



**TOWN OF PAONIA**  
**WEDNESDAY, OCTOBER 05, 2022**  
**PLANNING COMMISSION MEETING AGENDA**  
**3:00 PM**

**Roll Call**

**Approval of Agenda**

**Unfinished Business**

- [1.](#) Follow-Up Regarding Master Plan Update Request for Proposals
- [2.](#) Follow-Up Regarding Suggested Changes to Resolution 2017-11

**New Business**

**Adjournment**

I. RULES OF PROCEDURE

**Section 1. Schedule of Meetings.** Regular Board of Trustees meetings shall be held on the second and fourth Tuesdays of each month, except on legal holidays, or as re-scheduled or amended and posted on the agenda prior to the scheduled meeting.

**Section 2. Officiating Officer.** The meetings of the Board of Trustees shall be conducted by the Mayor or, in the Mayor's absence, the Mayor Pro-Tem. The Town Clerk or a designee of the Board shall record the minutes of the meetings.

**Section 3. Time of Meetings.** Regular meetings of the Board of Trustees shall begin at 6:30 p.m. or as scheduled and posted on the agenda. Board Members shall be called to order by the Mayor. The meetings shall open with the presiding officer leading the Board in the Pledge of Allegiance. The Town Clerk shall then proceed to call the roll, note the absences and announce whether a quorum is present. Regular Meetings are scheduled for three hours, and shall be adjourned at 9:30 p.m., unless a majority of the Board votes in the affirmative to extend the meeting, by a specific amount of time.

**Section 4. Schedule of Business.** If a quorum is present, the Board of Trustees shall proceed with the business before it, which shall be conducted in the following manner. Note that all provided times are estimated:

- (a) Roll Call - (5 minutes)
- (b) Approval of Agenda - (5 minutes)
- (c) Announcements (5 minutes)
- (d) Recognition of Visitors and Guests (10 minutes)
- (e) Consent Agenda including Approval of Prior Meeting Minutes (10 minutes)
- (f) Mayor's Report (10 minutes)
- (g) Staff Reports: (15 minutes)
  - (1) Town Administrator's Report
  - (2) Public Works Reports
  - (3) Police Report
  - (4) Treasurer Report
- (h) Unfinished Business (45 minutes)
- (i) New Business (45 minutes)
- (j) Disbursements (15 minutes)
- (k) Committee Reports (15 minutes)
- (l) Adjournment

\* This schedule of business is subject to change and amendment.

**Section 5. Priority and Order of Business.** Questions relative to the priority of business and order shall be decided by the Mayor without debate, subject in all cases to an appeal to the Board of Trustees.

**Section 6. Conduct of Board Members.** Town Board Members shall treat other Board Members and the public in a civil and polite manner and shall comply with the Standards of Conduct for Elected Officials of the Town. Board Members shall address Town Staff and the Mayor by his/her title, other Board Members by the title of Trustee or the appropriate honorific (i.e.: Mr., Mrs. or Ms.), and members of the public by the appropriate honorific. Subject to the Mayor's discretion, Board Members shall be limited to speaking two times when debating an item on the agenda. Making a motion, asking a question or making a suggestion are not counted as speaking in a debate.

**Section 7. Presentations to the Board.** Items on the agenda presented by individuals, businesses or other organizations shall be given up to 5 minutes to make a presentation. On certain issues, presenters may be given more time, as determined by the Mayor and Town Staff. After the presentation, Trustees shall be given the opportunity to ask questions.

**Section 8. Public Comment.** After discussion of an agenda item by the Board of Trustees has concluded, the Mayor shall open the floor for comment from members of the public, who shall be allowed the opportunity to comment or ask questions on the agenda item. Each member of the public wishing to address the Town Board shall be recognized by the presiding officer before speaking. Members of the public shall speak from the podium, stating their name, the address of their residence and any group they are representing prior to making comment or asking a question. Comments shall be directed to the Mayor or presiding officer, not to an individual Trustee or Town employee. Comments or questions should be confined to the agenda item or issue(s) under discussion. The speaker should offer factual information and refrain from obscene language and personal attacks.

**Section 9. Unacceptable Behavior.** Disruptive behavior shall result in expulsion from the meeting.

**Section 10. Posting of Rules of Procedure for Paonia Board of Trustees Meetings.** These rules of procedure shall be provided in the Town Hall meeting room for each Board of Trustees meeting so that all attendees know how the meeting will be conducted.

## **II. CONSENT AGENDA**

**Section 1. Use of Consent Agenda.** The Mayor, working with Town Staff, shall place items on the Consent Agenda. By using a Consent Agenda, the Board has consented to the consideration of certain items as a group under one motion. Should a Consent Agenda be used at a meeting, an appropriate amount of discussion time will be allowed to review any item upon request.

**Section 2. General Guidelines.** Items for consent are those which usually do not require discussion or explanation prior to action by the Board, are non-controversial and/or similar in content, or are those items which have already been discussed or explained and do not require further discussion or explanation. Such agenda items may include ministerial tasks such as, but not limited to, approval of previous meeting minutes, approval of staff reports, addressing routine correspondence, approval of liquor licenses renewals and approval or extension of other Town licenses. Minor changes in the minutes such as non-material Scribner errors may be made without removing the minutes from the Consent Agenda. Should any Trustee feel there is a material error in the minutes, they should request the minutes be removed from the Consent Agenda for Board discussion.

**Section 3. Removal of Item from Consent Agenda.** One or more items may be removed from the Consent Agenda by a timely request of any Trustee. A request is timely if made prior to the vote on the Consent Agenda. The request does not require a second or a vote by the Board. An item removed from the Consent Agenda will then be discussed and acted on separately either immediately following the consideration of the Consent Agenda or placed later on the agenda, at the discretion of the Board.

## **III. EXECUTIVE SESSION**

**Section 1.** An executive session may only be called at a regular or special Board meeting where official action may be taken by the Board, not at a work session of the Board. To convene an executive session, the Board shall announce to the public in the open meeting the topic to be discussed in the executive session, including specific citation to the statute authorizing the Board to meet in an executive session and identifying the particular matter to be discussed “in as much detail as possible without compromising the purpose for which the executive session is authorized.” In the event the Board plans to discuss more than one of the authorized topics in the executive session, each should be announced, cited and described. Following the announcement of the intent to convene an executive session, a motion must then be made and seconded. In order to go into executive session, there must be the affirmative vote of two thirds (2/3) of Members of the Board.

**Section 2.** During executive session, minutes or notes of the deliberations should not be taken. Since meeting minutes are subject to inspection under the Colorado Open Records Act, the keeping of minutes would defeat the private nature of executive session. In addition, the deliberations carried out during executive session should not be discussed outside of that session or with individuals not participating in the session. The contents of an executive session are to remain confidential unless a majority of the Trustees vote to disclose the contents of the executive session.

**Section 3.** Once the deliberations have taken place in executive session, the Board should reconvene in regular session to take any formal action decided upon during the executive session. If you have questions regarding the wording of the motion or whether any other information should be disclosed on the record, it is essential for you to consult with the Town Attorney on these matters.

## **IV. SUBJECT TO AMENDMENT**

**Section 1. Deviations.** The Board may deviate from the procedures set forth in this Resolution, if, in its sole discretion, such deviation is necessary under the circumstances.

**Section 2. Amendment.** The Board may amend these Rules of Procedures Policy from time to time.



**TOWN OF PAONIA, COLORADO**

**REQUEST FOR PROPOSAL  
TOWN OF PAONIA MASTER PLAN**

**October 14, 2022**

## **REQUEST FOR PROPOSAL TOWN OF PAONIA MASTER PLAN UPDATE**

### **OVERVIEW**

The Town of Paonia, Colorado (Town) is soliciting proposals from qualified individuals and/or firms (firm) interested in providing services to update the Town's Master Plan in a clear and concise form, easily understandable by the general public. The town asks that there be special emphasis on Paonia's unique qualities, community needs and characteristics. Please take into account what is specific to our region and local culture.

Please provide an electronic copy or an intent to submit by 4:00 PM Friday, November 11, and final hard copy proposals must be received at the Town of Paonia Offices, 214 Grand Avenue, PO Box 460, Paonia, CO 81428 by no later than Thursday, November 14 by 4:00 p.m.

The Town shall reserve the right to reject any or all proposals, and to waive any informalities or irregularities therein and request new proposals when required.

Any questions or clarifications concerning this "Request for Proposal" (RFP) shall be submitted by email to the Town, at e-mail address: Paonia@townofpaonia.com. The Town will not be bound or responsible for any explanations or interpretations other than those given in writing as set forth in this RFP. No oral interpretations shall be binding on the Town.

Proposals submitted will be evaluated by a Selection Committee. The Town's Selection Committee will review materials submitted with the RFP and select a list of Bidders for further consideration. Bidders may be interviewed or requested to make an oral presentation as part of the evaluation process.

Evaluation factors include, but are not limited to: excellent writing skills, the ability to effectively condense and accurately communicate complexity, qualifications, demonstrated ability with similar governmental entities, firm's workload and availability, experience, credentials of the firm's project team members and cost. The Town reserves the right to request additional information or clarifications from firms, and or to allow corrections of errors or omissions.

Submission of a proposal indicates acceptance by the firm of the conditions contained in this "Request for Proposal".

It is anticipated that selection of a firm will be completed on Tuesday, November 22, at the Regular Meeting of the Board of Trustees.

All materials submitted in connection with the proposal document become the property of the Town. Any and all information received by the Town shall become public record and shall be open to public inspection should an award of contract result from this solicitation, except to the extent the bidding entity designates trade secrets or other proprietary data to be confidential.

## **KEY DATES**

A tentative schedule of key dates for the project has been established as follows:

### 1. Proposal Calendar

Due date for proposals	November 14, 2022
Bid Opening (10:00 a.m.)	November 15, 2022
Firm interviews (if necessary)	November 18, 2022
Anticipated Town Board decision	November 22, 2022
Selected firm notified	November 23, 2022

### 2. Date Study May Commence

The Town will be prepared to assist and meet with the firm's personnel in December 2022. Preliminary review work may be performed prior to that date.

### 3. Fieldwork

The proposal shall indicate the time believed necessary to perform all work.

### 4. Date Preliminary Report is Due

The Town anticipates that the studies necessary to complete all aspects of the project will require a few months. The Town is requesting for draft/preliminary reports be due by March 30, 2023.

### 5. Date Final Report is Due

The Town would like to receive the final report no later than June 31, 2023. However, the bidder may propose a different final date for the report with their reasoning/justification along with the anticipated issuance of an additional Preliminary Report should the Final Report suggestion be later than July 2023.

## **SCOPE OF SERVICES**

The Town requires the firm to provide:

1. Background Research and Project Kick-Off
  - 1.1. A kick-off meeting will include key stakeholders to review materials and build a shared understanding of project goals.
  - 1.2. The firm will review existing information including previous Town Comprehensive Plans, the 2021 draft master plan and the related plans and studies included in that plan, zoning and building ordinances, and other data provided by the Town.
  - 1.3. The firm will propose a combination of interviews, focus groups, and town meetings to gather community input.
2. Plan Development
  - 2.1. Two to three draft plans will be reviewed by Town officials and the public, discussions will inform the firm on the preferred final plan.
  - 2.2. Final Master Plan will include:
    - An introductory chapter with a very brief history of the Town
    - Community vision and objectives
    - Goals and policies
    - Growth framework
    - Action plan
  - 2.3. Emphasis should be on the creation of a short (30-40 page) document that is clear, concise and easily understood by the general public.
3. Deliverables will Include
  - 3.1. Final Master Plan
  - 3.2. Update recommendations
  - 3.3. Electronic files and graphics for the project will be provided to the Town.

## **ASSISTANCE TO BE PROVIDED TO THE FIRM**

The Town Staff shall assist the firm in gathering data as necessary to complete the task requested.

The Town will provide the firm with reasonable workspace, tables and chairs. The firm will also be provided access to telephone, wireless internet, photocopying facilities and facsimile.

## **DESCRIPTION OF THE TOWN OF PAONIA**

The firm's principal contact with the Town will be Corinne Ferguson, City Clerk/Town Administrator. The Public Works Director, Assistant to the Town Administrator, Deputy Clerk, Finance Officer, and other public utility personnel shall also be available when necessary.

### Background Information

The Town of Paonia was incorporated in 1902 and is located in Delta County. The Town is located 0.5 miles south of Colorado State Highway 133. The Town is surrounded by United States Forest Service, Federal Bureau of Land Management, State of Colorado, and local public lands.

The Town of Paonia has a current population of approximately 1,450 persons mostly being permanent year-round residents. Although the industry has experienced recent downturns and loss of federal contracts, mining continues to be an industry in the region. Optimal conditions for growing over 30 varieties of organically grown fruit and several vineyards has branded Paonia as a "farm to table" community with agriculture also being a primary industry.

The Town operates under the Board of Trustees – Town Administrator form of government. Policy-making and legislative authority are vested in the Town Board of Trustees, which consists of a Mayor and a six Member Council. The Town Board of Trustees is responsible, among other things, for passing ordinances, adopting the budget, and appointing a Town Attorney, Town Clerk, and Town Treasurer. The Town Administrator is the Chief Administrative and Executive Officer of the Town responsible for carrying out the policies and ordinances of the Board of Trustees, as well as for overseeing the day-to-day operations of the Town.

The Town is a statutory town (municipality) empowered to levy a property tax on the assessed value of real property located within the Town. By voter approval, the Town collects a 3% sales tax on all retail sales which are equally divided between a Capital Improvement Fund and the General Fund. In addition, the Town also receives a sales tax distribution per a formula from Delta County and a Marijuana Operational tax dedicated to the Street Capital Fund. The Town also operates Enterprise Funds consisting of a Water Fund, Sewer Fund, and Garbage Fund and has the statutory rights to fix rates for each of those Enterprise Fund.

The Town has the power by state statute to extend its corporate limits by annexation, which is done periodically when deemed appropriate by the Town Board of Trustees. The Town provides a range of municipal services including the police department, maintenance of parks, streets and roads, water and sanitary sewer services, refuse collection service, community planning and zoning, and general administrative services. The Town has a variety of intergovernmental and operations agreements primarily associated with water service's needs.

## PROPOSAL REQUIREMENTS

Proposals shall include the following:

- 1) **Title Page.** Title page showing the Request for Proposal's subject; the firm's name; name, mailing address, telephone number, and email address of the primary firm contact person; and the date of the proposal submission.
- 2) **Table of Contents.**
- 3) **Transmittal Letter.** A signed letter of transmittal briefly stating the firm's understanding of the work to be conducted, the commitment to perform the work within the time period specified, a statement why the firm believes itself to be the best qualified firm to perform the engagement and a statement that the proposal is a firm and irrevocable offer for the engagement covering the project time period.
- 4) **Technical Proposal.** The technical proposal should follow the order and include the content set forth below. The purpose of the technical proposal is to demonstrate the writing expertise, qualifications, competence, and capacity of the firm. As such, the substance will carry more weight than the form or manner of presentation. The technical proposal should demonstrate the ability to condense and accurately communicate complex material, and the qualifications of the firm and designated staff to be assigned to this engagement in a clear and concise manner. It should also specify an approach that will meet the Request for Proposal's requirements.

The technical proposal should address all the points outlined in the Request for Proposal. The proposal should be prepared simply and economically, providing a straightforward, concise description of the firm's capabilities to satisfy the requirements of the Request for Proposal. While additional data may, at the discretion of the proposer, be included, the following items A through I, must be included:

- A. Independence.** The firm should provide an affirmative statement that it is independent of the Town of Paonia. The firm should also list and describe the firm's professional relationships involving the Town of Paonia for the past five (5) years. Should there be any involvement, a statement explaining why such relationship does not constitute a conflict of interest relative to performing the proposed audit must be included.
- B. License to Practice in Colorado.** An affirmative statement should be included indicating that the firm and all assigned key professional staff are properly licensed to practice in Colorado.
- C. Firm Qualifications and Experience.** The proposal shall state the size of the firm, the size of the audit staff, the location of the office from which the work on this engagement is to be performed and the number and nature of the professional staff to be employed in this engagement on a full-time basis and the number and nature of the staff to be so employed on a part-time basis.

In addition, the firm shall provide information on the circumstances and status of any disciplinary action taken or pending against the firm during the past three (3) years, including the name and address of any regulatory agency or professional organization involved.

**D. Partner, Supervisory and Staff Qualifications and Experience.** The firm shall identify the principal supervisory and management staff, including engagement partners, managers, and other supervisors and specialists, who would be assigned to the engagement and indicate whether such person is licensed by the State of Colorado to practice in the duties that they will be assigned. The firm also shall provide information on the experience of each person, including information on relevant continuing professional education for the past three (3) years and membership in professional organizations relevant to the performance of this proposal.

The firm shall provide as much information as possible regarding the number, qualifications, experience and training, including relevant continuing professional education, of the specific staff to be assigned to this engagement. The firm also shall indicate how the quality of staff over the term of the agreement will be assured.

Engagement partners, managers, and other supervisory staff may be changed if those personnel leave the firm, are promoted or are assigned to another office. These personnel may also be changed for other reasons with the express prior written permission of the Town. However, in either case, the Town retains the right to approve or reject replacements. Consultants and firm specialists mentioned in response to this Request for Proposal can only be changed with the express prior written permission of the Town which retains the right to approve or reject replacements.

**E. Similar Engagements with Other Government Entities.** For the firm's office that will be assigned responsibility for the project, list the most significant engagements (maximum of 5) performed in the last three (3) years that are similar to the engagement described in this Request for Proposal. These engagements should be ranked on the basis of total staff hours and list the staff assigned to these engagements. The firm should indicate whether or not it continues to perform the services involved in these engagements. Indicate the name and contact information for the principal client contact.

**F. Specific Approach.** The proposal shall set forth a work plan, including an explanation of the methodology to be followed, to perform the services required under this request for proposal.

**G. Quality Control.** The firm must submit a copy of its most recent external quality control review report and a statement indicating the firm's record for quality work.

**H. Bid Costs.** The proposal shall contain all pricing information relative to performing the engagement as described in this Request for Proposal. Each item in the Scope of Services may be bid separately with a total not-to-exceed cost to be proposed. Should the firm choose not to bid on a specific item in the Scope of Services it should clearly state the reason for such an exclusion. Each bid shall contain a detailed direct and indirect costs including all out-of-pocket expenses.

**I. Manual Signature.** Bid proposals must contain a manual signature of an authorized agent of the Bidder.

The accuracy of the bid proposal is the sole responsibility of the Bidder. No changes in the proposal shall be allowed after the submission deadline, except when the Bidder can show clear and convincing evidence that an unintentional factual mistake was made, including the nature of the mistake and the price actually intended. Alternate bids will not be considered.

#### **TERMINATION OF CONTRACT**

The Town may, by written notice to the successful Bidder, terminate the contract if the Bidder has been found to have failed to perform in a manner satisfactory to the Town's specifications, including delivery as specified. The date of termination shall be stated in the notice. The Town shall be the sole judge of non-performance.

The Town may cancel the contract upon thirty (30) days written notice for reasons other than cause. This may include the Town's inability to continue with the contract due to non-appropriation or reduction of funding.

#### **WARRANTIES**

The successful firm shall indemnify and save harmless the Town against any and all damages to property or injuries to or death to any person or persons, including property and employees or agents of the Town, and shall defend, indemnify and save harmless the Town from any and all claims, demands, suits, actions, or proceedings of any kind, or nature, including workmen's compensation claims, of or by any whomsoever, in any way resulting from or arising out of the operation in connection herewith, including operations of subcontractors and acts or omissions of employees or agents of the successful firm or his sub-contractors.

The successful firm shall procure and maintain, at their own cost and expense, any additional kinds and amounts of insurance that, in their own judgment, may be necessary for their proper protection in the prosecution of the work.

The successful firm shall be required to have property, liability, and workers compensation insurance with minimum limits of \$1,000,000.00 and to provide the Town with copies of the certificate of insurance upon request.

The successful firm will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin and will comply with the Americans with Disabilities Act. The successful firm shall adhere to acceptable affirmative action guidelines in selecting employees and shall ensure that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination, rates of pay or other forms or compensation; and selection for training, including apprenticeship.

Pursuant to Section 8-17.5-102(1), C.R.S., the Bidder will certify that, as of the date of its Proposal, it does not knowingly employ or contract with an illegal alien and it has participated or attempted to participate in the Basic Pilot Employment Verification Program (as such term is defined in Section 8-17.5-101(1), C.R.S.) in order to verify that it does not employ any illegal Aliens.

AGENDA SUMMARY FORM



Review or Ordinance 2017-11 – Amending Town Code  
Relocation of Certain Sections of Zoning Chapter 16 regulations to  
Building Chapter 18.

Summary:  
Determination of placement of certain codes that prior to 2017 were in the zoning section of  
Municipal Code.

Empty rectangular area for notes or additional information.

Vote:	Monica Foguth:	Mary Bachran:	Steve Clisset:
	Lyn Howe:	Dave Knutson:	

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**TOWN OF PAONIA  
ORDINANCE NO. 2017 - 11**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO, AMENDING CERTAIN SECTIONS OF THE TOWN OF PAONIA MUNICIPAL CODE:**

**RECITALS:**

- A.** The Town of Paonia (the “Town”), in the County of Delta and State of Colorado, is a municipal corporation duly organized and existing under the laws of the State of Colorado.
- B.** Pursuant to Article III, Section 1-3-70 of the Town Municipal Code (“Code”) the Board of Trustees has the power to enact ordinances amending the Code.
- C.** Article 15, Section 103 of Title 31 of the Colorado Revised Statutes permits municipalities to make a publish ordinances not inconsistent with Colorado state law for carrying into effect or discharging the powers and duties conferred by Title 31 which are necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience of such municipality and the inhabitants thereof not inconsistent with the laws of Colorado.
- D.** Section 16-14-10 of the Code permits the Town to amend any regulation of the Zoning Code from time to time, provided that the procedural requirements in Section 16-14 are met.
- E.** Section 16-14-20 of the Code requires the following, as more particularly described therein:
  - a. The legal title owners of real property within the area proposed for a change be presented with the request for amendment;
  - b. The Planning Commission review the proposed amendment and submit a report with its recommendations to the Board of Trustees;
  - c. A public hearing be held with notice as required in Section 16-16-10 of the Code; and
  - d. Two-thirds of the Board of Trustees votes to approve the amendment if the amendment is protested by the owners of 20% or more of the lots included in such proposed amendment or adjacent thereto.
- F.** The Board of Trustees determines that it is in the best interest of the community and the public health, safety and welfare of the citizens of the Town to amend the Town Code as provided for herein.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO, AS FOLLOWS:**

**Section 1. Legislative Findings.**

The recitals to this Ordinance are adopted as findings of the Board of Trustees in support of the enactment of this Ordinance.

**Section 2. Amendment of Chapter 16 – Zoning of the Town Code.**

The following Sections of the Town Code shall be deleted in their entirety from Chapter 16 – Zoning.

**Chapter 16 – Article 7 - Signs**

- 18-7-10 Intent.
- 16-7-20 Scope.
- 16-7-30 Definitions.
- 16-7-40 Exemptions.
- 16-7-50 Prohibited signs.
- 16-7-60 Setback requirements for freestanding signs.
- 16-7-70 Permits required.
- 16-7-80 Structural requirements.
- 16-7-90 Existing nonconforming signs.
- 16-7-100 Sign regulations; schedule of requirements.

**Chapter 16 – Article 9 – Flood Damage Prevention**

**DIVISION 1. –GENERAL PROVISIONS**

- 16-9-10 Statutory authorization.
- 16-9-20 Findings of fact.
- 16-9-30 Statement of purpose.
- 16-9-40 Methods of reducing flood loss.
- 16-9-50 Definitions.
- 16-9-60 Lands to which this Article applies.
- 16-9-70 Basis for establishing areas of special flood hazard.
- 16-9-80 Establishment of development permit.
- 16-9-90 Compliance.
- 16-9-100 Abrogation and greater restrictions.
- 16-9-110 Interpretation.
- 16-9-120 Warning and disclaimer of liability.
- 16-9-130 Severability.

**DIVISION 2. –ADMINISTRATION**

- 16-9-210 Designation of Floodplain Administrator.
- 16-9-220 Duties and responsibilities of Floodplain Administrator.
- 16-9-230 Permit procedures.
- 16-9-240 Variance procedures.

### **DIVISION 3. –PROVISIONS FOR FLOOD HAZARD REDUCTION**

- 16-9-310 General standards.
- 16-9-320 Specific standards.
- 16-9-330 Standards for subdivision proposals.
- 16-9-340 Standards for areas of shallow flooding (AO/AH zones).
- 16-9-350 Floodways.
- 16-9-360 Alteration of watercourse.
- 16-9-370 Properties removed from floodplain by fill.
- 16-9-380 Standards for critical facilities.

### **DIVISION 4. –PENALTIES**

- 16-9-410 Penalties for noncompliance.

## **Chapter 16 – Article 10 – Supplementary Regulations**

- 16-10-10 Temporary uses.
- 16-10-20 Exceptions to maximum height requirements.
- 16-10-40 Building on slopes greater than twenty-five percent.
- 16-10-50 Utilities.
- 16-10-80 Solar access protection.

## **Chapter 16 – Article 11 – Accessory Buildings, Structures and Uses**

- 16-11-40 Fences, hedges and walls.
- 16-11-50 Swimming pools, hot tubs and Jacuzzis.

## **Chapter 16 – Article 12 – Building Permit and Site Plan Review Requirements**

- 16-12-10 Site plan required.
- 16-12-20 Review standards.
- 16-12-30 Record of site plans and applications.
- 16-12-40 Variance.

## **Section 3. Amendment of Chapter 18 – Building Regulations of the Town Code.**

The following sections shall be added to the Town Code, as reflected on **Exhibit A** attached hereto and incorporated herein:

### **Chapter 18 – Article 6 - Signs**

- 18-6-10 Intent.
- 18-6-20 Scope.
- 18-6-30 Definitions.
- 18-6-40 Exemptions.
- 18-6-50 Prohibited signs.
- 18-6-60 Setback requirements for freestanding signs.
- 18-6-70 Permits required.
- 18-6-80 Structural requirements.
- 18-6-90 Existing nonconforming signs.
- 18-6-100 Sign regulations; schedule of requirements.

## **Chapter 18 – Article 7 – Flood Damage Prevention**

### **DIVISION 1. – GENERAL PROVISIONS**

- 18-7-10 Statutory authorization.
- 18-7-20 Findings of fact.
- 18-7-30 Statement of purpose.
- 18-7-40 Methods of reducing flood loss.
- 18-7-50 Definitions.
- 18-7-60 Lands to which this Article applies.
- 18-7-70 Basis for establishing areas of special flood hazard.
- 18-7-80 Establishment of development permit.
- 18-7-90 Compliance.
- 18-7-100 Abrogation and greater restrictions.
- 18-7-110 Interpretation.
- 18-7-120 Warning and disclaimer of liability.
- 18-7-130 Severability.

### **DIVISION 2. – ADMINISTRATION**

- 18-7-210 Designation of Floodplain Administrator.
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- 18-7-340 Standards for areas of shallow flooding (AO/AH zones).
- 18-7-350 Floodways.
- 18-7-360 Alteration of watercourse.
- 18-7-370 Properties removed from floodplain by fill.

18-7-380 Standards for critical facilities.

**DIVISION 4. –PENALTIES**

18-7-410 Penalties for noncompliance.

**Chapter 18 – Article 8 – Supplementary Regulations**

- 18-8-10 Temporary uses.
- 18-8-20 Exceptions to maximum height requirements.
- 18-8-30 Building on slopes greater than twenty-five percent.
- 18-8-40 Utilities.
- 18-8-50 Solar access protection.

**Chapter 18 – Article 9 – Accessory Buildings, Structures and Uses**

- 18-9-10 Fences, hedges and walls.
- 18-9-20 Swimming pools, hot tubs and Jacuzzis.

**Chapter 18 – Article 10 – Building Permit and Site Plan Review Requirements**

- 18-10-10 Site plan required.
- 18-10-20 Review standards.
- 18-10-30 Record of site plans and applications.
- 18-10-40 Variance.

**Section 4. Severability.**

If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this 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 5. Ordinance Effect.**

Existing ordinances or parts of ordinances covering the same matters as embraced in this Ordinance are hereby repealed and any and all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed, provided however, that the repeal of any ordinance or parts of ordinances of the Town shall not revive any other section of any ordinance or ordinances hereto before repealed or superseded and further provided that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance.

**Section 6. Safety Clause.**

The Board of Trustees finds and declares that this Ordinance is promulgated and adopted for the public health, safety and welfare of the citizens of the Town.

**Section 7. Effective Date.**

This Ordinance shall take effect on November 27, 2017.

**Section 8. Public Hearing.**

**Presented at a Public Hearing before the Board of Trustees of the Town of Paonia, Colorado on the 10th day of October 2017.**

**TOWN OF PAONIA, COLORADO, A  
MUNICIPAL CORPORATION**

By: \_\_\_\_\_ s/s \_\_\_\_\_  
CHARLES STEWART, Mayor

ATTEST:

\_\_\_\_\_ s/s \_\_\_\_\_  
CORINNE FERGUSON, Town Clerk

**INTRODUCED, READ AND ADOPTED by the Board of Trustees of the Town of Paonia, Colorado, this 10th day of October 2017.**

**TOWN OF PAONIA, COLORADO, A  
MUNICIPAL CORPORATION**

By: \_\_\_\_\_ s/s \_\_\_\_\_  
CHARLES STEWART, Mayor

ATTEST:

\_\_\_\_\_ s/s \_\_\_\_\_  
J. CORINNE FERGUSON, Town Clerk