AGENDA

1. PUBLIC COMMENT

2. COMMUNITY SERVICES
   a) RECOMMENDATIONS TO THE TOWN BOARD
      i. None.
   b) REPORTS
      i. Visitor Center Quarterly Report.  
         Manager Salerno
      ii. November/December Events Report
         Director Winslow
      iii. Verbal Updates and Committee Questions.

3. COMMUNITY DEVELOPMENT
   a) RECOMMENDATIONS TO THE TOWN BOARD
      i. None
   b) REPORTS
      i. Code Compliance Program Update.  
         CC Officer Kleisler
      ii. Courtyard Shops Update.  
         Dir. Chilcott
         Dir. Chilcott and CBO Birchfield
      iv. Verbal Updates and Committee Questions.

4. ADJOURN
Chair Ericson called the meeting to order at 8:00 a.m.

PUBLIC COMMENT.
Outgoing Ambassador President Sandy Osterman introduced Mare Bradley, the newly appointed Ambassador President. Ms. Bradley expressed her excitement over her new position and looks forward to getting to know the Town Board and community.

COMMUNITY SERVICES DEPARTMENT.

REPORTS,
Reports provided for informational purposes and made a part of the proceedings.

- Museum Quarterly Report – Director Fortini informed the committee the Museum did not suffer any damage to the facilities due to the recent flooding, although approximately one hundred feet of pipe (penstock) is now exposed at the hydroplant. With extra hours put in by staff, the Museum was able to complete the opening of the Sandzén exhibit on time. This was the first community event to happen after the flood and the reception was well received. Trustee Elrod asked for a clarification of the de-accession process. Director Fortini explained when artifacts no longer fit within the mission or scope of the collection, either due to deterioration or are no longer of historical value, staff attempts to find other institutions that will benefit from these items. If no institution can be found that is willing to accept these artifacts, staff will reach out to individuals. Not much monetary value is generated during the de-accession process, but a high value is placed on the rapport that is created with other institutions. Director Fortini informed the Committee they are attempting to train the docents to lead the Downtown Walking tours on a consistent basis so people know to go downtown at a specific time and place to be able to go on a tour. Administrator Lancaster
pointed out we have all recently lived through a historical moment and asked if the museum staff has considered taking in items to remember the flood of September 2013. Director Fortini stated staff is crafting a policy on accepting digital photos that relate to the flood. Staff anticipates to start building the history in January 2014.

- **Year End Shuttle Report** – Shuttle Coordinator Wells reported a 52.3% increase in ridership in 2013. The trolley was one of the main contributing factors for the increase. It is assumed a large portion of the riders were locals and summer workers. The daily average increased by approximately 55%. Staff received a number of requests to start the buses earlier in the day. Trustee Norris remarked how the intention of the shuttles was to reduce traffic, but an unexpected benefit of community bonding has also occurred. Elderly members of the population are riding to get out of the house and socialize. Coordinator Wells stated there has been an increase in the use of mobile devices to retrieve shuttle information corresponding to a reduction in calls to the Visitor Center for information. Additional discussion with local businesses would take place prior to the 2014 season to address shuttle stop locations. The Committee was very impressed with the increase in ridership and commended Coordinator Wells for his work.

- **Verbal Updates:**
  - **Ambassadors** – Director Winslow stated staff has completed a Memorandum of Understanding with the Ambassadors.
  - **Visitor Center** – Several new computers were installed in the lobby for visitors.
  - **Rodeo** – The Town was again in the top 5 of the medium size Rodeo and asked to give several presentations at PRCA.
  - **Scandinavian Festival** – This event would return in the summer of 2014 as a Town sponsored event.
  - **Fall Back Beer Festival** – This new event would be held Saturday, November 2, 2013 at Riverside Plaza and include beer brewing demonstrations, tastings and pairings with local restaurants.
  - **Tree Lighting Ceremony** – This year’s event would include honoring local heroes from the flood event.
  - **Staff Update** – Director Winslow informed the Committee on the various activities the Community Services staff was involved in during the flood such as coordinating food, fuel, and equipment deliveries, finding housing and helping with the Disaster Assistance Center.

**COMMUNITY DEVELOPMENT DEPARTMENT.**

**REPORTS.**
Reports provided for informational purposes and made a part of the proceedings.
Floodplain Management Report Post Flood – Chief Building Official Birchfield, acting as the Town’s Floodplain Manager, described the four floodplains in Town – Black Canyon, Fish Creek, Fall River and the Big Thompson. He stated since the Town of Estes Park participates in the National Flood Insurance Program any property owner, including renters, can purchase flood insurance. The Development Code has regulations that exceed the national guidelines, which help staff manage the local floodplains properly. The Fish Creek and Fall River floodplains incurred substantial damage in the recent flood, including the rivers moving up to 50 feet in some places, the tremendous amount of deposited material, stream beds have risen and been lowered, mud slides, rock slides, major erosion in minor drainage channels, and damage to infrastructure along the rivers. Some lots are no longer developable. Lots that used to be conforming are no longer due to the movement of the water channel. He stated about half of the 7,500 buildings in the Estes Valley have been affected by this event, with one home considered substantially damaged, only the garage remains. Fourteen additional buildings have received some structural damage, but are repairable. All of the damaged structures are outside of the one percent chance floodplain. The maps that were being used to manage the floodplain are no longer accurate. Birchfield informed the Committee that the Community Development Department has stopped issuing permits for permanent construction and enacted a temporary suspension on issuing permits for existing and new building permits along waterways. Individuals are not allowed to reclaim their land or reconfigure the waterways to pre-flood conditions; however, temporary work to stabilize banks, shore up buildings, repair bridges and protect investments continues to be allowed. The suspension ends on November 12, 2013. As the Floodplain Manager, Birchfield relies on the high water mark to manage the floodplains. He stated staff has three to four people in the field collecting data to aid in future decisions about the floodplains in the valley. In the short term, staff continues to focus on the major concerns of bank stabilization prior to the ground freezing and spring runoff, the remobilization of fine materials, and the shortage of available construction materials. Fish Creek and Fall River floodplains have been made the highest priority. Director Chilcott has identified public and private financial resources available to restore the waterways. Private property owners are responsible for their bank stabilization.

REVISION TO TOWN FLOODPLAIN REGULATIONS.
The State of Colorado has updated floodplain regulations, therefore, the Town has until January 14, 2014 to get updated regulations in place to be in compliance. In reviewing the Municipal Code, it was noticed there was a typo in the Appeals Board in the Floodplain Ordinance, which should be the Board of Appeals rather than the Board of Adjustment. The revised regulations come from the Colorado Water Conservation Board and are higher than the National Flood Insurance Program. There were three major changes: redefine the floodway from a 12 inch rise to a 6 inch rise, free board
standards will increase to one foot or more, and one may elevate a building out of the floodplain, but may not in turn install a basement. Additional changes include items which are already taking place administratively. Section 17.28.090 of the Municipal Code would require an engineer to apply for a floodplain development permit and upon completion of the work a Floodway No Rise Certificate shall be submitted by the engineer of record.

PUBLIC COMMENT.
Cory LaBianca/town resident, questioned if floodplains are associated with natural waterways not associated with the rivers. CBO Birchfield reported that the floodplain ordinance does not regulate natural waterways, but it is addressed in the Development Code.

Chuck Bonds/town resident questioned how the National Flood Insurance Program arrives at their reimbursement numbers. He thanked Town staff in helping him address building and flooding issues, and requested additional staff for the building division to address the ongoing issues. Director Chilcott stated the Natural Resource Conservation Service has a program that addresses restoration of streams and rivers and would be providing support for rehabilitation in the valley.

REPORTS.
Reports provided for informational purposes and made a part of the proceedings.
- Community Development Monthly Report – Director Chilcott, stated all activities outside of flood related issues are being postponed. The Community Development Department is attempting to keep up with the basic activities that must be completed, but most staff activity has been focused on flood recovery. Staff would resume the Comprehensive Plan update as soon as possible.

TEMPORARY SIGN POLICY.
This topic was not discussed at the meeting.

There being no further business, Chair Ericson adjourned the meeting at 10:02 a.m.

Barbara Jo Limmiatis, Recording Secretary
To: Community Development/Community Services Committee  
   Town Administrator Lancaster  
From: Teri Salerno, Visitor Services Manager  
Date: November 21, 2013  
RE: Visitor Services Quarterly Report - 3rdQ: July / August / September

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**Third Quarter Visitor Center Traffic:**

The Visitor Center experienced a decrease of 5.59% in foot traffic in July, August, and September over the third quarter last year. In 2012, we saw 184,459 people come through our doors, for an average of 2,005 people per day. This year we had 174,146 people during our third quarter, for an average of 1,893 each day.

It is interesting to note that before the September flood, July and August were both up 19.2% collectively over July and August in 2012; this equaled 23,505 more people. The difference in foot traffic in September was so significant to cause the entire quarter to fall below the same quarter last year. The Visitor Center saw 62,047 people in 2012 and only 28,229 this September, to create the largest decrease in a single month during the summer in our history: - 54.5%. This totals 33,818 less people just in the month of September.

January through September 2013, visitor counts are down 4.35% overall when compared to the same time-period in 2012. This means that the Visitor Center has seen 13,797 fewer people YTD through September; in 2012 we had 317,115 total visitors compared to 303,318 this year. Again, had the flood not occurred, it is likely that the Visitor Center would have seen an increase over last year, for the YTD count after August 2013 was up by 7.85% or 20,021 people.

Rocky Mountain National Park also experienced increases in visitation in both July and August. In July, the park saw 60,861 more visitors and in August, 32,721 more visitors than the same months in 2012. By the end of August, RMNP was up 7.8% YTD over 2012. RMNP use reports are not yet available for September, but it is safe to assume that the park’s visitation counts plummeted with the flood.
### Visitor Center Traffic

<table>
<thead>
<tr>
<th>Year</th>
<th>1st Qtr</th>
<th>2nd Qtr</th>
<th>3rd Qtr</th>
<th>4th Qtr</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>27,030</td>
<td>102,142</td>
<td>174,146</td>
<td></td>
<td>303,318</td>
</tr>
<tr>
<td>2012</td>
<td>31,464</td>
<td>101,192</td>
<td>184,459</td>
<td>47,275</td>
<td>364,390</td>
</tr>
<tr>
<td>2011</td>
<td>32,960</td>
<td>100,558</td>
<td>212,458</td>
<td>55,716</td>
<td>401,692</td>
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<tr>
<td>2010</td>
<td>19,877</td>
<td>76,080</td>
<td>179,627</td>
<td>49,394</td>
<td>324,978</td>
</tr>
<tr>
<td>2009</td>
<td>21,492</td>
<td>78,442</td>
<td>164,098</td>
<td>37,807</td>
<td>301,839</td>
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<tr>
<td>2008</td>
<td>16,797</td>
<td>64,642</td>
<td>144,648</td>
<td>37,433</td>
<td>263,520</td>
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<td>2007</td>
<td>18,060</td>
<td>68,195</td>
<td>158,669</td>
<td>31,116</td>
<td>276,040</td>
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<td>8,999</td>
<td>54,602</td>
<td>139,046</td>
<td>29,522</td>
<td>232,169</td>
</tr>
</tbody>
</table>

### Third Quarter Telephone Calls:

Visitor Services staff answered .85% less telephone calls during the third quarter of 2013 over the same time period in 2012. This is the smallest percent decrease we have seen for the third quarter since 2009. The Visitor Center received 6,368 calls in July, August and September in 2012, for an average of approximately 69.2 calls per day. This year, we fielded 6,313 calls, for an average of 68.6 calls per day. It is interesting to note that September call counts were actually up by 180 calls over the total calls in September last year. The current trend would have indicated calls would be less than the number received in 2012. The increase in calls in September can be attributed to the many inquiries received in the call center about the flood.

### Visitor Center Telephone Calls

<table>
<thead>
<tr>
<th>Year</th>
<th>1st Qtr</th>
<th>2nd Qtr</th>
<th>3rd Qtr</th>
<th>4th Qtr</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>2,055</td>
<td>4,087</td>
<td>6,313</td>
<td></td>
<td>12,455</td>
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<tr>
<td>2012</td>
<td>2,357</td>
<td>5,112</td>
<td>6,368</td>
<td>2,341</td>
<td>16,178</td>
</tr>
<tr>
<td>2011</td>
<td>3,119</td>
<td>5,946</td>
<td>8,779</td>
<td>2,855</td>
<td>20,699</td>
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<td>2010</td>
<td>3,934</td>
<td>7,162</td>
<td>9,772</td>
<td>3,224</td>
<td>24,092</td>
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<td>2009</td>
<td>3,931</td>
<td>7,608</td>
<td>11,035</td>
<td>3,796</td>
<td>26,370</td>
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<tr>
<td>2008</td>
<td>3,538</td>
<td>6,615</td>
<td>10,122</td>
<td>3,281</td>
<td>23,556</td>
</tr>
<tr>
<td>2007</td>
<td>3,899</td>
<td>6,575</td>
<td>10,521</td>
<td>3,360</td>
<td>24,355</td>
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<tr>
<td>2006</td>
<td>3,891</td>
<td>6,127</td>
<td>9,298</td>
<td>3,002</td>
<td>22,318</td>
</tr>
</tbody>
</table>

### Retail Sales:

Retail sales through the end of September total $25,463 and the sales for the third quarter equal $15,927. Last year, third quarter sales totaled $17,911. Third quarter sales have always been the highest. With the significant decrease in foot traffic in September, it is understandable that sales are approximately $2,000 behind last year. The year-end sales projection now comes in close to $30,000.
<table>
<thead>
<tr>
<th>Year</th>
<th>Total Retail Sales Revenue by year</th>
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<tbody>
<tr>
<td>2005</td>
<td>$17,675</td>
</tr>
<tr>
<td>2006</td>
<td>$39,299</td>
</tr>
<tr>
<td>2007</td>
<td>$43,554</td>
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<td>2008</td>
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<td>2009</td>
<td>$42,582</td>
</tr>
<tr>
<td>2010</td>
<td>$40,175</td>
</tr>
<tr>
<td>2011</td>
<td>$39,192</td>
</tr>
<tr>
<td>2012</td>
<td>$34,499</td>
</tr>
<tr>
<td>2013 thru Sept 30</td>
<td>$25,463</td>
</tr>
</tbody>
</table>

**Visitor Center Hours of Operation:**

The Visitor Center hours of operation officially changed on Monday, September 30: The center is now open Monday through Saturday, 9A – 5P and on Sunday, 10A – 4P.

**Public-use Computers Now at the Visitor Center**

In order to better serve our guests, the Visitor Center lobby now has four computers available to the public. The computers have been well received and well used.

**Volunteer Ambassadors:**

The number of volunteer Ambassadors currently totals 63. This is a solid number going into the winter. The change of hours at the center also brings a change in volunteer assistance; Ambassadors now help at the Visitor Center front counter only on the weekends.

There are six people at this time who are interested in spring training and becoming Ambassadors in 2014. It would not be unusual for the number of interested people wanting to volunteer to continue to increase until Spring Training next year.

**Budget:** N/A

**Recommendation:** None
To: Community Development/Community Services Committee  
Town Administrator Lancaster

From: Bo Winslow, Director of Community Services

Date: November 21, 2013

RE: November Event Report

Report:

November is a busy time of the year preparing for all the holiday events. Staff has been working on the Lighting Ceremony and the Catch the Glow Parade since our busy summer season ended. There has also been a push to create new events for this season as well. The Town, EALA, EVPC, the Restaurant Association, the Estes Park Wedding Association, Visit Estes Park and local business leaders have partnered together to bring several new events to the area. (See list below)

- Ice Skating Rink opens – November 21
- Lighting Ceremony – November 23
- Catch the Glow Parade – November 29
- Family Fun Holiday Weekend – December 6-8 (New)
  - Holiday Movie Marathon
  - YMCA Winter Day Camp
- Dasher 5K & Tinsel Tavern Tour – December 14 (New)
- Last Minute Holiday Shop-A-Thon – December 20-22 (New)
- New Year’s Eve Celebration – December 31 (New)
Tree Lighting Ceremony:

This year we will be partnering with the Recreation District for a new addition to the celebration. This new activity will be added to the traditional ornament craft stations, s'mores station, cookie decorating and community sing-a-long. Another change for this year’s event is that we are changing the focus for the nominees for the tree lighting ceremony to local heroes of those who served or made a difference in our community during the devastating flood in September. We looking forward to recognizing those individuals who went above and beyond the call of duty to help their friends and neighbors.

Catch the Glow Parade:

Catch the Glow Parade is coming along nicely. Staff has worked hard on sponsorship this year and it has paid off with all floats being sponsored. The design of the floats has been taken to a level that everyone is excited about. There are seven new float designs this year and an additional eleven floats receiving face lifts.

Recap of upcoming New December Events:

- Family Fun Holiday Weekend in Estes Park, December 6-8
  This will be a weekend full of family fun activities, holiday shopping, and recreation in the national park! Estes Park will be hosting a Holiday Movie Marathon downtown all weekend. We will encourage guests to pop in and out to see their favorite holiday flicks while shopping and visiting our unique and family-friendly restaurants. The experience will really shine by having downtown bustling with Santa, roaming carolers and Christmas characters. The YMCA is also offering a Winter Day Camp so guests can drop their children off for fun adventures, while they finish up their holiday shopping.

- Dasher 5K & Tinsel Tavern Tour on December 14th
  The Reindeer Dash 5K will take place downtown Estes Park, starting at 10 am on Saturday, December 14th. The Tinsel Tavern Tour pub crawl starts at 7pm at the Estes Park Resort for the kick-off party. Prizes will be given for the best costumes before participants hop aboard the shuttle and head to the participating taverns around Estes Park.

- Last-Minute Luminary Shop-a-thon, December 20-22:
  Luminaries will line the streets and shops will extend their hours Friday and Saturday nights. Getaway packages are being offered by local businesses to entice guests into a pre-Christmas weekend escape. Restaurants will also feature special menus and selections.
Staff is also working on events to take place starting the first of the year, including a Winter Warm Up in lieu of the traditional Winter Festival. Details on those events are still in the works. The goal for all involved in these events is to give our locals more things to do, draw guests to town, benefit the local businesses and have minimal impact on the budgets of those hosting the event.

All in all, we are looking forward to a very exciting year in 2014.
Memo

To: Community Development/Community Services Committee
    Town Administrator Lancaster

From: Phil Kleisler, Planner I/Code Compliance Officer
      Alison Chilcott, Community Development Director

Date: November 21, 2013

RE: Six Month Code Compliance Report

Objective:
Report to Community Development/Community Services Committee on key code compliance activities undertaken by staff during the last six months.

Present Situation:

I. Building a New Service

The Town of Estes Park hired a full-time Code Compliance Officer/Planner in March 2013. The goal in establishing this position was to create a community-centric code compliance program that focuses on education, outreach and enforcement, while also contributing to the growing need for planning responsibilities.

Community Input:
During the spring of 2013 the Town held a series of community meetings to receive feedback on code compliance priorities. These meetings were well attended and the participants provided valuable feedback. Following these sessions Community Development staff visited with numerous groups to gain additional feedback.

Based on what we heard, the Code Compliance Program’s mission statement is:

To contribute to the safety, aesthetics, and quality of life in the Estes Valley by attaining compliance with adopted codes.

An effective code compliance program:

- Partners with the community to advance the goals of the program.
• Maintains a high level of consistency, reliability and proper follow-through.
• Contributes to the Town’s high quality of life by prioritizing safety as a key concern and addressing issues related to aesthetics.
• Includes education, outreach and enforcement.

The highest priorities should include:

• Animals: Work with the community and animal control to ensure safe animal-human interactions.
• Dark Sky Lighting: Address light pollution, including the past, current and future violations.
• Noxious Weeds: Create a multi-faceted approach to the management of noxious weeds in the Estes Valley.
• Vacation Rental Homes: Take measures to ensure that vacation homes are operating in a manner consistent with our local codes.
• Junk Accumulation: Seek to decrease junk and trash accumulation on residential and commercial properties.
• Wildfire Mitigation: Partner with other organizations to strengthen fire mitigation and prevention in the Estes Valley.

Policy and Procedures
Following these outreach sessions, staff began drafting policies and procedures for the code compliance program. The draft policy, scheduled to be completed later this month, was informed by the comments received during the community meetings.

Staff are also taking proactive measures to address the highest community priorities (listed above). To that end, program procedures are being drafted that outline steps staff will take to proactively address certain issues. A draft copy of the junk accumulation procedures are attached to this report as an example.

New Technology and Workflows
Community Development staff worked with Don Widrig to create a database program for code compliance activities. The new database allows staff to create and track code cases, and quickly generate official correspondence as needed. Various office management systems were also established to effectively coordinate daily operations.
II. Outreach and Education

Weeds

Noxious weeds are an increasing problem in the Estes Valley. If not controlled, these invasive plants can dominate the landscape and permanently damage natural plant communities and ecosystems.

In an effort to continue the battle against noxious weeds, the Town coordinated the first annual community weed pull day on June 15, 2013. This event was a partnership among the Town, Rocky Mountain National Park, Estes Land Stewardship Association, Association for Responsible Development and Larimer County. The clean-up area was a highly visible space along High Drive, close to the Rocky Mountain National Park south entrance. In addition to raising awareness of invasive plants in the Estes Valley, participants helped control the spread of weeds to the National Park and the Woodland Heights area.

Following the community weed pull day, staff met with the Estes Land Stewardship Association to development a weed prioritization map. The new map will be used for staff’s proactive enforcement efforts.

Presentations
During the first six months of the code compliance program, staff made the following presentations:

- Association for Responsible Development: overview of community input and code compliance procedures;
- Estes Land Stewardship Association: program overview;
- Board of Realtors: priorities of their membership and sign code overview;

III. Enforcement

Dashboard Summary
The attached dashboard report summarizes key indicators for the months of July through October, 2013. As the summary indicates, code compliance cases substantially decreased during September and October (due to the flood). The types of complaints remain varied, with most relating to junk accumulation, weeds and sign code cases. The number of sign code cases was relatively high in September due to staff proactively seeking compliance in the commercial downtown area.
**Enforcement Actions**

If possible, staff strives to resolve code compliance matters prior to taking any enforcement actions. There are generally three enforcement steps taken when a resolution is not reached in a timely manner:

1. Notice of Request: a letter allowing property owners and/or tenants 15 days to come into compliance.
2. Notice of Violation: notice sent via certified mail stating the alleged violation, along with applicable evidence. Such notices may be appealed through a Colorado court of competent jurisdiction.
3. Summons to Municipal Court: states the alleged violation and court date.

From July through October, the Community Development Department issued 24 letters of request and 20 notices of violation. Two (2) summonses to Municipal Court were issued: one for screening of a trash receptacle along Big Thompson Avenue and another for screening of equipment and vehicles along Moraine Avenue.

**Vacation Home Rentals**

Staff have taken proactive steps to ensure that vacation home rentals are licensed with the Town and operative in a matter consistent with applicable codes. To that end, staff are reviewing online listings of vacation home rentals and making contact with those not licensed with the Town or not in compliance with Town codes. We estimate that approximately seventy (70) vacation home rentals will be contacted during the month of November.

**Proposal:**
Report only. No action needed at this time.

**Advantages:**
N/A

**Disadvantages:**
N/A

**Action Recommended:**
Report only. No action needed at this time.

**Budget:**
N/A

**Level of Public Interest:**
Moderate

**Sample Motion:**
N/A
Town of Estes Park Code Compliance
Summary Report: July - October, 2013

General Updates

Mission Statement:
To contribute to the safety, aesthetics, and quality of life in the Estes Valley by attaining compliance with adopted codes.

Education/Outreach
Introduction to Estes Park Lodging Association
Special meeting with the Bear Task Force
Met with ELSA representative to create a weed priority map
Organize a community weed pull day
Presentations: ARD, ELSA, Board of Realtors

Enforcement
While the Town strives to achieve voluntary compliance with local codes, enforcement actions are still necessary in some cases.

Current Case Backlog 141

Official Correspondence
Courtesay Letter of Request 24
Notice of Violation 20
Summons 2

Cases Opened/Closed

<table>
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<th></th>
<th>July</th>
<th>August</th>
<th>Sept</th>
<th>October</th>
</tr>
</thead>
<tbody>
<tr>
<td>Closed</td>
<td>(5)</td>
<td>(17)</td>
<td>(6)</td>
<td>(11)</td>
</tr>
<tr>
<td>Opened</td>
<td>11</td>
<td>25</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>Net Cases Open (Closed)</td>
<td>6</td>
<td>8</td>
<td>0</td>
<td>(7)</td>
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</tbody>
</table>

Cases by Category

- Business License, 6
- Signs, 9
- Flood-Related, 4
- Miscellaneous Land Use, 2
- Exterior Lighting, 1
- Vacation Home, 2
- Private Matter, 2
- Work w/o Permit, 1
- Junk/Trash, 11
- Weeds, 6
- Other, 5

Contact: Phil Kleisler
Code Compliance Officer/Planner I
pkleisler@estes.org
Junk Accumulation
PROACTIVE ENFORCEMENT PROCESS
Revised November 2013

PROCESS SUMMARY:

1. Applicable Legislation
2. Education/Outreach
3. Calendar of Proactive Field Inspections, Investigations and Enforcement
4. Abatement
5. Follow up
6. Close case

PROCESS DETAIL:

1. Applicable Legislation
   - Estes Park Municipal Code
     o Chapter 8.04 General Disturbances
   - Larimer County Rubbish Ordinance
     o Ordinance No. 042120080-001—Ordinance Concerning Accumulation and Removal of Rubbish (“Rubbish Ordinance”)\(^1\) together with amendments\(^2\).

2. Education/Outreach
   - Press Release: early March
   - Grant: determine availability by January
   - Proactively communicate to homeowner associations and other interested groups

3. Calendar of Proactive Field Inspection, Investigation and Enforcement
   - Early March
     - Determine routes and timeline to proactively identify non-compliant properties.
     - Prepare materials for field visits (door hangers, educational handouts).
     - Review applicable legislation (Section 1 above).

\(^1\) Effective May 24, 2008 (30 days after publication on 4/24/2008 of the Rubbish Ordinance approved by the Board of County Commissioners on April 21, 2008).

\(^2\) 2008 amendment re appeal process effective 12/21/2008.
• March – May
  - Proactive Enforcement Routes:
    o Along major corridors and select streets (see zone maps):
      ▪ March: Zone 1, 2
      ▪ April: Zone 3, 4, 5
      ▪ May: 6, 7
    o High visibility areas and large quantities of junk will be the highest priority.
  - General Proactive Enforcement Procedures
    o Reconfirm that all materials and routes are prepared.
    o Visually inspect and photo document the properties along routes from public right-of-ways.
    o Contact properties in violation via:
      ▪ Verbal warning;
      ▪ Leave door hanger if the property owner or tenant is not available;
      ▪ If only tenant is contacted, notice shall also be sent to property owner.
    o Log the address in the Code Compliance Database (“Database”) for follow-up after the established deadline to come into compliance.
    o If the address has been previously warned, the officer will take photos and decide the follow up. Options include:
      ▪ Issuance of Notice of Violation;
      ▪ Issue summons to Municipal Court;
      ▪ Further contact with responsible parties as necessary.
    o When possible, multiple abatement procedures will be implemented in bulk at the end of each month.

4. Abatement

• Examples of situations where abatement would be an appropriate method to mitigate the hazard may include properties where the trash and/or junk hazards build up dangerously:
  ▪ Vacant properties with out of state owners;
  ▪ Properties where the residents and/or owners are unavailable for personal service of summonses and refuse to pick up summonses sent by certified mail;
  ▪ Repeat offenders;
  ▪ High pedestrian neighborhoods, where a doorhanger, letter and/or Notice of Violation have not achieved compliance.
• The Downtown Commercial District.

• Trash/Junk Removal Contract
  • The code compliance officer will maintain an exterior contract with a trash/junk removal contractor.
  • Officers will take photos of properties in violation that are put on the list for the contractor to clear.
  • The contractor will generally clear the property within 24 hours of receiving the list.
  • The contractor will take photos of the property before and after clearing and provide those to the code compliance officer.
  • The contractor will provide an itemized bill to the Enforcement Officer which separates the charges for each property.
  • The Community Development Department will bill the owner or landlord of the property for the charges.
  • When the payment is received, the code compliance case will be closed with the notation of payment. The applicable policies for billing and receiving payment will be followed.
  • If payment is not received within 30 days after the owner of such property is notified, the Town shall certify the charge or assessment to the County Treasurer, to be placed by him or her upon the tax list for the current year and collected in the same manner as other taxes are collected, with a 10% penalty to defray the cost of collecting.

• Code Compliance Database
  • All properties in violation that received a warning will be entered into the Database. Warnings include a door hanger being left at the property, a letter being mailed to the landlord, or a phone call or personal contact with the tenant or landlord.
  • Documentation of the findings during the investigation (information gathered as a result of the site inspection and all interviews) will be entered into the Database.
  • If a warning letter is sent to the responsible party, it will be attached to the case. That activity will be documented in the Database. The letter will detail the requirements for bringing the property into compliance.
  • Photos should be attached to the case.

• Summonses
  • All summonses shall be documented in the Database. The code compliance officer will consult with the Town Attorney when such cases must be heard in Municipal Court.
• Keeping a Case Open:
  • Cases on properties that have been cleared should stay open until the payment for services has been received.
  • Re-inspections may be necessary on some cases. Officers will look at the history of the property, the tenants, the cooperation level of the tenants and/or landlord, history of owners/managers etc. to determine if a property should be actively re-inspected.

5. Follow up:
  • If a complainant requests information about the case, the person will be contacted after the initial inspection is completed and when enforcement action is taken, as time allows. Resources will focus first on responding to complaints, communicating with code violators and taking enforcement action necessary to achieve compliance.

6. Close Case:
  • Letter(s) of compliance shall be sent to all persons with a legal interest in the property, electronically filed and noted in the Database.
This draft document was prepared for internal use by the Town of Estes Park, CO. The town makes no claim as to the accuracy or completeness of the data contained herein.

Due to security concerns, the town requests that you do not post this document on the internet or otherwise make it available to persons unknown to you.
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Memo

To: Community Development/Community Services Committee
    Town Administrator Lancaster

From: Alison Chilcott, Community Development Director
    Will Birchfield, Chief Building Official

Date: November 21, 2013

RE: Courtyard Shops Update

Objective:
Update the Community Development/Community Services Committee on life safety concerns at the Courtyard Shops building.

Present Situation:
The Courtyard Shops is a mixed-use, 24-unit development located on Virginia Drive in the Commercial Downtown zone district. The building was constructed in 1978 and includes various retail stores, a restaurant, a salon and residential dwelling units.

Staff have worked with three building owners in the past two years on issues ranging from zoning code violations to life safety building/fire code violations. Due to a change of use to residential occupancies, sprinkler and alarm systems must be installed throughout the building. Plans have been submitted and approved, but work has yet to begun.

Community Development staff has provided regular progress reports to the Committee. Progress stopped in mid-summer and we have provided deadlines to the property owner.
Town staff and the Fire Marshall met with the building owner on November 14, 2013, to state the Town’s official position in this matter:

1. Work must be started on the sprinkler system by January 1, 2013. The Town will initiate an eviction process for all residential dwelling units if work is not started by this date.
2. A portion of the sprinkler system must be in operation by May 1, 2013. The Town will initiate an eviction process for all residential dwelling units if a portion of the system is not operating by this date.
3. The Town will not halt the eviction process once started.

The building owner understood the significance of these life safety requirements and indicated his desire to meet the above deadlines. Staff will keep the Committee updated on this matter.

Proposal:
Report only. No action needed at this time.

Advantages:
- A safe building, with reduced potential for loss of life, injury and property damage.

Disadvantages:
- Residents face eviction if the property owner does not meet deadlines.

Action Recommended:
Report only. No action needed at this time.

Budget:
N/A

Level of Public Interest:
Low

Sample Motion:
N/A
Report Item #iii. Flood Recovery Update: Floodplain Management and Stream/River Corridor Protection

This item will be a verbal report by Director Chilcott and Floodplain Manager Birchfield, who will bring all documents to the meeting for distribution.