional or increased requirements, terms and conditions, based upon the City's responsibility to protect and safeguard public health, peace and safety, and to preserve the security of public property. Should additional or increased requirements, terms, and conditions be imposed, they shall be sent to the permittee in writing.

I understand the rules and regulations as outlined above.


Signature of Event Coordinator

3/23/2023
Date



SECTION B – MAIN STREET CLOSURE PERMIT

- Applications for Main Street Closures must be submitted at least 90 days prior to the event. Applications received less than 90 days in advance may be approved by the City Manager if the application was received at least 45 days in advance. This decision may be appealed to City Council.
- No street closure shall be permitted in conjunction with any Special Events Permit to sell and serve alcohol, unless permission is granted by City Council. *See Part III, Item 3 on page 6.*
- Main Street closures of more than 10 hours require City Council approval.
- Thoroughfares must remain open for emergency vehicles.
- Events shall conclude by 11:00 p.m.
- The Main Street Closure Permit fee is \$250.00 for a 10-hour closure. City Council may approve additional hours for an additional fee.
- A refundable deposit of \$100.00 is required and will be returned if the street closure area and adjoining property are clean, undamaged, and litter free.
- A Certificate of Liability Insurance is required as specified on page 6, under Part III, Rules and Regulations.
- Applicants are required to notify all properties within one block of the street closure 30 days prior to the event. A Street Notification/Acknowledgement form is located on page 13 of this application.

Date of street closure: 6/24/2023

Preferred time of closure: 7:00 am

Start time of event: 10:00 a.m.

End time of event: 4:00 pm.

*Closures include the area up to, but not including the closest crosswalk. Sidewalks and crosswalks cannot be blocked to pedestrian traffic.

Main Street Closure Permit Checklist

To simplify the Main Street Closure permitting process, applicants are asked to complete the following checklist and return this form for verification by the City Clerk's Office.

- ☒ Submit a complete special event application 90 days in advance.
- ☒ Receive City Council approval for alcohol service (if applicable).
- ☒ Receive City Council approval for closures of more than 10 hours (if applicable).
- ☒ Submit Main Street Closure Permit deposit and fees.
- ☐ Submit a certificate of liability insurance.
- ☐ Notify **ALL properties within one block of the street closure area** and submit a completed Street Closure Notification/Acknowledgement form.

3/23/23
working through
B&G club

NA

Pending

In Progress



SECTION C - PARADE and/or STREET CLOSURE PERMIT

PARADE

- Throwing candy from moving vehicles is prohibited.
- Parades shall organize and stage on North Nevada and adjoining side streets; then proceed East on North First Street to Stough; then turn South on Stough; then turn West on Main Street; proceed West on Main, then turn North on Selig. (Homecoming Parade may stage on South Pythian.)
- Police Department personnel shall be assigned for traffic control during parade.
- Applications must be submitted at least sixty (60) days in advance of the date of closure.
- Attach an application fee of \$100.00.
- Attach a deposit of \$100.00 to be returned if the parade route is left clean and undamaged.
- Attach a certificate of liability insurance as specified on page 6, under Part III, Rules and Regulations.

Date of Parade: _____ Time of Parade: _____

Name of Parade: _____

STREET CLOSURE (other than Main Street – for a closure of Main Street, complete Section B)

- No street closure shall be permitted in conjunction with any Special Events Permit to sell or serve alcohol, unless permission is granted by the City Council. *See Part III on page 6.*
- Streets shall not be closed more than ten (10) hours.
- Events shall conclude by 11:00 p.m.
- Public works will deliver barricades to the street closure area during normal working hours. **Event organizers are responsible for setting up and removing barricades.**
- Application must be submitted at least sixty (60) days in advance of the date of closure.
- Attach an application fee of \$100.00.
- Attach a deposit of \$100.00 to be returned if closure area is left clean and undamaged.
- Attach a certificate of liability insurance as specified on page 6, under Part III, Rules and Regulations.
- Complete and return Street Notification/Acknowledgement with application (Page 13). Applicants will be asked to notify all properties within 75 feet of the street closure.

Date of Street Closure: 6/24/23 Start Time: 7:00 am Ending Time: 5:00 p.m.

Describe Street area to be closed:

500 block of Main (where San Juan Brews & Precedence are located)



SECTION D - CENTENNIAL PLAZA PERMIT

- Application must be submitted at least sixty (60) days in advance of the date of the event.
- Attach an application fee of \$100.00.
- Attach a deposit of \$100.00 to be returned if the Plaza and adjoining property are left clean, undamaged, and litter free.
- Attach a certificate of liability insurance as specified on page 6, under Part III, Rules and Regulations.
- Events must conclude by 11:00 p.m.
- For groups requiring a Special Events permit to sell and serve alcohol beverages:
 - Special Events Permits shall be obtained through the City of Montrose. Applications are processed through City Clerk's Office.
 - A detailed plan on how Centennial Plaza will be secured for sale and consumption of alcohol shall be required. Any requests for a street closure or parking lot use adjacent to Centennial Plaza require City Council review and approval when applying for a Special Events Permit.
 - Officers may be required at the discretion of the Montrose Police Department at a rate per hour based upon the actual burdened rate of officers and sergeants.

Date(s) of Use:

6/24/23

Time(s) of Use:

2:00 p.m. -

10 p.m.

***Events must be completely concluded by 11:00 p.m.**

Centennial Plaza Equipment Needs

Will sound equipment be needed? ☒ yes ☐ no

Microphones (2) ☒ Monitors (2) ☒

- The City Clerk will issue a code to the locked electrical and sound system boxes.
- Arrangements for sound equipment training and key pick up can be made by calling 240-1422.

Will restrooms need to be opened earlier than 8:00 a.m.? ☐ yes ☒ no

Additional Needs:

Electricity

The undersigned hereby agrees to comply with all conditions stated above, and confirms that all statements on this application are true and accurate to the best of Permittee's knowledge.

[Signature]
Permittee

6/24/2023
Date

Total Due for Event:

Events Use Permit Fee – All venues except Main Street	<u>2</u>	\$100.00
Main Street Closure Permit Fee	<u>1</u>	\$250.00
Event Deposit	<u>1</u>	\$100.00

TOTAL AMOUNT DUE: \$ 550.00

Section Below for City Use Only

Conditions:

Date: _____

Signature

Notifications Sent	<u>4/14/2023</u>
Fees Received	
Insurance Certificate Received	
Street Closure Notifications Received	



Application for a Special Events Permit

Departmental Use Only

In order to qualify for a Special Events Permit, You **Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following** (See back for details.)

- | | | |
|------------------------------------|--|---|
| ☐ Social | ☐ Athletic | ☐ Philanthropic Institution |
| ☐ Fraternal | ☒ Chartered Branch, Lodge or Chapter | ☐ Political Candidate |
| ☐ Patriotic | ☐ National Organization or Society | ☐ Municipality Owned Arts Facilities |
| ☐ Political | ☐ Religious Institution | |

LIAB Type of Special Event Applicant is Applying for:		DO NOT WRITE IN THIS SPACE	
2110 ☒ Malt, Vinous And Spirituous Liquor	Fee: \$100.00 per event	Liquor Permit Number	
2170 ☐ Fermented Malt Beverage	Payable to the City of Montrose		
1. Name of Applicant Organization or Political Candidate Black Canyon Boys & Girls Club		State Sales Tax Number (Required)	
2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP) PO box 1907 Montrose, CO 81402		3. Address of Place to Have Special Event (include street, city/town and ZIP) 512 E Main St, Montrose, CO 81401	
4. Authorized Representative of Qualifying Organization or Political Candidate Bud Taylor		Date of Birth [REDACTED]	Phone Number [REDACTED]
Authorized Representative's Mailing Address (if different than address provided in Question 2.)			
5. Event Manager Bud Taylor		Date of Birth [REDACTED]	Phone Number [REDACTED]
Event Manager Home Address (Street, City, State, ZIP) [REDACTED]		Email Address of Event Manager btaylor@bcbgc.org	
6. Has Applicant Organization or Political Candidate been Issued a Special Event Permit this Calendar Year? ☐ No ☒ Yes How many days? <u>2</u>		7. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes? ☒ No ☐ Yes License Number _____	
8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed? ☒ Yes ☐ No			
List Below the Exact Date(s) for Which Application is Being Made for Permit			
Date 06/24/23 Hours From 10:00a.m. To 4:00p.m.	Date _____ Hours From _____.m. To _____.m.	Date _____ Hours From _____.m. To _____.m.	Date _____ Hours From _____.m. To _____.m.
Date _____ Hours From _____.m. To _____.m.	Date _____ Hours From _____.m. To _____.m.	Date _____ Hours From _____.m. To _____.m.	Date _____ Hours From _____.m. To _____.m.
Date _____ Hours From _____.m. To _____.m.	Date _____ Hours From _____.m. To _____.m.	Date _____ Hours From _____.m. To _____.m.	Date _____ Hours From _____.m. To _____.m.
Oath of Applicant I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.			
Signature <i>Bud Taylor</i>		Title CEO	Date 04/26/23
Report and Approval of Local Licensing Authority (City or County) The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended. THEREFORE, THIS APPLICATION IS APPROVED.			
Local Licensing Authority (City or County)		☐ City ☐ County	Telephone Number of City/County Clerk
Signature		Title	Date
DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY			
Liability Information			
License Account Number	Liability Date	State	Total
		-750 (999)	\$.

(Instructions on Reverse Side)

Rock the Block

Alcohol area and setup for Rock the Block as presented by Black Canyon Boys & Girls Club



Legend

- Feature 1
- Music
- San Juan Brews
- Vendor

Special Event Permit Questionnaire

1. Name of Event: Rock The Block
2. Type of Event (i.e., annual, quarterly, benefit, etc.): Annual Benefit for Habitat for Humanity of the San Juan
3. Explain in detail the nature of your organization, its function, and who or what benefits from its operations (attach a separate sheet if necessary): Black Canyon Boys & Girls club is a youth non-profit organization supporting youth
4. Who or what organization will be the recipient of funds derived from this event? Black Canyon Boys & Girls Club
5. How many attendees are expected at this event? 150
6. Describe the premises of this event: Main St. from Park St. to Uncomphagre
7. If this is an outdoor event, describe how the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.):
The Club will work with the City to set up orange netting to make a boundry around main st.
8. What type of entertainment, if any, will be provided at this event? There will be music playing and a craft bazaar
9. What method will be used to check identification for proper age of attendees (i.e., at the door, at the bar, etc.), and how will underage patrons be identified so as not to be served alcohol beverages (i.e., stamp or mark on the hand, etc.)?
We will have two entryways into the alcohol area. people will be ID checked at those location and a over 21 band will be given, and anyone under 21 will have another band with under 21 on the band.
10. How will the conduct and level of intoxication of attendees be monitored, and by whom? BCBGC has three people who are tipps trained and will monitor the situation. The attendees will get beverages at one location.
11. Have volunteers or members of your organization been trained in the sale/service of alcohol beverages? If yes, what training have they received, and by whom? Yes, Tipps trained by the City of Montrose, there are three of us trained.
12. What types of alternate beverages and food/snacks will be available? Food trucks will be on site to provide food.
13. Have State and City Sales Tax Numbers been initiated by you or a member of your organization? If yes, please provide the numbers in the space provided. N/A
14. Explain how this event will be marketed by describing what kinds of advertising material will be distributed and the targeted recipients of such material. Facebook and flyers