



**TOWN OF WIGGINS
BOARD of TRUSTEES MEETING
AGENDA**

February 23, 2022 at 7:00 P.M.

**304 CENTRAL AVENUE
WIGGINS, CO 80654**

***NOTE: DUE TO LIMITED SEATING CAPACITY, THE PUBLIC IS HIGHLY
ENCOURAGED TO ATTEND THE MEETING VIA ZOOM***

GO TO <https://us06web.zoom.us/j/89138082108> FOR THE MEETING LINK

MEETING AGENDA

I. INTRODUCTIONS

1. Call the Meeting to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda

II. CONSENT AGENDA

1. Approval of Board of Trustees Meeting Minutes January 26, 2022
2. Approval of Bills February 2022

III. REPORTS

1. Town Manager Report
2. Board of Trustees
3. Financials-Actual to Budget

IV. PUBLIC COMMENTS

The Board of Trustees welcomes you and thanks you for your time. If you wish to address the Board of Trustees about a specific concern or to comment on an item, this is the only time set on the agenda for you to do so. We ask that you be respectful and courteous when addressing the board. When you are recognized, please step to the microphone, state your name and address. Your comments will be limited to three (3) minutes. The Board will not respond to your comments this evening, rather they will take your comments and suggestions under advisement and provide direction to the appropriate member of Town Staff for follow-up.

V. PUBLIC HEARINGS: *(Public input will be taken during the public hearings).*

1. Adoption of 2018 International Buildings Code

Adoption by Reference the 2018 Editions of the International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Property Maintenance Code, International Existing Building Code, International Swimming Pool & Spa Code and Adopting the Editions of the Colorado Plumbing Code and the National Electric Code as Currently Adopted by the State of Colorado.

a. Consideration of Ordinance 01-2022 (Second Reading) – An Ordinance Adopting by Reference the 2018 Editions of the International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Property Maintenance Code, International Existing Building Code, International Swimming Pool & Spa Code and Adopting the Editions of the Colorado Plumbing Code and the National Electric Code as Currently Adopted by the State of Colorado.

2. Inclusion of Property into the Roberts 81 Business Improvement District

a. Consideration of Ordinance 02-2022 – An Ordinance Including Certain Property into the Boundaries of the Roberts 81 Business Improvement District.

VI. CONSIDERATION OF RESOLUTION NO. 03-2022

A Resolution Ratifying and Adopting the Town of Wiggins Schedule of Service Fees

1. Resolution No. 03-2022

VII. CONSIDERATION OF RESOLUTION NO. 07-2022

A Resolution Approving the Colorado Regional Opioid Intergovernmental Agreement and Other Documents Necessary for the Town's Participation in the Opioid Response Region 4 Council.

1. Resolution No. 07-2022

VIII. CONSIDERATION OF ORDINANCE NO. 03-2022

An Ordinance Adopting a Municipal Court Fine and Fee Schedule for Ordinance Violations.

1. Ordinance No. 03-2022

IX. ADJOURNMENT

1. Closing Remarks by Mayor and Trustees, and Meeting Adjournment



MINUTES OF MEETING

TOWN OF WIGGINS BOARD OF TRUSTEES MEETING

January 26, 2022 at 7:00 p.m.

CALL TO ORDER & ROLL CALL

A regular meeting of the Town Board of Trustees for the Town of Wiggins, Colorado was held on Wednesday, December 15, 2021. Mayor Jeff Palmer called the meeting to order at 7:07 p.m. The following Trustees answered roll call: Mayor Jeff Palmer Mayor Pro-Tem David Herbstman; Trustees: Bruce Miller, Mark Strickland, Chad Forbes and Bryan Flax. Trustee Jerry Schwindt was absent. Staff present were Tom Acre, Town Manager; Chief of Police, Craig Miller; Hope Becker, Town Planning and Zoning Administrator; Deb Lee, Town Clerk, and Town Attorney Melinda Culley.

APPROVAL OF AGENDA

Motion was made by Trustee Bruce Miller to approve the agenda. Seconded by Trustee Mark Strickland. Roll Call: The agenda was approved unanimously.

CONSENT AGENDA AND BILLS

Motion was made by Trustee Bruce Miller to approve the consent agenda. Second was made by Mayor Pro-Tem David Herbstman. Roll Call: the consent agenda was approved unanimously.

TOWN MANAGER REPORT

The Town Manager's report was given by Tom Acre.

Just Transition planning committee meeting is just getting started. HB 21-1290 created this fund. The fund helps communities with power plants transitioning from coal to natural gas. The group has to figure out how to spend the money. It is about \$470,000. They will meet periodically to decide how to spend the money.

He attended the CDPHE webinar on how to maintain compliance.

Staff met with Polymorphic Software. It is a program to track citizen's requests. The company has had some success with small local governments. This frees up staff to do other things.

Town Staff had a Christmas Celebration debrief. Everyone liked where it was and what we did. Some of the suggestions were to: plan earlier; Beau will leave the buildings at the booster station; we have repurposed a trailer to store wreaths, use bucket trucks to pull the wreath trailer. They are getting more organized with the Independence Day and Christmas functions. Purchased totes to better organize. Beau and Mark have put up pegboards and shelves and labeled them to organize things better in the shop.

The auction is going live later this month for the surplus equipment at the sewer treatment plant. They will get several tens of thousands of dollars for the equipment. Beau got hold of a scrap iron company out of Fort Morgan that is going to drop off containers at the end of the week to get rid of the scrap iron.



He's continuing to work with RCAC on the rate study. He had them run the scenario of \$45,000. It doesn't do much for us. Had discussion with USDA. There is an affordability index. The sweet spot for them is between 1.5 and 2. He is looking for scenarios in that range. Chris is going to be putting a report together with recommendations. Our median house index has gone up from \$53,000 to \$57,000 with the new census. USDA was directed to us the 2010-2020 housing index which bodes well for us.

Economic Development – He served on MCEDC Nominating Committee, to selected a slate of candidates to give to the Board of Directors. Roberts 81 sold a small parcel in addition to still working on the hotel. He met the purchaser. The purchaser is not ready to reveal what he is planning to do with the property yet, but it will be a benefit to Wiggins from what he's been told. Today he spent time at Morgan County Economic Development on their Strategic Planning. They have come up with goals for Kristen. He will share that information as it is flushed out. They are targeting a couple of sectors like logistics and cold storage. CDL drivers – there is a need for those in our community. Strengthening the organization; communication and collateral as they recruit or retain businesses as they come into town; encourage investments; thinking of ways to continue to increase funding of Economic Development so MCEDC can rely less on public funding and more on private funding. It was a good session. She had a moderator in. She is well versed in economic development and has her own public relations firm.

Staff met with a couple of vendors to explore ways to improve our phone system to free up staff by setting an auto attendant. He had mixed results last year when he looked into it.

He reported out regarding the adoption of Invoice Cloud. They show a 43% adoption rate for going paperless, this level has not been before. We are still a little low on the use of auto pay at 12%, normal is 25%. Electronic payment is above average at 38%. Overall, the adoption is above average. Last month we saved approximately \$100 on postage, also on staff time and paper.

CHIEF OF POLICE, CRAIG MILLER REPORT

He has been down in the basement working on the records room. We are probably going to have to use a shredding service to get rid of some records. He has to make sure the DA has the cases that they need.

The school had some parking issues. Second week was better. Third week school was closed. People are doing a better job. The school will be breaking ground this spring so it will get worse. They are preparing for those issues now. There will be more parking on Main Street for diagonal parking. It will open about 30 spots for parents.

They had a candidate that they interviewed this week. He will not work out, but there are other candidates that they will be looking at.

They are taking a look at compliance with issues they have this summer. They documented issues at 160 houses. It took four hours. With the extra set of eyes, they saw a bunch of things that others noticed that he did not and vice versa.

They participated in an overweight truck operation last week. They had 8 citations including 2 overweight violations; 34 inspections that resulted in 82 violations including 5 port runners. There were 14 out of service conditions in 9 vehicles and 5 drivers. That's the biggest we have seen so far. We issued 3 tickets on the spot with tickets over \$500 each due to the number of violations. The Port guys approached them asking us to do it for a



week since the truckers will not be able to afford to shut down for a week. They have to discuss it with their supervisors and see if it is possible.

Had a meeting with the Morgan County Chiefs and Sheriffs on Tuesday. They discussed some issues going around the county. They discussed some issues with mail thefts. There were no mail thefts reported in town, but there were some in the surrounding areas. We are getting people from Adams County and Aurora, they are going to Sterling and Yuma and stopping off in our area on their way back. If you see anything happening, make sure you report it. Burglaries are a big issue in the county. We are maintaining a presence so that they know they are not welcome here.

In 2019, there were 118 case reports. Chief came on in 2020 and there were 89 case reports. Which is a 24% decrease. In 2021, there were 76 case reports of criminal activity which is a 14% decrease in crime reports. He cannot take responsibility for that. It is a combined effort with Officer Erickson, himself and most of all the community. The community is doing a great job reporting suspicious activity to the police department. The numbers are encouraging, because although the State has seen an increase in crime, it is not coming to Wiggins. Calls for service were 2,768 in 2019 and increased to 3,705 in 2020. Or a 33% increase in calls for service. In 2021, the calls for service were down to 3,296, which is an 11% decrease. A total of 19% increase over the past two years.

He discussed the American Legion situation that occurred recently. He met with the American Legion to discuss the issues and options regarding use of the facility. Their rental/use agreement was updated by their lawyer. They posted the building no drinking outside.

He is looking forward to 2022 to the implementation of body cams. The Police Department received a grant to help cover the cost of them. This weekend or next Officer Erickson and he will take their CCIC tests to allow them to have laptops to get them up on technology and potentially down the road digital tickets. Updating evidence sand in addition to records they are looking at a bar coding system to keep track of cases. He is looking forward to getting a third officer on board.

BOARD OF TRUSTEES REPORTS:

Nothing to report.

FINANCIALS ACTUAL TO BUDGET:

This month Manager Tom Acre included both December and January's information. Mayor Palmer asked if there was a committee to set up to go Home Rule. Manager Acre said he is putting the information together right now and will present it in February. The Mayor asked if it was a paid position and if the committee members had to be citizens. Town Manager Acre responded that it was unpaid and they have to be citizens of Wiggins. The Mayor asked if there was any interest in Planning and Zoning. He responded that unfortunately we have not. Trustee Flax asked about putting the Planning and Zoning position in the Lost Creek Guide. Mayor Palmer said his brother is interested. There are three seats open. The Mayor said if we were Home Rule there could be business owners that can be involved.

PUBLIC COMMENT:

The Mayor, Jeff Palmer opened the meeting for public comments at 7:53 p.m. Dr. Stephen Hoemke resides in Kiowa Park. He is the transportation director for NECALG. They operate the County Express. Dr. Hoemke wants



to let us know that in 2021 Morgan County had 11,344 riders for County Express; 157,319 miles and 4,712 hours. That was the number two county in the six county area. Wiggins had 128 riders; 6,030 miles and 222 hours for transportation in Wiggins. County Express is available for transportation. Medical and Medicaid trips throughout the Front Range are no cost to the patient and they offer curb-to-curb service. They need a couple non-CDL drivers. If anyone is looking for a part-time job, send them their way. They have to have a good driving record and be comfortable working with and speaking with people. They transport a lot of disable and senior citizens as well. The Mayor said those were good numbers and will put it out in the next newsletter.

Public Comment ended at 7:57.

CONSIDERATION OF RESOLUTION NO. 01-2022

Consideration of Resolution No. 01-2022 – A Resolution Designating the Place for Posting of Notices of Public Meetings and Establishing the Calendar for Work Sessions and Regular Monthly Meetings of the Town of Wiggins Board of Trustees for the Year 2022.

Motion was made by Trustee Bruce Miller for the approval of Resolution 01-2022. Seconded by Trustee Mark Strickland. Roll Call: Unanimously Approved.

CONSIDERATION OF RESOLUTION NO. 02-2022

Consideration of Resolution No. 02-2022 - A Resolution of the Board of Trustees of the Town of Wiggins Approving a First Amendment to an Agreement with ProCode, Inc. for Building Inspection Services.

Motion was made by Mayor Pro-Tem David Herbstman to approve Resolution No. 02-2022. Seconded by Trustee Bruce Miller. Roll Call: Resolution 02-2022. Mayor Jeff Palmer abstained. The Resolution was approved.

CONSIDERATION OF RESOLUTION NO. 03-2021

Consideration of Resolution No. 03-2021 - A Resolution Ratifying and Adopting the Town of Wiggins Schedule of Service Fees.

The Board of Trustees tabled this vote until it can be further discussed at the next Work Session on February 9, 2022.

CONSIDERATION OF RESOLUTION NO. 04-2022

Consideration of Resolution No. 04-2022 – A Resolution Authorizing the Mayor to Sign the 2020 Year-End Audit Engagement Letter.

Motion was made by Trustee Bruce Miller to approve Resolution No. 04-2022. Seconded by Trustee Chad Forbes. Roll Call: Resolution 04-2022 was unanimously approved.

CONSIDERATION OF RESOLUTION NO. 05-2022

Consideration of Resolution No. 05-2022 – A Resolution Authorizing a Mail Ballot Election to be held For the Town of Wiggins Regular Municipal Election on April 5, 2022.

Motion was made by Mayor Pro-Tem David Herbstman to approve Resolution No. 05-2022. Seconded by Trustee Mark Strickland. Roll Call: Resolution 05-2022 was unanimously approved.



CONSIDERATION OF RESOLUTION NO. 06-2022

Consideration of Resolution No. 06-2022 - A Resolution Denying a Special Review Use for a Duplex on Lot 1 of the Vasquez Minor Subdivision on Johnson Street.

Motion was made by Mayor Pro-Tem David Herbstman to approve Resolution No. 06-2022. Seconded by Trustee Mark Strickland. Roll Call: Resolution 06-2022 was unanimously approved.

CONSIDERATION OF ORDINANCE NO. 01-2022

Consideration of Ordinance No. 01-2022 – An Ordinance Adopting by Reference the 2018 Editions of the International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Property Maintenance Code, International Existing Building Code, International Swimming Pool & Spa Code and Adopting the Editions of the International Plumbing Code and the National Electric Code as Currently Adopted by the State of Colorado.

Motion was made by Trustee Mark Strickland to approve Ordinance No. 01-2022. Seconded by Mayor Pro-Tem David Herbstman. Roll Call: Ordinance No. 01-2022 was unanimously approved.

ADJOURNMENT

Mayor Palmer adjourned the meeting at 9:49 pm.

Respectfully submitted by:

Deborah Lee, Town Clerk

TOWN of WIGGINS - BILLS PAID

February 2022

Vendor Name	Description	Amount Paid
BANK OF THE WEST	Credit Card Payment	\$3,486.03
BLOEDORN LUMBER	Misc. Supplies	\$478.95
BLUE LIGHTNING	Internet/Phone	\$515.93
CAMCA	Membership Dues	\$20.00
CASELLE, INC	Financial Software Support	\$879.00
CHS	Propane	\$2,078.01
CITY OF FORT MORGAN	Glassey Farm Pump Electric	\$8.17
COLORADO ANALYTICAL LABORATORY	Water Analysis	\$920.70
COUNTRY HARDWARE	Public Works Supplies	\$1,776.02
DIAMONDBACK ENG & SURV INC.	Town Engineering	\$25,451.00
EMIL, KIMBERLY A	Municipal Judge Salary	\$312.50
HARMAN, STEPHANIE	Contract Labor for Police Department	\$45.00
HAYES POZNANOVIC KORVER, LLC	Water Rights Attorney Fees	\$14,924.00
IMPRESSIONS BY BIRD, LLC	Printing	\$1,770.00
INVOICE CLOUD	Monthly Software Fee	\$331.05
JARVIS	Recreation Registration Software	\$175.00
KAMMERER, WILLIAM M.	Water Shares Lease/Purch Paymt	\$3,510.42
KELLY, PC	Town Legal Fees	\$6,751.00
LAW OFFICE OF AMY C. PENFOLD LLC	Prosecuting Attorney Fees	\$390.00
LEAF	Copier Lease	\$159.00
LEXIPOL,LLC	Law Enforcement Manuals	\$2,382.30
LOST CREEK GUIDE, LLC	Adv. - Town Election Notice	\$500.00
LRE Water	Water Rights Engineering	\$4,818.75
MICHAEL MOBLEY	Utility Refund	\$32.61
MORGAN COUNTY QUALITY WATER	Water 3261 County Road U	\$38.92
MORGAN COUNTY REA	Utilities: Electric	\$8,698.95
MORGAN COUNTY TREASURER	Levy N Kiowa Bijou Well	\$30.00
OUT EAST CONTRACTING, LLC	Asphalt - Hot Patch	\$3,600.00
PITNEY BOWES-PURCHASE POWER	Postage	\$193.16
PRAIRE MOUNTAIN MEDIA	Legal Notices Publication	\$67.16
PREMIERE COPIER INC	Copier Expense	\$829.95
RH WATER & WASTEWATER, INC.	Contract Operator and Anaytical Expense	\$800.00
RUDY'S G.T.O.	Vehicle Repairs	\$299.52
STUB'S GAS & OIL, INC.	PW Fuel	\$359.44
UNCC	Water & Sewer Locate Fees	\$28.51
USA BLUEBOOK	Utility Marking Paint	\$134.40
VERIZON WIRELESS	Cell Phones (Partial Month)	\$365.44
WELDON VALLEY DITCH COMPANY	Kammerer Pond Inclusion Engr Acct	\$181.00
WELLER FABRICATION & MACHINE	Steel-Trailer Repairs	\$1,184.32
WEX BANK	Wiggins PW and PD Fuel	\$253.40
WIGGINS FARM AND AUTO SUPPLY	Misc Supplies	\$127.71
WIGGINS SUPER'S 1846	Misc Supplies	\$24.69
WOLF WASTE, LLC	Trash Removal	\$249.00
XCEL ENERGY	Utilities: Natural Gas	\$1,377.97

Approved:



Date:02/18/2022

Total: \$90,558.98

000008

INCIDENT ANALYSIS - DAY

Date 02/03/2022

Time 10:39:11

Report CFS03

Agency Wiggins Police Dept.

Dates 01/01/2022 Thru 01/31/2022

Activity	Sun	Mon	Tue	Wed	Thur	Fri	Sat	Total
<div> Agency: WPD Wiggins Police Dept. </div>								
00500 Burglary	1	0	0	0	0	0	0	1
00700 M/V Theft	0	0	0	0	0	1	0	1
01100 Fraud	0	0	1	0	1	1	0	3
01400 Vandalism/crim Mischf	0	1	0	0	0	0	0	1
01510 Shots Fired	1	0	0	0	0	0	1	2
01720 Assault-sexual	0	0	0	0	1	0	0	1
02415 Domestic Violence	1	0	0	0	0	0	0	1
02430 Loud Noise	0	0	0	0	0	0	1	1
02700 Susp Pers/veh/inc	1	0	0	0	0	0	1	2
03000 Community Policing	0	1	2	0	0	0	0	3
03010 Assist Other Agency	1	1	1	0	1	3	2	9
03050 Escort	0	0	0	1	0	0	0	1
03080 Medical Assist	0	1	0	1	0	0	0	2
03100 Welfare Check	0	1	0	0	1	2	3	7
03120 Extra Patrol	7	10	9	7	7	4	16	60
03121 Vacation House Check	0	0	0	0	0	0	1	1
03540 Traffic Accident	0	0	1	0	0	0	0	1
03600 Driving Complaint	0	1	0	0	0	0	0	1
03610 Parking Complaint	0	1	0	2	0	0	0	3
03640 Animal Control	0	1	0	0	0	0	0	1
03650 Cat At Large	0	1	0	0	0	0	0	1
03670 Animal Bite	0	0	0	0	0	1	0	1
03720 Bicycle/Golf/ATV Reg.	0	0	0	0	1	0	0	1
03730 Lost/found	1	0	0	1	0	0	1	3
03740 Message Delivery	1	0	0	0	0	0	0	1
03760 Information	0	0	1	1	0	0	0	2
03770 Return Phone Call	0	1	0	0	0	0	0	1
04000 Alarm	0	1	0	0	0	0	0	1
07410 Disturbance	0	0	0	0	1	0	0	1
07520 Motorist Assist	0	1	1	0	0	0	0	2
07530 Traffic Contact	0	1	2	7	8	6	4	28
07580 Vehicle Inspection	0	2	0	0	3	0	0	5
07700 Juv Problem	0	0	0	0	0	1	0	1
09000 Fire Investigation LE	2	1	1	0	0	0	0	4
09001 911-Welfare Check	0	1	0	0	0	0	0	1
09006 Registered Sex Offender	3	7	0	0	0	0	0	10
09007 Animal Welfare Check	0	0	1	2	0	0	0	3
09900 Follow Up/Investigation	3	3	1	4	0	2	3	16
09917 Special Events	0	0	0	1	0	0	0	1
35DU Traffic Contact-DUI Inv	0	0	0	0	0	0	1	1
SEO Select Enforce Off Init	0	1	4	3	5	5	0	18
Wiggins Police Dept. Agency Total	22	38	25	30	29	26	34	204
Total	22	38	25	30	29	26	34	204

TOWN OF WIGGINS
COMBINED CASH INVESTMENT
JANUARY 31, 2022

COMBINED CASH ACCOUNTS

01-10210	HIGH PLAINS-MAIN CHECKING	3,515,995.71
01-10750	UTILITY CASH CLEARING ACCOUNT	1,199.61
TOTAL COMBINED CASH		3,517,195.32
01-20200	ACCOUNTS PAYABLE	(32.61)
01-10100	CASH ALLOCATED TO OTHER FUNDS	(3,446,761.89)
TOTAL UNALLOCATED CASH		70,400.82

CASH ALLOCATION RECONCILIATION

10	ALLOCATION TO GENERAL FUND	984,016.42
20	ALLOCATION TO WATER ENTERPRISE	809,981.50
30	ALLOCATION TO SEWER ENTERPRISE	1,080,405.78
40	ALLOCATION TO SALES TAX CAPITAL IMPROVEMENT	561,811.94
50	ALLOCATION TO CONSERVATION TRUST	10,546.25
TOTAL ALLOCATIONS TO OTHER FUNDS		3,446,761.89
ALLOCATION FROM COMBINED CASH FUND - 01-10100		(3,446,761.89)
ZERO PROOF IF ALLOCATIONS BALANCE		.00

TOWN OF WIGGINS
BALANCE SHEET
JANUARY 31, 2022

GENERAL FUND

ASSETS

10-10100	CASH IN COMBINED CASH FUND	984,016.42	
10-10110	PETTY CASH (T. MANAGER)	44.30	
10-10120	PETTY CASH (T. CLERK)	808.39	
10-10240	CASH IN BANK COMM HALL FUND SA	18,808.32	
10-10250	COLOTRUST FUND	107.09	
10-10260	CASH IN USE TAX FUND	267,277.31	
10-10290	CD 1718--PERFORM DEP GDM DEVEL	253.80	
10-10310	CASH W/ COUNTY TREASURER	18,830.49	
10-10500	PROPERTY TAXES RECEIVABLE	403,665.00	
10-11500	ACCOUNTS RECEIVABLE	102,514.20	
	TOTAL ASSETS		1,796,325.32

LIABILITIES AND EQUITY

LIABILITIES

10-20200	ACCOUNTS PAYABLE	20,277.00	
10-20210	PAYABLE TO SCHOOL DISTRICT	3,265.77	
10-22210	DEFERRED PROPERTY TAX	403,665.00	
10-22710	FED/ FICA TAXES PAYABLE	(40,341.12)	
10-22720	STATE W/H TAXES PAYABLE	6,428.58	
10-22740	POLICE PENSION PAYABLE	3,422.52	
10-22760	DEFERRED COMP CONTRIB PAYABLE	(4,824.36)	
10-22770	UNEMPLOYMENT PAYABLE	(948.22)	
10-22820	HEALTH INSURANCE PAYABLE	(27,043.95)	
10-22825	AFLAC PAYABLE	(43.36)	
10-22830	LIFE INSURANCE PAYABLE	(11.76)	
10-22840	VISION INSURANCE PAYABLE	2,298.00	
10-25320	FUND BALANCE	1,393,460.26	
	TOTAL LIABILITIES		1,759,604.36

FUND EQUITY

UNAPPROPRIATED FUND BALANCE:			
REVENUE OVER EXPENDITURES - YTD	32,997.50		
BALANCE - CURRENT DATE		32,997.50	
TOTAL FUND EQUITY			32,997.50
TOTAL LIABILITIES AND EQUITY			1,792,601.86

TOWN OF WIGGINS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUES</u>					
10-31100 CURRENT PROPERTY TAX	.00	.00	499,772.00	499,772.00	.0
10-31200 SPECIFIC OWNERSHIP	2,824.47	2,824.47	25,000.00	22,175.53	11.3
10-31300 1% TOWN SALES TAX	21,477.52	21,477.52	200,000.00	178,522.48	10.7
10-31301 USE TAX	27,639.12	27,639.12	120,000.00	92,360.88	23.0
10-31420 CIGARETTE TAX	.00	.00	1,800.00	1,800.00	.0
10-31810 SEVERENCE TAX	.00	.00	6,500.00	6,500.00	.0
10-31820 FRANCHISE FEE-MORGAN CTY REA	2,291.00	2,291.00	8,000.00	5,709.00	28.6
10-31821 FRANCHISE FEE-XCEL ENERGY	1,008.58	1,008.58	8,000.00	6,991.42	12.6
10-31823 FRANCHISE FEE-WIGGINS TELE	904.46	904.46	2,750.00	1,845.54	32.9
10-32110 LIQUOR LICENSE (15%)	.00	.00	175.00	175.00	.0
10-32210 BUILDING PERMITS	18,712.58	18,712.58	50,000.00	31,287.42	37.4
10-33412 DOLA EIAF 2021	.00	.00	82,500.00	82,500.00	.0
10-33415 FEDERAL GRANT--ARP	.00	.00	146,160.00	146,160.00	.0
10-33530 HIGHWAY USERS TAX	4,135.12	4,135.12	38,000.00	33,864.88	10.9
10-33550 ADDITIONAL MOTOR VEHICLE	680.89	680.89	6,000.00	5,319.11	11.4
10-33800 ROAD & BRIDGE	.00	.00	38,000.00	38,000.00	.0
10-34215 VIN INSPECTIONS	60.00	60.00	250.00	190.00	24.0
10-34220 BUILDING DEVELOPMENT REVIEW	250.00	250.00	5,000.00	4,750.00	5.0
10-34221 BUILDING INSPECTION PLAN REV	.00	.00	1,000.00	1,000.00	.0
10-34283 SOFTBALL REG FEES	.00	.00	2,000.00	2,000.00	.0
10-34284 BASEBALL REG FEES	.00	.00	11,000.00	11,000.00	.0
10-34286 VOLLEYBALL REG FEES	.00	.00	1,000.00	1,000.00	.0
10-34287 SOCCER REG FEES	310.00	310.00	1,500.00	1,190.00	20.7
10-34289 MISCELLANEOUS ACTIVITY FEES	.00	.00	2,000.00	2,000.00	.0
10-35110 COURT FINES-MUNICIPAL	3,145.00	3,145.00	30,000.00	26,855.00	10.5
10-36010 DOG LICENSES/CLINIC	60.00	60.00	300.00	240.00	20.0
10-36011 BUSINESS LICENSES	1,775.85	1,775.85	3,500.00	1,724.15	50.7
10-36012 CONTRACTOR LICENSES	200.00	200.00	1,800.00	1,600.00	11.1
10-36013 GOLF CART LICENSES	20.00	20.00	150.00	130.00	13.3
10-36100 INTEREST ON SAVINGS	.00	.00	10.00	10.00	.0
10-36310 BUILDING & FARM RENT	1,115.00	1,115.00	6,000.00	4,885.00	18.6
10-36500 CONTRIBUTIONS/DONATIONS	200.00	200.00	.00	(200.00)	.0
10-39160 TRANSFER FROM SALES TAX FUND	.00	.00	50,000.00	50,000.00	.0
10-39210 SALE OF FIXED ASSETS	475.00	475.00	.00	(475.00)	.0
 TOTAL FUND REVENUE	 87,284.59	 87,284.59	 1,348,167.00	 1,260,882.41	 6.5

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>GENERAL GOVERNMENTAL</u>					
10-410-13 FINANCIAL AUDIT	.00	.00	9,000.00	9,000.00	.0
10-410-32 PROFESSIONAL SERVICES	276.39	276.39	15,000.00	14,723.61	1.8
10-410-34 CODIFICATION	.00	.00	12,000.00	12,000.00	.0
10-410-35 COPIER LEASE	39.75	39.75	477.00	437.25	8.3
10-410-40 EMPLOYEE TRAINING	.00	.00	5,000.00	5,000.00	.0
10-410-41 TELEPHONE & INTERNET	81.98	81.98	800.00	718.02	10.3
10-410-42 UTILITIES--ELECTRIC	150.74	150.74	3,000.00	2,849.26	5.0
10-410-43 OFFICE BLDG REPAIRS & MAINT	(946.71)	(946.71)	2,000.00	2,946.71	(47.3)
10-410-44 POSTAGE METER LEASE	.00	.00	525.00	525.00	.0
10-410-45 UTILITES-GAS	.00	.00	1,200.00	1,200.00	.0
10-410-46 CELL PHONE	.00	.00	980.00	980.00	.0
10-410-48 TRASH	.00	.00	270.00	270.00	.0
10-410-52 INSURANCE & BONDS	977.64	977.64	25,000.00	24,022.36	3.9
10-410-54 ADVERTISING	500.00	500.00	250.00	(250.00)	200.0
10-410-55 POSTAGE & SHIPPING	101.24	101.24	1,500.00	1,398.76	6.8
10-410-58 TRAVEL & MEETINGS	.00	.00	3,500.00	3,500.00	.0
10-410-61 OPERATING SUPPLIES	562.61	562.61	10,000.00	9,437.39	5.6
10-410-68 COPIER EXPENSE	273.88	273.88	600.00	326.12	45.7
10-410-70 IT SUPPORT	.00	.00	15,000.00	15,000.00	.0
10-410-71 COMPUTER SOFTWARE	646.15	646.15	3,000.00	2,353.85	21.5
10-410-90 DUES & SUBSCRIPTIONS	.00	.00	2,500.00	2,500.00	.0
10-410-91 NEWSLETTERS & PUBLICATIONS	99.98	99.98	.00	(99.98)	.0
TOTAL GENERAL GOVERNMENTAL	2,763.65	2,763.65	111,602.00	108,838.35	2.5
<u>ADMINISTRATION DEPARTMENT</u>					
10-411-15 ADMINISTRATION DEPT EMPLOYEES	3,541.87	3,541.87	86,649.00	83,107.13	4.1
10-411-20 EMPLOYEE BENEFITS	.00	.00	13,847.00	13,847.00	.0
10-411-22 FICA & MEDICARE	268.20	268.20	6,629.00	6,360.80	4.1
10-411-23 457 RETIREMENT	141.88	141.88	6,190.00	6,048.12	2.3
10-411-25 UNEMPLOYMENT INS	10.51	10.51	254.00	243.49	4.1
10-411-26 WORKERS' COMPENSATION	97.00	97.00	150.00	53.00	64.7
10-411-27 EMPLOYEE APPRECIATION	.00	.00	1,000.00	1,000.00	.0
10-411-28 TA VEHICLE STIPEND	.00	.00	1,000.00	1,000.00	.0
TOTAL ADMINISTRATION DEPARTMENT	4,059.46	4,059.46	115,719.00	111,659.54	3.5

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>JUDICIAL DEPARTMENT</u>					
10-412-00 CONTRACT-JUDGE	312.50	312.50	3,600.00	3,287.50	8.7
10-412-01 CONTRACT-TOWN PROSECUTOR	390.00	390.00	3,000.00	2,610.00	13.0
10-412-35 COPIER LEASE	23.85	23.85	125.00	101.15	19.1
10-412-41 TELEPHONE & INTERNET	.00	.00	100.00	100.00	.0
10-412-55 POSTAGE	55.62	55.62	50.00	(5.62)	111.2
10-412-61 OFFICE SUPPLIES	.00	.00	150.00	150.00	.0
10-412-68 COPIER EXPENSE	.00	.00	200.00	200.00	.0
10-412-70 IT SUPPORT	.00	.00	100.00	100.00	.0
10-412-71 COMPUTER SOFTWARE	.00	.00	200.00	200.00	.0
TOTAL JUDICIAL DEPARTMENT	781.97	781.97	7,525.00	6,743.03	10.4
<u>MAYOR & LEGISLATIVE BOARDS</u>					
10-413-10 MAYOR COMPENSATION	.00	.00	2,400.00	2,400.00	.0
10-413-11 BOARD OF TRUSTEES COMPENSATION	.00	.00	2,880.00	2,880.00	.0
10-413-12 BOARD OF TRUSTEES APPRECIATION	.00	.00	500.00	500.00	.0
10-413-22 FICA & MEDICARE	.00	.00	404.00	404.00	.0
10-413-26 WORKER'S COMPENSATION	21.00	21.00	140.00	119.00	15.0
10-413-40 BOARD OF TRUSTEES TRAINING	.00	.00	3,000.00	3,000.00	.0
10-413-51 E & O INSURANCE	2,984.63	2,984.63	2,000.00	(984.63)	149.2
10-413-58 BOARD TRAVEL & MEETINGS	.00	.00	5,000.00	5,000.00	.0
10-413-90 DUES & SUBSCRIPTIONS	.00	.00	2,500.00	2,500.00	.0
TOTAL MAYOR & LEGISLATIVE BOARDS	3,005.63	3,005.63	18,824.00	15,818.37	16.0
<u>ELECTIONS</u>					
10-414-00 ELECTIONS	.00	.00	3,000.00	3,000.00	.0
TOTAL ELECTIONS	.00	.00	3,000.00	3,000.00	.0
<u>TREASURER'S OFFICE</u>					
10-415-15 COLLECTIONS (TREASURERS FEE)	.00	.00	8,000.00	8,000.00	.0
10-415-30 TOWN LEGAL	6,751.00	6,751.00	35,000.00	28,249.00	19.3
10-415-40 REPORTING & PUBLISHING	.00	.00	1,200.00	1,200.00	.0
TOTAL TREASURER'S OFFICE	6,751.00	6,751.00	44,200.00	37,449.00	15.3
<u>ECONOMIC DEVELOPMENT</u>					
10-416-50 ECONOMIC DEVELOPMENT	.00	.00	20,000.00	20,000.00	.0
10-416-51 MEMBERSHP FEE/DUES	.00	.00	4,500.00	4,500.00	.0
TOTAL ECONOMIC DEVELOPMENT	.00	.00	24,500.00	24,500.00	.0

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>COMMUNITY DEVELOPMENT</u>					
10-417-30 COMMUNITY MEETING	.00	.00	1,000.00	1,000.00	.0
10-417-35 COPIER LEASE	.00	.00	95.00	95.00	.0
10-417-44 POSTAGE	.00	.00	105.00	105.00	.0
10-417-55 POSTAGE MACHINE LEASE	.00	.00	500.00	500.00	.0
10-417-61 OFFICE SUPPLIES	.00	.00	120.00	120.00	.0
10-417-63 ABATEMENT	.00	.00	500.00	500.00	.0
10-417-68 COPIER EXPENSE	.00	.00	120.00	120.00	.0
10-417-70 IT SUPPORT	.00	.00	200.00	200.00	.0
10-417-71 COMPUTER SOFTWARE	.00	.00	100.00	100.00	.0
10-417-85 CODE ENFORCEMENT	.00	.00	500.00	500.00	.0
10-417-91 NEWSLETTER	.00	.00	2,100.00	2,100.00	.0
TOTAL COMMUNITY DEVELOPMENT	.00	.00	5,340.00	5,340.00	.0
<u>PLANNING & ZONING</u>					
10-418-30 LEGAL/ENGINEERING SUPPORT	.00	.00	3,500.00	3,500.00	.0
10-418-35 COPIER LEASE	.00	.00	95.00	95.00	.0
10-418-40 STAFF TRAINING	.00	.00	1,000.00	1,000.00	.0
10-418-41 TELEPHONE & INTERNET	.00	.00	425.00	425.00	.0
10-418-44 POSTAGE	.00	.00	105.00	105.00	.0
10-418-49 COMMISSION TRAINING	.00	.00	500.00	500.00	.0
10-418-51 MEMBERSHIPS/PUBLICATIONS	.00	.00	200.00	200.00	.0
10-418-54 NOTICES/PUBLICATION	5.88	5.88	1,000.00	994.12	.6
10-418-55 POSTAGE	.00	.00	420.00	420.00	.0
10-418-61 OFFICE SUPPLIES	.00	.00	50.00	50.00	.0
10-418-68 COPIER EXPENSE	.00	.00	100.00	100.00	.0
10-418-70 IT SUPPORT	.00	.00	100.00	100.00	.0
10-418-71 COMPUTER SOFTWARE	.00	.00	100.00	100.00	.0
10-418-93 COMPREHENSIVE PLAN	.00	.00	82,500.00	82,500.00	.0
10-418-94 ZONING MAP	.00	.00	5,000.00	5,000.00	.0
10-418-97 LAND DEVELOPMENT CODE	.00	.00	37,500.00	37,500.00	.0
10-418-98 IMPACT FEE STUDY	.00	.00	30,000.00	30,000.00	.0
TOTAL PLANNING & ZONING	5.88	5.88	162,595.00	162,589.12	.0

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>COMMUNITY PROGRAMS</u>					
10-419-00 FOURTH OF JULY FESTIVAL	.00	.00	20,000.00	20,000.00	.0
10-419-01 WIGGINS OLD TIME CHRISTMAS	2,593.27	2,593.27	4,000.00	1,406.73	64.8
10-419-02 FALL HARVEST FEST	.00	.00	4,000.00	4,000.00	.0
10-419-05 BUSINESS DIST BEAUTIFICATION	.00	.00	2,000.00	2,000.00	.0
10-419-10 EVENTS COORINATOR	.00	.00	25,000.00	25,000.00	.0
10-419-20 DONATIONS	.00	.00	10,000.00	10,000.00	.0
10-419-58 COMMUNITY MEETING	.00	.00	2,000.00	2,000.00	.0
10-419-62 MAIN STREET PROGRAMS	.00	.00	20,000.00	20,000.00	.0
10-419-65 TREES/TREE PLANTING	.00	.00	2,000.00	2,000.00	.0
10-419-66 PLANTERS	.00	.00	1,500.00	1,500.00	.0
10-419-91 NEWSLETTER/EVENT POSTCARD	.00	.00	1,200.00	1,200.00	.0
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
TOTAL COMMUNITY PROGRAMS	2,593.27	2,593.27	91,700.00	89,106.73	2.8

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>POLICE DEPARTMENT</u>					
10-421-02 CONTRACT SERVICES	153.00	153.00	3,600.00	3,447.00	4.3
10-421-04 EQUIPMENT	.00	.00	45,250.00	45,250.00	.0
10-421-15 POLICE SALARIES	5,028.50	5,028.50	179,727.00	174,698.50	2.8
10-421-20 EMPLOYEE BENEFITS	.00	.00	28,649.00	28,649.00	.0
10-421-21 VEHICLE/MOBILE EQUIPMENT	.00	.00	6,000.00	6,000.00	.0
10-421-22 FICA & MEDICARE	72.29	72.29	13,749.00	13,676.71	.5
10-421-23 PENSION-FPPA	460.36	460.36	16,175.00	15,714.64	2.9
10-421-24 DEATH & DISABILITY-FPPA	32.49	32.49	2,876.00	2,843.51	1.1
10-421-25 UNEMPLOYMENT INSURANCE	14.96	14.96	539.00	524.04	2.8
10-421-26 WORKERS' COMPENSATION	1,916.50	1,916.50	7,510.00	5,593.50	25.5
10-421-28 FARM HOUSE UTILITIES-GAS & ELC	429.45	429.45	.00 (	429.45)	.0
10-421-29 UNIFORMS	.00	.00	3,000.00	3,000.00	.0
10-421-30 PROFESSIONAL LEGAL SERVICES	.00	.00	1,000.00	1,000.00	.0
10-421-35 COPIER LEASE	7.95	7.95	95.00	87.05	8.4
10-421-40 TRAINING	2,382.30	2,382.30	3,000.00	617.70	79.4
10-421-41 TELEPHONE & INTERNET	.00	.00	2,735.00	2,735.00	.0
10-421-42 COM CENTER PHONE LINE	.00	.00	1,821.00	1,821.00	.0
10-421-43 REPAIRS AND MAINTENANCE (AUTO)	9.24	9.24	5,525.00	5,515.76	.2
10-421-44 UTILITIES-ELECTRIC	150.74	150.74	750.00	599.26	20.1
10-421-45 UTILITIES-GAS	461.78	461.78	400.00 (	61.78)	115.5
10-421-46 CELL PHONE	.00	.00	350.00	350.00	.0
10-421-48 TRASH	.00	.00	270.00	270.00	.0
10-421-49 OTHER MISCELLANEOUS	.00	.00	1,000.00	1,000.00	.0
10-421-52 INSURANCE & BONDS	4,322.91	4,322.91	25,000.00	20,677.09	17.3
10-421-55 PRINTING	745.00	745.00	800.00	55.00	93.1
10-421-61 OFFICE/GEN OPERATING SUPPLIES	32.61	32.61	1,000.00	967.39	3.3
10-421-62 FUEL	94.20	94.20	8,500.00	8,405.80	1.1
10-421-64 CRIME PREVENTION	.00	.00	500.00	500.00	.0
10-421-68 COPIER EXPENSE	.00	.00	100.00	100.00	.0
10-421-70 IT SUPPORT	.00	.00	2,500.00	2,500.00	.0
10-421-71 COMPUTER SOFTWARE	.00	.00	9,760.00	9,760.00	.0
10-421-72 AMUNITION	.00	.00	1,700.00	1,700.00	.0
10-421-73 LEXIPOLE	.00	.00	2,239.00	2,239.00	.0
10-421-85 ANIMAL CONTROL	.00	.00	100.00	100.00	.0
10-421-90 MEMBERSHIP DUES	.00	.00	253.00	253.00	.0
TOTAL POLICE DEPARTMENT	16,314.28	16,314.28	376,473.00	360,158.72	4.3
<u>BUILDING INSPECTION DEPARTMENT</u>					
10-424-20 BUILDING INSPECTIONS MATERIALS	68.45	68.45	1,000.00	931.55	6.9
10-424-30 DEVELOPMENT REVIEW MISC EXP	.00	.00	5,000.00	5,000.00	.0
10-424-31 COMMERCIAL BUILDING REVIEW	.00	.00	5,000.00	5,000.00	.0
10-424-32 RESIDENTIAL BUILDING REVIEW	.00	.00	5,000.00	5,000.00	.0
10-424-40 EMPLOYEE TRAINING	.00	.00	2,000.00	2,000.00	.0
TOTAL BUILDING INSPECTION DEPARTMEN	68.45	68.45	18,000.00	17,931.55	.4

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PUBLIC WORKS ADMINISTRATION</u>					
10-430-11 SALARY - PW MAINTENANCE(1)	2,662.91	2,662.91	30,779.00	28,116.09	8.7
10-430-15 SALARY-PW SEASONAL (MOWING)	.00	.00	6,000.00	6,000.00	.0
10-430-16 PW EMPLOYEES-FULL TIME	.00	.00	32,718.00	32,718.00	.0
10-430-20 EMPLOYEE BENEFITS - PW	.00	.00	13,857.00	13,857.00	.0
10-430-22 FICA & MEDICARE	190.29	190.29	4,493.00	4,302.71	4.2
10-430-23 457 RETIREMENT	31.87	31.87	1,603.00	1,571.13	2.0
10-430-25 UNEMPLOYMENT INSURANCE - PW	7.44	7.44	181.00	173.56	4.1
10-430-26 WORKERS' COMPENSATION - PW	1,029.00	1,029.00	8,250.00	7,221.00	12.5
TOTAL PUBLIC WORKS ADMINISTRATION	3,921.51	3,921.51	97,881.00	93,959.49	4.0
<u>PUBLIC WORKS & STREETS DEPT</u>					
10-431-00 UNIFORMS - PW	209.18	209.18	3,500.00	3,290.82	6.0
10-431-20 REPAIRS-EQUIPMENT & VEHICLES	4,207.76	4,207.76	9,500.00	5,292.24	44.3
10-431-21 STREETS-SIGNS & MATERIAL	.00	.00	10,000.00	10,000.00	.0
10-431-22 REPAIRS & MAINTENANCE-STREETS	503.36	503.36	.00	503.36	.0
10-431-23 EQUIPMENT RENTAL	.00	.00	200.00	200.00	.0
10-431-24 REPAIRS & MAINTENANCE-STREETS	33.96	33.96	10,000.00	9,966.04	.3
10-431-25 FARM HOUSE MAINT	301.03	301.03	1,000.00	698.97	30.1
10-431-28 FARM HOUSE UTILITIES	.00	.00	2,700.00	2,700.00	.0
10-431-35 COPIER LEASE	7.95	7.95	95.00	87.05	8.4
10-431-39 GIS	.00	.00	250.00	250.00	.0
10-431-40 EMPLOYEE TRAINING	.00	.00	2,500.00	2,500.00	.0
10-431-41 UTILITIES - ELECTRIC	173.58	173.58	1,500.00	1,326.42	11.6
10-431-43 BUILDING MAINT	118.83	118.83	3,000.00	2,881.17	4.0
10-431-45 UTILITIES-GAS	.00	.00	1,200.00	1,200.00	.0
10-431-46 CELL PHONE	.00	.00	975.00	975.00	.0
10-431-47 TELEPHONE & INTERNET	81.98	81.98	800.00	718.02	10.3
10-431-48 TRASH	.00	.00	540.00	540.00	.0
10-431-52 INSURANCE - PW	3,189.24	3,189.24	9,611.00	6,421.76	33.2
10-431-55 POSTAGE & SHIPPING-PW	18.53	18.53	.00	18.53	.0
10-431-60 STREET LIGHTING - PW	882.48	882.48	9,600.00	8,717.52	9.2
10-431-61 OFFICE SUPPLIES	.00	.00	1,400.00	1,400.00	.0
10-431-62 FUEL - PW	412.52	412.52	8,500.00	8,087.48	4.9
10-431-63 CONTRACT REFUSE REMOVAL - PW	249.00	249.00	2,000.00	1,751.00	12.5
10-431-65 TREE PROGRAM	.00	.00	1,500.00	1,500.00	.0
10-431-66 PEST/WEED CONTROL - PW	.00	.00	1,600.00	1,600.00	.0
10-431-68 COPIER EXPENSE	.00	.00	78.00	78.00	.0
10-431-70 IT SUPPORT	.00	.00	2,500.00	2,500.00	.0
10-431-71 COMPUTER SOFTWARE	.00	.00	424.00	424.00	.0
10-431-74 EQUIPMENT- CAPITAL OUTLAY	.00	.00	2,250.00	2,250.00	.0
10-431-99 OTHER MISCELLANEOUS - PW	1,854.40	1,854.40	.00	1,854.40	.0
TOTAL PUBLIC WORKS & STREETS DEPT	12,243.80	12,243.80	87,223.00	74,979.20	14.0

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>STORMWATER</u>					
10-432-59 STORMWATER ENGINEERING/DESIGN	.00	.00	5,000.00	5,000.00	.0
10-432-60 STORMWATER CONSTRUCTION	.00	.00	50,000.00	50,000.00	.0
10-432-61 RETENTION/DETENTION POND MAINT	.00	.00	5,000.00	5,000.00	.0
10-432-62 CULVERT/DITCH MAINT	.00	.00	1,000.00	1,000.00	.0
10-432-63 3RD AVE STORM LIFT STATION	.00	.00	1,000.00	1,000.00	.0
10-432-64 STREET SWEEPING	.00	.00	500.00	500.00	.0
10-432-65 LEVEE REPAIR & MAINT	.00	.00	2,000.00	2,000.00	.0
TOTAL STORMWATER	.00	.00	64,500.00	64,500.00	.0
<u>PARK & RECREATION</u>					
10-451-11 SALARIES - P&R DIRECTOR (SEAS)	.00	.00	17,991.00	17,991.00	.0
10-451-12 SALARIES - SUMMER HELP (SEAS)	376.01	376.01	16,141.00	15,764.99	2.3
10-451-16 SALARIES-PW FULL-TIME	.00	.00	5,006.00	5,006.00	.0
10-451-22 FICA P&R	28.77	28.77	641.00	612.23	4.5
10-451-25 UNEMPLOYMENT INSURANCE	.32	.32	25.00	24.68	1.3
10-451-26 WORKERS' COMPENSATION	514.25	514.25	1,500.00	985.75	34.3
10-451-30 SPECIAL EVENTS - P&R	.00	.00	1,000.00	1,000.00	.0
10-451-38 CELL PHONE	.00	.00	490.00	490.00	.0
10-451-39 TELEPHONE & INTERNET	81.98	81.98	1,200.00	1,118.02	6.8
10-451-40 TRAINING	.00	.00	1,000.00	1,000.00	.0
10-451-41 UTILITIES - ELECTRIC	426.86	426.86	12,000.00	11,573.14	3.6
10-451-43 PARK REPAIR AND MAINTENANCE	.00	.00	15,000.00	15,000.00	.0
10-451-44 CAPITAL OUTLAY - PARKS	.00	.00	15,000.00	15,000.00	.0
10-451-48 TRASH	.00	.00	800.00	800.00	.0
10-451-55 NEWSLETTERS/POSTCARDS	.00	.00	1,200.00	1,200.00	.0
10-451-60 BACKGROUNDCHECKS	.00	.00	735.00	735.00	.0
10-451-61 OPERATING SUPPLIES - P&R	.00	.00	4,500.00	4,500.00	.0
10-451-62 PARKS & RECREATION PROGRAMS	175.00	175.00	3,000.00	2,825.00	5.8
10-451-70 IT SUPPORT	.00	.00	100.00	100.00	.0
10-451-71 COMPUTER SOFTWARE	175.00	175.00	2,100.00	1,925.00	8.3
10-451-83 SOFTBALL	.00	.00	2,000.00	2,000.00	.0
10-451-84 BASEBALL	.00	.00	10,100.00	10,100.00	.0
10-451-86 VOLLEYBALL	.00	.00	1,000.00	1,000.00	.0
10-451-87 SOCCER	.00	.00	1,200.00	1,200.00	.0
10-451-88 SUMMER ACTIVITY	.00	.00	2,000.00	2,000.00	.0
10-451-90 UNIFORMS & EQUIPMENT P&R	.00	.00	500.00	500.00	.0
10-451-92 PARK CONCESSION EXPENSE	.00	.00	100.00	100.00	.0
10-451-93 MEMBERSHIP/PUBLICATIONS	.00	.00	200.00	200.00	.0
TOTAL PARK & RECREATION	1,778.19	1,778.19	116,529.00	114,750.81	1.5
TOTAL FUND EXPENDITURES	54,287.09	54,287.09	1,345,611.00	1,291,323.91	4.0
NET REVENUE OVER EXPENDITURES	32,997.50	32,997.50	2,556.00	(30,441.50)	1291.0

TOWN OF WIGGINS
BALANCE SHEET
JANUARY 31, 2022

WATER ENTERPRISE

ASSETS

20-10100	CASH IN COMBINED CASH FUND	809,981.50	
20-10120	CASH ON HAND	50.00	
20-10210	WATER ENTERPRISE CLEARING ACCT	7,603.69	
20-10250	COLOTRUST-WATER FUND	107.09	
20-10251	HIGH PLAINS WATER ENTPR FUND	182,717.63	
20-10260	COLOTRUST - DEVELOPMENT FEES	107.16	
20-10261	2011 USDA DEBT SERV RESERVE	101,232.88	
20-10262	2013 USDA DEBT SERV RESERVE	154,532.50	
20-10270	COLOTRUST-WATER BOND ACCOUNT	22.11	
20-10271	63.23% BOTW DEBT SERVICE	737.77	
20-10273	2020 BOTW LOAN--SINKING FUND	319,803.77	
20-10280	COLOTRUST-WATER BOND RESERVE	108.09	
20-10281	BANK OF THE WEST WTR RESRVS	21,295.09	
20-10282	2020 BOTW LOAN--D.S. RESERVE	255,883.59	
20-10290	OPERATION & MAINTENANCE FUND	107.15	
20-11500	ACCOUNTS RECEIVABLE	59,026.97	
20-14000	CWCB LOAN PROCEEDS ESCROW	1,133,775.50	
20-16100	LAND	661,549.57	
20-16200	WATER RIGHTS	4,916,334.11	
20-16300	CONSTRUCTION IN PROGRESS	46,000.00	
20-16400	PLANT EQUIPMENT	7,346,946.20	
20-16401	OTHER EQUIPMENT	28,834.06	
20-16410	ACCUMULATED DEPRECIATION	(1,642,525.25)	
	TOTAL ASSETS		14,404,231.18

LIABILITIES AND EQUITY

LIABILITIES

20-20200	ACCOUNTS PAYABLE	28,061.95	
20-20300	ACCRUED COMPENSATED ABSENCES	3,946.96	
20-20301	ACCR'D COMP ABS--CURR. PORTION	986.74	
20-20400	ACCRUED INTEREST PAYABLE	137,407.82	
20-22530	2013 USDA	481,333.12	
20-22540	REVENUE BOND PAYABLE-REA	2,783,729.68	
20-22550	BOTW LOAN--63.23% WATER	1,827,739.03	
20-22600	CAPITAL LEASES PAYABLE	262,928.57	
20-22650	2017 CWCB NOTE PAYABLE	2,408,850.00	
20-22900	CUSTOMER DEPOSIT LIABILITY	25,356.00	
	TOTAL LIABILITIES		7,960,339.87

FUND EQUITY

20-27900	RETAINED EARNINGS	6,260,437.08	
	UNAPPROPRIATED FUND BALANCE:		
20-29001	SUSPENSE	201,931.60	
	REVENUE OVER EXPENDITURES - YTD	16,409.05	
	BALANCE - CURRENT DATE		218,340.65

TOWN OF WIGGINS
BALANCE SHEET
JANUARY 31, 2022

WATER ENTERPRISE

TOTAL FUND EQUITY	6,478,777.73
TOTAL LIABILITIES AND EQUITY	14,439,117.60

TOWN OF WIGGINS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2022

WATER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUES</u>					
20-34000 WATER SALES	57,506.30	57,506.30	882,000.00	824,493.70	6.5
20-34001 CUSTOMER DEPOSITS	445.00	445.00	35,000.00	34,555.00	1.3
20-34002 BULK WATER SALES	436.00	436.00	3,000.00	2,564.00	14.5
20-34440 TAP FEES & ACQUISITION FEES	23,000.00	23,000.00	800,000.00	777,000.00	2.9
20-34450 MISCELLANEOUS WATER INCOME	1,550.00	1,550.00	15,000.00	13,450.00	10.3
20-36001 RENTAL INCOME	.00	.00	12,000.00	12,000.00	.0
TOTAL FUND REVENUE	82,937.30	82,937.30	1,747,000.00	1,664,062.70	4.8

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2022

WATER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PROFESSIONAL SERVICES</u>					
20-410-13 FINANCIAL AUDIT	.00	.00	4,000.00	4,000.00	.0
20-410-30 LEGAL SERVICE	.00	.00	5,000.00	5,000.00	.0
20-410-31 WATER RIGHTS EXPENSES	14,924.00	14,924.00	95,000.00	80,076.00	15.7
20-410-32 PROFESSIONAL SERVICES	5,091.47	5,091.47	90,000.00	84,908.53	5.7
20-410-33 POSTAGE	92.70	92.70	2,000.00	1,907.30	4.6
20-410-34 WATER DEPOSIT REFUND	.00	.00	1,000.00	1,000.00	.0
20-410-38 PROFESSIONAL SERVICES	.00	.00	10,000.00	10,000.00	.0
20-410-40 TRAVEL, MEETINGS, & TRAINING	.00	.00	4,000.00	4,000.00	.0
20-410-44 POSTAGE MACHINE LEASE	.00	.00	105.00	105.00	.0
20-410-59 DESIGN/SYSTEM ENGINEERING	.00	.00	5,000.00	5,000.00	.0
TOTAL PROFESSIONAL SERVICES	20,108.17	20,108.17	216,105.00	195,996.83	9.3
<u>WATER ADMINISTRATION</u>					
20-411-12 EMPLOYEE SALARY-ADMINISTRATION	.00	.00	65,793.00	65,793.00	.0
20-411-15 ADMINISTRATION DEPT EMPLOYEES	2,800.80	2,800.80	.00	(2,800.80)	.0
20-411-20 EMPLOYEE BENEFITS	.00	.00	10,505.00	10,505.00	.0
20-411-22 FICA & MEDICARE	211.05	211.05	5,033.00	4,821.95	4.2
20-411-23 457 RETIREMENT	125.59	125.59	5,116.00	4,990.41	2.5
20-411-25 UNEMPLOYMENT INSURANCE	8.28	8.28	197.00	188.72	4.2
20-411-26 WORKERS' COMPENSATION	.00	.00	145.00	145.00	.0
20-411-72 UTILITY BILLING SOFTWARE EXP	.00	.00	2,920.00	2,920.00	.0
TOTAL WATER ADMINISTRATION	3,145.72	3,145.72	89,709.00	86,563.28	3.5
<u>PUBLIC WORKS ADMINISTRATION</u>					
20-430-11 SALARY-PW MAINTENANCE	531.29	531.29	30,040.00	29,508.71	1.8
20-430-15 EMPL SALARY-PW P/T SEASONAL	.00	.00	1,950.00	1,950.00	.0
20-430-20 EMPLOYEE BENEFITS	.00	.00	5,730.00	5,730.00	.0
20-430-22 FICA & MEDICARE	33.93	33.93	2,298.00	2,264.07	1.5
20-430-23 457 RETIREMENT	15.94	15.94	901.00	885.06	1.8
20-430-25 UNEMPLOYMENT INSURANCE	1.32	1.32	90.00	88.68	1.5
20-430-26 WORKERS' COMPENSATION	354.75	354.75	3,345.00	2,990.25	10.6
TOTAL PUBLIC WORKS ADMINISTRATION	937.23	937.23	44,354.00	43,416.77	2.1
<u>SUPPLIES</u>					
20-431-22 EQUIPMENT REPAIRS AND MAINT	.00	.00	5,000.00	5,000.00	.0
20-431-62 FUEL	53.06	53.06	6,000.00	5,946.94	.9
20-431-75 VEHICLE REPAIR	.00	.00	5,000.00	5,000.00	.0
TOTAL SUPPLIES	53.06	53.06	16,000.00	15,946.94	.3

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2022

WATER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>OPERATIONS</u>					
20-432-00 LINE MAINTENANCE	.00	.00	2,500.00	2,500.00	.0
20-432-05 UTILITY LOCATE EXPENSE	164.30	164.30	.00 (	164.30)	.0
20-432-30 CONTRACT OPERATOR	.00	.00	6,000.00	6,000.00	.0
20-432-35 COPIER LEASE	39.75	39.75	477.00	437.25	8.3
20-432-37 ANALYTICAL/SAMPLING EXPENSE	887.70	887.70	12,000.00	11,112.30	7.4
20-432-39 GIS	.00	.00	1,125.00	1,125.00	.0
20-432-40 TELEPHONE & INTERNET	146.06	146.06	800.00	653.94	18.3
20-432-41 UTILITIES-ELECTRIC	6,460.08	6,460.08	70,000.00	63,539.92	9.2
20-432-45 UTILITIES-GAS	.00	.00	500.00	500.00	.0
20-432-46 CELL PHONE	.00	.00	764.00	764.00	.0
20-432-48 TRASH	.00	.00	100.00	100.00	.0
20-432-49 UTILITIES-PROPANE	2,078.01	2,078.01	100.00 (	1,978.01)	2078.0
20-432-50 PERMIT FEES	.00	.00	300.00	300.00	.0
20-432-52 INSURANCE AND BONDS	4,696.34	4,696.34	8,000.00	3,303.66	58.7
20-432-53 BOOSTER STATION MAINTENANCE	.00	.00	12,000.00	12,000.00	.0
20-432-54 WATER MAIN INSTALLATION EXP	.00	.00	7,500.00	7,500.00	.0
20-432-55 METER INSTALL EXPENSE	34.99	34.99	30,000.00	29,965.01	.1
20-432-56 MAINTENANCE (PLANT) RO	158.79	158.79	15,000.00	14,841.21	1.1
20-432-57 TREATMENT/OPERATING SUPPLIES	.00	.00	7,500.00	7,500.00	.0
20-432-59 WATER WELL MAINTENANCE	.00	.00	1,000.00	1,000.00	.0
20-432-61 OFFICE SUPPLIES	.00	.00	1,500.00	1,500.00	.0
20-432-68 COPIER EXPENSE	282.18	282.18	390.00	107.82	72.4
20-432-70 IT SUPPORT	.00	.00	500.00	500.00	.0
20-432-85 WATER LEASES	.00	.00	70,000.00	70,000.00	.0
20-432-87 EQUIPMENT	.00	.00	5,000.00	5,000.00	.0
20-432-90 CAPITAL IMPROVEMENT PROJECT	.00	.00	100,000.00	100,000.00	.0
20-432-99 OTHER MISCELLANEOUS EXPENSE	3,830.00	3,830.00	1,000.00 (	2,830.00)	383.0
TOTAL OPERATIONS	18,778.20	18,778.20	354,056.00	335,277.80	5.3
<u>DEBT SERVICE</u>					
20-471-09 LOAN PMT-CWCB	.00	.00	45,000.00	45,000.00	.0
20-471-11 LOAN PAYMENT-USDA	.00	.00	147,000.00	147,000.00	.0
20-471-12 LEASE/PURCHASE PAYMTS-KAMMERER	3,510.42	3,510.42	42,125.00	38,614.58	8.3
20-471-13 BOTW SINKING FUND PYMT	.00	.00	40,000.00	40,000.00	.0
20-471-14 BOTW INTEREST PYMT	19,995.45	19,995.45	95,000.00	75,004.55	21.1
TOTAL DEBT SERVICE	23,505.87	23,505.87	369,125.00	345,619.13	6.4
TOTAL FUND EXPENDITURES	66,528.25	66,528.25	1,089,349.00	1,022,820.75	6.1
NET REVENUE OVER EXPENDITURES	16,409.05	16,409.05	657,651.00	641,241.95	2.5

TOWN OF WIGGINS
BALANCE SHEET
JANUARY 31, 2022

SEWER ENTERPRISE

ASSETS

30-10100	CASH IN COMBINED CASH FUND	1,080,405.78	
30-10250	COLOTRUST FUND	107.09	
30-10251	HIGH PLAINS SEWER ENTPR FUND	63,621.50	
30-10260	COLOTRUST SEWER PROJECT	107.09	
30-10271	36.77% BOTW DEBT SERVICE	1,755.93	
30-10273	2020 BOTW LOAN--SINKING FUND	185,974.73	
30-10282	2020 BOTW LOAN--D.S. RESERVE	148,803.41	
30-10290	CD 1726--STORM SEWER WGNS SCH	12,131.28	
30-11500	ACCOUNTS RECEIVABLE	23,764.72	
30-16100	LAND	821,659.00	
30-16200	BUILDINGS	130,310.00	
30-16300	CONSTRUCTION IN PROGRESS	22,867.50	
30-16400	EQUIPMENT	2,118,488.31	
30-16401	OTHER EQUIPMENT	25,098.72	
30-16410	ACCUMULATED DEPRECIATION-EQ	(717,624.34)	
TOTAL ASSETS			<u><u>3,917,470.72</u></u>

LIABILITIES AND EQUITY

LIABILITIES

30-20200	ACCOUNTS PAYABLE	(32,461.07)	
30-20300	ACCRUED COMPENSATED ABSENCES	3,946.96	
30-20301	ACCR'D COMP ABS--CURR. PORTION	986.74	
30-20400	ACCRUED INTEREST PAYABLE	11,663.59	
30-22550	BOTH 36.77% SEWER LOAN	1,062,880.97	
30-22900	CUSTOMER DEPOSIT LIABILITY	7,455.00	
30-22905	DEVELOPER PERFORMANCE DEPOSIT	11,750.00	
TOTAL LIABILITIES			<u>1,066,222.19</u>

FUND EQUITY

30-27900	RETAINED EARNINGS	2,755,031.27	
UNAPPROPRIATED FUND BALANCE:			
30-29001	SUSPENSE	106,220.12	
	REVENUE OVER EXPENDITURES - YTD	<u>7,757.48</u>	
BALANCE - CURRENT DATE		<u>113,977.60</u>	
TOTAL FUND EQUITY			<u><u>2,869,008.87</u></u>
TOTAL LIABILITIES AND EQUITY			<u><u>3,935,231.06</u></u>

TOWN OF WIGGINS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2022

SEWER ENTERPRISE

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	REVENUES					
30-33420	DOLA GRANT	.00	.00	155,000.00	155,000.00	.0
30-34000	SEWER SALES	20,930.84	20,930.84	248,400.00	227,469.16	8.4
30-34001	CUSTOMER DEPOSITS	130.00	130.00	35,000.00	34,870.00	.4
30-34440	TAP FEES	12,000.00	12,000.00	320,000.00	308,000.00	3.8
30-39110	TRANSFER FROM SALES TAX FUND	.00	.00	85,000.00	85,000.00	.0
	TOTAL FUND REVENUE	33,060.84	33,060.84	843,400.00	810,339.16	3.9

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2022

SEWER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PROFESSIONAL SERVICES</u>					
30-410-13 FINANCIAL AUDIT	.00	.00	8,000.00	8,000.00	.0
30-410-30 LEGAL SERVICE	.00	.00	500.00	500.00	.0
30-410-32 PROFESSIONAL SERVICES	285.39	285.39	15,000.00	14,714.61	1.9
30-410-33 POSTAGE	92.70	92.70	2,100.00	2,007.30	4.4
30-410-34 SEWER DEPOSIT REFUND	.00	.00	500.00	500.00	.0
30-410-35 COPIER LEASE	39.75	39.75	477.00	437.25	8.3
30-410-40 TRAINING	.00	.00	1,000.00	1,000.00	.0
30-410-44 POSTAGE MACHINE LEASE	.00	.00	105.00	105.00	.0
30-410-67 OFFICE SUPPLIES	.00	.00	200.00	200.00	.0
30-410-68 COPIER EXPENSE	.00	.00	600.00	600.00	.0
TOTAL PROFESSIONAL SERVICES	417.84	417.84	28,482.00	28,064.16	1.5
<u>SEWER ADMINISTRATION</u>					
30-411-14 EMPL SALARY'S-ADMINISTRATION	.00	.00	45,524.00	45,524.00	.0
30-411-15 ADMINISTRATION DEPT EMPLOYEES	2,800.80	2,800.80	.00 (	2,800.80)	.0
30-411-20 EMPLOYEE BENEFITS	.00	.00	7,162.00	7,162.00	.0
30-411-22 FICA & MEDICARE	211.06	211.06	3,483.00	3,271.94	6.1
30-411-23 457 RETIREMENT	125.58	125.58	3,610.00	3,484.42	3.5
30-411-25 UNEMPLOYMENT INSURANCE	8.28	8.28	137.00	128.72	6.0
30-411-26 WORKERS' COMPENSATION	.00	.00	145.00	145.00	.0
30-411-70 IT SUPPORT	.00	.00	250.00	250.00	.0
30-411-72 UTILITY SOFTWARE EXP	.00	.00	2,920.00	2,920.00	.0
TOTAL SEWER ADMINISTRATION	3,145.72	3,145.72	63,231.00	60,085.28	5.0
<u>PUBLIC WORKS ADMINISTRATION</u>					
30-430-11 SALARY-PW MAINTENANCE	531.29	531.29	.00 (	531.29)	.0
30-430-12 SALARY-PW MAINTENANCE	270.27	270.27	30,040.00	29,769.73	.9
30-430-13 EMPL SALARY-PW P/T SEASONAL	.00	.00	1,950.00	1,950.00	.0
30-430-20 EMPLOYEE BENEFITS	.00	.00	5,730.00	5,730.00	.0
30-430-22 FICA & MEDICARE	54.61	54.61	2,298.00	2,243.39	2.4
30-430-23 457 RETIREMENT	15.94	15.94	901.00	885.06	1.8
30-430-25 UNEMPLOYMENT	1.31	1.31	149.00	147.69	.9
30-430-26 WORKERS' COMPENSATION	215.50	215.50	90.00 (	125.50)	239.4
TOTAL PUBLIC WORKS ADMINISTRATION	1,088.92	1,088.92	41,158.00	40,069.08	2.7

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2022

SEWER ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WWTP</u>					
30-431-22 EQUIPMENT MTNCE & REPAIRS	.00	.00	10,000.00	10,000.00	.0
30-431-41 UTILITIES-ELECTRIC	.00	.00	11,000.00	11,000.00	.0
30-431-45 UTILITIES-GAS	.00	.00	400.00	400.00	.0
30-431-48 TRASH	.00	.00	876.00	876.00	.0
30-431-51 WWTP ENGINEERING & CONTINGENCY	.00	.00	5,000.00	5,000.00	.0
30-431-59 ENGINEERING DESIGN	.00	.00	5,000.00	5,000.00	.0
30-431-62 FUEL	53.06	53.06	3,500.00	3,446.94	1.5
30-431-74 CAPITAL OUTLAY WWTP	.00	.00	25,000.00	25,000.00	.0
30-431-75 VEHICLE REPAIRS	.00	.00	5,000.00	5,000.00	.0
TOTAL WWTP	53.06	53.06	65,776.00	65,722.94	.1
<u>OPERATIONS</u>					
30-432-00 LINE MAINTENANCE	.00	.00	12,000.00	12,000.00	.0
30-432-30 CONTRACT OPERATOR	.00	.00	6,000.00	6,000.00	.0
30-432-39 COMPUTER SOFTWARE-GIS	.00	.00	1,125.00	1,125.00	.0
30-432-41 UTILITIES(ELECTRIC)	4,395.32	4,395.32	25,000.00	20,604.68	17.6
30-432-42 TELEPHONE/INTERNET	81.98	81.98	800.00	718.02	10.3
30-432-45 UTILITIES --GAS	.00	.00	100.00	100.00	.0
30-432-46 CELL PHONE	.00	.00	764.00	764.00	.0
30-432-50 PERMIT FEES	.00	.00	1,650.00	1,650.00	.0
30-432-51 ANALYTICAL/SAMPLING EXPENSE	725.00	725.00	4,500.00	3,775.00	16.1
30-432-52 INSURANCE AND BONDS	4,696.32	4,696.32	8,000.00	3,303.68	58.7
30-432-53 SEWER CLEANING/VIDEO	.00	.00	15,000.00	15,000.00	.0
30-432-55 GENERAL MAINT CENT LIFT ST	.00	.00	1,000.00	1,000.00	.0
30-432-56 GENERAL MAINT OF PLANT	.00	.00	2,500.00	2,500.00	.0
30-432-57 GENERAL MAINT JOHNSON LT ST	.00	.00	2,000.00	2,000.00	.0
30-432-59 ENGINEERING DESIGN	.00	.00	15,000.00	15,000.00	.0
30-432-60 TREATMENT OPERATIONS	229.84	229.84	10,000.00	9,770.16	2.3
30-432-61 OFFICE SUPPLIES	273.89	273.89	1,500.00	1,226.11	18.3
30-432-75 CAPITAL OUTLAY - LINES	.00	.00	331,730.00	331,730.00	.0
30-432-99 OTHER MISCELLANEOUS EXPENSE	.00	.00	1,000.00	1,000.00	.0
TOTAL OPERATIONS	10,402.35	10,402.35	439,669.00	429,266.65	2.4
<u>DEBT SERVICE</u>					
30-471-13 BOTW SINKING FUND PYMT	.00	.00	80,000.00	80,000.00	.0
30-471-14 BOTW INTEREST PYMT	10,195.47	10,195.47	.00	(10,195.47)	.0
TOTAL DEBT SERVICE	10,195.47	10,195.47	80,000.00	69,804.53	12.7
TOTAL FUND EXPENDITURES	25,303.36	25,303.36	718,316.00	693,012.64	3.5
NET REVENUE OVER EXPENDITURES	7,757.48	7,757.48	125,084.00	117,326.52	6.2

TOWN OF WIGGINS
BALANCE SHEET
JANUARY 31, 2022

SALES TAX CAPITAL IMPROVEMENT

ASSETS

40-10100	CASH IN COMBINED CASH FUND	561,811.94	
40-10250	COLOTRUST FUND	107.09	
40-10251	HIGH PLAINS 1% TAX FUND	15,172.86	
40-11500	ACCOUNTS RECEIVABLE	36,453.77	
	TOTAL ASSETS		613,545.66

LIABILITIES AND EQUITY

LIABILITIES

40-25320	FUND BALANCE	613,545.02	
	TOTAL LIABILITIES		613,545.02

FUND EQUITY

UNAPPROPRIATED FUND BALANCE:
REVENUE OVER EXPENDITURES - YTD

21,478.16

BALANCE - CURRENT DATE

21,478.16

TOTAL FUND EQUITY

21,478.16

TOTAL LIABILITIES AND EQUITY

635,023.18

TOWN OF WIGGINS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2022

SALES TAX CAPITAL IMPROVEMENT

		<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEARNED</u>	<u>PCNT</u>
	<u>REVENUES</u>					
40-31300	1% TOWN SALES TAX	21,477.52	21,477.52	200,000.00	178,522.48	10.7
40-36100	INTEREST EARNED	.64	.64	5.00	4.36	12.8
	TOTAL FUND REVENUE	<u>21,478.16</u>	<u>21,478.16</u>	<u>200,005.00</u>	<u>178,526.84</u>	<u>10.7</u>

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2022

SALES TAX CAPITAL IMPROVEMENT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>CAPITAL PROJECTS</u>					
40-430-00 CAPITAL PROJECTS - SEWER	.00	.00	85,000.00	85,000.00	.0
40-430-05 CIP-NORTH STORM DETENTION	.00	.00	75,000.00	75,000.00	.0
40-430-10 CIP-MAIN STREET C&G 3RD TO 5TH	.00	.00	60,000.00	60,000.00	.0
TOTAL CAPITAL PROJECTS	.00	.00	220,000.00	220,000.00	.0
TOTAL FUND EXPENDITURES	.00	.00	220,000.00	220,000.00	.0
NET REVENUE OVER EXPENDITURES	21,478.16	21,478.16	(19,995.00)	(41,473.16)	107.4

TOWN OF WIGGINS
BALANCE SHEET
JANUARY 31, 2022

CONSERVATION TRUST

ASSETS

50-10100	CASH IN COMBINED CASH FUND	10,546.25	
50-10250	COLOTRUST FUND	107.09	
50-10251	HIGH PLAINS CNSRVTN TRST FUND	14,219.79	
		<hr/>	
	TOTAL ASSETS		24,873.13
			<hr/> <hr/>

LIABILITIES AND EQUITY

LIABILITIES

50-25320	FUND BALANCE	24,873.13	
		<hr/>	
	TOTAL LIABILITIES		24,873.13
			<hr/>
	TOTAL LIABILITIES AND EQUITY		24,873.13
			<hr/> <hr/>

TOWN OF WIGGINS
REVENUES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2022

CONSERVATION TRUST

		<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEARNED</u>	<u>PCNT</u>
	<u>REVENUES</u>					
50-33501	CT - ST PROCEEDS (LOTTERY)	.00	.00	10,000.00	10,000.00	.0
50-36100	INTEREST EARNED	.00	.00	10.00	10.00	.0
	TOTAL FUND REVENUE	.00	.00	10,010.00	10,010.00	.0

TOWN OF WIGGINS
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2022

CONSERVATION TRUST

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ADMINISTRATION</u>					
50-411-11 GROUNDSCKEEPER SALARY	.00	.00	5,460.00	5,460.00	.0
50-411-22 FICA	.00	.00	418.00	418.00	.0
50-411-25 UNEMPLOYMENT	.00	.00	16.00	16.00	.0
50-411-26 WORKERS' COMPENSATION	.00	.00	100.00	100.00	.0
TOTAL ADMINISTRATION	.00	.00	5,994.00	5,994.00	.0
<u>PARK OPERATIONS</u>					
50-452-60 REPAIRS AND MAINTENANCE	.00	.00	3,000.00	3,000.00	.0
TOTAL PARK OPERATIONS	.00	.00	3,000.00	3,000.00	.0
TOTAL FUND EXPENDITURES	.00	.00	8,994.00	8,994.00	.0
NET REVENUE OVER EXPENDITURES	.00	.00	1,016.00	1,016.00	.0



STAFF SUMMARY

Board of Trustees Meeting February 23, 2022

DATE: February 16, 2022

AGEND ITEM NUMBER: 5 -1

TOPIC: Consideration of Ordinance No. 01-2022 (Second Reading) - Adoption by Reference the 2018 Editions of the International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Property Maintenance Code, International Existing Building Code, International Swimming Pool & Spa Code and Adopting the Editions of the Colorado Plumbing Code and the National Electric Code as Currently Adopted by the State of Colorado.

STAFF MEMBER RESPONSIBLE: Hope Becker, Planning & Zoning Administrator

BACKGROUND:

The Town of Wiggins has been using the 2003 International Building Code (IBC), the 2003 International Residential Code (IRC), and the 2003 International Mechanical Code (IMC). Ordinance 3-05 adopted on June 8, 2005 was the last time the Board of Trustees formally updated the building codes for the Town of Wiggins.

The International Code Council (ICC) provides primary codes such as the IRC and IBC which the Town had previously adopted. The IRC and the IBC regulate construction for residential and commercial construction projects. However, the ICC also provides supplemental codes to reassure property owners that contractors will follow the most current and up to date minimum requirements in fire safety, zoning codes, property maintenance codes, energy conservation codes, swimming pool and spa codes, and existing buildings, etc. Many of these supplemental codes are separate and small in comparison to the IBC or IRC codes, but they provide additional support to all of the building codes for added protection.

Early in 2021, the Board of Trustees expressed a desire that the Town adopt a newer version of building codes. In response to this, staff undertook the process of investigating the differences between the 2003, 2015 and the 2018 codes, including versions of the various specific companion codes (i.e., fire and energy codes) to determine which codes would be the best options for the Town. Staff also discussed the building code update being considered with various local contractors and

builders to receive their input on the 2018 codes. The comparison and information were presented to and discussed with the Board of Trustees during a Work Sessions on March 10, 2021 and May 12, 2021. Staff received additional feedback from the Board of Trustees during these Work Sessions which were then researched and considered as the building code developed.

Staff presented a brief update to the Board of Trustees at the January 12, 2022 Work Session and provided information regarding the redlines contained in the final draft. The final draft was presented as a red-line version. All black font represented the text of the proposed ordinance. The red font provided original text from the 2018 International codes to assist the Trustees with understanding and comparing the recommended exceptions.

SUMMARY:

The Town has experienced a housing growth spurt. While the 2003 building codes remain adequate for construction, they do not require the implementation of the newest technologies, methods and processes that the new codes demand that may afford property owners better sense of savings, safety, and stability. Updating the building codes allows:

- Protection - Building codes are designed to protect buildings from harsh events such as fire, windstorms, and extreme temperatures. It protects the people and property housed within the building. Building codes ensure structural integrity; electrical, plumbing and mechanical system safety. Mother Nature can be overly vicious when property owners least expect it. Updated building codes require contractors and builders to adhere to the most recent codes thereby providing the consumer with the safest structure possible.
- Success – The implementation of newer codes has proven over time that structures are safer and sounder. Strong structural integrity reduces the amount of damage that may be caused by floods, storms, or fires which reduces the amount that insurance companies may have to pay out which in turn may reduce insurance premiums. Quality structures may also reduce the amount of stress property owners endure due to temporary relocation, loss of income, or community disruption.
- Improvement – New things are always learned from catastrophic events allowing for new technologies and methods to be created to make buildings stronger and energy efficient. Updating the codes allows for new technologies, materials, and better approaches to health and safety to be used in the next generation of buildings to potentially prevent less damage during catastrophic events. Building Codes are always improving as technology continues to improve how contractors and builders complete their projects. As an example – harnessing solar energy is now a preferred method for some property owners to save on energy costs. The 2003 ICC codes have very little guidelines in the way of solar projects. Adopting a newer code allows for the building department to ensure that solar projects adhere to plumbing, electrical, and structural load codes.

Staff implemented the advice and comments from ProCode, Inc. The Town Attorney, representatives from The Mozingo Code Group LLC, and NORESCO to create an ordinance adopting most of the 2018 International Codes with amendments. Each Supplement and selected appendices of the 2018 codes provide codes and guidelines for the Town that will assist in providing structure, guidance, and additional protection of public health.

Staff posted a hearing notice in the Fort Morgan Times for February 7th and February 14th after the Board of Trustees held the first reading public hearing on January 26, 2022. Staff made final revisions to the draft that include the following:

- The Trustees recommended changing the International Plumbing Code to the Colorado Plumbing Code. The new ordinance reflects this change in the title as well as on page 27 of the ordinance.
- In light of recent Board of Trustee fee schedule discussions, Staff made adjustments to the permit exceptions in the IRC section that addresses Sidewalks and Driveways (page seven). The original 2018 IRC exempts all sidewalks and driveways from the building permit process. Staff suggests that this original 2018 version remain deleted in its entirety and amended to “New sidewalks and driveways and driveway extensions require a permit. Replacement of existing driveways and sidewalks are exempt from building permits.” Staff and the Town Attorney have determined that the LDC can support the exemption of replacement driveway and sidewalk projects from the building permitting process; however, property owners are would remain responsible for acquiring permits for new sidewalks and driveways. Amending the IRC section 105.2 Exception #5 will provide additional support to the LDC.

FISCAL IMPACT:

Adopting Ordinance No. 01-2022 will not impact the adopted 2022 budget. Some staff and attorney time were anticipated to being expended on this project.

APPLICABILITY TO TOWN OBJECTIVES AND GOALS TO PROVIDE SERVICES:

The Town of Wiggins strives to provide current codes to provide its residents and businesses adequate public health and safety protections. Updating the codes such as the building codes is a part of this effort. The Town continues to make efforts to update all policies, procedures, and regulations to ensure the safety of all community members and businesses within the corporate limits of the Town.

OPTIONS AVAILABLE TO THE BOARD OF TRUSTEES

The Board of Trustees may approve the second reading of the Ordinance as presented by staff for their consideration.

- The Board of Trustees may approve the second reading of the Ordinance with conditions.
- The Board of Trustees may disapprove the Ordinance and direct staff what steps should be taken next.

MOTION FOR APPROVAL:

I make the motion to approve the second reading of Ordinance No. 01-2022 – An Ordinance Adopting by Reference the 2018 Editions of the International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Property Maintenance Code, International Existing Building Code, International Swimming Pool & Spa Code and Adopting the Editions of the Colorado Plumbing Code and the National Electric Code as Currently Adopted by the State of Colorado.

ACTION REQUIRED:

Motion, Second, Roll-Call, Vote.

(Ordinances require affirmative votes from the majority of Trustees present.)

TOWN OF WIGGINS, COLORADO
ORDINANCE NO. 01-2022

AN ORDINANCE ADOPTING BY REFERENCE THE 2018 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL SWIMMING POOL & SPA CODE AND ADOPTING THE EDITIONS OF THE COLORADO PLUMBING CODE AND THE NATIONAL ELECTRIC CODE AS CURRENTLY ADOPTED BY THE STATE OF COLORADO

WHEREAS, the Board of Trustees of the Town of Wiggins has determined that it is in the best interest of the health, safety and welfare of the Town and its citizens that building safety codes, as amended, be adopted; and

WHEREAS, pursuant to Part 2, Article 16, Title 31 of the Colorado Revised Statutes, the Town of Wiggins, Colorado (the "Town") possesses the authority to adopt uniform codes and manuals by reference; and

WHEREAS, pursuant to this authority, the Town previously adopted certain uniform building safety codes; and

WHEREAS, the Board of Trustees of the Town of Wiggins ("Board") possesses the authority to enact ordinances for the promotion of health pursuant to C.R.S. §31-15-401 and has the authority to enact ordinances for the regulation of buildings pursuant to C.R.S. §31-15- 601; and

WHEREAS, after due and proper notice in accordance with C.R.S. § 31-16-203, the Board conducted a public hearing on the date, time and place noticed on the adoption of this Ordinance and said codes, at which all interested parties were afforded an opportunity to be heard; and

WHEREAS, the Board of Trustees has determined, based on the evidence and testimony presented at the public hearing, that the adoption of the building safety codes as amended herein, will further the health, safety and welfare of the inhabitants of the Town.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF WIGGINS AS FOLLOWS:

Section 1. Ordinance 03-05 is hereby repealed in its entirety.

Section 2. The Board of Trustees hereby adopts the following ordinance, which shall be known as the "Building Regulations Ordinance of the Town of Wiggins:"

Building Regulations

Sec. 1 – International Building Code

Sec. 2 – International Residential Code

Sec. 3 – International Mechanical Code

- Sec. 4 – International Fuel Gas Code**
- Sec. 5 – International Energy Conservation Code**
- Sec. 6 – International Property Maintenance Code**
- Sec. 7 – International Existing Building Code**
- Sec. 8 – International Swimming Pool and Spa Code**
- Sec. 9 – Colorado Plumbing Code**
- Sec. 10 – National Electric Code**
- Sec. 11 – Copies available**
- Sec. 12 – Penalties and Violations**

Sec 1. International Building Code

- (a) Adoption. *The International Building Code*, 2018 Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 35 inclusive, and Appendix Chapters C, E, H, I, & J ("IBC"), is hereby adopted by reference as the Town of Wiggins Building Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as set forth in this Section.
- (b) Compliance Required. No building shall be hereafter constructed, erected, enlarged, altered, or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IBC, as adopted and as amended.
- (c) Purpose. The purpose of the IBC is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all commercial and multi-family buildings and structures within the Town of Wiggins and certain equipment specifically regulated in the IBC.
- (d) Amendments. Additions, deletions, amendments and changes to the IBC, as adopted by reference pursuant to Section (a), are hereby adopted as follows:
 - (1) IBC 101.1 (Title) is amended by the addition of the term "TOWN OF WIGGINS" where indicated.
 - (2) IBC 101.4.3 (Plumbing) is amended by the deletion of the last sentence.
"The provisions of the International Private Sewage Disposal Code shall apply to private sewage disposal systems."
 - (3) IBC 101.4.5 (Fire prevention) is amended by replacing "International Fire Code" with "adopted fire code".
 - (4) IBC 101.4.6 (Energy) is amended by replacing the words "International Energy Conservation Code" with "2018 International Energy Conservation Code".
 - (5) IBC 105.1 (Required) is amended by replacing the words "building official" with "Town".
 - (6) IBC 105.2 (Work exempt from permit) is amended by deleting or inserting:

Building

- i. Exception #1 Deleting and replacing with “One-Story detached accessory structures used as tool and storage sheds, playhouses, greenhouses and similar uses, provided the floor area does not exceed 120 square feet and the roof height does not exceed 10 feet above grade measured from a point directly outside the exterior walls of the structure and the structure is not on a permanent slab foundation.”
 - ii. Exception #2 (fences) Deleted in its entirety.
 - iii. Exception #14 is added to read: “Shingle repair or replacement work not exceeding one hundred (100) square feet in area of covering per building.
- (7) 105.5 (Expiration) is amended by the deletion of this section in its entirety and replacing it with:
- “Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.”
- (8) IBC 109.2 (Schedule of Permit Fees) is amended by deleting the section in its entirety and replacing as follows:
- “On buildings, structures, and mechanical systems or alterations requiring a permit, a fee for each permit shall be paid as required in accordance with the Town of Wiggins Schedule of Fees that is periodically updated from time to time. The determination of value or valuation under any of the provisions of this Code shall be made by the building official.”
- (9) IBC 109.4 (Work commencing before permit issuance) is amended by the deletion of this section in its entirety and replaced with the following:
- “Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to an investigation fee in an amount up to the amount of the permit fee that would normally be assessed for the specific type of construction activity, with any such investigation fee being in addition to all other required permit fees. The investigation fee shall be collected whether or not a permit is then subsequently issued.”
- (10) IBC 109.6 (Refunds) is amended by the deletion of this section in its entirety and replaced with the following:

- i. “The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.
 - ii. The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
 - iii. The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.
 - iv. The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.”
- (11) IBC 113.1 (General) is amended by the deletion of the last two sentences and replaced with the following:
- “The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees.”
- (12) IBC 113.3 (Qualifications) is amended by the deletion of this section in its entirety.
- (13) IBC 114.2 (Notice of Violation) is amended by adding a second paragraph with: “‘Notice of Violations’ shall be delivered in accordance with section 107 of the IPMC” after the last paragraph.
- (14) IBC 114.4 (Violation penalties.) is deleted in its entirety and replaced with:
- “It shall be unlawful for any person, firm, corporation or other entity to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure, or cause or permit the same to be done in violation of the me. In addition to other sanctions set forth in the IBC, a person or entity that violates the IBC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
- (15) IBC 202 (Definitions) is amended by addition of the following:
- “Sleeping Room” (Bedroom) is any enclosed habitable space within a dwelling unit, which complies with the minimum room dimension requirements of IBC Section 1207 and contains a closet, an area that is useable as a closet, or an area that is readily convertible for use as a closet. Living rooms, family rooms and other similar habitable areas that are so situated and designed so as to clearly indicate these intended uses, shall not be interpreted as sleeping rooms.
- (16) IBC 915.2.1 (Dwelling units) is amended by the deletion of the first sentence and replaced with the following: “Carbon monoxide detection shall be installed in dwelling units within 15 feet of each separate sleeping area and on every level.”

- (17) IBC 1015.2 (Where required) is amended by the addition of a second paragraph inserted before the exceptions as follows:
- “All area wells, stair wells, window wells and light wells attached to any building that are located less than 36 inches (914.4 mm) from the nearest intended walking surface and deeper than 30 inches (762 mm) below the surrounding ground level, shall be protected with guardrails conforming to this section around the entire opening, or be provided with an equivalent barrier.”
- (18) IBC 1020.1 Table 1020.1 (Corridor Fire-Resistance Rating) is amended to replace the corridor rating for R Occupancies with a sprinkler system from 0.5 to 1- Hour fire rating.
- (19) IBC 1030.1 (General) is amended by deleting exception #4.
- (20) IBC 1109.1.1 is amended by adding Baby Changing Station: All public restrooms will require a baby changing station.
- (21) IBC 1301.1.1 (Criteria) is amended by replacing “International Energy Conservation Code” with the “2018 International Energy Conservation Code”
- (22) IBC 1612.3 (Establishment of flood hazard areas) is amended by the insertion of “TOWN OF WIGGINS” where indicated in [Name of Jurisdiction] and the date of the latest flood insurance study for the Town 04/18/2018 where indicated in [Date of Issuance].
- (23) Appendix J (Grading) is amended by the addition of new sections “J112 Grading Fees” and “J113 Performance Guarantees” which shall read as follows:

Section J112 Grading Fees.

J112.1 General. Fees shall be assessed in accordance with the provisions of this section and in the amount set forth in the fee schedule adopted by the Board of Trustees by resolution.

J112.2 Plan review fees. When a plan or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be as set forth in a fee schedule adopted by the Board of Trustees by resolution. Separate plan review fees shall apply to retaining walls or major drainage structures as required elsewhere in this code. For excavation and fill on the same site, the fee shall be based on the volume of excavation or fill, whichever is greater.

J112.3 Grading permit fees. A fee for each grading permit shall be paid to the Town as set forth in a fee schedule adopted by the Board of Trustees by resolution. Separate permits and fees shall apply to retaining walls or major drainage structures as required elsewhere in this code. There shall be no separate charge for standard terrace drains and similar facilities.

Section J113 Performance Guarantees. The Town may require a performance guarantee in the form of a bond, letter of credit or cash escrow in such form and amounts as may

be deemed necessary to ensure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions.

Sec 2. International Residential Code

- (a) Adoption. *The International Residential Code*, 2018 Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 43 inclusive and Appendix Chapters F, G, H, and L (“IRC”) is hereby adopted by reference as the Town of Wiggins Residential Building Code as if fully set out in this ordinance with the additions deletions insertions and changes as follows.

Appendices are:

F- Radon Control Methods

G- Piping Standards

H- Patio Covers

- (b) Compliance Required. No residential building shall be hereafter constructed, erected, enlarged, altered, or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IRC, as adopted and as amended.
- (c) Purpose. The purpose of the IRC is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all one and two-family dwellings and multiple single-family dwellings (town houses) not more than three stories in height with a separate means of egress within the Town of Wiggins and certain equipment specifically regulated in the IRC.
- (d) Amendments. Additions, deletions, amendments and changes to the IRC, as adopted by reference pursuant to Section (a) are hereby adopted as follows:
- (1) IRC R101.1 (Title) is amended by the addition of the term “TOWN OF WIGGINS” where indicated.
- (2) IRC R105.1 (Required) is amended by replacing the words “building official” with “Town”.
- (3) IRC R105.2 (Work Exempt from Permit) is amended by deleting or adding the following:

Building

- i. Exception #1 is deleted and replaced with “One-Story detached accessory structures used as tool and storage sheds, playhouses, greenhouses and similar uses, provided the floor area does not exceed 120 square feet and the roof height does not exceed 10 feet above grade measured from a point directly outside the exterior walls of the structure and the structure is not on a permanent slab foundation.”
- ii. Exception #2 (Fences) is deleted in its entirety.
- iii. Exception #3 (Retaining Walls) is deleted and replaced with “Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall and are not less than 12 inches from a public sidewalk, unless supporting a surcharge.”
- iv. Exception #4 (Water tanks) is deleted in its entirety.

- v. Exception #5 (Sidewalks & driveways) is deleted in its entirety and replaced with:

“New sidewalks and driveways require a permit. Replacement of driveways and sidewalks are exempt from building permits.”
 - vi. Exception #10 is deleted and replaced with: “Shingle repair or replacement work not exceeding one hundred (100) square feet in area of covering per building.”
 - vii. Exception #11 (Concrete slabs) is added to read as follows: “Concrete form and pours that are not attached to a building or structure and are not for the construction of decks, awnings, pergolas, gazebos or any other types of decking or porch structures. Driveways do not fall under this category.”
- (4) IRC 105.5 (Expiration) is deleted in its entirety and replaced with:
- “Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.”
- (5) IRC 106.2 (Site Plan) is deleted in its entirety and replaced with:
- "The construction documents submitted with the application for the permit shall be accompanied by a site plan showing the size and location of new construction and existing structures on the site, distances from lot lines and drainage of the lot based on the master drainage plan for the development. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot."
- (6) IRC R108.2 (Schedule of Permit Fees) is deleted in its entirety and replaced with:
- “On buildings, structures, and mechanical systems or alterations requiring a permit; a fee for each permit shall be paid as required in accordance with the Town of Wiggins Schedule of Fees that is periodically updated from time to time. The determination of value or valuation under any of the provisions of this Code shall be made by the Town.”
- (7) IRC R108.4 (Related Fees) is amended by creating a new subsection as follows:
- "Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be

subject to an investigation fee in an amount up to the amount of the permit fee that would normally be assessed for the specific type of construction activity, with any such investigation fee being in addition to all other required permit fees. The investigation fee shall be collected whether or not a permit is then subsequently issued.”

- (8) IRC R108.5 (Refunds) is amended by the deletion of this section in its entirety and replaced with the following:

- i. “The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.
- ii. The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
- iii. The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.
- iv. The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.”

- (9) IRC R108.6 (Work commencing before permit issuance) is deleted in its entirety and replaced with:

“Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to an investigation fee in an amount up to the amount of the permit fee that would normally be assessed for the specific type of construction activity, with any such investigation fee being in addition to all other required permit fees. The investigation fee shall be collected whether or not a permit is then subsequently issued.”

- (10) IRC R109.1.5 (Other inspections) is amended by the addition of a new subsection as follows:

“IRC R109.1.5.2 Insulation inspection shall be made after a completed and approved rough inspection, following the installation of the wall, ceiling and floor insulation and exterior windows and before wall coverings are installed.”

- (11) IRC R112.1 (General) is amended by the deletion of the last three sentences and replaced with:

“The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees.”

- (12) IRC R112.3 (Qualifications) is amended by the deletion of this section in its entirety.

- (13) IRC R113.2 (Notice of Violation) is amended by the addition of

“Notice of Violations shall be delivered in accordance with section 107 of the IPMC” after the last paragraph.

- (14) IRC 113.4 (Violation penalties.) is amended by the deletion of this section and replaced with:

“Penalties for Violation. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of the IRC. In addition to other sanctions set forth in the IRC, a person or entity that violates the IRC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or, as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

- (15) IRC R202 (Definitions) is amended by addition of the following:

“Sleeping Room” (Bedroom) is any enclosed habitable space within a dwelling unit, which complies with the minimum room dimension requirements of IRC Sections R304 and R305 and contains a closet, an area that is useable as a closet, or an area that is readily convertible for use as a closet. Living rooms, family rooms and other similar habitable areas that are so situated and designed so as to clearly indicate these intended uses, shall not be interpreted as sleeping rooms.”

- (16) IRC Table R301.2 (1) is completed to provide the following:

Table R301.2(1)
CLIMATIC & GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	Speed (mph)	Topographic effects	Special wind region	Windborne debris zone		Weathering	Frost line depth	Termite					
30spf	115	No			B	Severe	30 in	Slight to Moderate	1	Yes	26713	1000	43F
MANUAL J DESIGN CRITERIA													
Elevation				Latitude		Winter Heating	Summer cooling	Altitude correction factor	Indoor design temperature	Design temperature cooling		Heating temperature difference	
4659				40		1	91		70	75		69	
Cooling temperature difference				Wind velocity heating		Wind velocity cooling	Coincident wet bulb	Daily range	Winter humidity	Summer humidity		-----	
14				15		7.5	62	H					

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, C55, 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 971/2-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).

(17) IRC R302.1 (Exterior walls) is amended by the deletion of the following wording only:

"or dwellings equipped throughout with an automatic sprinkler system installed in accordance with section P2904 shall comply with Table R302.1(2)."

(18) IRC Table R302.1 (2) is deleted in its entirety.

(19) IRC R302.3 (Two-family dwelling) is amended by replacing "1-Hour fire-resistance rating" with "2-Hour fire-resistance rating" and by deleting exception #1.

(20) IRC R302.13 (Fire Protection of Floors) is amended by the addition of exceptions 5, 6, and 7 as follows:

- i. Exception #5- For floor assemblies located over a basement or crawlspace, mechanical equipment rooms not larger than 80 square feet constructed per sections R302.13 with minimum 1/2-inch gypsum wallboard on the enclosing ceiling, walls and self-closing weather-stripped solid door.
- ii. Exception #6- Floor assemblies located over a basement or crawlspace, with mechanical equipment rooms not larger than 80 square feet may be constructed per Exception #4, using fire treated I joists only above furnace closet area with minimum 5/8-inch Type X gypsum wallboard on the enclosing walls and a self-closing weather-stripped solid core 20-minute rated door and frame.
- iii. Exception #7- For floor assemblies located over a basement or crawl space with a mechanical equipment room not larger than 80 square feet may be unprotected if a fire sprinkler head is installed in accordance with section P2904 or the International Building Code sections 903.3.1.2 or 903.3.1.3, installed within the equipment room on a domestic water loop.

(21) IRC Section R309.5 IRC Section R309.5 (Fire sprinklers) is amended by the deletion of this section in its entirety.

(22) IRC Section R310.1 (Emergency Escape and Rescue Openings)

- i. Exception #2 is amended by the deletion of the exception and its conditions.

(23) IRC Section R312.1 (Where required) is deleted and replaced with the following:

R312.1.1 Where required. Guards shall be provided for those portions of open-sided walking surfaces, including stairs, ramps and landings, that are located more than 30-inches (762 mm) measured vertically to the floor or grade below at any point within 36-inches (914 mm) horizontally to the edge of the open side. Insect screening shall not be considered as a guard.

All area wells, stairwells, window wells and light wells attached to any building that are located less than 36 inches (914 mm) from the nearest intended walking surface and deeper than 30-inches (762 mm) below the surrounding ground level, creating an opening greater than 24-inches (610 mm) measured perpendicular from the building, shall be protected with guardrails conforming to this section around the entire opening, or be provided with an equivalent barrier.

Exceptions:

- i. The access side of stairways need not be protected.
 - ii. Area and window wells provided for emergency escape and rescue windows may be protected with approved grates or covers that comply with Section R310.4 of this code.
 - iii. Covers and grates may be used over stairways and other openings used exclusively for service access or for admitting light or ventilation."
- (24) IRC R313.1 (Townhouse automatic fire sprinkler systems) is amended by the deletion of this section in its entirety.
- (25) IRC R313.2 (One-and two-family dwellings automatic fire sprinkler systems) is amended by the deletion of this section in its entirety.
- (26) IRC 315.3 (Location) The first paragraph is amended as follows: "Carbon monoxide detection shall be installed in dwelling units within 15-feet of each separate sleeping area."
- (27) IRC R401.2 (Requirements) is amended by the addition of the following after the first paragraph:
- "Foundations shall be designed, and the construction drawings stamped by a Colorado registered design professional. The foundation design must be based on an engineer's soils report. The drawings must be noted with the engineering firm name, specific location for design and soils report number. A site certification prepared by State of Colorado registered design professional is required for setback verification on all new Group R Division 3 occupancies."
- (28) IRC R405.1 (Concrete or masonry foundations) is amended with the addition of the following after the first sentence: All foundation drains shall be designed and inspected by a State of Colorado registered design professional.
- (29) IRC Chapter 11 (Energy Efficiency) is deleted in its entirety and replaced with the 2018 International Energy Conservation Code.
- (30) IRC G2415.12 (Minimum burial depth) is amended by the addition of the following: All plastic fuel gas piping shall be installed a minimum of 18-inches (457 mm) below grade.
- (31) IRC G2417.4.1 (Test pressure) is amended by changing 3 psig to 10 psig.
- (32) IRC G2417.4.2 (Test Duration) is amended by replacing "10 Minutes" with "15 Minutes".
- (33) IRC P2503.5.1 (Rough plumbing) is amended by deleting the first paragraph and replacing with "DWV systems shall be tested on completion of the rough piping installation by water or air with no evidence of leakage."
- (34) IRC P2603.5.1 (Sewer depth) is amended by filling in both areas where indicated to read "12-inches (305 mm)".

(35) IRC P3103.1.1 (Roof extension) is amended by replacing the words "6-inches" with "12-inches".

Sec 3. International Mechanical Code

- a) Adoption. *The International Mechanical Code*, 2018 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 15 inclusive, (“IMC”) is hereby adopted by reference as the Town of Wiggins Mechanical Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows.
- b) Compliance Required. No building shall be hereafter constructed, erected, enlarged, altered, or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IMC, as adopted and as amended.
- c) Purpose. The purpose of the IMC is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of mechanical systems and structures within the Town of Wiggins and certain equipment specifically regulated in the IMC.
- d) Amendments. The following deletions, additions, insertions, and changes are hereby made to the IMC as adopted by reference by Section (a):
 - (1) IMC 101.1 Title is amended by the addition of the term "TOWN OF WIGGINS" where indicated.
 - (2) IMC 106.4.3 (Expiration) is deleted in its entirety and replaced with:

“Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.”
 - (3) IMC 106.5.1 (Work commencing before a permit issuance.) is deleted in its entirety and replaced with:

“Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to an investigation fee in an amount up to the amount of the permit fee that would normally be assessed for the specific type of construction activity, with any such investigation fee being in addition to all other required permit fees. The investigation fee shall be collected whether or not a permit is then subsequently issued.”
 - (4) IMC 106.5.2 (Fee Schedule) is deleted in its entirety and replaced with:

“On buildings, structures, and mechanical systems or alterations requiring a permit; a fee for each permit shall be paid as required in accordance with the Town of Wiggins Schedule of Fees that is periodically updated from time to time. The determination of value or valuation under any of the provisions of this Code shall be made by the Town.”

- (5) 106.5.3 (Fee Refunds) is amended by the deletion of this section in its entirety and replaced with the following:

- i. “The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.
- ii. The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
- iii. The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.
- iv. The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.”

- (6) IMC 108.4 (Violation penalties) is deleted in its entirety and replaced with:

“Penalties for Violation. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of the IMC. In addition to other sanctions set forth in the IMC, a person or entity that violates the IMC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or, as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

- (7) IMC 109.2 Membership of board is deleted in its entirety and replaced with:

“The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees.”

- (8) IMC 109.2.1 through 109.2.6 are deleted in their entirety.

- (9) IMC 109.3 Notice of Meeting is deleted in its entirety and replaced with: “The Board of Trustees shall meet upon notice from the Town Manager, within 20 days of the filing of an appeal, or at stated periodic meetings.”

Sec 4. International Fuel Gas Code

- a) Adoption. *The International Fuel Gas Code*, 2018 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 8 inclusive, ("IFGC") is hereby adopted by reference as the Town of Wiggins Fuel Gas Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows.
- b) Compliance Required. No building shall be hereafter constructed, erected, enlarged, altered, or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IFGC, as adopted and as amended.
- c) Purpose. The purpose of the IFGC is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of fuel gas piping systems and fuel gas utilization equipment within the Town of Wiggins and related accessories specifically regulated in the IFGC.
- d) Amendments. The following deletions, additions, insertions, and changes are hereby made to the IFGC as adopted by reference by Section (a):
 - (1) IFGC 101.1 (Title) is amended by the addition of the term "TOWN OF WIGGINS" where indicated.
 - (2) IFGC 106.5.3 (Expiration.) is deleted in its entirety and replaced with:

“Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.”
 - (3) IFGC 106.6.1 (Work Commencing before permit issuance.) is deleted in its entirety and replaced with:

“Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to an investigation fee in an amount up to the amount of the permit fee that would normally be assessed for the specific type of construction activity, with any such investigation fee being in addition to all other required permit fees. The investigation fee shall be collected whether or not a permit is then subsequently issued.”

(4) IFGC 106.6.2 (Fee Schedule.) is deleted in its entirety and replaced with:

“On buildings, structures, and mechanical systems or alterations requiring a permit; a fee for each permit shall be paid as required in accordance with the Town of Wiggins Schedule of Fees that is periodically updated from time to time. The determination of value or valuation under any of the provisions of this Code shall be made by the Town.”

(5) IFGC 106.6.3 (Refunds) deleted in its entirety and replaced with:

- i. “The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.
- ii. The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
- iii. The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.
- iv. The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.”

(6) IFGC 108.4 (Violation Penalties.) is deleted in its entirety and replaced with:

“It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of the IFGC. In addition to other sanctions set forth in the IFGC, a person or entity that violates the IFGC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or, as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

(7) IFGC 109.2 (Membership of board) is deleted in its entirety and replaced with:

“The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees.”

(8) IFGC 109.2.1 through 109.2.6 are hereby deleted in their entirety.

(9) IFGC 109.3 (Notice of Meeting) is deleted in its entirety and replaced with: “The Board of Trustees shall meet upon notice from the Town Manager, within 20 days of the filing of an appeal, or at stated periodic meetings.”

(10) IFGC 404.12 (Minimum burial depth) is amended by the addition of the following: All plastic fuel gas piping shall be installed a minimum of 18 inches (457 mm) below grade.

- (11) IFGC 404.12.1 (Individual outdoor appliances) is deleted in its entirety.
- (12) IFGC 406.4.1 (Test pressure) is amended by changing 3 psig to 10 psig.
- (13) IFGC 406.4.2 (Test duration) is amended by changing the second sentence to read:

"When testing a system having a volume less than 10 cubic feet or a system in a single-family dwelling, the test duration shall be not less than 15 minutes".

Sec 5. International Energy Conservation Code

- a) Adoption. *The International Energy Conservation Code*, 2018 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 13 inclusive, ("IECC") is hereby adopted by reference as the Town of Wiggins Energy Conservation Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows.
- b) Compliance Required. No building shall be hereafter constructed, erected, enlarged, altered, or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IECC, as adopted and as amended.
- c) Purpose. The purpose of the IECC is to regulate the design and construction of buildings for the effective use of energy. The IECC is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.
- d) Amendments. The following deletions, additions, insertions, and changes are hereby made to the IECC as adopted by reference by Section (a):
 - (1) IECC C101.1 (Title) is amended by the addition of the term "TOWN OF WIGGINS" where indicated.
 - (2) IECC C104.2 (Fees.) is deleted in its entirety and replaced with:

“On buildings, structures, and mechanical systems or alterations requiring a permit; a fee for each permit shall be paid as required in accordance with the Town of Wiggins Schedule of Fees that is periodically updated from time to time. The determination of value or valuation under any of the provisions of this Code shall be made by the Town.”
 - (3) IECC C104.3 (Work commencing before permit issuance.) is deleted in its entirety and replaced with:

“Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to an investigation fee in an amount up to the amount of the permit fee that would normally be accessed for the specific type of construction activity, with any such investigation fee being in addition to all other required permit fees. The investigation fee shall be collected whether or not a permit is then subsequently issued.”
 - (4) IECC C104.5 (Refunds.) deleted in its entirety and replaced with:

“The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

 - i. The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

- ii. The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.
 - iii. The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.”
- (5) IECC C109.1 (General) is amended by deleting the last three paragraphs and inserting the following:
- "The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees."
- (6) IECC C109.3 (Qualifications) is amended by the deletion of this section in its entirety.
- e) Penalties for Violation. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of the IECC. In addition to other sanctions set forth in the IECC, a person or entity that violates the IECC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or, as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Sec 6. International Property Maintenance Code

- a) Adoption. *The International Property Maintenance Code*, 2018 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 8 inclusive, (“IPMC”) is hereby adopted by reference as the Town of Wiggins Property Maintenance Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows.
- b) Compliance Required. All existing residential and nonresidential structures and premises shall conform to the requirements of the IPMC, as adopted and as amended.
- c) Purpose. The purpose of the IPMC is to promulgate minimum requirements and standards for all existing residential and nonresidential structures, premises, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.
- d) Amendments. The following deletions, additions, insertions, and changes are hereby made to the IPMC as adopted by reference by Section (a):
 - (1) IPMC 101.1 (Title) is amended by the addition of the term "TOWN OF WIGGINS" where indicated.
 - (2) IPMC 102.3 (Application of Other Codes) is deleted in its entirety and replaced with:

“Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the current adopted building and zoning codes.”
 - (3) IPMC 103.5 (Fees) is amended by the deletion of the section and is replaced with:

“Costs incurred for the performance of work shall be paid by the applicant in an amount set forth in the Town of Wiggins Schedule of Fees that is periodically updated from time to time.”
 - (4) IPMC 106.4 (Violation penalties.) is deleted in its entirety and replaced with:

“It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of the IPMC. In addition to other sanctions set forth in the IPMC, a person or entity that violates the IPMC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or, as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”
 - (5) IPMC 111.2 (Membership of board) is deleted in its entirety and replaced with:

"The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees."

- (6) IPMC 111.3 (Notice of Meeting) is deleted in its entirety and replaced with:

“The Board of Trustees shall meet upon notice from the Town Manager, within 20 days of the filing of an appeal, or at stated periodic meetings.”

- (7) IPMC 302.4 (Weeds) is amended to insert the height of weeds and excessive plant growth to be:

“Premises and exterior property shall be maintained free from weeds or plant growth within the guidelines set forth by the Town of Wiggins Health & Safety Ordinance.”

- (8) IPMC 302.4 (Weeds). The second paragraph is deleted in its entirety.

- (9) IPMC 308.2.2 (Refrigerators) is amended by the addition of the following at the end of said section:

“Refrigerators, appliances and similar equipment shall not be discarded, stored, or abandoned on outdoor premises.”

- (10) IPMC 604.2 (Service) is amended by replacing "NFPA 70" with "NFPA 70 Electrical Code adopted by the state of Colorado."

Sec 7. International Existing Building Code

- a) Adoption. *The International Existing Building Code*, 2018 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 16 inclusive, (“IEBC”) is hereby adopted by reference as the Town of Wiggins Existing Building Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows.
- b) Compliance Required. No existing building shall be hereafter repaired, altered, have a change of occupancy, be enlarged or relocated in the Town unless the same shall conform with the IEBC, as adopted and as amended.
- c) Purpose. The purpose of the IEBC is to regulate the repair, alteration, change of occupancy, addition and relocation of all existing buildings, regardless of occupancy, subject to the criteria set forth in the IEBC.
- d) Amendments. The following deletions, additions, insertions, and changes are hereby made to the IEBC as adopted by reference by Section (a):
 - (1) IEBC 101.1 (Title) is amended by the addition of the term "TOWN OF WIGGINS" where indicated.
 - (2) IEBC 105.2 (Work Exempt from Permit) is amended as follows:

Building:

 - i. Exception #1 (Sidewalks and driveways) section is deleted entirely.
 - ii. Exception #5 (Window awnings) section is deleted entirely.
 - (3) IEBC 105.5 (Expiration.) is deleted in its entirety and replaced with:

“Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.”
 - (4) IEBC 108.6 (Refunds) is deleted in its entirety and replaced with:
 - i. “The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

- ii. The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
 - iii. The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.
 - iv. The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.”
- (5) IEBC 112.3 (Qualifications) is deleted in its entirety and replaced with “The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees.”
- (6) IEBC 1401.2 (Conformance) is amended by deleting the section in its entirety and replacing it with the following: "Structures moved into or within the jurisdiction shall comply with the provision of this code."
- e) Penalties for Violation. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of the IEBC. In addition to other sanctions set forth in the IEBC, a person or entity that violates the IEBC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or, as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Sec 8. International Swimming Pool and Spa Code

- a) Adoption. *The International Swimming Pool and Spa Code*, 2018 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 11 inclusive, (ISPSC”) is hereby adopted by reference as the Town of Wiggins Swimming Pool and Spa Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows.
- b) Compliance Required. It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize any system covered by the ISPSC, or cause the same to be done, in conflict with or in violation of any provision of the ISPSC.
- c) Purpose. The purpose of the ISPSC is to establish minimum standards to provide a reasonable level of safety and protection of public health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location and maintenance or use of pools and spas.
- d) Amendments. The following deletions, additions, insertions, and changes are hereby made to the ISPSC as adopted by reference by Section (a):
 - (1) ISPSC 101.1 (Title) is amended by the addition of the term "TOWN OF WIGGINS" where indicated.
 - (2) ISPSC 105.6.2 (Fee schedule.) is amended to add: “Fees for work shall be set forth in the Town of Wiggins Schedule of Fees that is periodically updated from time to time.”
 - (3) ISPSC 105.5.3 (Expiration.) is deleted in its entirety and replaced with:

“Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.”
 - (4) ISPSC 105.6.1 (Working commencing before permitting issuance.) is deleted in its entirety and replaced with:

“Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to an investigation fee in an amount up to the amount of the permit fee that would normally be assessed for the specific type of construction activity, with any such investigation fee being in addition to all other required permit

fees. The investigation fee shall be collected whether or not a permit is then subsequently issued.”

(5) ISPSC 105.6.2 (Fee Schedule.) is deleted in its entirety and replaced with:

“Costs incurred for the performance of work shall be paid by the applicant in an amount set forth in the Town of Wiggins Schedule of Fees that is periodically updated from time to time.”

(6) ISPSC 105.6.3 (Refunds) is deleted in its entirety and replaced with:

- i. “The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.
- ii. The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
- iii. The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.
- iv. The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.”

(7) ISPSC 107.4 (Violation penalties.) is deleted in its entirety and replaced with:

“It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of the ISPSC. In addition to other sanctions set forth in the ISPSC Code, a person or entity that violates the ISPSC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or, as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

(8) ISPSC 108.2 (Membership of board) is deleted in its entirety and replaced with:

“The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees.”

(9) ISPSC Section 108.3 (Notice of Meeting) is deleted in its entirety and replaced with:

“The Board of Trustees shall meet upon notice from the Town Manager, within 20 days of the filing of an appeal, or at stated periodic meetings.”

Sec 9. Colorado Plumbing Code

- a) Adoption. The *Colorado Plumbing Code*, the edition currently adopted by the State Plumbing Board of the Colorado Department of Regulatory Agencies, Division of Professions and Occupations, 1560 Broadway, Suite 1350, Denver, CO 80202 (“CPC”). The purpose and subject matter of which include regulation of plumbing installations in or in connection with new and existing structures and provision of international plumbing standards for the purpose of protecting the public health, safety and general welfare.
- b) Compliance Required. It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize any plumbing installations covered by the CPC, or cause the same to be done, in conflict with or in violation of any provision of the CPC.
- c) Purpose. The purpose and subject matter of the CPC is to regulate plumbing installations in or in connection with new and existing structures and providing uniform plumbing standards for the purpose of protecting the public health, safety and general welfare.
- d) Amendments. None
- e) Penalties for Violation. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of the CPC. In addition to other sanctions set forth in the CPC, a person or entity that violates the CPC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or, as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Sec 10. National Electrical Code

- a) The National Fire Protection Association standard number 70, hereafter known as the *National Electrical Code*, published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts, 02169-7471 (NEC), is hereby adopted by reference as the Town of Wiggins Electrical Code as if fully set out in the ordinance codified herein. The effective edition of such *National Electrical Code* shall be the 2020 Edition or the edition currently adopted by the State Electrical Board of the Colorado Department of Regulatory Agencies, Division of Professions and Occupations as updated from time to time.
- b) Compliance Required. It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize any electrical systems covered by the NEC, or cause the same to be done, in conflict with or in violation of any provision of the NEC.
- c) Purpose. The purpose and subject matter of the NEC includes minimum regulations for the practical safeguarding of persons and property from the hazards arising from the use of electricity and minimum standards relating to the installation of electrical conductors and equipment within or on public and private buildings and other structures, including mobile homes, recreational vehicles and floating dwelling units, and other premises such as yards, carnivals, parking and other lots, and industrial substations. The NEC provides for the issuance of permits, inspections and the collection of fees therefor.

d) Amendments. None

e) Penalties for Violation. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of the NEC. In addition to other sanctions set forth in the NEC, a person or entity that violates the NEC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or, as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Sec 11. Copies Available. Copies of the International Building Code, 2018 edition; the International Residential Code, 2018 Edition; the International Mechanical Code, 2018 edition; the International Fuel Gas Code, 2018 edition; the International Existing Building Code, 2018 edition; the International Property Maintenance Code, 2018 edition; the International Swimming Pool and Spa Code, 2018 Edition; the International Energy Conservation Code, 2018 Edition; the International Plumbing Code, as currently adopted by the State of Colorado; and the National Electrical Code NFPA 70, the current edition adopted by the State of Colorado (the "Codes") are open for public inspection and available for purchase in accordance with C.R.S. § 31-16-206, said copies being available at the Town Hall, 304 E Central Avenue, Wiggins, CO 80654.

Sec 12. Penalties and Violations.

- a) It shall be unlawful for any person, firm, corporation or other entity to violate any of the provisions of this Ordinance.
- b) Any person, firm, corporation or other entity violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and each such person, firm, corporation or entity, upon conviction of any violation of this Ordinance, shall be punished by a fine of not more than two thousand six hundred and fifty dollars (\$2,650.00), as shall be adjusted for inflation from time to time pursuant to C.R.S. § 13-10-113.,
- c) When a violation of any section of this Ordinance or any part of the adopted code occurs and continues for more than one (1) day, each day such violation occurs or continues shall constitute a separate offense.

Section 3. Severability. Should any one or more sections or provisions of this Ordinance or of any of the primary or secondary codes adopted by reference be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or the codes adopted by reference hereby, the intention being that the various sections and provisions are severable.

Section 4. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and 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 effective date of this Ordinance.

Section 5. Effective Date. Except as otherwise expressly provided herein, the provisions enacted by this Ordinance shall become effective at 12:01 a.m. on _____, **2022.**

INTRODUCED, READ, ADOPTED ON FIRST READING THIS 26th day of JANUARY, 2022.

PUBLIC HEARING AND SECOND READING WILL BE HELD THE 23rd day of FEBRUARY, 2022, AT 7:00 P.M.

READ, ADOPTED ON SECOND READING, APPROVED, SIGNED, AND ORDERED PUBLISHED BY TITLE ONLY this 23rd day of FEBRUARY, 2022.

TOWN OF WIGGINS

Jeffrey Palmer, Mayor

ATTEST:

Deborah Lee, Town Clerk

I, Deborah Lee, Town Clerk of the Town of Wiggins, Colorado, hereby certify and attest that the foregoing Ordinance No. 01-2022 was introduced, read, adopted and ordered published by title only, at a regular meeting of the Board of Trustees of the Town of Wiggins, Colorado on the 23rd day of February, 2022. This Ordinance was published in The Fort Morgan Times on _____, 2022.

Dated _____



STAFF SUMMARY

Board of Trustees Regular Meeting February 23, 2022

DATE: February 17, 2022

AGENDA ITEM NUMBER: 5-2

TOPIC: Consideration of Ordinance No. 02-2022 – An Ordinance Including Certain Property into the boundaries of the Roberts 81 Business Improvement District

STAFF MEMBER RESPONSIBLE: Deborah Lee, Town Clerk

BACKGROUND:

The Roberts 81 Business Improvement District (BID) was originally approved by the Board of Trustees in 2018 with Resolution No. 09-2018. The Colorado Revised State Statutes require that changes to certain aspects of the BID must be reviewed and approved by the governing body. The Roberts 81 BID governing body is the Wiggins Board of Trustees.

The benefit of the Roberts 81 BID is that it creates a reliable funding source for supplemental services and programs, such as public safety, or marketing of a neighborhood brand. Because they are self-managed and funded by the owners themselves, BIDs typically offer the ability to respond more quickly than the public sector to the changing needs of the businesses in Roberts 81.

SUMMARY:

The Roberts 81 Development has requested inclusion of Tract 6 of the Roberts 81 Subdivision into the Roberts 81 BID. Colorado Revised State Statute 31-25-1220 states that “The owners of property proposed to be included or excluded may file with the governing body a petition, in writing, requesting that such property be included in or excluded from the district.”

The Roberts 81 Plat is a recorded document that displays each property section, easements, and other important property characteristics to the subdivision. A business improvement district is an additional tool for a development that provides a financial structure for the development for the future maintenance, care, and operational expenses. This benefits the district and property owner by allowing for the construction and financing of the public improvements that serve the property. There will be additional inclusions as the Roberts 81 is developed. The entire “inclusion area” includes other tracts of the Roberts 81 development that have not yet been included in the BID.

Although Tract 6 is identified on the Roberts 81 recorded plat, it was not included in the Roberts 81 BID. The Roberts 81 owners would like to include Tract 6 to the BID to allow the property to receive the same benefits that the other Roberts 81 lots will receive once they are developed. At the time the BID was formed, the developer wanted and still does want the flexibility to incentivize commercial users through inclusion in the Bid. This was contemplated from the start and is why these areas were included as an inclusion area in the Operating Plan.

FISCAL IMPACT: Adopting this Ordinance has no negative impact on the Town's 2022 adopted budget.

OPTIONS AVAILABLE TO THE BOARD OF TRUSTEES:

- The Board of Trustees may approve the Ordinance as presented by staff for their consideration.
- The Board of Trustees may approve the Ordinance with conditions.
- The Board of Trustees may disapprove the Ordinance and direct staff what steps should be taken next.

MOTION FOR APPROVAL:

I make the motion to approve Ordinance No. 02-2022 – An Ordinance Including Certain Property into the boundaries of the Roberts 81 Business Improvement District.

ACTION REQUIRED:

Motion, Second, Roll-Call, Vote.

(Resolutions require affirmative votes from the majority of Trustees present.)

TOWN OF WIGGINS, COLORADO
ORDINANCE NO. 02-2022

**AN ORDINANCE INCLUDING CERTAIN PROPERTY
INTO THE BOUNDARIES OF THE ROBERTS 81 BUSINESS
IMPROVEMENT DISTRICT**

WHEREAS, the Board of Trustees for the Town of Wiggins (“Board of Trustees”) received a Petition for Inclusion of Property (“Petition”) filed pursuant to Section 31-25-1220, C.R.S. for the inclusion of certain property described in the Petition attached and made a part of this Ordinance as Exhibit “A” (the “Property”) into the Roberts 81 Business Improvement District (“District”); and

WHEREAS, in accord with the law, a public notice of the Petition has been given and published in *The Fort Morgan Times*, calling for a public hearing on the inclusion request set forth in the Petition, proof of publication for which is attached and made a part of this Ordinance as Exhibit “B”; and

WHEREAS, the Board of Trustees has conducted a Public Hearing and heard all persons having objections to the inclusion of the Property into the District; and

WHEREAS, the area sought to be included into the District is located entirely within the Town of Wiggins, Morgan County, Colorado, and does not include property within any other county or within any other incorporated city, town, or city and county.

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

Section 1. The Board of Trustees finds and determines that it has jurisdiction in this matter pursuant to the Business Improvement District Act, Part 12 of Article 25 of Title 31, C.R.S.

Section 2. The Board of Trustees finds and determines that the change in boundaries of the Roberts 81 Business Improvement District as proposed in the Petition does not adversely affect the District.

Section 3. Pursuant to Section 31-25-1220, C.R.S., the Board of Trustees hereby grants the Petition and orders the inclusion of the Property into the boundaries of the District.

Section 4. The Town Clerk is directed to file a certified copy of this Ordinance with the County Clerk and Recorder of Morgan County, Colorado.

Section 5. This Ordinance shall be in full force and effect into and after its final adoption and publication as required by law.

Section 6. The Board of Trustees deems it appropriate that this Ordinance be published by title only and that this Ordinance shall be available for inspection and acquisition in the office of the Town Clerk.

INTRODUCED, READ, PASSED AND ADOPTED AND ORDERED PUBLISHED BY
TITLE ONLY THIS ____ DAY OF _____, 2022.

TOWN OF WIGGINS

Jeffrey Palmer, Mayor

ATTEST:

Deborah Lee, Town Clerk

I HEREBY CERTIFY, that the foregoing ordinance entitled “AN ORDINANCE INCLUDING CERTAIN PROPERTY INTO THE BOUNDARIES OF THE ROBERTS 81 BUSINESS IMPROVEMENT DISTRICT” was introduced, read, passed and adopted at a regular meeting of the Board of Trustees of the Town of Wiggins, held on _____, 2022, and that the same was published by title only in *The Fort Morgan Times*, a newspaper published and in general circulation in said Town, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town
this _____ day of _____, 2022.

Deborah Lee, Town Clerk

Exhibit A
[copy of Petition for Inclusion of Property]

Exhibit B
[Proof of publication]

**PETITION FOR INCLUSION OF PROPERTY
INTO
ROBERTS 81 BUSINESS IMPROVEMENT DISTRICT**

TO: Board of Trustees, Town of Wiggins, Colorado.

The undersigned, Stub's Gas & Oil Inc., a Colorado corporation, hereby respectfully petitions the Board of Trustees of the Town of Wiggins ("Board") in accordance with the provisions of Section 31-25-1220, C.R.S., for the inclusion of the hereinafter described property into the Roberts 81 Business Improvement District ("District").

The undersigned hereby requests that the property described in **Exhibit A**, attached hereto and incorporated herein (the "Property") be included in the District and that an Ordinance be adopted by the Board including the Property into the District, and that from and after the effective date of such Ordinance, the Property shall be liable for assessments and other obligations of the District.

The undersigned represents to the Board it is the owner of the Property and that no other persons, entity or entities own an interest therein except as beneficial holders of encumbrances.

Acceptance of the Petition shall be deemed to have occurred at that time when the Board sets the date for the public hearing for consideration of the Petition.

The undersigned agrees that it shall pay or provide in full the fees and costs the Town incurs for the publication of notice of the hearing on inclusion, publication of the ordinance approving the inclusion (if any), filing and recording fees, and all other costs of inclusion of the land into said District, whether or not such inclusion is approved.

The legal description of said property situated in the Town of Wiggins, County of Morgan, State of Colorado, is attached hereto as **Exhibit A**.

This is a verified petition.

Petitioner: Stub's Gas & Oil, Inc., a Colorado corporation

By: Steve Klacka Stubbs gas & oil Inc
Name: Steve Klacka
Title: President

Petitioner's

Street Address:

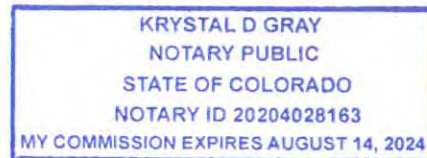
16740 Highway 39
Wiggins, Colorado 80654

STATE OF Colorado)
) ss.
COUNTY OF Morgan)

The foregoing instrument was acknowledged before me this 26 day of January, 2022, by Steve Klecka, as President of Stub's Gas and Oil, Inc., a Colorado corporation, Petitioner.

Witness my hand and official seal.

My Commission Expires: 08/14/2024



Krystal D Gray
Notary Public

EXHIBIT A
Roberts 81 Business Improvement District
Petition for Inclusion

LEGAL DESCRIPTION

Tract 6, Roberts 81 Subdivision, County of Morgan, State of Colorado, according to the plat thereof recorded May 22, 2018 at Reception No. 1500417 in the records of the Morgan County Clerk and Recorder, State of Colorado.



STAFF SUMMARY

Board of Trustees Meeting February 23, 2022

DATE: February 16, 2022

AGEND ITEM NUMBER: 6

TOPIC: Consideration of Resolution 03-2022- A Resolution Ratifying and Adopting the Town of Wiggins Service Fees

STAFF MEMBER RESPONSIBLE: Hope Becker, Planning & Zoning Administrator

BACKGROUND:

Staff updates the Town's fee schedule periodically and presents it to the Board of Trustees. The current fee schedule was adopted by the Board of Trustees in January of 2021. The schedule of fees includes fees for general records requests, licenses, building department fees, parks and recreation fees, and some police department fees. Fees are charged to recover the governmental cost to provide services to the public. Updating the fee schedule allows the Town to fund certain services it provides to the community.

The following recommended changes were presented at the January 12th and the February 9th, 2022 Work Sessions and the January 26, 2022 regular meeting for the Board of Trustees' consideration. The Trustees commented on each draft and provided staff direction for the next meeting. The Board of Trustees and Staff discussed and resolved; the following items in the previously listed meetings.

Building Permit Fees:

Although building permits essentially secure the safety, uniformity in design, and compliance with the law of certain construction; it was found that some of Wiggins' permits may not be necessary. In addition, other permit fees needed to be amended or expanded.

It is uncertain how the Town's current building permit fee schedule was derived. The Town's current building permit application requires homeowners and contractors to provide the valuation of their projects. In the past, Staff has determined the permit fees using a Building Permit Fee Table based off of the stated valuations in the application. Using a Building Permit Fee Table is a normal part of determining the fee valuation and is encouraged by the International Code Council (ICC). The ICC also provides Appendix L in the International

Residential Code (IRC) as guidance to jurisdictions for setting appropriate fees. The fee table consists of different categories with ranges of valuation costs. The first three (3) categories and the last two (2) categories shown in Appendix L do not exist in the Town's current fee schedule. This may be an indicator that building fees were determined and/or increased in the past without following guidance provided in Appendix L.

In addition, the ICC also provides and encourages the use of the Building Valuation Data (BVD) to calculate the project valuations by square footage, allowing for similar projects to be permitted the same. Using the ICC valuation data helps create consistency in calculating projection valuations among contractors and builders. The valuation data rates are suggested rates from ICC and updated on their website at six-month intervals. The BVD data provides the "average" construction costs per square foot, which can be used in determining permit fees. The BVD used to calculating valuations is independent of the version of IRC adopted. This allows the communities to continuously adopt fee resolutions without having to adopt new codes. The examples below were calculated using the 2021 BVD. Staff recommends using the most current BVD as it is periodically updated by ICC to stay current with construction material costs.

So how would building permits be calculated? Staff would calculate the valuation of the project using the BVD. Then the valuation would be used to determine which category to use on the Building Permit Fee Table 1A on the draft fee schedule. For Example:

Homeowner Basement Remodel/Finish: 1800 square feet
BVD Table (square footage table): \$40/square foot
Valuation Equals: \$72,000

We then take the \$72,000 and place the project in the \$40,000 - \$100,000 category
(\$487 for the first \$40,000; plus \$9 for each additional \$1,000 or fraction thereof, up to and including \$100,000)

First \$40,000 = \$487.00
\$9/\$1,000 After \$40,000 (Valuation from above) = 32,000/1000 = 32 \$9 * 32 = \$288.00
Total of permit = \$487 + \$288 = \$775.00

Below is a random example using the 2021 ICC version of the BVD to compare how the town currently determines building permits versus the ICC recommendation.

**Single Family single story, 1800 sq foot finished - 1800 unfinished basement
Builder Application states valuation at \$280,000.**

2021 Valuation

above grade @ \$148.33 * 1800	\$266,994
unfinished basement @ 50*1800	\$90,000
total of sq ft/valuation	\$356,994
Place into 100K category \$356,994 – \$100,000= \$256,994 \$256,994/1000 = \$ 256.994 * \$9.10 = \$2,338.65 \$2,338.65 + \$1,343.75 = \$3,682.40	Total Permit \$3,682.40

Current Valuation

Use Bldg. Permit Fee Table \$100- \$500K category
\$309,000 – \$100,000= \$209,000 \$209,000/1000 = \$209 \$209 * \$9.10 = \$1,901.9 \$1,901.9 + \$1,343.75 = \$3,245.65

Plan Review Fees:

In addition, it is common practice in other municipalities to have a separate fee for plan reviews to cover the cost of staff time to review building plans for compliance with the Land Development Code (LDC) and Town Ordinances. ICC recommends the fee and has building codes that reference the plan review fee. This is not a set fee. The common fee is 65% of the building permit cost. The fee is only added to permit cost breakdowns for those applications that include building plans. It would not be required or added to fees of permits that are considered one-stop shop permits such as fences and roof permits. Staff also recognizes that unless plan reviews include electrical or plumbing plan reviews; a lower plan review fee could be considered.

This fee is calculated by taking the building permit fee times 65% and then adding that number as a separate line item to the building permit cost breakdown.

Single Family home project example from above: \$3,682.40 * 0.65 = \$2,393.56
Plan Review Fee: \$2,393.56

Staff has considered that previous fee schedules may have been set such to streamline the building fee calculating process by taking an average of building permit fees including the plan review fee. Separating the building valuation and plan review fee when determining the building permit allows the Town to be transparent to builders, contractors, and community members.

Flat Rate Fees:

Flat Rate Fees are typically considered “One Stop Shop” kind of fees. There is not a lot of documentation required to pull these permits and the number of required inspections are

minimal. ProCode and Staff were able to re-evaluate the type of permits Wiggins has had on the fee schedule in the past compared to building code requirements. Staff also took another look at the LDC to determine if certain permits could be stricken from the fee schedule.

- ✦ Hot Water Heaters *deleted* – it was determined that inspections, beyond what DORA would provide for plumbing inspections, would not be necessary from ProCode. Therefore, it is being suggested by Staff that the Town's website will reflect information to the community that a DORA permit and inspections would be required but a permit from the Town would not be required.
- ✦ Carports *amended* – Open sided carports were listed in the Flat Rate Section of a previous draft but deleted in this final draft. A permit is still required as it is still considered a structure; however, the permit will be based on the Building Valuation Table 1A with project valuation provided by the applicant.
- ✦ Siding Permit *deleted* – Siding permits have been on the Wiggins Fee schedule for quite some time; however, staff was able to determine that siding permits are not listed as a requirement in the LDC.

Water Meter Fee:

Staff also discovered in reviewing the water and sewer tap fee ordinance that the cost of water meters was to be charged along with the tap fee. Why this decision was made or not acted on is not known. The meters cost the Town and the cost should be recovered when the water meter is purchased instead of being taken out of the capital improvement funds or the Water Enterprise Fund through the water tap acquisition. This would also be added as a separate line item on the building permit cost break down provided at time of permitting.

Health & Safety Ordinance: Emergency Alarm Fees:

The Health & Safety Ordinance was adopted with an emergency alarm section. Within this section, residents and businesses are required to register their emergency alarm systems and renew this information each calendar year with the police department. Staff has reevaluated this requirement, and determined that this registration is not necessary and recommend it be removed from the fee schedule. Staff will amend the Health & Safety Ordinance in the near future.

Recreation Department Fees:

The Recreation Department is an ever-evolving program. This department has recently discontinued the volleyball program for ages 3rd grade thru 8th grade at the request of parents who wanted to create their own program under a different umbrella. The Town recognized their desire that competing with their program would not be in the best interest of the children and chose to not compete with their program. This also allowed their program to have the participants needed to succeed. Wiggins Recreation will continue the K-2 Fall volleyball division. Wiggins Recreation also has not participated in NVAA soccer. It was a program that was initiated about 4 years ago but the program did not have interest from the community members at the time. The current fee schedule states that soccer is an NVAA program.

Wiggins Recreation is moving forward with a soccer program this spring but it will not be with NVAA. Amending these recreation fees will provide accurate fee information.

Public Record Requests:

Public Records Request – After reviewing staff's suggested amendments to the fee schedule, the Town Attorney confirmed that the Colorado State Statutes have been amended regarding Public Records Requests. The fee schedule has been amended to reflect that all Public Records Requests are now free for the first hour. Any research provided to pull information for a request after one hour will be charged \$30/hour. Charges may apply for the copies, fax, thumb drives, flash drives, etc. State statutes state that the request charge per hour cannot be more than \$33.50/hour. The Town is below that threshold.

Liquor License Fees:

The Town Attorney also determined that the Town was not up to date on its Liquor License Fees. The Wiggins Fee Schedule has been updated to reflect Colorado State Statute Requirements. Staff realizes that Wiggins does not have many of the establishments listed in the Liquor License fees; however, staff was advised it would be better to list all of them to anticipate the possible unknowns coming forward for license requests.

Street Cut & Access Permits:

Street Cuts and Access Permits were added to the Land Development Fee portion of the draft fee schedule presented in both January Meetings. However, these types of projects are more related to right-of-way projects. In the interest of protecting the Town's other right-of-way's, Staff also recommends that Right-of-Way permits are expanded to include sidewalks, curbs & gutters, chase drains, and ADA access ramps. Each application would be reviewed and approved by the Public Works Department. An example of an Access permit would be: a vacant lot on Main Street creating a drive thru lane entering or exiting off of Main Street would be required to pull a ROW permit. Creating, repairing, or demolishing any type of work in the public right-of-way would require a right-of-way permit.

SUMMARY:

The Board of Trustees were in agreement that they were ready to consider the draft resolution for adoption at the February 23, 2022 regular meeting with remaining concerns to be discussed prior to resolution consideration. The Trustees commended the Town Staff for the detail provided in the Fee Schedule. The Trustees expressed concern regarding the following additional items and directed Staff to bring back additional information and alternative solutions. Staff reexamined various sections of the LDC and the building codes in preparation for the February 23rd, 2022 regular meeting to determine what alternative solutions could be achieved.

Driveways & Sidewalk Permits:

Staff and the Town Attorney determined that the LDC could support the exemption of replacement driveway and sidewalk projects from the permitting process. However, new driveway and sidewalk and driveway extension projects would require a permit from the Town.

This would allow the Town to verify the grade of the new driveway or sidewalk, ensuring that they would not cause a negative impact to the property owner's neighbors and to the Town's public right-of-ways. This change is also reflected as an amended exemption of the ordinance being considered for approval for the 2018 International Code Council Codes.

Window Replacement:

A few Trustees expressed concern that it may be better for the Town to consider window permits only if the project was to enlarge the window; placing more responsibility to the property owner to ensure the project was completed properly. The fee schedule has been changed to reflect this suggestion by deleting window replacement from the building department flat rate fees. It was determined that if the window was smaller or a like-for-like window replacement that there would not be a permit required. However, a permit would be required for all window replacements that are larger than the original and/or doing extensive re-framing outside of the existing window framing. Window replacement building fees would be determined by the Building Fee Schedule 1A based on the valuation of the project provided by the applicant. Staff will begin educating homeowners and business owners of this change through the Town's website and newsletters.

Landscape Irrigation Systems & Swimming Pool Permits:

A few Trustees remained concerned about the rationale of requiring homeowners to do backflow prevention methods when installing above ground pools or landscape irrigation systems and requested that staff provide additional information at the February 23rd, 2022 meeting. Staff had further conversations with the Town's certified backflow specialist to acquire specific information as to why homeowners need to do surveys and/or permits for the installation of backflow devices for the use of landscaping irrigation systems and swimming pools. Although the State of Colorado does require a testable backflow device to be installed for the use of protecting water for various water uses, there is not an efficient enforcement strategy set in place by the State nor the Town for the residential backflow devices. Staff recognizes the Board's concern regarding potential low risk incidents throughout town and the inability of residents and staff to stay on top of each concern. Staff agrees with the Board's concern that requiring a backflow permit for above ground pools would not be sensible at this time. Staff is recommending a simpler approach of creating a media campaign to educate the homeowners on how they can protect the Town's water when using outdoor hoses. Information will be put together for upcoming newsletters, the Town's website, and potentially the back of the water and sewer bill. Construction of in ground pools require a permit, at which time the backflow device would be checked.

However, staff has concerns surrounding the installation of new landscape irrigation systems. The irrigation system may be contaminated with fertilizer, dirt, germs, and pesticides. If a backflow event were to occur, allowing water to flow back into through the supply line could contaminate home's water. Most new residential homes are required to install backflow devices prior to receiving a final inspection report from their plumbing inspector. Staff recommends that the installation of new landscaping irrigation systems require a permit from the Town to verify that new systems are following State standards. The permit would only be for the purpose of covering the cost of the Backflow Technician's time to inspect that a backflow device has been

installed. This fee does not include the installation or the test of the device. Homeowners would be required to contract as master plumber who is certified to install and test backflow systems.

FISCAL IMPACT:

Adopting this Resolution has a positive impact to the Town's 2022 Budget. The fees charged are designed to cover the cost of providing the service.

APPLICABILITY TO TOWN OBJECTIVES AND GOALS TO PROVIDE SERVICES:

Having a current fee schedule supports the Town's desire to be responsible stewards of the Town resources. Having a published current fee schedule also supports the Town's desire to remain transparent to the residents and surrounding community members.

OPTIONS AVAILABLE TO THE BOARD OF TRUSTEES:

- The Board of Trustees may approve the resolution staff has provided for their consideration.
- The Board of Trustees may table the Resolution and direct Staff to make changes for the Board's next meeting.

MOTION FOR APPROVAL:

I make the motion to adopt Resolution 03-2022 – A Resolution Ratifying and Adopting the Town of Wiggins Service Fees.

ACTION REQUIRED:

Motion, Second, Roll-Call, Vote.

(Resolutions require affirmative votes from the majority of Trustees present.)

**TOWN OF WIGGINS, COLORADO
RESOLUTION 03-2022**

**A RESOLUTION RATIFYING AND ADOPTING THE TOWN OF WIGGINS SERVICE
FEES**

WHEREAS, the Board of Trustees for the Town of Wiggins, Colorado recognizes the need for a uniform fee schedule; and

WHEREAS, the Board of Trustees has determined through inspection and review that some of the fees should be increased and adjusted to support use, staff implementation, and facility maintenance. The Board of Trustees has determined them to be fair, equitable, and necessary to the operation and success of Town function.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF WIGGINS, COLORADO, THAT:

Section 1. This Resolution applies only to fees included in the Fee Schedule; and voids previous occurrences, mention, or implementation specific to those by Resolution.

Section 2. The Town may offer a discount to local non-profit entities. Such discount requests must be approved by the Town Manager.

Section 3. The attached fee schedule (Exhibit A), is hereby adopted and approved in its entirety and shall be effective immediately upon approval of this Resolution. Notwithstanding the foregoing, the building permit/review/inspection fees shall not become effective until the final adoption and effectiveness of an ordinance adopting the 2018 editions of the International Building and Safety Codes. Until such time, the building permit/review/inspection fees dated November 30, 2021 shall remain in effect.

INTRODUCED, ADOPTED AND RESOLVED THIS 23rd DAY OF FEBRUARY, 2022.

TOWN OF WIGGINS, COLORADO

Jeffrey Palmer, Mayor

ATTEST:

Deborah Lee, Town Clerk



EXHIBIT A

TOWN OF WIGGINS FEE SCHEDULE

GENERAL FEES

Xerox Copies (Personal)	Per Page (B&W)	\$.10
	Per Page (Color)	\$.25
Printing from Computer	Per Page (B&W)	\$.10
	Per Page (Color)	\$.25
Faxed Copies/Certified Copies	Per Page	\$1.00
Maps 8.5 x 11		\$10.00
Maps 11 x 17		\$13.00
Maps 18 x 24	Mileage, \$15/hr. staff time, & \$5 per print	At cost
Maps 24 x 36	Mileage, \$15/hr. staff time, & \$5 per print	At cost
Maps 36 x 58	Mileage, \$15/hr. staff time, & \$5 per print	At cost
Postage/Mailing Fees	Actual cost applicable on mail requests	
Photographs	Plus, cost of copies	\$15.00
Video Thumb Drive/USB		\$15.00
Audio Thumb Drive/USB		\$15.00-\$66.00
Laminating		\$1.00
Public Records Request	First 1 hour free then fee per hour thereafter	\$30.00
	Charges may apply for copies, drives, fax, etc.	
Return Check Fee		\$25.00

ANIMAL LICENSE FEES

Dog/Cat/Pot Bellied Pigs	Annually	\$5.00
--------------------------	----------	--------

LICENSE FEES

Business License	Annually – Due every January	\$10.00
Contractor's License	Annually – Due every January	\$25.00
Mobile Food Vendor License		\$50.00
Retail Fireworks License		\$50.00

RECREATION FEES

Adult Summer Co-Ed Softball	Per Team	\$350.00
Youth Baseball – Spring League (Farm-Minor-Major-14U)	Per Player	\$45.00 / \$65.00 / \$65.00 / \$65.00
Youth Summer Baseball (Ages 3/4, 5/6, & 7/8)	Per Player	\$35.00 / \$45.00 / \$45.00
Youth Baseball – Summer League (Age 9/10 & 11/12)	Per Player	\$85.00 / \$85.00
Youth Softball – Summer League (Ages 9/10 & 11/12)	Per Player	\$85.00 / \$85.00
Youth Fall Volleyball – Grades K-2 (Wiggins Rec)	Per Player	\$25.00
Youth Soccer – Wiggins Rec	Per Player	\$35.00

LIQUOR LICENSE FEES

	Local Fee	State Fee
Art	\$41.25	\$308.75
Beer & Wine	\$48.75	\$351.25
Brew Pub	\$75.00	\$750.00
Club	\$41.25	\$308.75
Distillery Pub	\$75.00	\$750.00
Hotel & Restaurant	\$75.00	\$500.00
Hotel Restaurant with one Optional Premises	\$75.00	\$600.00
Each Additional OP License	Intentionally blank	\$100.00
Resort Complex	\$75.00	\$500.00
Campus Liquor Complex	\$75.00	\$500.00
Related Facility – Resort Complex	\$15.00	\$160.00
Related Facility – Campus Liquor Complex	\$15.00	\$160.00
Liquor-Licensed Drugstore	\$22.50	\$227.50
Lodging & Entertainment	\$75.00	\$500.00
Optional Premises	\$75.00	\$500.00
Racetrack	\$75.00	\$500.00
Retail Gaming Tavern	\$75.00	\$500.00
Retail Liquor Store	\$22.50	\$227.50
Tavern	\$75.00	\$500.00
Vintner's Restaurant	\$75.00	\$750.00
Fermented Malt Beverage On Premises	\$3.75	\$96.25
Fermented Malt Beverage Off Premises	\$3.75	\$96.25
Fermented Malt Beverage On/Off Premises	\$3.75	\$96.25

POLICE SERVICES/MUNICIPAL COURT

VIN Verification-Residents	Must pre-pay	\$15.00
VIN Verification-Non-Residents	Must pre-pay	\$25.00
Golf Cart/ATV Permits		\$25.00
Alarm Systems - False Alarms	After 3 false alarms/ per alarm	\$50.00
Court Fees		\$65.00
Deferred Judgment		\$55.00

NUISANCE / ABATEMENT FEES

String Trimming	\$35.00 / hour	Clean up Debris / Material	\$30.00/hour
Walk Behind Mower	\$40.00 / hour	Dump Truck Debris Hauling	\$75.00/per load & \$35/hr./staff
Riding Mower	\$65.00 / hour	Truck Debris Hauling	\$55.00/per load and \$35/hr./staff
Tractor Mower	\$85.00 / hour	Dumpster Rental	Actual Cost & \$35/hr./staff
Front End Loader	\$115.00 / hour		

WATER AND SEWER FEES

UTILITY FEES

Return Check Fee		\$25.00
Late Payment Fee	Pyemt not received by end of day, 5 th of ea. month	\$25.00
Disconnect/Reconnect Fee		\$50.00
Deposit - Water		\$89.00
Deposit - Sewer		\$26.00
RESIDENTIAL RATES		
Water Base Rate		\$69.50
Water Plus Usage	Per 1,000 gallons	\$3.20
Sewer Base Rate		\$30.00
COMMERCIAL METERED WATER		
Water Base Rate		\$69.50
Water Plus Usage	Per 1,000 gallons	\$3.20
Sewer Base Rate		\$30.00
Sewer Plus Usage	Per 1,000 gallons metered water usage	\$1.70
BULK WATER FEES/DEPOSITS		
Bulk Water Meter Deposit	Refundable	\$500.00
Bulk Water Monthly Fee	Non-Refundable	\$89.00
Bulk Water Deposit		Equal to 1 month's usage
Bulk Water Rate	Per 1,000 gallons	\$12.00

WATER INVESTMENT FEES (WATER TAP)

5/8"	\$ 20,000.00
3/4"	\$ 23,000.00
1"	\$ 30,440.00
1 1/2"	\$ 45,660.00
2"	\$ 76,100.00
3"	\$114,150.00
4"	\$167,420.00
6"	\$409,950.00

SEWER INVESTMENT FEES (SEWER TAP)

5/8"	\$ 8,000.00
3/4"	\$10,000.00
1"	\$14,000.00
1 1/2"	\$20,990.00
2"	\$34,110.00
3"	\$52,300.00
4"	\$83,680.00
6"	\$133,890.00

WATERING PERMIT (Watering outside of watering restrictions per Ordinance 03-2015)

For Landscaping/Sod Installation	\$35.00
----------------------------------	---------

BACKFLOW	FEE
Backflow Test	\$35.00
Backflow Clean & Repair	\$15.00
Landscape Irrigation Systems	\$35.00

BUILDING AND CONSTRUCTION FEES

- Valuation of projects will be based on provided valuation or calculated valuation based on the most current building valuation data table provided by the International Code Council or the square footage valuation table for residential construction Table 1C of this fee schedule.

Building Permit Fee Table 1A

New Construction/Remodels/Additions	Based on value of project
\$1.00 to \$500.00	\$25.00
\$501.00 to \$2,000.00	\$24 for the first \$500; plus \$3 for each additional \$100 or fraction thereof, up to and including \$2,000
\$2,001 - \$40,000	\$69 for the first \$2,000; plus \$11 for each additional \$1,000 or fraction thereof, up to and including \$40,000
\$40,001 - \$100,000	\$487 for the first \$40,000; plus \$9 for each additional \$1,000 or fraction thereof, up to and including \$100,000
\$100,001 - \$500,000	\$1,343.75 for the first \$100,000 plus \$9.10 for each additional \$1,000 or fraction thereof, up to and including \$500,000
\$500,001 - \$1,000,000	\$3,827 for the first \$500,000; plus \$5 for each additional \$1,000 or fraction thereof, up to and including \$1,000,000
\$1,000,001 to \$5,000,000	\$6,327 for the first \$1,000,000; plus \$3 for each additional \$1,000 or fraction thereof, up to and including \$5,000,000
\$5,000,001 and over	\$18,327 for the first \$5,000,000; plus \$1 for each additional \$1,000 or fraction thereof

OTHER INSPECTION AND PLAN REVIEW FEES:

Violation Fee (Work done without a permit) - 2 times the assessed fee	Residential plan review fees-65% of building permit fee* (Review of building code, Land Development Code, & Ordinance Compliance)
Pre-move house inspection fee (within Town limits)- \$300.00	Additional plan review required by changes, additions or revisions to plans- \$50.00 an hour
Re-Inspection Fee: \$50.00	Mobile/Modular/Manufactured/Temp Trailer- \$120.00 (for construction projects)
Water Meter Fee – At Cost	

*** Plan review fees shall be equal to sixty-five percent (65%) of the total permit fee for a permit to do the work proposed. When plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate which has been established.**

One Stop and Other Fees Table 1B

FLAT RATE PERMIT FEES (RESIDENTIAL ONLY)				
Furnace/AC Replacement	\$75.00		Demolition	\$50.00
Fence	\$50.00		Driveway (New)	\$50.00
Re-Roof	\$50.00			

Residential Square Footage Valuation Table 1C

TOWN SINGLE-FAMILY, DUPLEX DWELLING AND REMODEL/ADDITION CONSTRUCTION VALUE SCHEDULE	
Area	Value per Square Foot
Above Grade Floors	\$148.33
Foundation-Crawlspace	\$25.00
Foundation-Unfinished Area	\$50.00
Foundation + Basement Finished Area	\$90.00
Basement Finish	\$40.00
Garage	\$59.88
Covered Porch	\$40.00
Covered Patio	\$40.00
Deck	\$25.00

Misc. Other Fees Table 1D

MISCELLANEOUS BUILDING OFFICIAL FEES	
Inspections outside of normal business hours. (Monday to Friday 8:00 am to 5:00 pm)	\$100.00 per hour *
For use of outside consultants for plan checking and inspections, or both	Actual costs **
<p>*This cost shall include supervision, overhead, equipment, and hourly wages. **Actual costs include administrative and overhead costs.</p>	

Land Development Fees Table 1E

Variance Application: Residential Non-Residential	\$250.00 \$500.00	Appeal from the Board of Adjustments to the Board of Trustees	\$ 250.00
Boundary Line Adjustment Application	\$350.00	Appeal of Administrative Decision to the Board of Trustees	\$250.00
Special Review Use Application	\$250.00		
Conditional Use Review	\$250.00	Site Specific- (Commercial Infill):	\$3,500.00
Annexation: Disconnection:	\$3500.00 \$500.00	Construction Inspection – (Major Utilities)	\$500.00
Property Rezoning	\$3,500.00	Grading Permit	\$500.00
Sketch Plan Review	\$1,000.00		
Site Development Plan	\$500.00		
Amendment to Site Development Plan	\$250.00		
Minor Subdivision	\$2,500.00	Vacation of Easement/Right-of- Way	\$1,000.00
Preliminary Development Plan	\$3,500.00	Preliminary Plat	\$3,500.00
Final Development Plat/Plan, or amendments (Residential)	\$3,000.00	Final Development Plan/Plat, or amendments (Commercial)	\$4,000.00

FAIR CONTRIBUTIONS FOR PUBLIC SCHOOL SITES

	Single Family Detached	Single Family Attached, Duplex, Triplex, Four-plex, Condo, Townhouse	Apartment
Site Dedication Acreage / Unit	0.0272	0.0136	0.00068
Fee-in-Lieu Per Unit	\$1,088.59	\$544.29	\$272.15

USE TAX – 3% of material cost: Applicable sales/use tax on anticipated material cost is collected with building permit fees. Material cost is calculated as 50% of the project valuation as determined using the building valuation tables

Building permit fees for most projects are based on valuation of the project. Valuation for residential projects involving new floor area is calculated using the gross floor area and the applicable square foot construction cost based on occupancy/use and construction type as indicated in Table 1C of this fee schedule. The fees are then determined utilizing the table 1A. Valuation provided by the applicant is utilized for commercial projects unless determined to be a gross underestimate. Copies of contract documents may be required to verify project valuation.

For projects that do not involve new floor area (Flat rate fee projects), the valuation submitted on the application is utilized unless determined to be a gross underestimate. Copies of contract documents may be required to verify project valuation.

1. The permit fee for factory-built housing units that are set on a permanent foundation (HUD or UBC approved) shall be determined by the cost of materials for the foundation or basement requirements, other on-site improvements, and electrical, plumbing and mechanical work, using the Construction Fees table from the Building Department Fee Schedule.
2. The Town Building Department will not perform real estate inspections.
3. The Town Building Department will not locate property lines. It is the responsibility of the property owner to know where they are.
4. Any person, firm or corporation who violates any provision of the Building Code or any other construction code of the Town shall be subject to the penalties found in the Wiggins Land Development Code or set forth in the adopted Building Codes.

ELECTRIAL & PLUMBING PERMITS AND THEIR INSPECTIONS MUST BE OBTAINED THROUGH DORA

RIGHT-OF-WAY FEES

RIGHT-OF-WAY FEES			
Standard Fee	Admin, review and inspection	50.00	
Annual Permit	Admin, review, and inspection (Example – surveying, tree trimming, etc.)	100.00	
Road Bore	Road bore w/ bore pit(s) located in R.O.W. Road bore w/ bore pit(s) located outside R.O.W.	50.00 per location \$25.00 per location	
Work w/in a hard surface Roadway	Trench w/ structural fill or flowable fill Test Hole / Pot Hole	\$1.00 SF \$20.00 Each	Minimum \$25.00
Work within a Gravel Roadway	Trench w/Structural fill or Flowable fill Test Hole / Pot Hole	\$0.50 SF \$10.00 Each	Minimum \$20.00
Work in R.O.W. Outside of Roadway	Trenching / Plow or cable puller Test Hole / Pot Hole	\$20.00 Each \$10.00 Each	Minimum \$15.00
New Appurtenance (meters, vaults, poles, etc.)	3 sq/ft or less (new construction exempt from fee with paid investment fee) Greater than 3 sq/ft	\$25.00 Each \$50.00 Each	
Abandonment	Abandoning / retiring line in R.O.W.	\$25.00 Each	
Working Prior to Permit Approval	Emergency Repairs Excluded	Subtotal x 2	
Inspection Outside Normal Work Hours	*As determined by Town Manager (\$50.00 Minimum)	\$50.00 / hr.	

CONCRETE IMPROVEMENTS - New	FEE	MINIMUM
Sidewalk, Trail, Bike Path, Drive Approach	\$0.50 / LF	\$50.00
Combination Curb, Gutter, Sidewalk	\$0.75 / LF	\$50.00
Sidewalk Chase Drains	\$50.00 EA	\$0.00
ADA Access Ramps	\$100.00 EA	\$0.00
Street Cut	\$250.00	\$0.00
Access Permit (Driveway & Curb Cuts)	\$250.00	\$0.00



STAFF SUMMARY

Board of Trustees Meeting February 23, 2022

DATE: February 14, 2022

AGENDA ITEM NUMBER: 7

TOPIC: Consideration of Resolution 07-2022 - A Resolution Approving the Colorado Regional Opioid Intergovernmental Agreement and Other Documents Necessary for the Town's Participation in the Opioid Response Region 4 Council.

STAFF MEMBER RESPONSIBLE: Tom Acre, Town Manager

BACKGROUND:

The Colorado Opioids Settlement (MOU) was discussed at the October 13, 2021 Work Session. A resolution was approved at the October 27, 2021 Board Meeting authorizing the Town Manager to act on behalf of the Town in regard to the Colorado Opioids Settlement MOU.

Colorado Attorney General Phillip Weiser signed the Colorado Opioids Settlement Memorandum of Understanding (MOU) on August 26, 2021. Funds from the settlement will be distributed over a period of years. Colorado's share of the settlement is \$400 million of the \$22.8 billion nationwide settlement. Details on the Colorado Opioids Settlement and the approved purposes the settlement funds may be used for are contained in the attached Colorado Opioids Settlement.

The Colorado Opioids Settlement MOU among other things outlines the distribution of the Opioids Funds as follows:

- 10% directly to the State (State Share).
- 20% directly to Participating Local Governments (LG Share).
- 60% directly to Regions (Regional Share).
- 10% to specific abatement infrastructure projects (Statewide Infrastructure Share).

Section F. of the Colorado Opioids Settlement MOU identifies the composition and organization of the Regions, participation in the Regions and allocation of the Regional Share funds. Local Governments are to organize into Regions. Each Region is required to form a Regional Council. Wiggins is identified as able to participate in Region 4. Region 4 is composed of the following Counties: Cheyenne, Elbert, Kit Carson, Lincoln, Logan, Morgan, Phillips, Sedgewick, Washington and Yuma, and the municipalities located in those counties. The Colorado Municipal League (CML) and Colorado Counties Incorporated (CCI) have been coordinating on the implementation of the Opioids Settlement MOU.

SUMMARY:

Staff recently was invited to and participated in a meeting recently of the Opioid Response Region 4 Council meeting held remotely. The Region 4 Council has been meeting since mid-October 2021 and largely had participation from the Counties and Sheriff Offices. The meeting I participated in recently was the first meeting I am aware of which they invited municipal staff representation.

At the meeting on January 24, 2022 the desire to have municipal participation was discussed and the request that the attached Intergovernmental Agreement (IGA) be signed by the end of the February. The IGA references the Colorado Opioids Settlement MOU including as it pertains to the membership, governance and duties of the Regional Council. I agreed to talk to my counterparts in Brush and Fort Morgan regarding this topic.

At the February 9, 2022 Work Session, staff presented the draft IGA and discussed the Town of Wiggins participation in the Opioid Response Region 4 Council through execution of the IGA. The Board of Trustees directed staff to bring this topic forward for consideration.

FISCAL IMPACT:

Participation in the Opioid Region 4 Council does not impact the Town's budget immediately. In the future the budget may be impacted positively by providing funding for opioid related programs.

APPLICABILITY TO TOWN OBJECTIVES AND GOALS TO PROVIDE SERVICES:

This action supports the Town's desire to provide the appropriate education and drug prevention programs for citizens that may need them. It also supports the desire to maintain a safe community in which to live.

MOTION FOR APPROVAL: I make a motion to adopt Resolution No. 07-2022 - A Resolution Approving the Colorado Regional Opioid Intergovernmental Agreement and Other Documents Necessary for the Town's Participation in the Opioid Response Region 4 Council.

ACTION REQUESTED:

MOTION, SECOND, ROLL-CALL VOTE

(Resolutions require affirmative votes from the majority of Trustees present)

**TOWN OF WIGGINS, COLORADO
RESOLUTION NO. 07-2022**

**A RESOLUTION APPROVING THE COLORADO REGIONAL OPIOID COUNCIL
INTERGOVERNMENTAL AGREEMENT AND OTHER DOCUMENTS
NECESSARY FOR THE TOWN'S PARTICIPATION IN THE OPIOID RESPONSE
REGION 4 COUNCIL**

WHEREAS, the Town of Wiggins executed the Colorado Opioids Settlement Memorandum of Understanding (Colorado MOU) in October 2021 and desires to participate in the Opioid Response Region 4 Council; and

WHEREAS, the Colorado MOU calls for Participating Local Governments such as the Town of Wiggins to organize into Regions; and

WHEREAS, the Town of Wiggins pursuant to Exhibit C of the Colorado MOU, is located in Region 4;

WHEREAS, there shall be a 60% direct allocation of Opioid Funds to Regions through a Regional Share; and

WHEREAS, in order to receive benefit from the distribution of Opioid Funds to Region 4, participation in the Opioid Response Region 4 Council through execution of the IGA is required; and

WHEREAS, the Board of Trustees for the Town of Wiggins believes it to be in the best interest of the Town to approve the IGA and participate in the Opioid Response Region 4 Council; and

WHEREAS, the Town Board of Trustees encourages local governments throughout Region 4 to approve the IGA,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF WIGGINS, COLORADO:

SECTION 1. The Colorado Regional Opioid Agreement ("IGA") is hereby approved in essentially the same form as the copy of such IGA accompanying this Resolution.

SECTION 2. The IGA ensures that the Town may receive Opioid Funds from the Regional Share and can choose to actively participate in the Regional Council.

SECTION 3. The Town Manager is authorized to execute the IGA on behalf of the Town, and the Town Manager is hereby further granted authority to negotiate and approve such revisions to

said IGA as the Town Manager determines are necessary or desirable for the protection of the Town, so long as the essential terms of such document are not altered.

INTRODUCED, ADOPTED AND RESOLVED THIS 23rd DAY OF FEBRUARY, 2022.

TOWN OF WIGGINS, COLORADO

Jeffrey Palmer, Mayor

ATTEST:

Deborah Lee, Town Clerk

COLORADO REGIONAL OPIOID
INTERGOVERNMENTAL AGREEMENT

THIS COLORADO REGIONAL OPIOID INTERGOVERNMENTAL AGREEMENT (the “IGA”) is made between the Counties of Cheyenne, Elbert, Kit Carson, Lincoln, Logan, Morgan, Phillips, Sedgewick, Washington and Yuma; the Cities of Sterling, _____; and the Towns of Otis, Wiggins, _____, Colorado _____, each a Participating Local Government, as defined in the Colorado MOU, in Region 4, individually reference herein as a “Party” and collectively the “Parties.”

RECITALS

WHEREAS, the State of Colorado and Participating Local Governments executed the Colorado Opioids Summary Memorandum of Understanding on August 26, 2021 (the “Colorado MOU”), establishing the manner in which Opioid Funds shall be divided and distributed within the State of Colorado;

WHEREAS, this IGA assumes and incorporates the definitions and provisions contained in the Colorado MOU, and shall be construed in conformity with the Colorado MOU;

WHEREAS, all Opioid Funds, regardless of allocation, shall be used for Approved Purposes;

WHEREAS, pursuant to the Colorado MOU and as further depicted in **Exhibit E** thereto, Participating Local Governments shall organize themselves into Regions;

WHEREAS, Regions may consist of Single-County Regions, Multi-County Regions, or Single County-Single City Regions (Denver and Broomfield);

WHEREAS, the Parties to this IGA, pursuant to **Exhibit C** of the Colorado MOU, are all located in Region 4;

WHEREAS, there shall be a 60% direct allocation of Opioid Funds to Regions through a Regional Share;

WHEREAS, each Region shall be eligible to receive a Regional Share according to **Exhibit C** to the Colorado MOU;

WHEREAS, the Colorado MOU establishes the procedures by which each Region shall be entitled to Opioid Funds from the Abatement Council and administer its Regional Share allocation;

WHEREAS, the procedures established by the Colorado MOU include a requirement that each Region shall create its own Regional Council;

WHEREAS, all aspects of the creation, administration, and operation of the Regional Council shall proceed in accordance with the provisions of the Colorado MOU;

WHEREAS, each such Regional Council shall designate a fiscal agent from a county or municipal government within that Region;

WHEREAS, each such Regional Council shall submit a two-year plan to the Abatement Council that identifies the Approved Purposes for which the requested funds will be used, and the Regional Council's fiscal agent shall provide data and a certification to the Abatement Council regarding compliance with its two-year plan on an annual basis;

WHEREAS, this IGA pertains to the procedures for the Parties to establish a Regional Council, designate a fiscal agent, and request and administer Opioid Funds in a manner consistent with the Colorado MOU;

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties incorporate the recitals set forth above and agree as follows:

1. **DEFINITIONS.** The defined terms used in this IGA shall have the same meanings as in the Colorado MOU. Capitalized terms used herein and not otherwise defined within the IGA or in the Colorado MOU shall have the meanings ascribed to them in the body of the IGA.
2. **OBLIGATIONS OF THE PARTIES.** The Parties shall perform their respective obligations as set forth in this IGA, the Colorado MOU and the accompanying exhibits to the Colorado MOU and incorporated herein by reference. Unless the context clearly requires a distinction between this IGA and the Colorado MOU, all references to "IGA" shall include the Colorado MOU.
3. **REGIONAL COUNCIL.**
 - 3.1. **Purpose and Name:** In accordance with the Colorado MOU, a Regional Council, consisting of representatives appointed by the Participating Local Governments as described below in this IGA, shall be created to oversee the procedures by which Region 4 may request Opioid Funds from the Abatement Council and the procedures by which the allocation of the Region's Share of Opioid Funds are administered. The Council shall be called the Region 4 Regional Council.
 - 3.2. **Membership:** The Region 4 Regional Council shall consist of the following:

a. **Voting Members.** There shall be eleven (11) Voting Members, appointed by the various Parties as set forth below. No single county or city should dominate the make-up of the Regional Council. It is the intent of the Parties, and the Parties agree to collaborate to the extent feasible to provide that there be balanced representation throughout the Region. To that end, the county, municipal and law enforcement Parties shall communicate about their Voting Member choices and endeavor to have municipal and law enforcement Voting Members from counties that do not have a county appointed Voting Member. Notwithstanding this provision however, other criteria for appointments may be utilized that the Parties agree is in the interests of the Region, and a potential Voting Member shall not be disqualified solely because there is another Voting Member from that individual's home county. Voting Members shall be selected as follows:

- (i) The county Parties in Region 4 shall collaborate to appoint five (5) county commissioner Voting Members, two (2) from the northern part of Region 4, two (2) from the southern part of Region 4, and one (1) at large.
- (ii) The municipal parties in Region 4, shall collaborate within the Districts of the Colorado Municipal League ("CML") that overlap with Region 4 to appoint (4) municipal Voting Members, two (2) from the northern part of Region 4, and two (2) from the southern part of Region 4.
- (iii) The Region 4 law enforcement organizations (comprising of Sheriffs and Chiefs of Police from organizations that are Parties to this IGA) shall collaborate to appoint two (2) law enforcement Voting Members, one (1) from the northern part of Region 4, and one (1) from the southern part of Region 4.
- (iv) For the purposes of this IGA, the northern part of Region 4 shall be considered to comprise Sedgwick, Phillips, Yuma, Washington, Logan, and Morgan Counties. The southern part of Region 4 shall be considered to comprise Cheyenne, Lincoln, Kit Carson, and Elbert Counties.

b. **Non-Voting Advisory Members.** Non-voting members shall serve in an advisory capacity. Any Non-Voting Members shall be appointed by the Parties and comprised of the following, not to include providers who may be recipients of funds:

- (i) Two (2) representatives from behavioral/mental health providers within Region 4.
- (ii) Two (2) representatives from local public health care organizations within Region 4.

(iii) Two (2) representatives from social services organizations within Region 4.

- c. **Chair:** The Voting Members shall appoint one member to serve as Chair of the Regional Council. The Chair's primary responsibilities shall be to schedule periodic meetings and votes of the Regional Council as needed and to serve as the point of contact for disputes within the Region. The Chair must be either a Member from a county within Region 4, or a Member from a municipality within Region 4.
- d. **Non-Participation:** A Local Government that chooses not to become a Participating Local Government in the Colorado MOU shall not receive any Opioid Funds from the Regional Share or participate in the Regional Council.
- e. **Terms:** The Regional Council shall be established no later than ninety (90) days after the first Settlement being entered by a court of competent jurisdiction. After execution of this IGA by all Parties, the Parties shall appoint the eleven (11) Voting Members, in accordance with the provisions of Section 3.2(a). Voting Members shall serve two-year terms. Following the expiration of each two-year term, the Parties, working in concert, shall reappoint that Voting Member, or appoint a new Voting Member in accordance with Section 3.2(a).
 - (i) If a Voting Member resigns or is otherwise removed from the Regional Council prior to the expiration of their term, a replacement Voting Member shall be appointed within sixty (60) days in accordance with Section 3.2(a) to serve the remainder of the term. At the end of his or her term, the individual serving as that replacement Voting Member may be reappointed by the Parties to serve a full term consistent with this Section.
 - (ii) The purpose of the two-year term is to allow the Parties an increased opportunity to serve on the Regional Council. However, Regional Council members who have already served on the Regional Council may be appointed more than once and may serve consecutive terms if appointed to do so by the Voting Members.

3.3. Duties: The Regional Council is primarily responsible for engaging with the Abatement Council on behalf of Region 4, and following the procedures outlined in the Colorado MOU for requesting Opioid Funds from the Regional Share, which shall include developing 2-year plans, amending those plans as appropriate, and providing the Abatement Council with data through its fiscal agent regarding Opioid Fund expenditures. Upon request from the Abatement Council, the Regional Council may also be subject to an accounting from the Abatement Council.

3.4. Governance: The Regional Council shall establish its own procedures through adoption of bylaws. Any governing documents must be consistent with the other provisions in this section and the Colorado MOU.

3.5. Authority: The terms of the Colorado MOU control the authority of the Regional Council and the Regional Council shall not stray outside the bounds of the authority and power vested by the Colorado MOU. The Regional Council may seek guidance from the legal counsel of the county or municipal government of the Regional Council's fiscal agent at the time the issue arises, or may, in its discretion seek such guidance from a county or municipal attorney from one of its Member jurisdictions; provided however that only one person shall serve as general legal counsel to the Regional Council at a time.

3.6. Collaboration: The Regional Council shall facilitate collaboration between the Colorado Attorney's General's Office, Participating Local Governments within Region 4, the Abatement Council, and other stakeholders within Region 4 for the purposes of sharing data, outcomes, strategies, and other relevant information related to abating the opioid crisis in Colorado.

3.7. Transparency: The Regional Council shall operate with all reasonable transparency and abide by all Colorado laws relating to open records and meetings. To the extent the Abatement Council requests outcome-related data from the Regional Council, the Regional Council shall provide such data in an effort to determine best methods for abating the opioid crisis in Colorado.

3.8. Conflicts of Interest: Voting Members shall abide by their jurisdiction's local conflict-of-interest rules, or, if no such conflict-of-interest rules exist, by those rules applicable to local government officials under state law.

3.9. Ethics Laws: Voting Members shall abide by their local ethics laws or, if no such ethics laws exist, by applicable state ethics laws.

3.10. Decision Making: The Regional Council shall seek to make all decisions by consensus. In the event consensus cannot be achieved, the Regional Council shall make decisions by a majority vote of its Members.

4. REGIONAL FISCAL AGENT

4.1. Purpose: According to the Colorado MOU, all Regional Councils must designate a fiscal agent for the Region prior to a Region receiving any Opioid funds from the Regional Share. All funds from the Regional Share shall be distributed to each Regional Council's fiscal agent for the benefit of the entire Region.

4.2. Designation: Region 4 shall nominate and designate a fiscal agent for the Region by majority vote. The regional fiscal agent must be a board of county commissioners or a city or town council or executive department, such as a department of finance.

4.3. Term: The Regional fiscal agent shall be appointed by Region 4 on an annual basis. The Region 4 fiscal agent may serve as long as the Regional Council determines is appropriate, including the length of any Settlement that contemplates the distribution of Opioid Funds within Colorado.

4.4. Duties: The Region 4 fiscal agent shall receive, deposit, and make available Opioid Funds distributed from the Abatement Council and provide expenditure reporting data to the Abatement Council on an annual basis. In addition, the Region 4 fiscal agent shall perform certain recordkeeping duties outlined below.

- a. **Opioid Funds:** The Region 4 fiscal agent shall receive all Opioid Funds as distributed by the Abatement Council. Upon receipt, the Region 4 fiscal agent shall deposit the Opioid Funds in a Colorado-specific QSF Account that is dedicated to Region 4. Upon direction by the Regional Council, the Region 4 fiscal agent shall make any such Opioid Funds available to the Regional Council.
- b. **Reporting:** On an annual basis, as determined by the Abatement Council, the Region 4 fiscal agent shall provide to the Abatement Council the Regional Council's expenditure data from its allocation of the Regional Share and certify to the Abatement Council that the Region 4 Council's expenditures were for Approved Purposes and complied with its 2-year plan.
- c. **Recordkeeping:** The Region 4 fiscal agent shall maintain necessary records with regard the Regional Council's meetings, decisions, plans, and expenditure data.

4.5. Authority: The Region 4 fiscal agent shall serve at the direction of the Region 4 Council and in service to the entire Region. The terms of the Colorado MOU control the authority of the Regional Council, and by extension, the Region 4 fiscal agent. The Region 4 fiscal agent shall not stray outside the bounds of the authority and power vested by the Colorado MOU.

5. REGIONAL TWO-YEAR PLAN

5.1. Purpose: According to the Colorado MOU, as part of a Regional Council's request to the Abatement Council for Opioid Funds from its Regional Share, the Regional Council must submit a 2-year plan identifying the Approved Purposes for which the requested funds will be used.

5.2 Development of 2-Year Plan: In developing a 2-year plan, Region 4 shall solicit recommendations and information from all Parties and other stakeholders within Region 4 for the purposes of sharing data, outcomes, strategies, and other relevant information related to abating the opioid crisis in Colorado. At its discretion, Region 4 may seek assistance from the Abatement Council for purposes of developing a 2-year plan.

5.3 Amendment: At any point, Region 4's 2-year plan may be amended so long as such amendments comply with the terms of the Colorado MOU and any Settlement.

- 6. DISPUTES WITHIN REGION.** In the event that any Party disagrees with a decision of the Regional Council, or there is a dispute regarding the appointment of Voting or Non-Voting Members to the Regional Council, that Party shall inform the Chair of its dispute at the earliest possible opportunity. In Response, the Regional Council shall gather any information necessary to resolve the dispute. Within fourteen (14) days of the Party informing the Chair of its dispute, the Regional Council shall issue a decision with respect to the dispute. In reaching its decision, the Regional Council may hold a vote of Voting Members, with the Chair serving as the tiebreaker. Alternatively, the Regional Council may devise its own dispute resolution process. However, in any disputes regarding the appointment of a Voting Member, that Voting Member shall be recused from voting on the dispute. The decision of the Regional Council is a final decision.
- 7. DISPUTES WITH ABATEMENT COUNCIL.** If the Regional Council disputes the amount of Opioid Funds it receives from its allocation of the Regional Share, the Regional Council shall alert the Abatement Council within sixty (60) days of discovering the information underlying the dispute. However, the failure to alert the Abatement Council within this time frame shall not constitute a waiver of the Regional Council's right to seek recoupment of any deficiency in its Regional Share.
- 8. RECORDKEEPING.** The Region 4 fiscal agent shall be responsible for maintaining records consistent with the Agreement.
- 9. AUTHORIZED REPRESENTATIVES.** Each Party's representative designated below shall be the point of contact to coordinate the obligations as provided herein. The Parties designate their authorized representatives under this Agreement as follows:

 - 9.1.** _____ designates _____ or his/her designee(s).
 - 9.2.** _____ designates _____ or his/her designee(s).
 - 9.3.** _____ designates _____ or his/her designee(s).
 - 9.4.** _____ designates _____ or his/her designee(s).
 - 9.5.** _____ designates _____ or his/her designee(s).
 - 9.6.** _____ designates _____ or his/her designee(s).
 - 9.7.** _____ designates _____ or his/her designee(s).
 - 9.8.** _____ designates _____ or his/her designee(s).
 - 9.9.** _____ designates _____ or his/her designee(s).
 - 9.10.** _____ designates _____ or his/her designee(s).
 - 9.11.** _____ designates _____ or his/her designee(s).
- 10. OBLIGATIONS OF THE PARTIES.** The Parties shall perform their respective obligations as set forth in the Agreement, the Colorado MOU and the accompanying exhibits to the Colorado MOU and incorporated herein by reference.

- 11. TERM.** The Agreement will commence on _____, 2022, and shall expire on the date the last action is taken by Region 4, consistent with the terms of the Colorado MOU and any Settlement. (the “Term”).
- 12. INFORMATIONAL OBLIGATIONS.** Each Party hereto will meet its obligations as set forth in § 29-1-205, C.R.S., as amended, to include information about this Agreement in a filing with the Colorado Division of Local Government; however, failure to do so shall in no way affect the validity of this Agreement or any remedies available to the Parties hereunder.
- 13. CONFIDENTIALITY.** The Parties, for themselves, their agents, employees and representatives, agree that they will not divulge any confidential or proprietary information they receive from another Party or otherwise have access to, except as may be required by law. Nothing in this Agreement shall in any way limit the ability of the Parties to comply with any laws or legal process concerning disclosures by public entities. The Parties understand that all materials exchanged under this Agreement, including confidential information or proprietary information, may be subject to the Colorado Open Records Act., § 24-72-201, *et seq.*, C.R.S., (the “Act”). In the event of a request to a Party for disclosure of confidential materials, the Party shall advise the Parties of such request as soon as possible, but in no event longer than two (2) business days, in order to give the Parties the opportunity to object to the disclosure of any of its materials which it marked as, or otherwise asserts is, proprietary or confidential. If a Party objects to disclosure of any of its material, the Party shall identify the legal basis under the Act for any right to withhold. In the event of any action or the filing of a lawsuit to compel disclosure, the Party agrees to intervene in such action or lawsuit to protect and assert its claims of privilege against disclosure of such material or waive the same. If the matter is not resolved, the Parties may tender all material to the court for judicial determination of the issue of disclosure.
- 14. GOVERNING LAW; VENUE.** This Agreement shall be governed by the laws of the State of Colorado. Venue for any legal action relating to the Agreement will be in the applicable District Court of the State of Colorado for the county of Region 4’s fiscal agent.
- 15. TERMINATION.** The Parties enter into this Agreement to serve the public interest. If this Agreement ceases to further the public interest, a Party, in its discretion, may terminate their participation in the Agreement, in whole or in part, upon written notice to the Parties. Each Party also has the right to terminate the Agreement with cause upon written notice effective immediately, and without cause upon thirty (30) days prior written notice to the Parties.
- 16. NOTICES.** “Key Notices” under this Agreement are notices regarding default, disputes, or termination of the Agreement. Key Notices shall be given in writing and shall be deemed received if given by confirmed electronic transmission that creates a record that may be retained, retrieved and reviewed by a recipient thereof, and that may be directly reproduced in paper form by such a recipient through an automated process, but specifically excluding facsimile transmissions and texts; certified mail, return receipt requested, postage prepaid, three business days after being deposited in the United States mail; or overnight carrier service or personal delivery, when received. For Key Notices, the Parties will follow up any electronic transmission with a hard copy of the communication by the means described above. All other

communications or notices between the Parties that are not Key Notices may be done via electronic transmission. The Parties agree that any notice or communication transmitted by electronic transmission shall be treated in all manner and respects as an original written document; any such notice or communication shall be considered to have the same binding and legal effect as an original document. All Key Notices shall include a reference to the Agreement, and Key Notices shall be given to the Parties at the following addresses:

17. GENERAL TERMS AND CONDITIONS

17.1. Independent Entities. The Parties enter into this Agreement as separate, independent governmental entities and shall maintain such status throughout.

17.2. Assignment. This Agreement shall not be assigned by any Party without the prior written consent of all Parties. Any assignment or subcontracting without such consent will be ineffective and void and will be cause for termination of this Agreement.

17.3. Integration and Amendment. This Agreement represents the entire agreement between the Parties and terminates any oral or collateral agreement or understandings. This Agreement may be amended only by a writing signed by the Parties. If any provision of this Agreement is held invalid or unenforceable, no other provision shall be affected by such holding, and the remaining provision of this Agreement shall continue in full force and effect.

17.4. No Construction Against Drafting Party. The Parties and their respective counsel have had the opportunity to review the Agreement, and the Agreement will not be construed against any Party merely because any provisions of the Agreement were prepared by a particular Party.

17.5. Captions and References. The captions and headings in this Agreement are for convenience of reference only and shall not be used to interpret, define, or limit its provisions. All references in this Agreement to sections (whether spelled out or using the § symbol), subsections, exhibits or other attachments, are references to sections, subsections, exhibits or other attachments contained herein or incorporated as a part hereof, unless otherwise noted.

17.6. Statutes, Regulations, and Other Authority. Any reference in this Agreement to a statute, regulation, policy or other authority shall be interpreted to refer to such authority then current, as may have been changed or amended since the execution of this Agreement.

17.7. Conflict of Interest. No Party shall knowingly perform any act that would conflict in any manner with said Party's obligations hereunder. Each Party certifies that it is not engaged in any current project or business transaction, directly or indirectly, nor has it any interest, direct or indirect, with any person or business that might result in a conflict of interest in the performance of its obligations hereunder. No elected or employed member

of any Party shall be paid or receive, directly or indirectly, any share or part of this Agreement or any benefit that may arise therefrom.

17.8. Inurement. The rights and obligations of the Parties to the Agreement inure to the benefit of and shall be binding upon the Parties and their respective successors and assigns, provided assignments are consented to in accordance with the terms of the Agreement.

17.9. Survival. Notwithstanding anything to the contrary, the Parties understand and agree that all terms and conditions of this Agreement and any exhibits that require continued performance or compliance beyond the termination or expiration of this Agreement shall survive such termination or expiration and shall be enforceable against a Party if such Party fails to perform or comply with such term or condition.

17.10. Waiver of Rights and Remedies. This Agreement or any of its provisions may not be waived except in writing by a Party's authorized representative. The failure of a Party to enforce any right arising under this Agreement on one or more occasions will not operate as a waiver of that or any other right on that or any other occasion.

17.11. No Third-Party Beneficiaries. Enforcement of the terms of the Agreement and all rights of action relating to enforcement are strictly reserved to the Parties. Nothing contained in the Agreement gives or allows any claim or right of action to any third person or entity. Any person or entity other than the Parties receiving services or benefits pursuant to the Agreement is an incidental beneficiary only.

17.12. Records Retention. The Parties shall maintain all records, including working papers, notes, and financial records in accordance with their applicable record retention schedules and policies. Copies of such records shall be furnished to the Parties request.

17.13. Execution by Counterparts; Electronic Signatures and Records. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. The Parties approve the use of electronic signatures for execution of this Agreement. All use of electronic signatures shall be governed by the Uniform Electronic Transactions Act, C.R.S. §§ 24-71.3-101, *et seq.* The Parties agree not to deny the legal effect or enforceability of the Agreement solely because it is in electronic form or because an electronic record was used in its formation. The Parties agree not to object to the admissibility of the Agreement in the form of an electronic record, or a paper copy of an electronic document, or a paper copy of a document bearing an electronic signature, on the ground that it is an electronic record or electronic signature or that it is not in its original form or is not an original.

17.14. Authority to Execute. Each Party represents that all procedures necessary to authorize such Party's execution of this Agreement have been performed and that the person signing for such Party has been authorized to execute the Agreement.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

Signature blocks to be added for each entity

TOWN OF WIGGINS, MORGAN COUNTY, a
political subdivision of the State of Colorado

By Tom Acre, Town Manager

304 CENTRAL AVENUE

WIGGINS, COLORADO 80654

ATTEST:

By Deborah Lee, Town Clerk



STAFF SUMMARY

Board of Trustees Meeting February 23rd, 2022

DATE: February 8, 2022

AGENDA ITEM NUMBER: 8

TOPIC: Consideration of Ordinance No. 03-2022 – An Ordinance Adopting a Municipal Court Fine and Fee Schedule for Ordinance Violations

STAFF MEMBER RESPONSIBLE: Doug Erickson, Wiggins Police Department

BACKGROUND:

In January of each calendar year the Municipal Court Judge issues a new and updated "*Order Establishing and Continuing Violations Bureau and Establishing a Schedule of Fine and Establishing a Common Bond Amount*".

The fines and fees set forth in this order dictate what the Wiggins Police Department is able to assess for violations that occur within the Town of Wiggins Town limits.

SUMMARY:

On February 24th, 2021 the Wiggins Board of Trustees approved the Wiggins Municipal Court fine and fee schedule.

On January 21st, 2022 Wiggins Municipal Court Judge Kimberly Emil signed into effect a new and updated *Order Establishing and Continuing Violations Bureau and Establishing a Schedule of Fine and Establishing a Common Bond Amount*".

With the issuance of this new order, the Wiggins Municipal Court fine and fee schedule will require an update to reflect the additions made to the fine and fee schedule.

Attached you will find the 2022 version of the Wiggins Municipal Court Fine and Fee schedule.

FISCAL IMPACT:

There is no direct impact to the adopted 2022 Budget as there are no costs or fees associated with the adoption of the Wiggins Municipal Court Fine and Fee Schedule. Collection of fines and fees may have a positive impact in the future.

APPLICABILITY TO TOWN OBJECTIVES AND GOALS TO PROVIDE SERVICES:

The Wiggins Colorado Police Department serves the citizens of the Town of Wiggins and in order to do that successfully they need to have the latest and most up to date information available to them.

OPTIONS AVAILABLE TO THE BOARD OF TRUSTEES:

The Board of Trustees could approve the resolution as presented, request additional amendments, or not approve this ordinance.

MOTION FOR APPROVAL:

I make a motion to approve the first reading of Ordinance No.03-2022 – An Ordinance Adopting a Municipal Court Fine and Fee Schedule for Ordinance Violations.

ACTION REQUESTED:

MOTION, SECOND, ROLL-CALL, VOTE.

(Ordinances require affirmative votes from the majority of Trustees present)

**TOWN OF WIGGINS, COLORADO
ORDINANCE NO. 03-2022**

**AN ORDINANCE ADOPTING A MUNICIPAL COURT FINE AND FEE SCHEDULE
FOR ORDINANCE VIOLATIONS**

WHEREAS, the Board of Trustees is authorized pursuant to State law, including but not limited to C.R.S. § 13-10-113, to establish fines applicable to municipal ordinance violations; and

WHEREAS, the commission of ordinance violations in the Town of Wiggins is hazardous to the health, safety, and welfare of the public; and

WHEREAS, fines for violations of the ordinances of the Town should be sufficient to serve the purpose of deterring such violations of the law.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF
THE TOWN OF WIGGINS, COLORADO:**

Section 1. The Wiggins Municipal Court Fine Schedule is hereby approved in essentially the same form as the copy of such schedule attached to this Ordinance.

Section 2. The Wiggins Municipal Court Fine Schedule shall be transmitted to the Municipal Court and shall become effective, upon adoption and approval by the Court.

**INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED,
BY TITLE ONLY, BY THE BOARD OF TRUSTEES OF THE TOWN OF WIGGINS,
COLORADO THIS 23RD DAY OF FEBRUARY, 2022.**

TOWN OF WIGGINS, COLORADO

Jeffrey Palmer, Mayor

ATTEST:

Deborah Lee, Town Clerk

I, Deborah Lee, Town Clerk of the Town of Wiggins, Colorado, hereby certify and attest that the foregoing Ordinance No. 03-2022 was introduced, read, adopted and ordered published by title only, at a regular meeting of the Board of Trustees of the Town of Wiggins, Colorado on the 23rd day of February, 2022. This Ordinance was published in The Fort Morgan Times on _____, 2022.

Dated _____

WIGGINS MUNICIPAL COURT FINE AND FEE SCHEDULE

As prescribed by Wiggins Board of Trustees, the following fine schedule has been established for certain traffic and general ordinance violations within the Town of Wiggins. Offenses other than those listed on this fine schedule shall require mandatory appearance before the Court. The Wiggins Board of Trustees approved this Fine Schedule effective February 23 , 2022.

PART ONE – TRAFFIC VIOLATIONS (MODEL TRAFFIC CODE)

Schedule of Fines (unless otherwise stated)	Fine*
Six Point Violation	\$300
Five Point Violations	\$250
Four Point Violations	\$150
Three Point Violations	\$125
Two Point Violations	\$100
One Point Violations	\$80
Zero Point and Parking Violations	\$60
25 over speed limit	Summons
“8” penalty points	Summons
“12” penalty points	Summons
No Insurance	Summons

*Any moving violations that occur in a construction zone or school zone are doubled.

SIZE-WEIGHT-LOAD (MODEL TRAFFIC CODE)

All MTC Section 500 Violations for Size -Weight- Load	Fine*
Excess Weight 1-2500 lbs.	\$100
Excess Weight 2501-5000 lbs.	\$200
Excess Weight 5001-7500 lbs.	\$400
Excess Weight 7501-10000 lbs.	\$800
Over 10000 lbs.	\$800 Plus \$300 for each 1000 lbs. Overweight up to a maximum fine of \$2650

MISCELLANEOUS (MODEL TRAFFIC CODE)

Code Section	Violation	Fine	Subsequent
1201	Starting Parked Vehicles	\$40	\$40
1202	Vehicles in Roadway	\$60	\$60
1208	Handicapped Parking	\$350	Summons
1211	Unsafe Backing	\$60	\$60
1200	Others Not listed	\$40	\$40
1403	Following Fire Truck	\$150	\$150
1404	Crossing Fire Hose	\$200	\$200
1406	Throwing Matter on Highway	\$125	\$125
1407	Spilling Loads	\$300	\$300
1407	Spilling Hazardous Material	Summons	Summons
1412	Bicycle Operation	\$40	\$40
1415	Radar Jamming Device	\$600	\$600
1400	Others Not Listed	\$40	\$40
1500	All 1500 Violations	\$40	\$40

MANDATORY SUMMONS

A. Offenses resulting in an accident - causing serious bodily injury, death or appreciable/substantial damage to the property of another

B. Reckless Driving

C. Exhibition of Speed or Speed Contest

D. Failure to Stop for School Bus

E. Eluding or attempting to elude a police officer

F. Speeding twenty five (25) miles or more over the posted speed limit

G. Speeding forty (40) miles or more over the posted speed limit

H. Model Traffic Code violation section 500-509 for Size-Weight-Load (Unless otherwise stated above in the fine schedule)

PART TWO – GENERAL ORDINANCE VIOLATIONS**HEALTH & SAFETY ORDINANCES**

Code Section	Violation	First Offense	Subsequent Offense
8-1-3	General Nuisance	\$100	Summons
8-2-3	Abandoned and Publicly Kept Vehicles	\$100	Summons
8-2-7	Sleeper Vehicles	\$100	Summons
8-3-2	Household Trash, Garbage, Trash & Debris	\$100	Summons
8-4-2	Unsafe Sidewalks and Rights-of-Way	\$100	Summons

8-5-2	Landscape Materials	\$100	Summons
8-7-2	Weeds, Brush, Leaves and Grass Clippings	\$100	Summons
8-8-2	Prohibited Fireworks Possession/Discharge	\$250	Summons
8-8-6	Unlawful Sale or Possession of Fireworks during Ban	\$250	Summons
8-9-9	Emergency Alarm System (after 3 false alarms)	\$50	Summons

ANIMAL ORDINANCES

Code Section	Violation	First Offense	Subsequent Offense
3-07(2)	License and Registration Required	\$50	Summons
3-07(2)	Rabies Vaccine Required	\$100	Summons
3-07(3)	Restriction of Animal Type and Number	\$50	Summons
3-07(5)	Interference/ Hindering Animal Control	Summons	Summons
3-07(7)	Barking Dog	\$75	Summons
3-07(8)	Dog at Large	\$75	Summons
3-07(9)	Leash Law	\$40	Summons
3-07(11)	Cruelty to Animals/Abandonment	Summons	Summons
3-07(12)	Poisoning of Animals Prohibited	Summons	Summons
3-07(14)	Vicious Animal	Summons	Summons
22-2016	Proper Disposal of Pet Waste	\$75	Summons

MISCELLANEOUS ORDINANCES

Code Section	Violation	First Offense	Subsequent Offense
2-90	Watering Restrictions	\$250	Summons
4-99(1)	Open Burning	\$75	Summons
06-11	Unregistered Golf Cart	\$35	Summons
04-2015	Truck Parking	\$150	Summons
06-2015	Contractor, Subcontractors, and Tradesmen regulations	Summons	Summons

CRIMINAL VIOLATIONS

Code Section	Violation	First Offense	Subsequent Offense
1-86(2)	Open Container	Summons	Summons
2-86(1E)	Shoplifting	Summons	Summons
3-79(1)	Disorderly Conduct	Summons	Summons
3-79(1g)	Menacing	Summons	Summons
1-94	Curfew	Summons	Summons
2-95(1)	Harassment	Summons	Summons
3-95(1)	Assault	Summons	Summons
11-95	Minor In Possession	Summons	Summons
4-98	Disturbance-Breach of Peace	Summons	Summons
4-07-01	Theft	Summons	Summons
4-07-02	Theft of Services	Summons	Summons
4-07-03	Fraud by Check	Summons	Summons
4-07-04	Trespass	Summons	Summons
4-07-05	Criminal Mischief	Summons	Summons
4-07-06	Defacing Public Property	Summons	Summons
4-07-07	Littering- Public and Private	\$150	Summons

PART THREE – COURT/OTHER COSTS

Schedule of Fines (unless otherwise stated)	Fine
Court Surcharge / All Municipal Citations	\$65
Tow Surcharge / All Abandoned, Publicly Kept or Junk Vehicles	\$50

RELATED FINE PROCEDURES

Summons and Complaints with more than one traffic charge may receive a plea bargain offer prior to appearing in Court provided the combined total of original points is no greater than six points. If the combined total of original points on the summons is greater than six points the summons shall require an appearance before the Court.

Summons and Complaints with more than one general ordinance charge shall require an appearance before the Court.

All persons who close their case through plea bargain procedures with the Town Attorney's office, either by mail or in person, shall pay the fine scheduled for the original violation(s) charged.

Any person who enters a plea of guilty or nolo contendere as part of a plea-bargained disposition and who does not wish to pay the scheduled fine must appear as scheduled on the summons and complaint.

Stays of execution may be granted by the office of the Municipal Court through a process agreed to by the Presiding Municipal Court Judge and Municipal Court.

The payment of the scheduled fine shall constitute a final judgment or conviction of the offense charged. All persons charged with offenses other than those listed on this fine schedule shall be required to appear in the Municipal Court.

At the time of sentencing, and based on a Judge's discretion, fines may be increased or decreased depending on mitigating or aggravating factors.